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# Mandate, structures and practices of Africa's regional and subregional organizations

in the development and implementation of normative food  
and agriculture instruments









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# Abbreviations

<b>AEC</b>	African Economic Community
<b>AfCFTA</b>	African Continental Free Trade Area
<b>AfDB</b>	African Development Bank
<b>AFSD</b>	Agriculture and Food Security Division
<b>AGIR</b>	Global Alliance for Resilience – Sahel and West Africa
<b>AGRIS</b>	Agricultural Information System
<b>AnGR</b>	animal genetic resources
<b>ARBE</b>	Agriculture, Rural Development, Blue Economy, and Sustainable Environment
<b>ARDP</b>	Agriculture and Rural Development Programme
<b>ARDS</b>	Agriculture and Rural Development Strategy (EAC)
<b>ARII</b>	Africa Regional Integration Index
<b>ASALs</b>	arid and semi-arid lands
<b>ASARECA</b>	Association for Strengthening Agricultural Research in Eastern and Central Africa
<b>AU</b>	African Union
<b>AU-IBAR</b>	African Union – Inter African Bureau for Animal Resources
<b>AUDA</b>	African Union Development Agency
<b>BEAC</b>	Bank of Central African States
<b>BDEAC</b>	Development Bank of Central Africa
<b>CAADP</b>	Comprehensive Africa Agriculture Development Programme
<b>CAPA</b>	Committee on Audit and Public Accounts
<b>CCAF</b>	Consultative Committee for Agriculture and Food
<b>CCARDESA</b>	Centre for Coordination of Agricultural Research and Development for Southern Africa
<b>CEFROHT</b>	Center for Food and Adequate Living Rights
<b>CEMAC</b>	Central African Economic and Monetary Community
<b>CEN-SAD</b>	Community of Sahel-Saharan States
<b>CILSS</b>	Permanent Interstate Committee for Drought Control in the Sahel
<b>COBAC</b>	Banking Commission of Central Africa



<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>CORAF</b>	West and Central African Council for Agricultural Research and Development
<b>CPALD</b>	Centre for Pastoral Areas and Livestock Development
<b>CPP</b>	Country Programming Paper
<b>CSOs</b>	civil society organizations
<b>CSP</b>	Sahelian Pesticides Committee
<b>CSSA</b>	<i>Stratégie de Sécurité Alimentaire</i>
<b>DAEWR</b>	Department of Agriculture, Environment and Water Resources
<b>DRSLP</b>	Drought Resilience and Sustainable Livelihoods Program
<b>EAC</b>	East African Community
<b>EACSO</b>	East Africa Civil Society Organizations' Forum
<b>EALA</b>	East African Legislative Assembly
<b>ECCAS</b>	Economic Community of Central African States
<b>ECOSOCC</b>	Economic, Social and Cultural Council
<b>ECOWAP</b>	Economic Community of West Africa Agricultural Policy
<b>ECOWAS</b>	Economic Community of West African States
<b>EDE</b>	Ending Drought Emergencies
<b>EOA</b>	Ecological Organic Agriculture
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>FNSAP</b>	Food and Nutrition Security Action Plan
<b>FNSP</b>	Food and Nutrition Security Policy
<b>FNSS</b>	Food and Nutrition Security Strategy
<b>FSAP</b>	Food Security Action Plan
<b>FSRP</b>	Food Systems Resilience Program
<b>FSNWG</b>	Food Security and Nutrition Working Group
<b>GDP</b>	gross domestic product
<b>GMOs</b>	genetically modified organisms
<b>HHP</b>	highly hazardous pesticide
<b>ICPAC</b>	Climate Prediction and Applications Centre
<b>ICPALD</b>	IGAD Centre for Pastoral Areas and Livestock Development

<b>IDDRSI</b>	IGAD Drought Disaster Resilience and Sustainability Initiative
<b>IDPs</b>	internally displaced persons
<b>IGAD</b>	Intergovernmental Authority on Development
<b>IGAD-FSNRS</b>	Intergovernmental Authority on Development Food Security and Nutrition Response Strategy
<b>IGADD</b>	Intergovernmental Authority on Drought and Development
<b>IPC</b>	Integrated Food Security Phase Classification
<b>IPC-GSU</b>	Integrated Food Security Phase Classification Global Support Unit
<b>ISAP</b>	Institutional Strengthening Action Plan
<b>LDC</b>	least developed countries
<b>IUCEA</b>	Inter-University Council for East Africa
<b>Malabo Declaration</b>	Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods
<b>MoU</b>	memorandum of understanding
<b>MSMEs</b>	micro, small and medium enterprises
<b>NAIP</b>	National Agricultural Investment Plan
<b>NAPs</b>	National Action Programmes
<b>NCM</b>	National Coordinating Mechanism
<b>NDMA</b>	National Drought Management Authority
<b>NEPAD</b>	New Partnership for Africa's Development
<b>NGOs</b>	non-governmental organizations
<b>NRPs</b>	national resilience priorities
<b>OAU</b>	Organization of African Unity
<b>OIE</b>	World Organization for Animal Health
<b>PACCI</b>	Pan-African Chambers of Commerce and Industry
<b>PAP</b>	Pan-African Parliament
<b>PAPA-FSN</b>	Pan-African Parliamentary Alliance for Food Security and Nutrition
<b>PER</b>	<i>Programme Economique Régionale</i> (Regional Economic Programme)
<b>PGR</b>	plant genetic resources
<b>RAAF</b>	Regional Agency for Agriculture and Food
<b>RAIP</b>	Regional Agricultural Investment Plan



<b>RAP</b>	Regional Agricultural Policy
<b>RECs</b>	Regional Economic Communities
<b>RFO</b>	Fisheries Management Regional Organization
<b>RFSR</b>	Regional Food Security Reserve
<b>RPCA</b>	Food Crisis Prevention Network – Sahel and West Africa
<b>RPLRP</b>	Regional Pastoral Livelihoods Resilience Project
<b>SADC</b>	Southern African Development Community
<b>SDG</b>	Sustainable Development Goal
<b>SIVE</b>	<i>Système d'information et de Veille Environnementale</i>
<b>SPS</b>	sanitary and phytosanitary
<b>SRAP/WA</b>	Sub-Regional Action Programme to Combat Desertification in West Africa and Chad
<b>STC-EAWR</b>	Specialised Technical Committee on Agriculture, Environment and Water Resources
<b>STCs</b>	specialized technical committees
<b>SWAC</b>	Sahel and West Africa Club
<b>UDEAC</b>	Customs and Economic Union of Central African States
<b>UEAC</b>	<i>Union Economique de l'Afrique Centrale</i> (Central African Economic Union)
<b>UEMOA</b>	<i>Communauté Économique et Monétaire de l'Afrique Centrale</i> (CEMAC, from its name in French)
<b>UMA</b>	Arab Maghreb Union
<b>UMAC</b>	Central African Monetary Union
<b>UNCCD</b>	United Nations Convention to Combat Desertification
<b>USAID</b>	United States Agency for International Development
<b>WTO</b>	World Trade Organization







# Executive summary

The African Union (AU) declared 2022 as the “Year of Nutrition”, and for good reason. While the continent has recorded tremendous progress in the past decades, food insecurity, malnourishment and even famine remain cyclic challenges resulting from a combination of policy failures, conflict, the climate crisis and distorted global political-economic relations. According to the 2022 report of the Food and Agriculture Organization of the United Nations (FAO) on the state of food security and nutrition in the world, an estimated 322 million Africans faced severe food insecurity in 2021 (FAO, 2022). In particular, sub-Saharan Africa is home to more than two-thirds of the total number of food insecure people worldwide (IMF, 2022). Central to extracting the continent from the epidemic of food insecurity and seizing its potential to be an oasis of food production and export, are deliberate efforts to realize the continent’s tremendous untapped agricultural potential.

