Examining the East African Jurisprudence on the Right to Food: A Comparative Study

AGONZIBWA, C.*

Corresponding Author Email: cagonzibwa@gmail.com

Abstract

On the 18th of June 2024, nationwide protests in Kenya against the Finance Bill 2024 drew attention to rising living costs and food price inflation.[1] Polling indicated that approximately 73% of Kenyans struggled to meet basic needs.[2] These developments foreground the state's obligation to realise the right to food. This paper examines the enforceability of the right to food across East Africa exploring the relationship between constitutional and legal norms and the institutional mechanisms that shape their implementation. The purpose is to ascertain under what conditions recognition of the right to food manifests into tangible protection for vulnerable populations in the face of rising food insecurity exacerbated by economic disparities and political instability among other factors. Specific objectives include mapping national legal and policy frameworks, evaluating judicial engagement with food rights and identifying institutional mechanisms that facilitate effective enforcement. The paper adopts a qualitative methodology, integrating doctrinal analysis of international instruments (UDHR,ICESCR,CESCR General Comment No.12, FAO

*Caroline Agonzibwa is an Advocate of the High Court of Uganda with over 19 years of legal experience. She holds two Master of Laws degrees: an LL.M. in Food Law from LUISS Guido Carli University, Rome, Italy, and an LL.M. in International Commercial Law from the University of Cape Town, South Africa. She also holds a Bachelor of Laws (LL.B.) from Makerere University, Kampala, Uganda. Currently, she serves as the Director of Regusen Consult Ltd., specializing in trade and food policy, and serves as a lecturer on Business Associations at Cavendish University (Uganda). Her extensive government experience includes senior roles advising on standards, trade regulations, and statutory compliance. Additionally, she served as a Fellow for the USDA-AU Scientific Exchanges Program, providing expert legal research and advice to support food safety and the harmonization of sanitary and phytosanitary (SPS) regulations across eight African Regional Economic Communities under AfCFTA. She has also contributed to trade facilitation initiatives, including drafting East African Community standards legislation.

[1] Chrispin Mwakideu, 'Kenya: What's behind the deadly protests?' (DW, 26 June 2024) https://www.dw.com/en/kenya-whats-behind-the-deadly-protests/a-69478710 accessed 22 August 2024.

[2] Purity Wangui, '73pc of Kenyans Struggling to Make Ends Meet – InfoTrak Research' (Capital FM News, 22 January 2024) https://www.capitalfm.co.ke/news/2024/01/73pc of kenyans struggling to make ends meet infotrak research/ accessed 22 August 2024; Simon Wachira, 'The Infotrak Voice of the People Poll Release June 2024' (Infotrak, 6 June 2024) https://www.infotrakresearch.com/the-infotrak-voice-of-the-people-poll-release-june-2024/ accessed 9 September 2024.

guidelines) with comparative evaluation of constitutional and policy texts, case law and secondary quantitative data. This blended approach enables triangulation of legal, institutional and observation to assess countries' rule of law capacity regarding food rights, applying human rights based criteria i.e equality and non discrimination, participation, accountability, transparency and progressive realization.

This research finds that explicit constitutional recognition and robust institutional frameworks particularly, Kenya's rights based model corelate with more effective Judicial enforcement of the right to food. Uganda, Rwanda and South Sudan, to the contrary, rely mainly on directive principles and aspirational policy provisions resulting in weak judicial enforceability. Judicial approaches across the region tend to mirror the reasonableness review pioneered in South Africa, carefully examine state measures for consistency and prioritization of vulnerable groups instead of granting immediate entitlements. The conclusion illustrates that bridging the gap between the right to food and lived reality requires constitutional reforms, adoption of framework right to food legislation, judicial procedural flexibility for public interest litigation and regional harmonization. These steps are essential to transform the right to food from rhetoric into lived experience especially for those most at risk of hunger and poverty in East Africa.

Key Words

The Right to Food; Food Insecurity; Rule of Law; Human rights; State obligations; Justiciability; Comparative Constitutional Law; East Africa

Introduction

The right to food, a fundamental human right established by the United Nations General Assembly in the 1948 Universal Declaration of Human Rights, is doctrinally and practically significant in East Africa.[3] This region grapples with a multitude of distinct challenges, such as recurrent drought, political instability, and numerous economic disparities, all of which exacerbate the problem of food insecurity, particularly for those in poverty.[4]

[3] TSN Muwanga and L Korsten, 'The right to food in South Africa: A consumer protection perspective' (2024) 24 African Human Rights Law Journal 632. http://dx.doi.org/10.17159/1996-2096/2024/v24n2a10

[4] AM Abdullahi, RB Kalengyo and AA Warsame, 'The unmet demand of food security in East Africa: review of the triple challenges of climate change, economic crises, and conflicts' (2024) 5 Discover Sustainability 244.

Recent data highlights the scale and urgency of the problem in East Africa. The State of Food Security and Nutrition in the World 2025 report stated that an estimated 673 million people faced hunger in 2024, (8.3 % of the global population) with 307 million in Africa.[5] Hunger is on the rise in Africa.[6] The number of people unable to afford a healthy diet in Africa rose from 864 million to just over 1 billion (64-66 Per cent) while the global average cost of a healthy diet increased to $ 4.46 per person per day.[7]About 2.3 billion people experienced moderate or severe food insecurity in 2024, which is 336 million more than in 2019 before the pandemic. 6 billion people could not afford a healthy diet in 2024.[8] Whereas the global number has fallen since 2019, affordability has worsened in Africa and in many low income countries. If current trends continue, 512 million people could face hunger in 2030 nearly 60% of them in Africa.[9] This indicates a deepening continental share that encompasses Eastern Africa.[10] The Uganda Bureau of Statistics (UBOS) reports prevalence of households reporting food worry in the last 12 months at 23.4%.[11] Households in the rural areas report higher food insecurity: rural prevalence of food worry 26.8% vs urban 12.3%.[12]Worse still, refugee households with reduced dietary diversity or inadequate access is 35-40% depending on the settlement.[13]The refugee food insecurity statistics align with WFP and UNHCR findings that refugees in Uganda have heightened reliance on assistance and worse dietary outcomes, reemphasizing SOFIS's point that population sub groups in crisis settings drive national deficits. According to the IPC, Uganda is host to 1.9 million refugees, the largest number in Africa and the sixth largest in the world.[14] The refugee crisis is primarily driven by conflicts and instability in the neighbouring countries of South Sudan and DRC Congo.[15]

---

[5] FAO, IFAD, UNICEF, WFP and WHO, *The State of Food Security and Nutrition in the World 2025: Addressing High Food Price Inflation for Food Security and Nutrition* (8 August 2025), executive summary xvii, 9 https://data.unicef.org/resources/sofi-2025/ accessed 6 October 2025.
[6] Ibid 10
[7] Ibid 13, 30, 47–48, 49–50.
[8] Ibid
[9] Ibid
[10] SDG Knowledge Hub, 'SOFI 2025 Reveals Regional Disparities in Fighting Hunger' (SDG Knowledge Hub, 6 August 2025) https://sdg.iisd.org/news/sofi-2025-reveals-regional-disparities-in-fighting-hunger/ accessed 6 October 2025.
[11] Uganda Bureau of Statistics (UBOS), *Uganda National Household Survey 2023/24* (2024) 45-46.
[12] Ibid 50-52
[13] Ibid 120-126
[14] IPC, *Uganda: IPC Acute Food Insecurity and Acute Malnutrition Analysis – Refugee Settlements, June 2025 – February 2026* (16 September 2025) https://reliefweb.int/report/uganda/uganda-ipc-acute-food-insecurity-and-acute-malnutrition-analysis-refugee-settlements-june-2025-february-2026-published-16-september-2025 accessed 6 October 2025.
[15]Ibid

It is against the backdrop of East Africa's food insecurity issues that this article asks: under what institutional conditions does constitutional recognition of the right to food translate into tangible protection?

The article first maps the international and regional standards on the right to food and sets the East African Context. It then compares Kenya, Uganda, Rwanda and South Sudan, tracing how each country's constitution, policies and institutions recognize and enforce this right. Next, it analyzes key court decisions to show how judicial doctrines, especially reasonableness review, shape remedies. The article then applies, a human rights evaluation framework (equality, participation, accountability, transparency and progressive realization) to assess rule of law capacity across the four African countries. It brings in recent data to test legal and policy claims against real outcomes on hunger and food insecurity. The conclusion sums up what works, what does not and proposes specific reforms: entrenching justiciable rights, adopting framework right to food laws, improving judicial practice for public interest cases and strengthening regional oversight.

Background

International and regional law (UDHR, ICESCR, CESCR Gen. Comment 12 and the African Charter define the normative content of the right to food and corresponding state obligations. In East Africa, however, rule of law constraints such as limited judicial independence, institutional weaknesses and weak accountability limit the transformation of these norms into effective remedies. Moreso, emerging jurisprudence and approaches adopt a cautious "reasonableness" review that affirms justiciability yet restricts immediate relief.

International human rights scholars recognize the connection between the right to food and the rule of law. However, East African states often overlook this intersection in both legal doctrine and enforcement.

Courtis has critically examined the right to food as a justiciable right, highlighting challenges and strategies in legal enforcement and noting problems in recognising it as an enforceable right in courts.[16]

Millian Gomez proposes a rethinking of the human right to food through a fourfold legal interpretation, emphasizing its complexity beyond mere access to calories to include nutritional security and food sovereignty, and calls for a deeper legal theoretical framing to adapt to contemporary changes.[17]

Ana Ayala and Benjamin Meier advocate for a human rights approach to food and nutrition insecurity, likening the right to food with the right to health and emphasizing the role of international law in guiding governments to improve food availability, affordability, and quality for public health.[18]

Scholars (as reported by J Harris) studying the right to nutrition in Zambia show the interconnectedness of rights to food, nutrition, health and social protection. They illustrate the practical challenges of defining and enforcing a right to nutrition as part of the broader right to food, noting the complexity and policy implications.[19]

B. Nkrumah highlights the constitutional guarantees of the right to food, especially under South African law emphazing the state's obligation to ensure sufficient food and the challenges of judicial enforcement of this right based on reasonableness tests for policy measures.[20]

---

[16] Christian Courtis, 'The Right to Food as a Justiciable Right: Challenges and Strategies' (2007) 11 Max Planck Yearbook of UN Law 317, 319.
[17] Jorge Freddy Milian Gómez, 'Rethinking the Human Right to Food from a Single Perspective: A Fourfold Legal Interpretation' Journal of Human Rights Practice (2024) Rethinking the Human Right to Food from a Single Perspective to a Four-Fold Legal Interpretation accessed 07 October 2025.
[18] A Ayala and BM Meier, 'A human rights approach to the health implications of food and nutrition insecurity (2017) 38 Public Health Reviews 10
[19] J Harris, S Gibbons, O Kaaba, T Hrynick and R Stirton, 'A "right to nutrition" in its social, legal, and political context: how international human rights translate to Zambian realities' (2022) 14 *Journal of Human Rights Practice* 879, doi:10.1093/jhuman/huac043.
[20] B Nkrumah, 'Opening Pandora's box: a legal analysis of the right to food in South Africa' (2019) 52 *De Jure Law Journal* 47, doi:10.17159/2225-7160/2019/v52a3.

The FAO discusses how several East and Southern African constitutions incorporate the right to adequate food, whether as direct constitutional rights, or through directive principles of state policy.[21]

Generally scholarly discourse often agrees on the international recognition of the right to food and constitutionally in many countries though it remains complex to enforce judicially. The right is not just about accessing calories but adequate nutrition, food sovereignty and the progressive realization of these rights. It is closely linked with other human rights including health, dignity, life and social protection. But scholars do not provide a universal or clear definition of the right to food, leaving interpretations sometimes too broad which complicates legal and policy enforcement.[22]

Literature on the rule of law in East Africa outlines both formal constitutional developments, and constraints around enforcement. Mutua states that one of the most underdeveloped sectors in African states is the justice sector.[23] He argues that constitutionalism is often rhetoric yet undermined by weak institutional capacity, corruption, executive overreach, and weak judicial independence, which collectively hinder citizens' ability to invoke rights.[24] Other scholars have documented the regulatory and implementation gaps. To note is Akullo's study on food laws in Uganda that highlights regulatory and policy gaps, harmonisation and enforcement issues.[25]

The integration of socio economic rights into constitutions raises central questions of rule of law and judicial enforcement. Kenya's courts have emphasised that the inclusion of socio economic

[21]Lorenzo Cotula (ed), *The Right to Food and Access to Natural Resources* (FAO 2008). https://www.fao.org/4/k8093e/k8093e.pdf accessed 25 September 2025
[22]International Development Law Organization, *Realizing the Right to Food: Legal Strategies and Approaches* (Rome, IDLO 2014) https://www.idlo.int/publications/realizing right food legal strategies and approaches accessed 04 October 2025.
[23]Makau Mutua, 'Africa and the Rule of Law' (2016) 13(23) Sur – International Journal on Human Rights 159, 168.
[24]ibid 159,173
[25]Diana Ogwal Akullo, 'Food Safety and Free Trade Area in East Africa' (PhD thesis, Walden University 2023) 50–51 https://scholarworks.waldenu.edu/dissertations/11893/ accessed 25 September 2025.

rights was transformative, aimed at redressing inequality and enhancing dignity.[26]Yet, separation of powers concerns have led courts to adopt reasonableness review as observed by Mutua.[27]
It is important to note that even where constitutions or treaties recognize rights, courts may be reluctant to entertain claims, or remedies may be weak.[28]

Yeshanew argues that the African Commission's jurisprudence reflects both direct and indirect approaches: direct recognition of implied rights and indirect recognition through related rights like life and health.[29]

Despite formal constitutional advances, enforcement remains constrained by under resourced judiciaries, executive dominance, and limited accountability mechanisms producing a persistent gap between rights recognition and remedies.

International and regional laws recognize the right to food, but enforcement in East Africa is weak. Structural flaws in constitutions, policy instruments and in the justice system turn food rights into talk. The Courts, Kenya's included, see the promise of socio economic rights, yet they enforce them cautiously because of separation of power concerns. The result is a gap between recognition and reality. Hunger and food insecurity data shows how wide that gap is. The scholarship affirms strong legal norms but says little about what institutions must exist to make them work. This article puts rule of law capacity at the centre to explain enforcement. Prior work rarely shows how that capacity shapes outcomes in East Africa. This article does. Although there is legal knowledge regarding the right to food, there exists a significant gap in understanding how this right aligns with the rule of law in East Africa.

Methodology

[26] *Mitu-Bell Welfare Society v Kenya Airports Authority & 2 others* (Petition No 3 of 2018) [2021] KESC 34 (KLR) (Constitutional/Environmental & Land Rights) (11 January 2021) 12.
[27] Mutua (n 23) 167.
[28] ibid
[29] Sisay Alemahu Yeshanew, 'Approaches to the Justiciability of Economic, Social and Cultural Rights in the Jurisprudence of the African Commission on Human and Peoples' Rights' (2011) 11(2) African Human Rights LJ 317.

Following the introduction and contextual overview, this section sets out the study's methods. This study employs a rigorous qualitative methodology, integrating doctrinal and comparative legal analysis to interrogate the normative and institutional dimensions of the right to food in East Africa. Central to the inquiry is close textual analysis of UDHR, ICESCR (Article 11), and CESR General Comment No.12, and the FAO Right to Food Guidelines, to specify duties to respect, protect and fulfil including minimum core and progressive realization. This doctrinal approach elucidates the substantive content of the right to adequate food and delineates state obligations under international law, including duties to respect, protect, and fulfil, as well as minimum core obligations and the principle of progressive realisation.

Complementing this normative analysis, the study undertakes a comparative examination of constitutional and policy frameworks in Kenya, Uganda, Rwanda, and South Sudan. It systematically codes and evaluates national legal texts and sectoral policies for their recognition of food rights, incorporation of rights based language, institutional mechanisms, and attention to food safety and emergency preparedness. Jurisprudential case studies are integrated to assess judicial engagement with socio economic rights and to explore the enforceability of food rights. These cases are selected for their relevance to state accountability and the reasonableness of state measures.

To contextualise the legal findings, the study synthesizes secondary quantitative data and policy reports from authoritative sources including FAO and the World Bank. These empirical materials substantiate claims regarding the prevalence and drivers of food insecurity, illuminate socio political dynamics and expose implementation gaps that legal texts alone may obscure. The analytical strategy triangulates doctrinal benchmarks, national legal and policy practices, and judicial reasoning against empirical evidence to evaluate the adequacy and enforceability of the right to food. While the study is limited by its reliance on documentary sources and absence of fieldwork, it maintains academic integrity through rigorous citation and ethical engagement with publicly available materials.

The evaluative framework guiding the analysis applies a human rights based framework with five criteria to structure the country comparison and judicial review. This framework structures the comparative assessment and grounds the evaluative criteria.

In assessing the right to food, the researcher applies a human rights based approach that treats individuals as rights holders and the state as the duty bearer. They also evaluate each country's law and practice against five criteria: (i) equality and non discrimination (including gender and vulnerable groups); (ii) participation in policy design and over sight; (iii) accountability and effective remedies (administrative, judicial and parliamentary); (iv) transparency and monitoring (targets, data, budgets); and (v) progressive realisation with a minimum core and non retrogression subject to reasonableness review. The researcher uses this lens to read constitutional text and framework policies, and jurisprudence and to identify the institutional conditions under which the right to food becomes enforceable rather than inspirational.

Discussion of Results and Findings

Normative Content: Right to Food (UDHR, ICESCR, CRC, African Charter, GC12, FAO Guidelines)

International instruments such as the UDHR[30], ICESCR[31], CRC[32] and regional frameworks like the African Charter[33] collectively impose on states the tripartite obligations to respect existing access to food, protect populations from third party interference (including food safety hazards), and fulfil the right to active measures guaranteeing adequate and accessible food. These duties incorporate immediate minimum core obligations (freedom from hunger) and require progressive realisation using maximum available resources while avoiding unjustified retrogression. Judicial assessments typically apply a reasonableness standard, examining whether state measures are coherent, evidence based and prioritize vulnerable groups within resource constraints.

The Universal Declaration on Human Rights (UDHR)[34]

Article 25 (1) recognises the right to an adequate standard of living, food inclusive, but as a declaration, it sets the normative foundation rather than directly creating enforceable duties.

---

[30] *Universal Declaration of Human Rights* (adopted 10 December 1948 UNGA Res 217 A(III)) UN Doc A/810.
[31] *International Covenant on Economic, Social and Cultural Rights* (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3.
[32] *Convention on the Rights of the Child* (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3.
[33] *African Charter on Human and Peoples' Rights* (adopted 27 June 1981, entered into force 21 October 1986) 1520 UNTS 217.
[34] (n 30).

The International Covenant on Economic, Social and Cultural Rights (ICESCR)[35]

ICESCR Article 11 makes the right to adequate food legally binding. The provision's gendered phrasing (for himself and his family) is doctrinally clarified, not limited, by General comment No.12 para 1 which confirms the right applies to everyone including female headed households, thereby aligning enforcement with equality obligations.