The AU and regional economic communities (RECs) have recognized food security and agriculture as priority areas of engagement, both in their own right and as critical to achieving the broader objectives of a peaceful, democratic and prosperous continent. The legal instruments of the AU and the RECs, Agenda 2063, and the various human rights documents at African and subregional levels, all envision a continent founded on stable and nutritious food sources and agriculture. In pursuance of this vision, the AU and RECs have outlined a maze of normative and institutional instruments to inspire, guide and support Member States in achieving continental and subregional objectives related to food security and agriculture.

In this regard, FAO commissioned CEFROHT to conduct a study, mainly to elaborate on the mandate and governance architecture of the AU and the RECs in sub-Saharan Africa, outline their normative and institutional frameworks on food and agriculture, capture challenges of domestic implementation and identify possible areas of collaboration between the AU, RECs and FAO, including in supporting Member States.

In line with these objectives, CEFROHT identified and thoroughly analysed the activities of the AU and the following subregional organizations with significant mandates on food and agriculture:

- East African Community (EAC)
- Intergovernmental Authority on Development (IGAD)
- Southern African Development Community (SADC)
- Economic and Monetary Community of Central Africa (CEMAC)
- Community of Sahel–Saharan States (CEN–SAD)
- Permanent Interstate Committee for Drought Control in the Sahel (CILSS)
- Economic Community of West African States (ECOWAS)
- Economic Community of Central African States (ECCAS)
- Common Market for Eastern and Southern Africa (COMESA)

The report elaborates on the governance structures of these organizations and their relevance to food and agriculture. It also highlights the normative frameworks of each of these organizations and their implementation by state parties and identifies potential areas of collaboration with FAO.

## Main findings and challenges

The report finds that food and agriculture are central to the missions and objectives of the AU and the RECs. These organizations have developed elaborate instruments on food and agriculture and/or on specific aspects of these sectors. The instruments are variously called declarations, policies, programmes, strategies, decisions and plans, but with the same overall goal of ensuring a secure food and agricultural ecology. While there will be a continuous need to define and refine existing and new standards, these frameworks provide a robust basis to enhance food security through political dedication towards promoting the agricultural sector, including with support from modern technologies.

Despite the wealth of normative and institutional frameworks, in practice it is complex to evaluate and establish links with domestic levels of implementation. Even on the most specific commitments, such as to allocate at least 10 percent of the national budget to the agricultural sector as outlined in the 2003 Comprehensive Africa Agriculture Development Programme (CAADP) and 2014 Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods (Malabo Declaration), implementation remains limited. According to the 2022 CAADP Biennial Review Report, only one country (Rwanda) is currently on track to achieving the Malabo goals (AUDA-NEPAD, 2022; Syngeta Foundation for Sustainable Agriculture, 2022). The entire continent has underperformed on the seven Malabo commitments. Concerningly, these statistics are lower than the four states that were on track in 2019 during the second Biennial Review cycle, and the 17 that were on track in the first Biennial Review cycle in 2020. The report therefore calls for “the need for accelerating CAADP implementation to build a resilient African food system” (AUDA-NEPAD, 2022).

This abysmal mismatch between regional and subregional commitment on paper and realities on the ground has complex roots. First, implementation is primarily the responsibility of Member States. In the case of the AU, the principle of subsidiarity dictates that it primarily operates through RECs, although it also directly engages Member States. Accordingly, implementation mainly depends on the prioritization, political will, capacity and resources of domestic actors. Considering that there is no regular reporting mechanism to capture progress and identify areas for improvement, these organizations do not have an accurate understanding of the level of implementation at country level. The CAADP Biennial Review Report seeks to fill this reporting gap but remains a work in progress.

Even in cases where there is political prioritization of food and agriculture, the key domestic policymakers and bureaucrats responsible for defining the objectives are not always aware of the African and subregional standards. This speaks to the low level of promotional work these organizations conduct. The organizations also lack the capacity and resources to monitor initiatives related to food and agriculture at the country level, gain a comprehensive understanding of the frameworks and offer technical and other assistance.

Member States seeking guidance to draw on African and subregional frameworks are obliged to sift through an overlapping array of frameworks, particularly because many countries have multiple memberships in these organizations. Partly because of capacity and resource constraints, and absence of appropriate mechanisms and strategic frameworks for technical support, the AU and RECs do not sufficiently pursue their stated objective of complementarity. There is a tendency among these organizations to operate in their own spaces. The lack of sufficient resources also means that these institutions may compete for resources and international partners, undermining coordination and the sharing of information necessary to pursue the common purpose of building a food secure Africa.



## Potential areas of collaboration

In view of these challenges and FAO's comparative advantages in global resources, capacity and networks, this report proposes possible areas of collaboration with the AU and RECs. Specific proposals are made in relation to the AU and each of the RECs covered here. While there are some unique needs, the potential areas of collaboration are crosscutting and apply to all of them. The desirability, feasibility and prioritization of each of these suggestions would need to be discussed further with the relevant organs of the organizations.

- First and foremost, FAO could expand its programmes to boost the capacity of the organizations. This could include regular training of the staff of these organizations responsible for food and agriculture, especially when new staff members are recruited, as well as secondment of trained experts within the organizations.
- FAO may also support these organizations in terms of their knowledge generation and management systems. For instance, FAO can discuss with and capacitate the relevant organs to consider the systematic consolidation of existing normative frameworks at the respective regional levels on food and agriculture, perhaps in the form of a compendium compiling the standards. The compendium could include a brief description of the organizational architecture, division of responsibilities and guidance on how national stakeholders may access support from the relevant organization.
- FAO may also offer technical support to enhance the capabilities of these organizations in assessing the domestication and implementation of AU and REC standards, and support these organizations in establishing and/or updating online legal platforms (perhaps drawing on experience with FAOLEX, a platform where FAO keeps updated information on food- and agriculture-related laws and policies) and their uptake and proper utilization in national policies and frameworks related to food and agriculture, which will also help to assess the extent to which the national frameworks replicate, bypass or fall short of the continental and subregional frameworks. This would require initial research to identify the relevant national frameworks, as well as to update them regularly. Such a platform could serve the AU and RECs simultaneously.
- While there may be a need to elaborate new frameworks, it would also be critical to invest in promoting and popularizing the existing frameworks among national policymakers, bureaucrats, the private sector and civil society (including the media). Such promotional engagements can generate requests for capacity building, as well as create regular channels of communication, including with ministries responsible for food and agriculture, relevant parliamentary committees, civil society and the private sector.
- FAO may also capacitate and consider collaborating with the AU and relevant subregional organizations in establishing a facility to monitor policymaking deliberations on food and agriculture continuously at the national level and offer technical support as may be needed. For this purpose, FAO should discuss with and seek to establish regular coordination mechanisms to inform these organizations of developments at the national level and support them in developing appropriate responses.
- FAO may also discuss the possibility, viability, value and modalities of regularly convening the relevant organs working on food and agriculture – at the AU, RECs and AUDA-NEPAD levels – to promote familiarity, trust and a culture of collaboration in conducting their activities.