The Convention on the Rights of the Child (CRC)[36]

The Convention on the Rights of the Child (CRC) in Article 24 (2) places operational duties on states to secure children's health by combating malnutrition through Primary Health Care implying the tripartite obligations to respect (do not undermine children's existing access to adequate nutrition and safe water), protect(regulate private actors on food safety, marketing and contamination) and to fulfil (provide or facilitate essential nutrition services, clean water and environmental health measures).

African (Banjul) Charter on Human and Peoples' Rights[37]

Under the African Charter, the African Commission derives an implied right to food from Articles 4(life),16 (health) and 22 (development). Here, states must respect existing access to food, protect people by regulating third parties and fulfil the right by enacting laws. Courts and oversight bodies evaluate state measures for reasonableness .i.e. coherence, concrete implementation, prioritisation of vulnerable groups, transparency and non retrogression within resource constraints.

General Comment No. 12 of the Committee on Economic, Social and Cultural Rights (CESCR)[38]

defines the right to food as adequate, available, accessible and sustainable, and obliges States to respect existing access, protect people from third party interference (including through food safety regulation and market oversight), and fulfil the right by adopting laws, programmes and assistance

[35] (n 31)
[36] (n 33)
[37] Ibid
[38] UN Committee on Economic, Social and Cultural Rights, 'General Comment No 12: The Right to Adequate Food (Art 11)' (12 May 1999) UN Doc E/C.12/1999/5.

that secure reliable access to adequate and safe food.[39]Notably, freedom from hunger constitutes an immediate minimum core obligation not subject to progressive realization.

The Committee provision emphasizes that the right to food extends beyond mere physical availability; it also encompasses the economic means to acquire it. Thus, availability is highlighted as one of the foundational pillars. Another crucial pillar is adequacy, which requires that food meets dietary needs, considering factors such as an individual's age, living conditions, health, occupation, and sex. Additionally, there is the aspect of sustained access at all times, introducing the concept of food security. This also involves ensuring that food is accessible in a sustainable way that does not infringe upon the enjoyment of other human rights. The comment plays a crucial role in addressing the fundamental causes of food insecurity, including but not limited to poverty, inequality, and inadequate access to resources.[40]

To ensure food safety, both public and private entities must implement specific measures to prevent contamination caused by adulteration, inadequate environmental hygiene, or improper handling throughout the food supply chain.[41] In developing countries, food safety is a critical issue that is often neglected.

States play a vital role in initiating and implementing activities that, as much as possible, enhance individuals' ability to access and utilize resources and opportunities to secure their livelihoods including initiatives aimed at improving food security.[42] The fundamental goal is to ensure fulfillment.[43] The phrase "to the extent possible" is emphasized because, in many cases, it is not feasible to completely eradicate food insecurity, hunger, or malnutrition.[44] Highly developed regions such as Europe, the United States, and several other countries still grapple with hunger though the situation is more concerning in developing and least developed countries, as indicated by the statistics.

---

[39] Ibid
[40] Tina D. Beuchelt, Rafaël Schneider, and Liliana Gamba, 'Integrating the Right to Food in Sustainability Standards: A Theory of Change to Move Global Supply Chains from Responsibilities to Impacts' (2022) 44(4) Applied Economic Perspectives and Policy 1864, 1866.
[41] UN CESCR (n 38) Para 10
[42] Ibid para 21-28
[43] Ibid para 15
[44] Ibid para 17

The committee further emphasizes the importance of addressing violations of the Covenant related to the right to food. Such violations occur when a State fails to ensure that its population has at least the minimum essential level of food necessary to avoid hunger. It is vital to distinguish between a State party's inability and unwillingness to provide access to food. If a State asserts that resource constraints impede its ability to afford access to food for those unable to secure it themselves, it is incumbent upon the State to demonstrate that it has exerted every possible effort and utilised all available resources to prioritise meeting these minimum obligations.[45]

The implementation of the right to adequate food will inevitably vary among different states. Each state possesses the autonomy to select its own methods as long as the necessary measures to ensure that all individuals are free from hunger and have access to adequate food at the earliest possible opportunity are taken. Comprehensive national strategies that guarantees food and nutrition security for all, grounded in human rights principles should be in place clearly outlining the goals, policies, and corresponding benchmarks, as well as identify the available resources and the most efficient ways to utilise them.[46]

Actively engaging in initiatives aimed at enhancing people's access to resources and means necessary to secure, including food security, is part of the job description. The European Union's Common Agricultural Policy serves as an illustration of its commitment to supporting farmers in the sustainable and economically viable production of food.[47]

General Comment No.12 further adds that as part of State's obligations to protect people's resource base for food, State parties should take appropriate steps to ensure that activities of the private business sector and civil society are in conformity with the right to food.[48]

The general comment clarifies that states have multiple levels of obligations regarding the right to food. At the primary level, they must respect individuals control over their resources and

[45] Ibid.
[46] Ibid para 21.
[47]European Commission, 'The Common Agricultural Policy at a Glance' (European Commission, 24 February 2022) https://agriculture.ec.europa.eu/common-agricultural-policy/cap-overview/cap-glance_en accessed 22 August 2024.
[48] Ibid para 27

livelihoods. At the secondary level, states are required to actively protect individuals from interference by powerful economic interests through regulation and consumer protection. The tertiary level entails facilitating opportunities for individuals to access adequate food including improving production, conservation and distribution methods. Finally at the fourth level, states must fulfil the right to food for those unable to secure it themselves, a responsibility that grows with urbanization and changing social structures. This multitiered framework underscores the comprehensive and proactive role states must play in realising the right to adequate food for all .

In cases where a state lacks the resources to guarantee this minimum standard, it is required to demonstrate that it has actively sought international assistance to ensure the availability and accessibility of the necessary food resources.[49]

The Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security (FAO, 2005)[50]

The FAO Voluntary Guideline operationalise these treaty duties by providing non binding but influential guidance to states on building an enabling environment for food security through a human rights based approach. They highlight principles of equality, participation and accountability and encourage integration of food security into national development frameworks[51]. Though they are voluntary in nature, the guidelines are particularly relevant in East Africa, where food insecurity is exacerbated by poverty, climate change and political instability.[52] But gaps between policy intent and implementation, stemming from governance weaknesses and competing political priorities limit their impact.[53]

Building on the international and regional legal frameworks discussed, it is important to examine how East African Countries have integrated normative principles into their domestic constitutions

---

[49] Ibid para 38

[50] Food and Agriculture Organization of the United Nations, *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security* (2005) Foreword by Jacques Diouf, Director-General

[51] Ibid

[52] A Oshaug, 'The Netherlands and the Making of the Voluntary Guidelines on the Right to Food' in Otto Hospes and Bernd van der Meulen (eds), 'Fed Up With the Right to Food' (Wageningen Academic Publishers 2009) 105 https://doi.org/10.3920/9789086866748_009 accessed 20 October 2025.

[53] K Kurowska, R Marks-Bielska , S Bielski , H Kryszk , and A Jasinskas , 'Food Security in the Context of Liquid Biofuels Production' (2020) 13 Energies 6247, 2 https://doi.org/10.3390/en13236247 accessed 10 September 2025

and policies. The following section provides a comparative analysis of national legal frameworks in Kenya, Uganda, Rwanda and South Sudan stressing the extent to which these states have translated their treaty obligations into concrete legislative and policy measures aimed at progressively realising the right to food. This analysis will also identify institutional mechanisms and gaps that influence enforcement and protection within each national context.

National Legal Frameworks: A Comparative Analysis of National Constitutions and Policies on the Right to Food in East Africa

Each country's framework is assessed against five human rights criteria for realising the right to food (i) equality and non discrimination (including gender and vulnerable groups) (ii) participation in policy design and oversight, (iii) accountability and effective remedies (administrative, judicial, parliamentary, (iv) transparency and monitoring (targets, data, budgets) and (v) progressive realisation with minimum core obligations and prohibition of retrogression subjected to reasonableness review.

This framework guides a systematic comparison of constitutional provisions, policy frameworks and institutional enforcement across these countries.

The Republic of Kenya

Constitutional Recognition: Kenya adopts a rights based model anchored in explicit constitutional guarantees and relatively active judicial oversight. It stands out among East African countries for its explicit constitutional guarantee of the right to food. Article 43 (1)(c) of the constitution states that every person has the right to be free from hunger and to have adequate food of acceptable quality.[54]

Policy Framework: This foundational right is supported by the National Food and Nutrition Security policy.[55] It adopts a rights based approach.[56] It prioritises accountability, non discrimination, transparency and progressive realisation through multi sectoral coordination.[57]

[54] Constitution of Kenya, 2010.
[55] Republic of Kenya, Ministry of Agriculture, Livestock, Fisheries and Cooperatives, *National Food and Nutrition Security Policy* (Nairobi, Government of Kenya 2021).
[56] ibid
[57] Ibid 42–45.

Accountability/Enforcement: Enforcement mechanisms in kenya exist at multiple levels. Administrative oversight and parliamentary scrutiny provide platforms for public participation and policy monitoring while judicial enforcement has been instrumental in realizing the right to food.[58] Kenyan courts apply the reasonableness standard when reviewing state measures requiring decisions to be coherent, justifiable and considerate of vulnerable populations.[59] This standard aligns with international human rights jurisprudence and obligates the state to demonstrate that its policies and resource allocation are directed towards progressively realising the right to adequate food.

Attention is accorded to non discrimination and minimum core obligations in both the constitutional text and accompanying policies e.g. the policy recognizes the needs of marginalised groups including women, children, urban poor and persons with disabilities.[60]It further mandates institutional coordination among agriculture, health, trade and social protection sectors to ensure comprehensive and inclusive implementation.[61]

Assessment: On the five criteria, Kenya performs strong on recognition and policy integration, solid on participation and transparency but only moderate on accountability/remedies with judicial restraint under reasonableness review and uneven interministerial/ subnational implementation capacity as the principal bottlenecks.

The Republic of Uganda

Constitutional recognition: The constitution does not provide explicitly for the right to food but contains directive principles.[62]

Policy Framework: The Food and Nutrition Policy frames food as a human right.[63]The cornerstone of this policy is the explicit acknowledgement of fundamental human rights to

---

[58] V Zambrano, 'Right to food: an emerging human rights jurisprudence?' (2019) 4(57) Revista Juridica 23, https://doi.org/10.21902/revistajur.2316-753x.v4i57.3755

[59] *Consumer Federation of Kenya (COFEK) & Ors. v Attorney General & Ors. [2012*] eKLR, *Republic v Agriculture and Food Authority Tea Directorate Ex-Parte Riseup East Africa Trust* [2021] eKLR (HC Nairobi)

[60] Republic of Kenya (n 55) 4-6

[61]Republic of Kenya (n 55) 9-11

[62] Constitution of the Republic of Uganda, 1995, National Objectives and Directive Principles of State Policy, Objectives XIV and XXII.

[63] Republic of Uganda, *Uganda Food and Nutrition Policy* (Ministry of Agriculture and Ministry of Health, 2003) (Foreword and Executive summary) https://faolex.fao.org/docs/pdf/uga145392.pdf accessed 6 October 2025

adequate food and nutrition.[64]This acknowledgement is informed by Uganda's commitments as a signatory to international agreements.[65] There is layered accountability involving the oversight role of parliament. All branches remain bound by constitutional limits, constraining policy discretion.

Accountability/ Enforcement: The oversight role of government has been well elucidated in Uganda case law.[66] With Courts agreeing that it has the mandate to hold the executive accountable for its functions and for ensuring that it implements policies in accordance with the laws and budget passed by Parliament.[67] Among the tools and mechanisms of Parliamentary oversight are; interpellations (requiring the justification of a certain policy by a cabinet Minister), question time (intended to clarify or discuss government policies), hearings (either in plenary or committee meetings), budget oversight (to ensure financial accountability), and committee inquiries (ad-hoc or standing Parliamentary Committees).[68] The policy seeks to promote multisectoral mechanisms including government ministries, civil society and technical multisectoral councils to enhance policy implementation yet enforcement remains challenging. Weak judicial enforceability cannot be understated. Courts in Uganda are responsible for enforcing human rights. Jurisprudence demonstrates that while courts have attempted to interpret laws to align with constitutional standards including provisions for social economic rights, the lack of clear judicial mandates frequently restricts effective implementation.[69] The application of socio economic rights in Ugandan courts has exhibited inconsistencies such that realization depends on governments discretion rather than legal accountability.[70]

---

[64] P M Rukundo, 'Food as a Human Right during Disasters in Uganda' (2014) 36 Food Policy 68, 69-72 https://www.sciencedirect.com/science/article/pii/S0306919214001407 accessed 6 October 2025.

[65] M Olafsen et al, 'Examination of the Roles and Capacities of Duty Bearers in Uganda's Food Security and Nutrition Policy Implementation' (2018) BMC Public Health 18:537, 539-541 https://pmc.ncbi.nlm.nih.gov/articles/PMC5905179/ accessed 6 October 2025

[66] *Kiconco Patrick v Attorney General and Others (Miscellaneous Cause No. 0086 of 2023)* HC (Commercial Division) Kampala, 13 September 2023.kiconco-v-attorney-general-and-2-others-2023-ugcommc-24-13-september-2023.pdf

[67] Ibid 12

[68] ibid

[69] I Maravall-Buckwalter, A Dubin & E Durojaye 'The Contribution of Uganda's Constitutional Court Petition no 16 judgment to the right of access to quality emergency obstetric care under international law' (2025) Journal of African Law, 69(1), 147-167. https://doi.org/10.1017/s0021855324000354

[70] Giulia Scarpa and others, ' A Community Based approach to integrating Socio, Cultural and Environmental contexts in the Development of a Food database for indigenous and rural populations: the case of the Batwa and bakiga in south-western Uganda' (2021) 13 Nutrients 3503 doi.org/10.3390/nu13103503

Some scholars, however, assert Uganda recognises the right to food by aligning with international human rights standards, and that it showcases the country's dedication to ensuring food security for its citizens.[71]

Assessment:

On the five criteria, Uganda performs weak on recognition (no explicit constitutional right) and accountability/remedies, and mixed on participation and transparency, with absence of a justiciable right and procedural formalism/limited judicial willingness to grant structural relief as the principal bottlenecks

The Republic of Rwanda

Constitutional recognition: Rwanda's Constitution does not explicitly recognise the right to food as a standalone justiciable fundamental right.[72] It is however a state party to the international covenant on economic , social and cultural rights which handles the right to adequate food.[73]Article 41 of the constitution recognises the right of all citizens relating to health including the obligation of the state to mobilize for promoting good health which implicates food and nutrition. The constitution further promotes other connected rights such as socio economic rights supportive of food security objectives.

Policy Framework: The National Food and Nutrition Policy (NFNP) does not specifically reference the human right to food in Rwanda as it is not explicitly provided for in the Constitution of Rwanda. This absence means the NFNP does not legally establish the right to food. However, the policy does aim to provide a framework for improving food security and nutrition for the population of Rwanda.[74]

Although the policy provides a framework for improving food security and nutrition for the population, it does not establish a justiciable right. It does, however commit to promoting optimal

---

[71] W Nabalende , 'The Right to Food is Clearly Stipulated in International Human Rights Law: A Number of Challenges Have Riddled Its Enjoyment in Uganda' (2020) 11 International Journal of Business and Social Science 45 https://doi.org/10.30845/ijbss.v11n3a13.

[72] Food and Agriculture Organization (FAO), 'Rwanda Country Profile: Right to Food' *(FAO)* https://www.fao.org/right-to-food-around-the-globe/countries/rwa/en/ accessed 6 October 2025.

[73] Constitution of the Republic of Rwanda, 2003, Art 41,95

[74] Ministry of Health Rwanda, *National Food and Nutrition Policy* (NFNP 2013), strategic direction 3 (d) https://www.moh.gov.rw/fileadmin/user_upload/policies/National_Food_and_Nutrition_Policy_.pdf accessed 6 October 2025.

house hold food security through services and practices emphasizing vulnerable groups such as pregnant and lactating women and children under 2 years.[75] The policy adopts a multisectoral approach involving health, agriculture, local government and education ministries, which emphasizes the complexity of food security challenges.[76] It supports agricultural interventions like biofortified foods and links social protection programs to food security efforts.[77] The policy also addresses food security in emergencies and school feeding programs, showing a commitment to nutritional well being. Despite the lack of explicit legal rights, the NFNP plays a crucial role in guiding and promoting initiatives to ensure access to an adequate and nutritious diet for all Rwandans.[78]

Accountability/ Enforcement: Accountability in Rwanda is layered with administrative oversight through sector ministries and NFNP coordination architecture, parliamentary scrutiny of plans and budgets, and judicial review informed by the Constitution's health and welfare provisions alongside ICESCR obligations. This allows the courts to assess the reasonableness of states' measures to secure access to adequate safe food.

The multisector approach and linkage to social protection programs suggest a recognition by the government of the complex factors influencing food access and the need for an integrated strategy.[79]

Significant strides have been made through agencies like the Rwanda Food and Drugs Authority which actively monitor food safety, conduct inspections and address non compliance in the food supply chain. Recent FDA reports show the enforcement actions against substandard and counterfeit products and efforts to main stream food safety in national discourse.[80]

Assessment: On the five criteria, Rwanda performs moderate on transparency and administrative coordination but weak on recognition and judicial enforceability, with participation constrained, with lack of an explicit, justiciable right and limited civic space for rights based participation/oversight as the principal bottlenecks

---

[75] ibid 15,18
[76] Ibid 38-45
[77] MOH Rwanda (n 74)
[78] ibid
[79] Isabelle Tsakok, 'Rwanda—Achieving Food Security: What Prospects Lie Ahead? Challenges and Opportunities' (Policy Centre for the New South, Aug 2025) PB-41/25 https://www.policycenter.ma/sites/default/files/2025-08/PB_41-25%20(Isabelle%20Tsakok).pdf accessed 6 October 2025.
[80] Rwanda Food and Drugs Authority, 'Food Safety Newsletter' (June 2025) https://rwandafda.gov.rw/wp-content/uploads/2025/08/RWANDA-FDAS-FOOD-SAFETY-NEWSLETTER-English-Version.pdf accessed 6 October 2025.

The Republic of South Sudan

Constitutional recognition: The Transitional Constitution of the Republic of South Sudan, 2011[81]

A nascent legal framework with constitutional directive principles on socio economic welfare, development and equity.[82] The Republic of South Sudan acceded to the International Covenant on Economic, Social, and Cultural Rights (ICESCR) on 07 June 2019 and deposited its instrument of accession only recently on 05 February 2024.[83] Importantly, Article 9(3) of the constitution provides that " all rights and freedoms enshrined in international human right treaties, covenants and instruments ratified or acceded to by the republic of South Sudan shall be an integral part of this bill" South Sudan is also party to the Convention on the Elimination of all forms of Discrimination against Women (2015) and the convention on the rights of the child both of which contain food related provisions.