Overall, this report has identified the complexities characterizing the normative and institutional frameworks on food and agriculture across Africa. The AU and RECs have played a prominent role as norm entrepreneurs in these sectors. Nevertheless, coordination both within these organizations and between them remains a major bottleneck. Moreover, the level of attention paid to assessing and regularly monitoring compliance at the national level has been minimal, if any. To build on the progress made and improve performance in other areas, collaboration with FAO can offer the necessary capacity and resources to monitor and assess domestic implementation. In combination, the AU, RECs and FAO can become effective partners in achieving the ambitious goals of an Africa feeding itself and the world. Such partnership will particularly be key in capacity enhancement, knowledge generation and management, monitoring and assessment of implementation to identify good practices and offer technical and other support and enhancing coordination within and among the relevant organizations.





# Introduction and context

The African Union (AU) declared 2022 as the Year of Nutrition. Similarly, the 2022 State of Food Security and Nutrition in the World emphasized the criticality of food and agricultural policies to make healthy diets more affordable to improve nutrition in the context of the 2030 Agenda for Sustainable Development. The emphasis on nutrition is long overdue as a significant proportion of the continent's population remains food insecure, which has been exacerbated by disruptions caused by the COVID-19 pandemic, climate change and the global energy crisis. According to FAO's 2022 report on the state of food security and nutrition in the world, an estimated 322 million Africans faced severe food insecurity in 2021. According to the report, sub-Saharan Africa is home to more than two-thirds of the total number of food insecure people worldwide, despite Africa being home to the largest (unused) arable lands. Africa remains a net importer of food products, which adds to the strategic vulnerability of the continent (UNFAO, 2011). If governments are to meet their commitments to enhance agricultural productivity and food security, they should make effective use of available resources, including through appropriate legal tools and institutions, both at regional and national levels. See for example Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 25 of the Universal Declaration of Human Rights (UDHR), Article 28 of the Convention on the Rights of Persons with Disabilities (CRPD), Article 27 of the Convention on the Rights of the Child (CRC), and Articles XV and XVI of the Maputo Protocol.

While the primary responsibility remains at the domestic level, the AU and subregional organizations (RECs) in sub-Saharan Africa also have mandates related to food and agriculture as part of their broad ambition to promote the well-being of individuals and families and enable socioeconomic integration. In pursuance of this mandate, the organizations have outlined an intricate web of normative and institutional frameworks to complement the work of domestic stakeholders. Notably, African countries have committed to promote food security for all people and resilient agrifood systems within the framework of the 2014 Malabo Declaration.

The organizations with a mandate on food and agriculture in sub-Saharan Africa have different sets of membership, objectives, mandates and governance structures. They have adopted relevant instruments such as policies, strategies, laws and standards for issues related to food and agriculture to regulate and guide their engagements at the domestic level. Understanding their mandates, governance and practice in the implementation of the normative instruments is critical to help stakeholders understand the existing frameworks, identify the needs and formulate appropriate interventions in the realization of these mandates. It is also vital to identify possible areas of collaboration with partner organizations such as the FAO. The organizations are critical in supporting specific countries in the realization of international ambitions and commitments, notably the African Union Agenda 2063 – The Africa We Want, which aims to eliminate hunger and food insecurity by 2063 through the modernization of African agriculture and agribusiness (African Union Agenda 2063, par. 72[e]), and [the United Nations Sustainable Development Goals](#), particularly SDG 1 on the elimination of poverty, SDG 2 on zero hunger and SDG 3 on good health and well-being.

With a view to developing a proper understanding of the existing normative and institutional frameworks of the AU and subregional organizations related to agriculture and food security and their implementation, the Center for Food and Adequate Living Rights (CEFROHT) has been contracted by the FAO to produce a report to identify African and subregional organizations with a mandate related to agriculture and food security, and outline their respective objectives, laws, policies and institutional architecture. Accordingly, this report assesses the frameworks on agriculture and food security of the AU, the Intergovernmental Authority on Development (IGAD), the East African Community (EAC), the Economic Community of

West African States (ECOWAS), the Southern African Development Community (SADC), the Community of Sahel–Saharan States (CEN-SAD), the Economic Community of Central African States (ECCAS), the Economic and Monetary Community of Central Africa (CEMAC), and the Common Market for Eastern and Southern Africa (COMESA).

This report explores areas where mandates and standards on food and agriculture interrelate and overlap, and studies levels of national implementation and how these organizations can be supported to assist national level implementation of the normative instruments for food and agriculture.

The study also identifies key areas of collaboration between these organizations and FAO, notably in areas of capacity building and technical collaboration.

## Study-specific objectives

The general objective of the study is to explore the mandate, governance structures and practices of regional and subregional organizations, and their organs, from the perspective of their engagements on food and agriculture. The specific objectives for the report include:

- i to identify regional and subregional intergovernmental organizations in sub-Saharan Africa with a mandate and activities related to food and agriculture.
- ii to highlight the membership, objectives, mandates and governance structures of the organizations, focusing on areas related to food and agriculture.
- iii to examine the constitutive instruments and other documents of the regional and subregional organizations identified, and to identify the extent to which they have – or adopted – normative instruments, including laws, policies, strategies and standards on issues relating to food and agriculture.
- iv to describe the lawmaking and policymaking processes these organizations follow in developing regional or subregional instruments.
- v to study the nature and content of the normative instruments and other documents of the organizations to determine the obligations and/or expectations the instruments place on their Member States in terms of implementation at the national level.
- vi to investigate the work of the regional and subregional organizations, or any of their organs, in providing technical support to countries in the implementation of laws, policies and other instruments.
- vii to identify awareness-raising, monitoring, enforcement and/or capacity building activities that regional and subregional organizations carry out in relation to their normative instruments, lawmaking processes and implementation, targeting regional, subregional and national stakeholders.
- viii to highlight areas of actual and potential collaboration with FAO at regional or subregional level in offering technical assistance in the development of laws and policies.



# Methodology

The report mainly pursues a qualitative methodology as it provides a deeper, context-specific and better understanding of the mandates, objectives and governance structures of regional and subregional organizations. Data collection was undertaken through desk reviews and analysis of available information on the food- and agriculture-related mandates, structures and work of African intergovernmental organizations; and key informant interviews with representatives of the AU department working on food and agriculture, and subregional organizations. The sources of information that were reviewed include, but are not limited to:

- i the Constitutive Act of the AU and treaties establishing the relevant subregional organizations;
- ii protocols/instruments that have been passed by these organizations and their organs on food and agriculture;
- iii instruments (legal, policy and programmatic) enacted by the organizations related to food and agriculture; and
- iv key informant consultations with individuals from selected relevant organizations.