These constitutional provisions are broad in scope and serve as a normative foundation to guide the formulation of policy and resource allocation that can be dedicated toward achieving food security in line with South Sudan International Human rights commitments. There is limited explicit reference to the right to food. In fact Article 44 of the constitution expressly states that rights and liberties described in the guiding objectives chapter are not by themselves enforceable in a court of law unless the constitution otherwise provides or duly enacted law guarantees them. This means that while food security is recognized as a constitutional objective, it lacks direct judicial enforceability at domestic level without additional legislative and constitutional support.[84]

Article 37 (1) articulates economic development objectives including the eradication of poverty , attainment of millennium development goals, guaranteeing the equitable distribution of wealth

[81] Transitional Constitution of the Republic of South Sudan, 2011
[82] ibid Articles 17, 22, 24 & 35(2)
[83] RSP Valfredo, 'Justiciability of economic, social and cultural rights under the legal system of South Sudan: A preliminary assessment' (2024) 24 African Human Rights Law Journal 101, 110, http://dx.doi.org/10.17159/1996-2096/2024/v24n1a5
[84] Ibid 101, 108–09.

and the achievement of a decent standard of living for the people of South Sudan all of this is indirectly in support of food security objectives.[85]

Policy Framework: On the policy front, the Agricultural sector policy framework (2012-2017 is what primarily articulates food security; the overarching goal is to guarantee food for all by 2015 through radical transformation of agricultural productivity. Section 8.0 specifically addresses "policies on Food security and nutrition emphasizing food availability, accessibility, and utilization. Significant gaps however exist, it does not frame food security as a human right. It treats it as a development and economic objective. There is limited rights based language or accountability mechanisms embedded in the policy framework. The situation on the ground is such that South Sudan faces low agricultural productivity, poor infrastructure, incessant conflict, weak institutions, insufficient or lack of regulatory frameworks, irrational natural resource use, poorly organised rural communities, limited accessibility and very high levels of vulnerability.[86]

Accountability/Enforcement: South Sudan's enforcement architecture for the right to food operates through layered accountability involving administrative, parliamentary and nascent judicial mechanisms as has previously been noted though judicial enforcement remains weak.[87]There are numerous operational challenges faced by the domestic entities that impact on proper and full justiciability within South Sudan.[88]Administrative and policy coordination is not lacking though practical implementation is hampered by governance challenges, limited resources, ongoing conflict and institutional fragility.[89] The National legislature provides over sight through budget scrutiny and the government has endorsed the African Union's regional commitment to target at least 10% of public expenditure for agriculture.[90] This policy target(Maputo 2023, reaffirmed Malabo 2014), not a directly justiciable domestic mandate.[91] South Sudan's domestic

---

[85] FAO, The right to Food around the Globe SSD | The Right to Food around the Globe | Food and Agriculture Organization of the United Nations accessed 21 October 2025

[86]Government of South Sudan, *Environmental and Social Management Framework (ESMF) for the Emergency Food and Nutrition Security Project* (Ministry of Agriculture and Food Security, May 2018) 39–40

[87]Valfredo (n 83) 105

[88] Ibid

[89] F Sennesael and H Verhoeven, 'Breaking from the past? Environmental narratives, logics of power, and the (re)production of food insecurity in South Sudan' (2025) 49(1) Disasters e12658, doi:10.1111/disa.12658.

[90] Republic of South Sudan, Ministry of Agriculture, Forestry, Cooperatives and Rural Development, *Agriculture Sector Policy Framework (ASPF): 2012–2017* (August 2012) 25 https://faolex.fao.org/docs/pdf/ssd149325.pdf; African Union, '*Declaration on Agriculture and Food Security in Africa (Maputo Declaration)*'(Assembly of the African Union, Second Ordinary Session, Maputo, 10–12 July 2003)

[91] African Union, '*Declaration on Agriculture and Food Security in Africa (Maputo Declaration)*'(Assembly of the African Union, Second Ordinary Session, Maputo, 10–12 July 2003), African Union, '*Malabo Declaration on*

legal framework does not render this 10% target enforceable in court without specific legislation incorporating the commitment. Theoretically, the right to food can be judicially enforced through two avenues. Firstly through the South Sudan Human Rights Commission which is empowered to monitor and enforce rights enshrined in the constitution or ratified international treaties.[92] Secondly, could be judicially

enforced before the Supreme Court and other competent courts of South Sudan, because the Constitution automatically incorporates in the Bill of Rights human rights treaties ratified or acceded to by South Sudan.[93]Automatic incorporation of the treaty into the bill of rights gives the right to food a theoretical justiciable basis at the supranational level. Consequently while domestic enforcement remains limited, it is legally enforceable before the Economic social and cultural rights committee.[94]

The reality is that justiciability is severely constrained. As of 2024, no case law exists on the judicial enforcement of the right to food in South Sudan. The legal system faces operational challenges including limited judicial independence, lack of legal awareness, inadequate legal aid, ongoing armed conflict, displacement and other human rights violations. The gap between theoretical justice and practical enforcement is stark with the right to food remaining largely aspirational.[95]

South Sudan's legal framework for the right to food is characterized by directive constitutional principles evolving policy frameworks and nascent institutional coordination but suffers from limited explicit justiciability, weak enforcement mechanisms, and severe practical constraints stemming from ongoing conflict, institutional fragility and governance challenges.[96]

Assessment: On the five criteria, South Sudan performs weak across recognition, accountability/remedies, transparency and progressive realization (nascent policy, minimal

---

Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods' (Assembly of the African Union, Twenty-Third Ordinary Session, Malabo, 26–27 June 2014).

[92] Valfredo (n 83) 105

[93] ibid

[94] Valfredo (n 83) 101

[95] Sennesael (n 89)

[96] P Kameri, 'The right to adequate food in South Sudan' (Global Campus Human Rights Repository, 26 January 2023) https://repository.gchumanrights.org/items/32f44ded-0ec3-456b-80b0-a307ba666556 accessed 21 October 2025.

jurisprudence), with institutional fragility, ongoing fragility and absence of framework legislation and effective judicial capacity as the principal bottlenecks

Comparative Analysis Generally: An examination of Kenya, Uganda Rwanda and South Sudan illustrates distinct levels of constitutional commitment and policy implementation for realizing the right to food. Kenya leads with explicit constitutional protections while Uganda, Rwanda and South Sudan primarily embed the right through directive principles or policy limiting enforceability. Where each state acknowledges food security as a development priority, their frameworks diverge in clarity, enforceability and institutional capacity. Comparative research shows that differences in constitutional recognition and rule of law strength are decisive in shaping how each country transforms the right to food from aspiration to practice.[97]

Having looked at how the national constitutions and policies frame the right to food, the next section turns to judicial enforcement. It explores how courts in Africa have interpreted these norms to expand state accountability and concretise the right to food.

Judicial Pathways and Standards of Review

Consumer Federation of Kenya (COFEK) and Ors. Versus Attorney General & Ors.[98]

COFEK initiated legal action against the Attorney General and others in Petition 88 of 2011. The lawsuit highlighted several critical demands, including the declaration that the failure to stabilise and reduce high fuel prices violates Article 43 of the Constitution which guarantees economic and social rights to all citizens, such as freedom from hunger and access to adequate food of acceptable quality.

COFEK contended that the failure to stabilise and reduce high fuel prices had led to soaring food prices, thus infringing upon citizens' economic and social rights. These measures were intended to ensure that the economic and social rights of the petitioners and citizens were duly protected. [99]

---

[97] Manyange Margaret Kerubo, 'An Analysis of the Challenges of Implementation of the Rule of Law in East African Countries' (University of Embu Repository, 2023) 6-7 https://repository.embuni.ac.ke/server/api/core/bitstreams/cd0fc16c-1827-4024-abd8-205b5f4e7fd5/content accessed 22 October 2025.

[98] *Consumer Federation of Kenya (COFEK) & Ors. v Attorney General & Ors. [2012]* eKLR.

[99] *Consumer Federation of Kenya (COFEK) & Ors. v Attorney General & Ors. [2012]* eKLR, (Odunga J)

Though the petition was not successful, the case essentially highlighted significant issues that the judge addressed in his judgment;

Recognition of the Right to Food and the Significance of Economic, Social, and Cultural rights in the Constitution: The judge stated that the country now had, for the first time ever, recognition in the Constitution of socio-economic rights. Article 43 contains the constitutional guarantees to food, adequate healthcare, housing, water, and sanitation, noting that the inclusion of economic and social rights in the constitution was aimed at advancing the socio economic needs of the people of Kenya and uplifting their human dignity. He highlighted this as a transformative agenda beyond abstract equality toward equitable resource distribution.[100]However, while the Constitution contained guarantees to these rights and imposed an obligation on the State to ensure their enjoyment, it also limited the powers of the Court to question the fulfilment of the State of its obligations under Article 43 of Article 20.[101]

The inclusion of these rights in the Bill of Rights and the granting of jurisdiction to the High Court under Article 165 to determine whether a right or fundamental freedom had been violated clearly indicated the intention of Kenyans to ensure social transformation through the protection of these rights.[102]

State Violations and whether the state took any measures: The court stated that it was important to note that when presenting cases like this to the court, which have a significant impact on the rights, lives, and livelihoods of citizens, it was not sufficient to simply make statements about the violation of rights without thoroughly addressing how the violations occurred and whether the measures taken to prevent or lessen their impact were reasonable or not.

The decision employed a judicial review standard that emphasized reasonableness and progressive realization of socio economic rights rather than issuing direct remedies. Kenyan Courts recognize justiciability but calibrate relief through reasonableness review, leaving policy design to the political branches. The petition was unsuccessful because the court found that the government's

[100] ibid
[101] ibid
[102] ibid

failure to stabilize fuel prices that affected food prices did not amount to breach of Article 43 (1) (C) rights in a way that warranted judicial intervention given the economic complexity and policy discretion in fuel and food markets.[103]

The court emphasized separation of powers, noting that policy design and budget allocation reside with the executive and the legislature, respectively, constraining courts to assess reasonableness.[104]

The COFEK case represents a landmark judgement for the justiciability of the right to food under Kenya's constitution. It has however face critiques. The court did not prescribe remedies; therefore the absence of explicit judicial orders reduced the case's efficacy as a vehicle for systemic reform. The emphasis on progressive realization without immediate guarantees also created uncertainty about scope, timeliness and enforcement. Critics argue that this judicial restraint limits the right to food enforceability, treating it more as a policy goal and not an entitlement that is enforceable through court order, the ability to claim immediate relief or enforce minimum core obligations is limited.[105]The court did not prescribe remedies therefore, the absence of explicit judicial orders reduced the case efficacy as an engine for systemic reform and social justice and has continued to pose challenges.[106]Also the requirement for progressive realisation without immediate guarantees creates uncertainty for the claimants about the scope, duration and enforcement of the right to food.

The High Court affirmed the justiciability of socio economic right but limited relief to reasonableness review, signalling that policy design and allocation remain for the political branches while courts scrutinise coherence and prioritization of vulnerable groups.

John Kabui Mwai and Others v - Kenya National Examination Council and Others.[107]

Holding: affirms the transformative purpose of socio economic rights and frames equality in distributive terms.

---

[103] ibid

[104] ibid

[105] Gathii J, *The contested empowerment of Kenya's judiciary, 2010-2015: A historical institutional analysis*, (Sheria Publishing 2016)

[106] Grace Karimi Njiru, 'Implementing Article 43(1)(c) of the Constitution: Right to Food in Kenya' (LLM thesis University of Nairobi Repository, 2020) 72 https://erepository.uonbi.ac.ke/handle/11295/153857 accessed 22 October 2025.

[107] *John Kabui Mwai and Others v Kenya National Examination Council and Others High Court* Petition No. 15 of 2011

"The incorporation of economic, social, and cultural rights into the constitution is aimed at advancing the wellbeing of the people of Kenya, particularly those who are economically disadvantaged, with the ultimate goal of enhancing their human dignity. These rights serve as a testament to the transformative nature of the constitution, going beyond mere theoretical equality to actively seeking to reshape Kenya from a society marked by economic inequality to one characterized by a fair and just distribution of resources. This commitment is exemplified by the provisions outlined in Articles 6(3) and 10(2)(b)."[108]

The supreme court of Kenya in **Advisory Opinion reference No.2 of 2013** emphasized that economic and social rights including the right to food are fundamental rights that require counties and the national government to offer tangible protections and realise these rights progressively.[109]

Mitu-Bell Welfare Society v Kenya Airports Authority & 2 others; Initiative for Strategic Litigation in Africa (Amicus Curiae)[110] The court reiterated State's obligations in as far as socioeconomic rights are concerned and held that under article 21(1) of the Constitution, the State and State organs had the duty to observe, respect, protect, promote, and fulfil the rights and fundamental freedoms in the Bill of Rights.[111] Under article 21(2) of the Constitution, the State had to take legislative, policy and other measures, including the setting of standards in order to achieve the progressive realization of the rights guaranteed under article 43 of the Constitution.[112]

Uganda Land Alliance Ltd v Uganda Wildlife Authority & Attorney General[113]

This case involved the Benet Community, indigenous to the slopes of Mount Elgon. They were forcefully evicted from their ancestral land after it was gazetted as a national park in 1993. In 2003, supported by the Uganda Land Alliance and other civil society groups filed a case in the High Court against the Uganda Wildlife Authority and the Attorney General. They sought recognition of their right to live on and use the land they had occupied for generations. A consent judgment

---

[108] ibid
[109] Advisory Opinion Reference No. 2 of 2013, Speaker of the Senate & another v Attorney General & 4 others eKLR (Kenya Supreme Court), para 10–15.
[110] *Mitu-Bell Welfare Society v Kenya Airports Authority & 2 others; Initiative for Strategic Litigation in Africa (Amicus Curiae)* (Petition 3 of 2018) [2021] KESC 34 (KLR) (11 January 2021)
[111] ibid
[112] ibid
[113] *Uganda Land Alliance Ltd v Uganda Wildlife Authority* (Misc. cause No.0001 of 2004

was issued after recognizing the Benet as the historical and indigenous inhabitants of the area. The Judge ordered that the Benet be allowed to remain on the land, they could carry out agricultural activities without interference and that the government take steps to de-gazette the area as a protected wildlife zone.

The above case is not about the right to food but is fundamentally linked to the right to food because the community's livelihood depended on farming and livestock, which was severely restricted after the land was gazetted, the evictions and prohibitions on cultivation and grazing directly undermined their ability to feed themselves, factors which are all relevant food security and human rights.

Despite the judicial pronouncements from the consent judgement, compliance was not effected and to this day. Now, twenty two years after the 2008 forced evictions, the Benet still live in temporary resettlement camps. Not permitted to build permanent structures; they live in small mud huts constructed from sticks and mud, with no access to electricity and potable water. Insecurity of land tenure impacts their livelihood, including crop and animal farming.[114]

Favourable judgements without executive compliance mechanisms highlight the centrality of the rule of law capacity for effective remedies.

Centre for Food and Adequate Living Rights v Attorney General of Uganda & Uganda Communications Commission[115]

The Centre for Food and Adequate Living Rights (CEFRONT) filed a public interest suit under Article 50 (2) of the Constitution and the human rights (Enforcement) Act in Uganda

The suit challenged the government's failure to regulate the marketing and advertising of unhealthy foods to children, arguing this omission violated children's right to adequate food, health and safety.

---

[114] Amnesty International, *13 Years in Limbo: Forced Evictions of the Benet in the Name of Conservation* (8 November 2021) 6 https://www.amnesty.org/en/documents/afr59/4138/2021/en/ accessed 22 October 2025.

[115] *Center for Food and Adequate Living Rights v Attorney General of Uganda and Uganda Communications Commission* (Misc Cause No 436 of 2019, High Court of Uganda (Civil Division) https://www.ucc.co.ug/download/center for food and adequate living rights misc cause no 436 of 2019/ accessed 22 October 2025.

The High Court dismissed the application on procedural grounds.

This case, though dismissed, is part of Uganda's evolving food rights landscape. It reveals the tensions between legal formalism and transformative justice and invites a broader conversation on how courts, regulators and civil society can co-create a more accountable and health conscious governance framework.

Calibrating procedural formality for public interest litigation would better align courts with constitutional purposes.

Social and Economic Rights Action Center (SERAC) and Center for Economic and Social Rights (CESR) v Nigeria.

This was a Nigerian case brought to the African Commission on Human and Peoples' Rights. The primary focus of the case was to address the alleged violations of the rights of the Ogoni people in Nigeria. The Nigerian government was accused of permitting oil companies to exploit the Ogoni land, resulting in severe environmental damage and pollution from oil extraction activities had led to significant health problems for the Ogoni people. SERAC contended that the government's actions and lack of action had infringed upon the Ogoni people's rights to health, a clean environment, and economic and social development. [116]

It was held that the right to food is implicit in the African Charter, as seen in provisions such as the right to life (Article 4), right to health (Article 16), and right to economic, social, and cultural development (Article 22). By violating these rights, the Nigerian government disregarded not only the explicitly protected rights but also the implicitly guaranteed right to food.

Furthermore that the right to food is closely connected to human dignity and is crucial for enjoying other rights such as health, education, work, and political participation. Nigeria is obligated by the African Charter and international law to protect and enhance its food sources and ensure access to sufficient food for all its citizens. In addition to the duty to improve food production and ensure access, the core of the right to food requires the Nigerian government to refrain from destroying

[116] *Social and Economic Rights Action Center (SERAC) and Center for Economic and Social Rights (CESR) v Nigeria* (Communication No 155/96) (2001) AHRLR 60 (ACHPR 2001).

or contaminating food sources. It should also prevent private parties from doing so, and support people's efforts to feed themselves.

The government's treatment of the Ogonis violated all three minimum duties of the right to food. The government destroyed food sources through its security forces and state oil company. It allowed private oil companies to destroy food sources. Through terror, the government created significant obstacles to Ogoni communities trying to feed themselves. The Nigerian government once again failed to meet the expected standards under the provisions of the African Charter and the international human rights standards. Therefore, it was in violation of the right to food of the Ogonis.

This case is a landmark decision by the African Commission on Human and people's Rights that significantly advanced the justiciability of socio economic rights. The commission found violations of the right to food and health due to environmental degradation caused by oil pollution, its remedial powers are restricted to recommendations and they lack binding enforcement authority. The non binding nature reduces the practical impact on state accountability especially where governments are resistant or lack capacity to implement the commissions findings.

Regional recognition, while valuable, often lacks the binding enforcement mechanisms necessary for effective remedial action. Consequently, the success of compliance relies on the strength and capabilities of domestic institutions. Without well established legal frameworks and robust governance at the local level, the efficacy of regional agreements may be significantly diminished.

Grootboom & Ors v Ostenberg Municipality and Ors.[117]

This South African case dealt with the state's obligations under Sections 26 and 28 of the South African Constitution concerning the right to adequate housing and the right of children to shelter, respectively.

The Constitutional Court held that the state must take reasonable legislative and other measures within its available resources to achieve the progressive realisation of the right to adequate housing and emphasised that all rights in the Bill of Rights are interrelated and mutually supporting. "T*he*

[117] *Grootboom and Others v Oostenberg and Others* (6826/99) [1999] ZAWCHC 1 (17 December 1999)

precise contours and content of the measures to be adopted are primarily a matter for the legislature and executive. They must, however, ensure that the measures they adopt are reasonable. In any challenge based on section 26 in which it is argued that the state has failed to meet the positive obligations imposed upon it by section 26(2), the question will be whether the legislative and other measures taken by the state are reasonable. A court considering reasonableness will not enquire whether other more desirable or favourable measures could have been adopted or whether public money could have been better spent. The question would be whether the measures that have been adopted are reasonable. It is necessary to recognise that the state could adopt a wide range of possible measures to meet its obligations. Many of these would meet the requirement of reasonableness. Once it is shown that the measures do so, this requirement is met." [118]

This is a prominent case in constitutional law that recognised the right to access adequate housing as a justiciable socio economic right and imposed a duty on the state to take reasonable measures within the available resources. The court's articulation of the "reasonableness" standard, which although a pragmatic approach to rights enforcement, has been criticized for giving wide latitude to the state diluting urgent claims for relief. It left ambiguity over the immediacy and scope of state obligations leading to inconsistent application and varying levels of protection in practice.