In the development of this report, key informant interviews were conducted with officials from the AU in charge of food security and sustainable agrifood systems, and some of the subregional organizations. These interviews were conducted online based on open-ended inquiries. Persons interviewed included those from the AU; the Deputy Principal Agricultural Economist, Department of Agriculture and Food Security in the EAC; CILSS; the East Africa Parliamentary Alliance on Food and Nutrition; and *Directeur de l'Agriculture et du Développement Rural de la Commission de la CEDEAO*.







# The African Union

## Introduction

The African Union (AU) is a continental body consisting of the 55 Member States that make up the countries of the African continent. It was officially launched as a successor to the Organization of African Unity (OAU, 1963–1999). Its objectives, according to Article 3 of the Constitutive Act of the African Union, include accelerating the political and socioeconomic integration of the continent; promoting sustainable development at the economic, social and cultural levels as well as the integration of African economies (Article 3 [k] of the Act); improving living standards of African peoples (Article 3 [l]); coordinating and harmonizing policies among existing and future RECs for the gradual attainment of the objectives of the Union (Article 3 [m]); and advancing the development of the continent by promoting research and work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent (Article 3 [n]). The AU operates based on a number of principles, including promotion of self-reliance within the framework of the Union Article 4 [l]); promotion of gender equality (Article 4 [m]); respect for democratic principles, human rights, the rule of law and good governance (Article 4 [n]); promotion of social justice to ensure balanced economic development; and respect for the sanctity of human life, condemnation and rejection of impunity (Article 4 [o]).

As the sole body covering the entire continent, the AU has tremendous potential in setting the tone for normative ambitions in the areas of agriculture and food security. While the Constitutive Act does not outline a specific mandate related to agriculture and food security, the eradication of hunger and food insecurity is central to its ambitious Agenda 2063. This section notes that the AU has developed a wide range of normative frameworks on agriculture and food security, and several organs and institutions within the AU have been doing critical work in these areas. Notably, within the AU Commission (AUC), there is a dedicated Agriculture and Food Security Division, which is at the heart of the coordination work of the variety of actors engaged in these sectors.

## Mandate

The objectives of the AU as spelled out in Article 3 of the Constitutive Act include to:

- i accelerate the political and socioeconomic integration of the continent;
- ii promote sustainable development at the economic, social and cultural levels as well as the integration of African economies;
- iii promote peace, security and stability on the continent;
- iv promote democratic principles and institutions, popular participation and good governance;
- v promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments;
- vi promote sustainable development at the economic, social and cultural levels as well as the integration of African economies;



- vii promote cooperation in all fields of human activity to raise the living standards of African peoples;
- viii coordinate and harmonize the policies between the existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union; and
- ix work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent.

While the objectives of the AU do not specifically mention agriculture and food security, Article 3 (k) requires the Union to promote cooperation in all fields of human activity to raise the living standards of African peoples. The AU also aspires to partner with international stakeholders to eradicate preventable diseases and promote good health. Because a significant majority of Africans rely on subsistence farming, agriculture and food security are central to eradicating preventable diseases and promoting good health. Food security is also a critical precondition to the broader objective of enabling sustainable and positive peace and security across the continent.

## Governance structure

The organs constituting the key governance structures of the AU established under the Constitutive Act are the Assembly of Heads of State and Government of the Union (Article 5 [a]), the Executive Council (Article 5 [b]), the Pan-African Parliament (Article 5 [d]), the Court of Justice (Article 5 [e]), the Commission (Article 5 [f]), the Permanent Representatives Committee (Article 5 [h]), Specialized Technical Committees (Article 5 [g]), the Economic, Social and Cultural Council (Article 5 [h]) and Financial Institutions (Article 5 [i]). The Assembly has powers to establish other organs as deemed appropriate (Article 5 [2]).

### The Assembly

The Assembly is the supreme organ of the AU and is composed of Heads of State and government of member countries or their accredited representatives (Article 6 [2]). The Assembly ordinarily meets once a year. On approval of a two-thirds majority, an extraordinary session can be held (Article 6 [3]). It is led by a chairperson who is a head of state and holds the position for one year (Article 6 [4]). The chairperson is elected after consultations have been had among Member States. Decisions at the Assembly are in principle made by consensus. Where consensus cannot be achieved, decisions require approval with a two-thirds majority. In the case of a procedural matter, a simple majority suffices (Article 7 [1]). A quorum of two-thirds of total membership is required for valid decisions.

The Assembly is the supreme policymaking body of the AU. Specifically, it has the power to determine common policies of the Union (including those on food and agriculture); adopts the budget of the Union; receives, considers and takes decisions on reports and recommendations from the other organs of the Union; establishes any organ of the Union; monitors the implementation of policies and decisions of the Union and ensures compliance by all Member States; and gives directives to the Executive Council on the management of conflicts, war and other emergency situations (Article 9 [1] [g]). The Assembly also appoints the Chairperson of the Commission of the AU and his or her deputy or deputies and other commissioners of the Commission. The foregoing gives the Assembly extensive powers to design and cause implementation of policies, decisions and directives related to food and agriculture in Africa.

## Executive Council

The Executive Council is established under Article 10 of the Constitutive Act and is composed of Foreign Affairs or other Ministers or Authorities as are designated by the governments of Member States (Article 10 [1]). The Council has the mandate to coordinate and take decisions on policies in areas of common interest to Member States, notably including on food, agricultural and animal resources, livestock production and forestry (Article 11). The Council also works on foreign trade, water resources and irrigation, as well as environmental protection, humanitarian action and disaster response and relief.

The Executive Council meets at least twice in a year for ordinary sessions and can meet in an extraordinary session on request of a Member State and upon approval by two-thirds of all the Member States (Article 12). To form a quorum for any meeting of the Executive Council, two-thirds of the total membership of the union is needed (Article 13 [1]). Decisions are made by consensus; however, where this cannot be achieved, a two-thirds majority of the Member States is required (Article 13 [2]).

## Permanent Representatives Committee

This committee is composed of permanent representatives and plenipotentiaries of Member States (Article 21). Its main task involves preparing the works of the Executive Council and acting on the Council's directions. The committee is a crucial organ of the AU as it has a continuous presence.

## Specialized Technical Committees

The Specialized Technical Committees (STCs) are established under Article 14 of the AU Constitutive Act. Several STCs are established under the provision, including the Committee on Rural Economy and Agricultural Matters. The STCs are composed of ministers or senior officials within their relevant areas of competence (Article 14 [3]). The committees exercise their functions within their field of specialty and competence. The functions of the STCs include preparing projects and programmes of the Union and submitting these to the Executive Council, as well as ensuring supervision, follow up and evaluation of the implementation of decisions of AU organs.

## Pan-African Parliament

The Pan-African Parliament was first established under the Protocol to the Treaty Establishing the African Economic Community Relating to the Pan African Parliament, inter alia to ensure the full participation of the African peoples in the development and economic integration of the continent. In 2014, during the twenty-third Ordinary Session held in Malabo, Equatorial Guinea, the Assembly adopted the [Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament](#) to re-establish the Parliament as an AU organ.

However, this has not yet entered into force because, although a simple majority of members is needed, by February 2024 only 14 members out of the 55 had ratified the Protocol. When established, the Parliament will be the legislative organ of the AU. Until then, it primarily has consultative, advisory and budgetary oversight powers within the AU.

If it enters into force, the [Protocol](#) empowers the Parliament to facilitate the effective implementation of policies and objectives of the AU, contribute to a more prosperous future for the peoples of Africa by promoting collective reliance and economic recovery, and facilitate cooperation and development in Africa (Article 3 of the Protocol). These objectives are fundamental to food and agriculture because agriculture forms a core component for development and prosperity on the African continent.



Under the Protocol, the Parliament would be the legislative organ of the AU, with the AU Assembly determining the subjects/areas on which the Parliament may propose draft model laws. The Parliament may also make its own proposals on the subjects/areas on which it may submit or recommend draft model laws to the Assembly for its consideration and approval (Article 8 of the Protocol). Model laws could be used to promote food- and agriculture-related objectives in the regions (Article 8). Another core opportunity of this organ for food and agriculture is the mandate to make budgets (Article 8[2][b]) for the AU.

Currently, the Pan-African Parliament is comprised of five members for each Member State party to the Protocol establishing the Parliament, at least two of whom must be women (Article 4). To perform its functions effectively, the Pan-African Parliament has organized thematic committees, some of which are relevant and critical for food and agriculture on the continent, including:

- i the Committee on Rural Economy, Agriculture, Natural Resources and the Environment;
- ii the Committee on Gender, Family, Youth and People with Disabilities;
- iii the Committee on Trade, Customs and Immigration Matters;
- iv the Committee on Education, Culture, Tourism and Human Resources;
- v the Committee on Cooperation, International Relations and Conflict Resolution;
- vi the Committee on Monetary and Financial Affairs;
- vii the Committee on Health, Labour and Social Affairs;
- viii the Committee on Transport, Industry, Communications, Energy, Science and Technology;
- ix the Committee on Rules, Privileges and Discipline;
- x the Committee on Justice and Human Rights; and
- xi [the Committee on Audit and Public Accounts](#) (CAPA).

These committees are critical in establishing food and agriculture policies for the AU and its Member States through consultation with the people of Africa and proposing recommendations and preparation of guidance materials. The Pan-African Parliament has a consultative mandate and can discuss any matter and make recommendations to the Council or the Assembly and proposals to the Council (Article 8[2][d][e]). In line with this, the Pan-African Parliament launched the Pan-African Parliamentary Alliance for Food Security and Nutrition (PAPA-FSN) in 2016 with the support of FAO. The Alliance seeks to strengthen the capacity of parliamentary actors in setting the political and legislative agenda with regard to food and agriculture (FAO, 2016). Together with the Committee on Rural Economy, it has, for example, led the process towards the adoption of a Model Law on Food and Nutrition Security in Africa in November 2022, for members of the Pan-African Parliament to make use of it as a source of inspiration in working on relevant legislation in their respective countries.

## African Court of Justice and Human Rights

The African Court of Justice and Human Rights is established under the [Protocol on the Statute of the African Court of Justice and Human Rights](#). Article 2 of the Protocol provides that the African Court on Human and Peoples' Rights established by the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights and the Court of Justice of the African Union established by the Constitutive Act of the African Union, are hereby merged into a single Court and established as "the African Court of Justice and Human Rights".

It should be noted that the protocol establishing the Court of Justice and the latest one merging the two courts have not yet entered into force as they have not received the necessary number of ratifications. Accordingly, the African Court on Human and Peoples' Rights continues to exercise its narrow mandate on human rights until the current protocol enters into force (Article 7) and in such event the cases pending before it shall be transferred to the new merged court (Article 5). The registrar of the African Court of Human and Peoples' Rights shall remain in office (Article 6). When the protocol merging the two courts enters into force, the new Court (Article 16) would become the main judicial organ of the African Union.

The Court will have two sections, that is, the general affairs section and the human rights section (Article 16). The jurisdiction of the merged Court is provided for under Article 28 of the Protocol which includes interpretation and application of the Constitutive Act; interpretation and application of other treaties and subsidiary legislation; and interpretation and application of the African Charter on Human and Peoples' Rights, Charter on Rights and Welfare of the Child and other human rights instruments. The Court is also charged with jurisdiction over matters pertaining to acts, decisions, regulations and directives of the organs of the Union. In view of this wide jurisdiction of the Court, it would also have influence over the interpretation and application of policies, directives and actions related to food and agriculture.

The Court will apply international law, customary international law, judicial decisions, general principles of international law, regulations, AU decisions and generally rule of principles (Articles 17 and 18). The Court, on request of any organ of the Union, will offer advisory opinion which will be delivered in open court, but such opinion may not relate to any pending cases in the Court (Article 53). Under Article 28, the Court has an expansive mandate including enforcing not only rights relevant to food and agriculture but also the right to adequate food (Article 28). The Court has jurisdiction over all cases and all legal disputes submitted to it in accordance with the Statute which relates to a) the interpretation and application of the AU Constitutive Act; b) the interpretation, application or validity of other AU treaties and all subsidiary legal instruments adopted within the framework of the African Union or the Organization of African Unity; c) the interpretation and the application of the African Charter, the Charter on the Rights and Welfare of the Child, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, or any other legal instrument relating to human rights, ratified by the Member State parties concerned; d) any question of international law; and e) all acts, decisions, regulations and directives of the organs of the Union (Article 28).

The Court is required to submit an annual activity report to the Assembly. This activity report shall detail all activities and cases before the Court. Notably, the report should identify any party that has not complied with any judgement of the Court (Article 57).

An [amendment](#) to the protocol merging the two courts was adopted in June 2014 expanding the jurisdiction of the Court. This has only been signed by a few states.



## Financial institutions

Several financial institutions have been established in the African Union, including the African Central Bank, African Monetary Fund and African Investment Bank (Articles 19 and 57).

The major role of these financial institutions is to implement the vision of economic integration called for in the 1991 Treaty Establishing the African Economic Community (Abuja Treaty). However, it should be noted that these institutions are not yet in operation. The African Development Bank has been in operation since the 1960s and has most recently emphasized food security as a top priority for its investments and development assistance. Notably, it launched the Feed Africa strategy in 2015. FAO and the African Development Bank have a common framework to catalyse investment in the agricultural sector in Africa, particularly on nutrition and food security. As part of their partnership, [FAO has provided technical assistance in the formulation of hundreds of projects of the bank](#) worth billions of dollars. FAO should seek to strengthen and expand these partnerships towards the achievement of their shared objective of a food secure Africa.

Although not exclusively a financial institution, one development entity that is critical for food and agriculture is AUDA-NEPAD (African Union Development Agency – NEPAD). In 2018 the AU Assembly transformed the NEPAD into the AUDA, forming AUDA-NEPAD. [The AUDA-NEPAD is mandated](#) to provide knowledge-based advisory services to support Member States in driving their national development priorities. The institution has functions central to food and agriculture, which include:

- i assisting Member States and RECs to strengthen capacity in key areas such as food and nutrition, energy, water, infrastructure, information and communications technology and the digital economy, natural resource governance, climate change and institutional and human capital development and innovation.
- ii providing advisory support in the setting up and application of norms and standards in thematic priorities of the AU to accelerate regional integration.
- iii providing technical backstopping to the AU in implementing policy recommendations at the continental, regional and national levels.
- iv monitoring and assessing Africa's development trends and progress with a view to achieving key continental and global goals for the purpose of technical reporting.
- v undertaking, applying and disseminating research on policy development support for Member States.