Reasonableness standard preserves separation of powers but may dilute immediacy of relief – East African Courts largely echo this approach.

The People's Union for Civil Liberties (PUCL) v Union of India and others.[119]

This case was decided by the Supreme Court in India in 2001advancing the right to food as part of the right to life under Article 21 of the constitution. The case arose from public interest litigation brought in response to starvation deaths amidst abundant food stocks in government warehouses in rajasthan. The court recognised the right to food as implicit in the right to life and dignity. It mandated the government to implement effective food distribution schemes; meal programs for

[118] *Grootboom and Others v Oostenberg and Others* (6826/99) [1999] ZAWCHC 1 (17 December 1999).
[119] *People's Union for Civil Liberties v Union of India* Interim Order (2 May 2003) https://www.righttofoodcampaign.in/legal-action accessed 22 October 2025.

school children, supplementary nutrition for vulnerable groups and robust public distribution systems to ensure availability and access.

This case set a precedent for judicial intervention in socio economic rights and established the judiciary as a critical actor in ensuring food security through legal remedies. It balanced judicial activism with respect for executive functions, emphasizing progressive realisation within resource constraints rather than absolute entitlements.

These case studies illustrate the judicial recognition of socio economic rights in Africa and beyond showing patterns of cautious judicial intervention shaped by contextual realities and institutional constraints. The findings section now synthesizes emergent trends and practical implications, highlighting the complex interplay between constitutional promises, judicial enforcement and institutional capacities in East Africa's right to food land scape.

A more Interventionist model (continuing mandamus and program specific orders) illustrates a judicial pathway to tangible outcomes.

Why Rule of Law Capacity determines outcomes

Across the four jurisdictions, formal recognition varies from explicit (Kenya) to aspirational (Uganda, Rwanda, South Sudan). These differences correlate with enforcement: where courts are independent, framework laws exist, and oversight is credible, the right to food is more readily operationalised. The court has treated it as justiciable and progressive realisation, and state obligations have been dealt with extensively.[120] Courts have also required the state to take concrete and reasonable steps to progressively realize this right within available resources.[121]

By contrast, Uganda, Rwanda, and South Sudan frame food primarily as a policy aspiration, either within directive principles or general welfare provisions, thereby limiting enforceability and can

[120] Kariuki. Muigua, 'Achieving the Right to Food for Sustainable Development in Kenya' (July 2018) 12–14, 40–42 http://kmco.co.ke/wp-content/uploads/2018/08/Achieving-the-Right-to-Food-for-Sustainable-Development-in-Kenya-19th-July-2018.pdf accessed 6 October 2025.
[121] Ibid 13-14

not be relied on in court.[122] Constitutional duties are often marred by vagueness as they are framed in aspirational language that is difficult to translate into concrete judicial orders.[123]

Courts have not been tested to develop case law concerning social and economic rights therefore constitutional and treaty provisions remain abstract constructs that can not be litigated.[124]

Across the region, judicial approaches tend to mirror South Africa's reasonableness review, requiring governments to adopt reasonable measures within available resources rather than recognising an immediate entitlement.[125]

The research also reveals that the operationalisation of the right to food is inseparable from the rule of law. Weak governance, corruption, limited judicial independence, and inadequate institutional capacity undermine enforcement, even where rights are constitutionally recognised. Regional jurisprudence, especially the *SERAC v Nigeria* decision, highlights how implied rights can be judicially recognised, but East African courts have yet to develop a robust body of case law on socio economic rights, including food rights. Global comparisons, from India's judicial activism to South Africa's measured enforcement and illustrate possible models for East Africa to either emulate or adapt.

The right to food cannot be meaningfully realised without embedding it within a substantive conception of the rule of law. The rule of law must be reconceptualised to include accountability for socio economic rights, ensuring that states take concrete, transparent, and participatory measures to prevent hunger. Judicial enforcement, though necessarily cautious to respect separation of powers, is essential for ensuring that constitutional and international commitments are not reduced to symbolic guarantees.

---

[122] Valfredo (n 83) 109, 110
[123] Ibid 107
[124] Ibid 125
[125] *Government of the Republic of South Africa v Grootboom* [2000] ZACC 19; 2001 (1) SA 46 (CC).

The right to food is closely tied to rule of law principles, such as access to justice and accountability. Food security should be viewed as a legal obligation, with hunger regarded as a violation of rights rather than an inevitability.

To strengthen legal protection for the right to food, constitutional reforms are necessary in states lacking recognition, the creation of framework laws, greater judicial accountability of governments, and regional standard harmonization via the African human rights system.
The research stresses that robust rule of law institutions are crucial otherwise constitutional recognition may remain an aspiration.

Institutional preconditions: The comparative evidence shows that real enforcement of the right to food depends on three conditions: independent courts that apply reasonableness review and where needed issue specific time bound orders with compliance monitoring; a framework right to food law that defines clear duties, secures a minimum core guarantee (freedom from hunger) and sets enforceable benchmarks; and coordinated executive accountability built on cross ministry targets, transparent budgets and results reporting and active oversight by parliament and Human rights commissions.

Conclusion and Recommendations

From the examination of the constitutional and national policies in the countries considered, East African nations link the right to food with the rule of law. Kenya is a pace setter for enshrining the right to food in its constitution, thus reflecting the commitment to ensuring food security for its citizens.
To the contrary, Uganda, Rwanda and South Sudan adopt a more limited approach through aspirational provisions to articulate the right to food. From an international perspective, the right to food goes beyond mere aspirations, and is intertwined with human dignity and justice. For the region, it is incumbent that the formal recognition of these rights and their successful implementation gap is bridged. Bridging this divide requires the development of robust legal frameworks, effective judicial systems and governance systems that transform rights into realities for those unjustly dealt.

To close the enforcement gap, governments should prioritise four actions:

Constitutional entrenchment: Amend or interpret constitutions to recognize an explicit, justiciable right to food, especially in Uganda, Rwanda and South Sudan.

Framework Right to Food legislation: Enact a national right to food framework Act that defines clear state duties (respect, protect, fulfil), guarantees a minimum core (freedom from hunger), sets indicators/targets, and includes emergency safeguards.

Judicial Practice Guidance: Encourage Courts to allow procedural flexibility for public interest litigation, use structured remedies(specific, time bound orders) and monitor compliance where appropriate.

Regional Harmonisation and Peer review: Use the African Commission/Court and the East African Community to standardize benchmarks and peer review progress to spur domestic compliance.

Only by strengthening these rule of law pillars can East African States turn the right to food from constitutional promise into lived reality, especially for the most vulnerable.

Bibliography

Primary sources

International instruments

- Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A (III) UN Doc A/810.
- International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3.
- Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3.
- UN Committee on Economic, Social and Cultural Rights, 'General Comment No 12: The Right to Adequate Food (Art 11 of the Covenant)' (12 May 1999) UN Doc E/C.12/1999/5.

Regional instruments

- African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) 1520 UNTS 217.
- African Union, 'Declaration on Agriculture and Food Security in Africa (Maputo Declaration)' (Assembly of the African Union, Second Ordinary Session, Maputo, 10–12 July 2003).
- African Union, 'Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods' (Assembly of the African Union, Twenty-Third Ordinary Session, Malabo, 26–27 June 2014).

National constitutions and legislation/policy

- Constitution of the Republic of Kenya, 2010.
- Constitution of the Republic of Uganda, 1995.
- Constitution of the Republic of Rwanda, 2003.
- Transitional Constitution of the Republic of South Sudan, 2011.

Cases and advisory opinions

Kenya

- *Consumer Federation of Kenya (COFEK) & Others v Attorney General & Others* [2012] eKLR (HC).
- *John Kabui Mwai & Others v Kenya National Examination Council & Others*, Petition No 15 of 2011 (High Court of Kenya).

- *Speaker of the Senate & another v Attorney General & 4 others*, Advisory Opinion Reference No 2 of 2013 (Supreme Court of Kenya) eKLR.
- *Mitu-Bell Welfare Society v Kenya Airports Authority & 2 others; Initiative for Strategic Litigation in Africa (Amicus Curiae)* (Petition 3 of 2018) [2021] KESC 34 (KLR) (11 January 2021).

Uganda

- *Uganda Land Alliance Ltd v Uganda Wildlife Authority* (Misc Cause No 0001 of 2004, High Court of Uganda, Mbale) consent judgment.
- *Center for Food and Adequate Living Rights v Attorney General of Uganda and Uganda Communications Commission* (Misc Cause No 436 of 2019, High Court of Uganda (Civil Division) https://www.ucc.co.ug/download/center-for-food-and-adequate-living-rights-misc-cause-no-436-of-2019/ accessed 22 October 2025.
- *Kiconco Patrick v Attorney General and Others* (Miscellaneous Cause No 0086 of 2023) HC (Commercial Division) Kampala, 13 September 2023.

Regional (African Commission)

- *Social and Economic Rights Action Center (SERAC) and Center for Economic and Social Rights (CESR) v Nigeria* (Communication No 155/96) (2001) AHRLR 60 (ACHPR 2001).

South Africa and India

- *Government of the Republic of South Africa v Grootboom* [2000] ZACC 19; 2001 (1) SA 46 (CC).
- *Grootboom and Others v Oostenberg and Others* (6826/99) [1999] ZAWCHC 1 (17 December 1999).
- *People's Union for Civil Liberties v Union of India*, Writ Petition (Civil) No 196 of 2001 (Supreme Court of India) (interim orders including 2 May 2003).