Agricultural productivity and production is among the priority areas listed in the African Union's Agenda 2063. According to the AUDA-NEPAD Annual Report of 2019, an example of the AUDA-NEPAD work in agriculture is post-harvest management, where technical and financial support has been provided to Niger and Uganda. It has also supported RECs and countries like Angola, Botswana, Cameroon, Eswatini, Kenya, Lesotho, Namibia, Tanzania, Zambia and Zimbabwe in the development, review and implementation of their National Agriculture Investment Plans (NAIPs). This shows the critical role of AUDA-NEPAD with regard to food and agriculture on the continent.

## **Economic, Social and Cultural Council**

The [Economic, Social and Cultural Council](#) (ECOSOCC) was established as an advisory organ composed of different social and professional groups of the Member States of the Union. The functions of the Council are determined by the Assembly as described by Article 22 of the AU Constitutive Act.

The ECOSOCC offers an opportunity for civil society organizations (CSOs) in Africa to play an active role in contributing to the AU's principles, policies and programmes. CSOs contribute to the council through undertaking studies and making recommendations, contributing to the promotion of human rights, rule of law and good governance, and supporting institutions of the AU.

The ECOSOCC structure is composed of two CSOs from each Member State; 10 CSOs operating at regional level and eight at the continental level; 20 CSOs from the African Diaspora, as defined by the Executive Council and covering the continents of the world; and six CSOs in ex officio capacity, nominated by the AUC and based on special considerations, in consultation with Member States.

ECOSOCC's highest decision- and policymaking body is its General Assembly, composed of all members. The role of the Assembly is to submit advisory opinions and reports as well as proposals on the budget and activities; approve and amend the code of ethics and conduct developed for CSOs affiliated to or working with the AU; and review and make recommendations on ECOSOCC activities.

These represent potential areas of collaboration for FAO with the AU ECOSOCC. It is also critical to build capacity in food and agriculture for the CSOs that form part of the Council. This is a channel through which CSOs working on food and agriculture on the continent can participate in the definition and implementation of relevant AU programmes and policies.

## **African Union and Regional Economic Communities**

The Regional Economic Communities (RECs) are critical for food and agriculture on the African continent, as illustrated in detail in the next sections of the report. In view of their role, the AU seeks to coordinate and work with the RECs in line with the Protocol on Relations between the African Union (AU) and the Regional Economic Communities (RECs).

[The AU recognizes eight RECs in Africa:](#)

- i Arab Maghreb Union (UMA)
- ii Common Market for Eastern and Southern Africa (COMESA)
- iii Community of Sahel–Saharan States (CEN–SAD)
- iv East African Community (EAC)
- v Economic Community of Central African States (ECCAS)
- vi Economic Community of West African States (ECOWAS)
- vii Intergovernmental Authority on Development (IGAD)
- viii Southern African Development Community (SADC)



According to Article 3, the objectives of the Protocol include the promotion of close cooperation among the RECs and with the AU; harmonization of policies, measures, programmes and activities in all fields and sectors; establishing a framework for coordination of the activities of RECs; and strengthening the RECs in accordance with the decision of the AU. In line with these objectives, RECs have committed to cooperate and coordinate their policies and programmes with those of the AU, exchange information and experiences on programmes and promote interregional projects in all fields (Article 4).

To achieve the objectives, the Protocol has established several structures within it, notably the Committee on Co-ordination and the Committee of the Secretariat Officials. The Committee on Co-ordination is responsible for coordinating and harmonizing the macro-economic and other policies of the RECs, including priority areas of agriculture (Article 7[2][b]). The Committee of the Secretariat Officials is responsible for the preparation of reports on relevant themes (Article 9[2][a]).

In view of the importance of harmonization and coordination, FAO could work with the committees. In an interview with the Head of the AU's Agriculture and Food Security Division, it emerged that one of the challenges identified by the AU with regard to food and agriculture is the conflicting programmes and policies developed by different RECs, particularly in instances where countries belong to more than one of the RECs. Moreover, at times, rather than cooperation and coordination, the AU and the various regions seem to compete for resources and partners in their support for agriculture and food security. As a result, they tend to look inwards more, with each focusing on the development and implementation of their policies in isolation. Accordingly, one of the areas of potential collaboration for FAO and the committees is to find ways to harmonize the food and agricultural policies of the different RECs and of the AU for better coordination and implementation of food and agriculture activities.

### **African Union Commission**

The African Union Commission (AUC) is established under the Constitutive Act of the African Union (Article 20). The AUC is the executive secretariat of the Union and manages the day-to-day activities of the Union. It is based in Addis Ababa, Ethiopia.

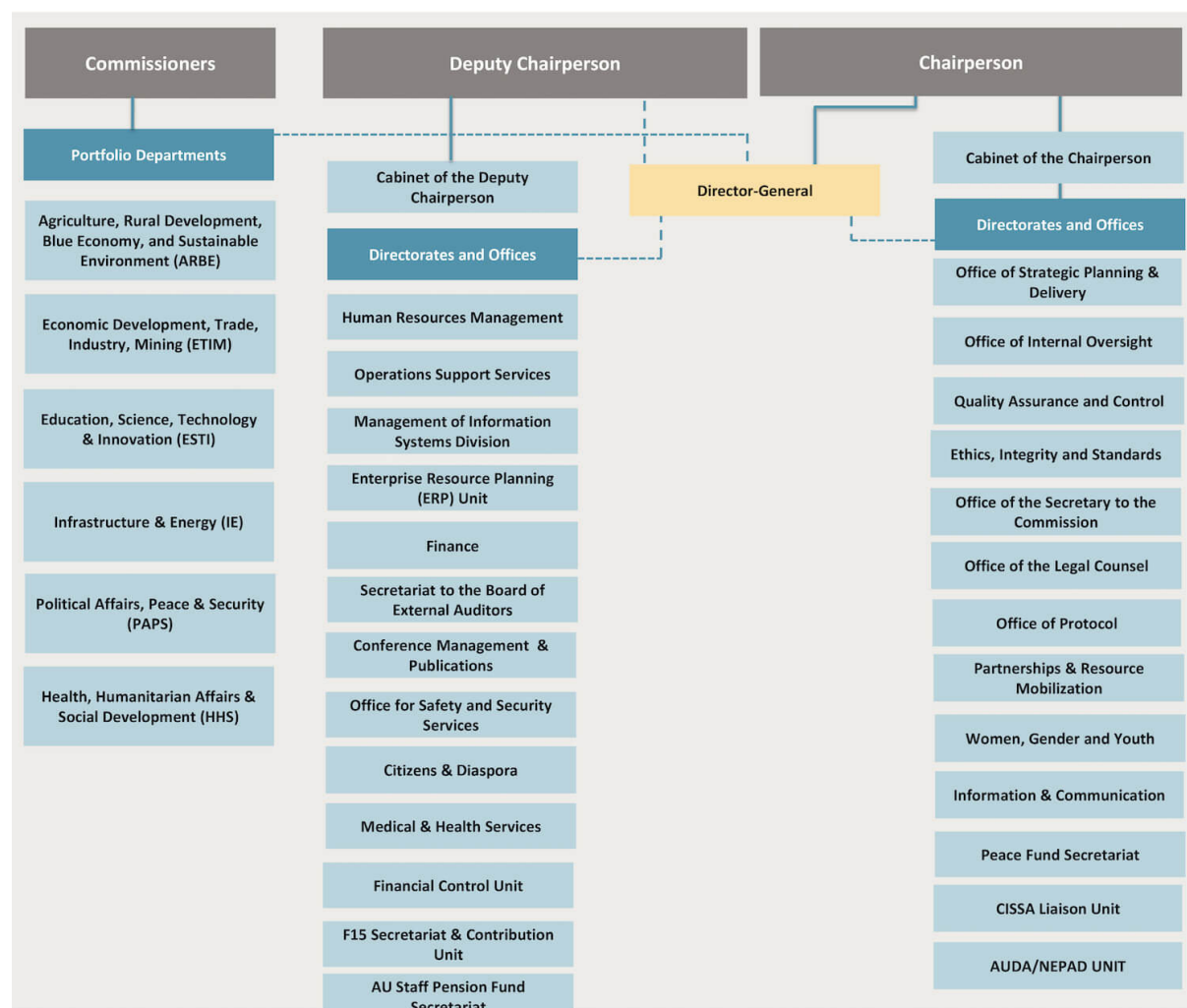
The AUC is composed of a chairperson, deputy chairperson and eight commissioners and staff. The Assembly elects the AUC chairperson and deputy chairperson. The executive council elects the [eight AUC commissioners](#), who are appointed by the Assembly for a term of four years, renewable once.

The AUC has functions that are critical for food and agriculture. These include elaborating, promoting and harmonizing AU programmes and policies with those of the RECs and ensuring gender mainstreaming in AU programmes and activities, including those in food and agriculture. The AUC also has the mandate to manage the AU budget and resources, and to assist Member States in the implementation of AU programmes.

Furthermore, the AUC represents the AU and defends its interests under the guidance of and as mandated by the Assembly and the Executive Council; takes action as delegated by the Assembly and Executive Council; initiates proposals to be submitted to the AU's organs as well as implementing decisions taken by them; acts as the custodian of the AU Constitutive Act and all other OAU/AU legal instruments; liaises with the AU organs to guide, support and monitor the AU's performance to ensure conformity and harmony with agreed policies, strategies, programmes and projects; provides operational support for all AU organs; assists Member States in implementing the AU's programmes; drafts AU common positions and coordinates Member States' actions in international negotiations.

These functions highlight a clear mandate for the AUC to design and enable food and agriculture policies, plans and strategies at the regional level, collaboration at international level, and to support implementation of normative instruments at national level.

Figure 1. African Union Commission organization structure



Source: African Union website (<https://go.au.int/en/organizational-structure>)

In order to perform its functions as the secretariat, the AUC has established several departments and divisions. These departments are composed of technical people who are experts in their respective fields. The key department relevant to food and agriculture law, policies and strategies is the Agriculture, Rural Development, Blue Economy and Sustainable Environment, which has a dedicated Agriculture and Food Security Division.

### Agriculture, Rural Development, Blue Economy and Sustainable Environment

The [Agriculture, Rural Development, Blue Economy and Sustainable Environment](#) (ARBE) department leads efforts to promote sustainable environmental management and agricultural development by boosting Member States' rural economic development and agricultural transformation through the adoption of measures, strategies, policies and programmes on agriculture. The department is led by a commissioner and a director. Divisions established under the department include the Agriculture and Food Security Division, Rural Development Division, Sustainable Environment Division and Blue Economy Division.







The department performs functions that are directly and indirectly related to food and agriculture, notably through the promotion of the implementation of Agenda 2063, continental frameworks such as the Comprehensive Africa Agriculture Development Programme (CAADP), promoting agricultural and rural development, promoting policies and developing strategies and programmes to ensure food security and nutrition in line with the objectives of the AU as spelled out in Article 3 of the Constitutive Act.

### **Agriculture and Food Security Division**

The [Agriculture and Food Security Division](#) (AFSD) as established to coordinate the implementation of AU decisions relating to agricultural transformation in Africa. In an interview, the head of this division stated 1) that the mandate of the division is anchored in AU policy decisions; 2) the division oversees driving the agricultural transformation of the continent to ensure food security and food safety; 3) monitors the implementation of relevant policies and gives feedback to the AU organs and Member States.

As the main coordinating entity, the division, in partnership with other institutions of the AU like the African Union Development Agency – New Partnership for Africa’s Development Planning and Coordinating Agency (AUDA-NEPAD), African Union – Inter African Bureau for Animal Resources (AU-IBAR) and the RECs, is currently supporting the implementation of five continental initiatives:

- i      Comprehensive Africa Agriculture Development Programme (CAADP) (Assembly/AU/Decl. 7 [II])
- ii     Partnership for Aflatoxin Control in Africa (PACA) EX.CL/768 (XXII)
- iii    Africa Seed and Biotechnology Programme (ASBP) Assembly/AU/Dec.86(V)
- iv     Ecological Organic Agriculture Initiative (EOAI) EX.CL/Dec.621 (XVII)
- v      Geographic Indications Strategy for Africa (GISA) EX.CL/Dec.987(XXXII)

It was also stated in the interview that the Division facilitates regional training workshops on organic standards and certification systems, and modern organic production and marketing for organic farmers and practitioners from AU Member States.

The Division moreover promotes sanitary and phytosanitary (SPS) measures to facilitate market access to enhance trade in agricultural commodities on the continent. It supports capacity building of African experts in SPS and facilitates training on international SPS measures and compliance in collaboration with the World Trade Organization (WTO) Standards and Trade Development Facility, the Codex Alimentarius Commission, the World Organization for Animal Health (OIE) and FAO.

Furthermore, to improve the distribution of quality seeds to farmers, the Division is facilitating the development of a Continental Curriculum for Seed Testing Protocols and benchmarking best practices in seed sector development in Africa. The Division also supports Member States in addressing complex food security, consumer health and trade challenges due to aflatoxin contamination of staple and cash crops.

From the foregoing discussion on the structures of the AU, it is noteworthy that there are organs and suborgans that have a critical role to play regarding food and agriculture on the continent. Notably, the Agriculture and Food Security Division (AFSD) under the AUC is the most critical organ as it coordinates the programmes relating to food and agriculture within the AU. The AU has a mandate to provide support to RECs in implementing and developing agricultural laws and policies. Despite the role of the AU in supporting countries through RECs, the AU is limited in terms of human and financial resources to support Member States. Other institutions within the AU, such as AUDA-NEPAD, are critical for the development



of food and agriculture laws and policies and support different countries in the development, review and implementation of their agriculture plans. Even though some of the organs and structures are not yet operational, such as the merged Court of Justice and Human Rights, there is a need to engage the organs that are operational with a view to enable them to support Member States and African RECs in the implementation of AU policies and programmes.

## Legal and policy instruments relating to food and agriculture

In line with its mandate and the responsibilities of the various organs, departments and divisions, food and agriculture are reflected within the AU's legal framework – from the highest instrument of the Constitutive Act to other charters, agreements and policies developed within the AU. This section details the critical legal and human rights instruments relating to food and agriculture at the AU level.