Secondary sources

Books and chapters

- Mutua M, *Africa and the Rule of Law* (Routledge 2016) https://digitalcommons.law.buffalo.edu/cgi/viewcontent.cgi accessed 25 September 2025.
- Cotula L (ed), *The Right to Food and Access to Natural Resources* (FAO 2008) https://www.fao.org/4/k8093e/k8093e.pdf accessed 25 September 2025.

- Oshaug A, 'The Netherlands and the Making of the Voluntary Guidelines on the Right to Food' in Hospes O and van der Meulen B (eds), *Fed Up With the Right to Food?* (Wageningen Academic Publishers 2009) 105, doi:10.3920/9789086866748_009, accessed 20 October 2025.
- Gathii J, *The Contested Empowerment of Kenya's Judiciary, 2010–2015: A Historical Institutional Analysis* (Sheria Publishing 2016).
- Muigua K, 'Achieving the Right to Food for Sustainable Development in Kenya' (19 July 2018) http://kmco.co.ke/wp-content/uploads/2018/08/ accessed 6 October 2025.

Journal articles

- Abdullahi AM, Kalengyo RB and Warsame AA, 'The unmet demand of food security in East Africa: review of the triple challenges of climate change, economic crises, and conflicts' (2024) 5 *Discover Sustainability* 244.
- Mechlem K, 'Food Security and the Right to Food in the Discourse of the United Nations' (2004) 10 *European Law Journal*.
- Kurowska K, Marks-Bielska R, Bielski S, Kryszk H and Jasinskas A, 'Food Security in the Context of Liquid Biofuels Production' (2020) 13 *Energies* 6247, doi:10.3390/en13236247, accessed 10 September 2025.
- Zambrano V, 'Right to Food: An Emerging Human Rights Jurisprudence?' (2019) 4(57) *Revista Jurídica*, doi:10.21902/revistajur.2316-753x.v4i57.3755, accessed 20 October 2025.
- Yeshanew SA, 'Approaches to the Justiciability of Economic, Social and Cultural Rights in the Jurisprudence of the African Commission on Human and Peoples' Rights' (2011) 11(2) *African Human Rights Law Journal*.
- Rukundo PM, 'Food as a Human Right during Disasters in Uganda' (2014) 36 *Food Policy* 68, 69–72 https://www.sciencedirect.com/science/article/pii/S0306919214001407 accessed 6 October 2025.
- Olafsen M and others, 'Examination of the Roles and Capacities of Duty Bearers in Uganda's Food Security and Nutrition Policy Implementation' (2018) 18 *BMC Public Health* 537 https://pmc.ncbi.nlm.nih.gov/articles/PMC5905179/ accessed 6 October 2025.

- Nabalende W, 'The Right to Food is Clearly Stipulated in International Human Rights Law: A Number of Challenges Have Riddled Its Enjoyment in Uganda' (2020) 11 *International Journal of Business and Social Science*, doi:10.30845/ijbss.v11n3a13.
- Sennesael F and Verhoeven H, 'Breaking from the Past? Environmental Narratives, Logics of Power, and the (Re)production of Food Insecurity in South Sudan' (2025) 49(1) *Disasters* e12658, doi:10.1111/disa.12658, accessed 21 October 2025.
- Valfredo RS P, 'Justiciability of Economic, Social and Cultural Rights under the Legal System of South Sudan: A Preliminary Assessment' (2024) *African Human Rights Law Journal* 101–126, doi:10.17159/1996-2096/2024/v24n1a5, accessed 6 October 2025.
- Maravall-Buckwalter I, Dubin A and Durojaye E, 'The Contribution of Uganda's Constitutional Court Petition No 16 Judgment to the Right of Access to Quality Emergency Obstetric Care under International Law' (2025) 69(1) *Journal of African Law* 147–167, doi:10.1017/S0021855324000354, accessed 20 October 2025.
- Harris J, '"Right to Nutrition" in its Social, Legal, and Political Context' (2022) *Journal of Human Rights Practice*.
- Ayala A and Meier BM, 'A Human Rights Approach to the Health Implications of Food and Nutrition Insecurity' (2017) 38 *Public Health Reviews*.
- Milian Gómez JF, 'Rethinking the Human Right to Food from a Single Perspective: A Fourfold Legal Interpretation' (2024) *Journal of Human Rights Practice*.
- Courtis C, 'The Right to Food as a Justiciable Right: Challenges and Strategies'.

Theses and dissertations

- Akullo DO, 'Food Safety and Free Trade Area in East Africa' (PhD thesis, Walden University 2023) https://scholarworks.waldenu.edu/cgi accessed 25 September 2025.
- Njiru GK, *Implementing Article 43(1)(c) of the Constitution: Right to Food in Kenya* (LLM thesis, University of Nairobi 2020) https://erepository.uonbi.ac.ke/handle/11295/153857 accessed 22 October 2025.
- Kerubo M, 'An Analysis of the Challenges of Implementation of the Rule of Law in East African Countries' (University of Embu Repository 2023) https://repository.embuni.ac.ke/server/api/core/bitstreams/cd0fc16c-1827-4024-abd8-205b5f4e7fd5/content accessed 22 October 2025.

- Kameri P, ‘The Right to Adequate Food in South Sudan’ (Global Campus Human Rights Repository, 26 January 2023) https://repository.gchumanrights.org/items/32f44ded-0ec3-456b-80b0-a307ba666556 accessed 21 October 2025.

Reports, guidelines and policy documents

- FAO, IFAD, UNICEF, WFP and WHO, *The State of Food Security and Nutrition in the World 2025: Addressing High Food Price Inflation for Food Security and Nutrition* (8 August 2025) https://data.unicef.org/resources/sofi-2025/ accessed 6 October 2025.
- FAO, ‘Rwanda Country Profile: Right to Food’ (FAO) https://www.fao.org/right-to-food-around-the-globe/countries/rwa/en/ accessed 6 October 2025.
- Food and Agriculture Organization of the United Nations, *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security* (FAO 2005).
- FAO and partners, *The State of Food Security and Nutrition in the World 2025* (FAO 2025).
- Uganda Bureau of Statistics, *Uganda National Household Survey 2023/24 (UNHS 2024)* (2024).
- IPC, *Uganda: IPC Acute Food Insecurity and Acute Malnutrition Analysis – Refugee Settlements, June 2025 – February 2026* (16 September 2025) https://reliefweb.int/report/uganda/uganda-ipc-acute-food-insecurity-and-acute-malnutrition-analysis-refugee-settlements-june-2025-february-2026-published-16-september-2025 accessed 6 October 2025.
- SDG Knowledge Hub, ‘SOFI 2025 Reveals Regional Disparities in Fighting Hunger’ (6 August 2025) https://sdg.iisd.org/news/sofi-2025-reveals-regional-disparities-in-fighting-hunger/ accessed 6 October 2025.
- European Commission, ‘The Common Agricultural Policy at a Glance’ (24 February 2022) https://agriculture.ec.europa.eu/common-agricultural-policy/cap-overview/cap-glance_en accessed 22 August 2024.
- Republic of Kenya, *National Food and Nutrition Security Policy* (Ministry of Agriculture, Livestock, Fisheries and Cooperatives 2021).
- Government of Kenya, *National Food and Nutrition Security Policy Implementation Framework 2017–2022* (2017).

- Ministry of Health (Rwanda), *National Food and Nutrition Policy (NFNP 2013)* Strategic Direction 3(d) https://www.moh.gov.rw/fileadmin/user_upload/policies/National_Food_and_Nutrition_Policy_.pdf accessed 6 October 2025.
- Republic of South Sudan, *Agriculture Sector Policy Framework (ASPF): 2012–2017* (Ministry of Agriculture, Forestry, Cooperatives and Rural Development, August 2012) https://faolex.fao.org/docs/pdf/ssd149325.pdf.
- Government of South Sudan, *Environmental and Social Management Framework (ESMF) for the Emergency Food and Nutrition Security Project* (Ministry of Agriculture and Food Security, May 2018) 39–40 https://documents1.worldbank.org/curated/en/901851552296489197/pdf/ESMF-South-Sudan-EFNSP-May-2018.pdf
- Rwanda Food and Drugs Authority, 'Food Safety Newsletter' (June 2025) https://rwandafda.gov.rw/wp-content/uploads/2025/08/RWANDA-FDAS-FOOD-SAFETY-NEWSLETTER-English-Version.pdf accessed 6 October 2025.
- Amnesty International, *13 Years in Limbo: Forced Evictions of the Benet in the Name of Conservation* (8 November 2021) https://www.amnesty.org/en/documents/afr59/4138/2021/en/ accessed 22 October 2025.

News, media and commentary

- Mwakideu C, 'Kenya: What's Behind the Deadly Protests?' *DW* (26 June 2024) https://www.dw.com/en/kenya-whats-behind-the-deadly-protests/a-69478710 accessed 22 August 2024.
- Purity W, '73pc of Kenyans Struggling to Make Ends Meet – InfoTrak Research' *Capital News* (22 January 2024) https://www.capitalfm.co.ke/news/2024/01/73pc-of-kenyans-struggling-to-make-ends-meet-infotrak-research/ accessed 22 August 2024.
- Wachira S, 'The Infotrak Voice of the People Poll Release June 2024' *Infotrak* (6 June 2024) https://www.infotrakresearch.com/the-infotrak-voice-of-the-people-poll-release-june-2024/ accessed 9 September 2024.

- Tsakok I, ‘Rwanda—Achieving Food Security’ *Policy Center for the New South* (2025) https://www.policycenter.ma/sites/default/files/2025-08/PB_41-25%20(Isabelle%20Tsakok).pdf accessed 6 October 2025