### **The Constitutive Act of the African Union**

The AU Constitutive Act outlines key objectives and principles related to food and agriculture. Notably, under the Constitutive Act, the AU should promote sustainable development at economic, social and cultural levels (Article 3[J]). Food and agriculture are central for sustainable development in Africa as it employs 60–70 percent of Africa's labour force and contributes between 30–40 percent of the continent's GDP (World Bank, 2013). The Constitutive Act also establishes the Executive Council, whose functions include coordinating and making decisions on food, agricultural and animal resources, livestock production and forestry (Article 13[c]). The Act has established a specialized technical committee (STC) specifically responsible for agricultural matters (Article 14[1][a]). The STC is responsible for the supervision, monitoring and evaluation of the implementation of decisions on agriculture that are taken up by the Union (Article 15[a]).

The overall policymaking process at the AU level follows a specific procedure. Usually, following a decision of the policymaking organs to prepare a relevant document, a specific division within the secretariat of the AU, such as the Agriculture and Food Security Division, is charged with developing a particular draft model law, policy or strategy.

In an interview with the Head of the AU Agriculture and Food Security Division, it was explained that the division's role is that of developing policy and strategy for food security and food safety. Once this draft model law, policy or strategy has been developed under Articles 9 and 13 of the Constitutive Act, it is submitted to the AU policy organs, notably the Executive Council and the Assembly of Heads of States. In practice, the work of the divisions is considered by the AUC, which coordinates with the Permanent Representatives Committee. Upon preliminary filtering and approval by the AUC and the Committee, the matter is referred to the Executive Council, which finalizes and prepares the document and as required, presents it to the Assembly for deliberation and formal adoption. It should be noted that technical meetings are often convened at various stages of the policymaking process, both with government experts and others as well as with RECs and civil society organizations.

Once the policy or strategy is passed by the policymaking organs, the relevant division will facilitate mainstreaming the instrument in national and regional frameworks. The Head of the AU Agriculture and Food Security Division confirmed during the interview that the division, through the Committee on Co-ordination and Committee of Secretariat Officials, will usually seek to coordinate the implementation of the policies with the RECs. This implementation of programmes and policies is usually done through coordination and consultative meetings between the AU and the RECs as provided for under the protocol on relations between the AU and RECs (Protocol on Relations between the AU and RECs, Article 4).

## Agreement establishing the African Continental Free Trade Area

The African Continental Free Trade Area (AfCFTA) is one of the flagship projects of Agenda 2063: The Africa We Want. It is a highly ambitious trade agreement, with a comprehensive scope that includes critical areas of Africa's economy such as digital trade and investment protection. By eliminating barriers to trade in Africa, [the objective of the AfCFTA is to boost intra-Africa trade significantly](#), particularly trade in value-added production and trade across all sectors of Africa's economy.

According to Article 3 of the Agreement establishing the African Continental Free Trade Area, its objectives are to (a) create a single market for goods and services, facilitated by movement of people in order to deepen the economic integration of the African continent and in accordance with the Pan African Vision of "an integrated, prosperous and peaceful Africa" enshrined in Agenda 2063; (b) create a liberalized market for goods and services through successive rounds of negotiations; (c) contribute to the movement of capital and natural persons and facilitate investments building on the initiatives and developments in the State Parties and RECs; (d) lay the foundation for the establishment of a Continental Customs Union at a later stage; (e) promote and attain sustainable and inclusive socioeconomic development, gender equality and structural transformation of the State Parties; (f) enhance the competitiveness of the economies of State Parties within the continent and the global market; (g) promote industrial development through diversification and regional value chain development, agricultural development and food security; and (h) resolve the challenges of multiple and overlapping memberships and expedite the regional and continental integration processes.

According to the FAO Framework for boosting intra-African trade in agricultural commodities and services, these objectives are relevant to food and agricultural goods and services. The African agricultural and food market is expanding rapidly as indicated by World Bank projections that show that the value of Africa's agriculture and agribusiness industry is expected to more than triple to reach USD 1 trillion by 2030, compared with 2010 (World Bank, 2013). This provides an opportunity not only to boost trade in food and non-food agricultural commodities and services within the continent but also to enhance food security in Africa.

Although FAO has worked with the AU to develop a framework for boosting intra-African trade in agricultural commodities and services (FAO–AU, 2021) and cooperation in the areas of trade policy, trade facilitation, productive capacity, trade-related infrastructure, trade finance, factor market integration and cross-cutting issues, including the strengthening of trade and market information systems, there is still room for further cooperation with RECs in the following areas:

- i RECs need continuous technical support for the uptake of the AfCFTA opportunities, especially in agricultural goods and services.
- ii RECs will need support in the prioritization of the harmonization of trade regimes, rules of origin and non-tariff barriers. This should also cover regulatory reforms to improve trade facilitation, enhance access to finance for the private sector and address barriers to the movement of people.
- iii Specific frameworks in RECs should be supported and/or developed to address challenges in productive capacity and poor physical infrastructure and promote the digitalization of markets and information systems in coordination with AfCFTA.
- iv FAO could also support RECs to develop abridged versions of their dispute resolution mechanisms. The Dispute Settlement Mechanism was established under the Protocol on Rules and Procedures of the AfCFTA Agreement. It focuses on the amicable, transparent and swift resolution of disputes between State Parties. RECs should be supported to help their jurisdictions in understanding the implementation of these rules and procedures, especially for food and agricultural goods and services.



## **African human rights instruments and their relation to food and agriculture**

In addition to the broad objectives outlined in the AU Constitutive Act and Agenda 2063, the various African human rights instruments and provisions for food and agriculture are also critical to Member States.

The African Charter on Human and Peoples' Rights provides that every individual shall have the right to enjoy the highest attainable state of physical and mental health (Article 16). The Charter further provides that all persons have the right to their economic, social and cultural development (Article 22). These provisions are critical for food and agriculture as food is crucial for the attainment of better health, and agriculture is a critical part of development on the continent.

The African Charter on the Rights and Welfare of the Child similarly provides that every child has the right to enjoy the highest attainable standard of physical, mental and spiritual health (Article 14). The Charter further obliges State Parties to reduce the infant and child mortality rate, to ensure the provision of adequate nutrition and safe drinking water and to combat malnutrition. These obligations require the development and implementation of appropriate policies and other frameworks for ensuring food security and productive agriculture.

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa condemns all forms of discrimination against women including in legislative, institutional and other measure (Article 2). Accordingly, women in Africa are not to be discriminated against in matters pertaining to food and agriculture and they are to enjoy equal opportunities with men. The Protocol also gives women the right to nutritious and adequate food, and Member States are charged with the obligation to ensure that women have the means of producing nutritious food and ensuring food security among women (Article 15).

## **Specific policies and strategies related to food and agriculture**

The AU has developed several policies and strategies focused on food and agriculture in Africa. These are aimed at guiding the AUC, RECs and Member States as they develop their own plans, policies, strategies and budgets. This section highlights the AU declarations, strategies and programmes regarding food and agriculture that Member States need to implement at country level in view of food and agriculture as key development priorities for the continent.

### **Comprehensive Africa Agriculture Development Programme**

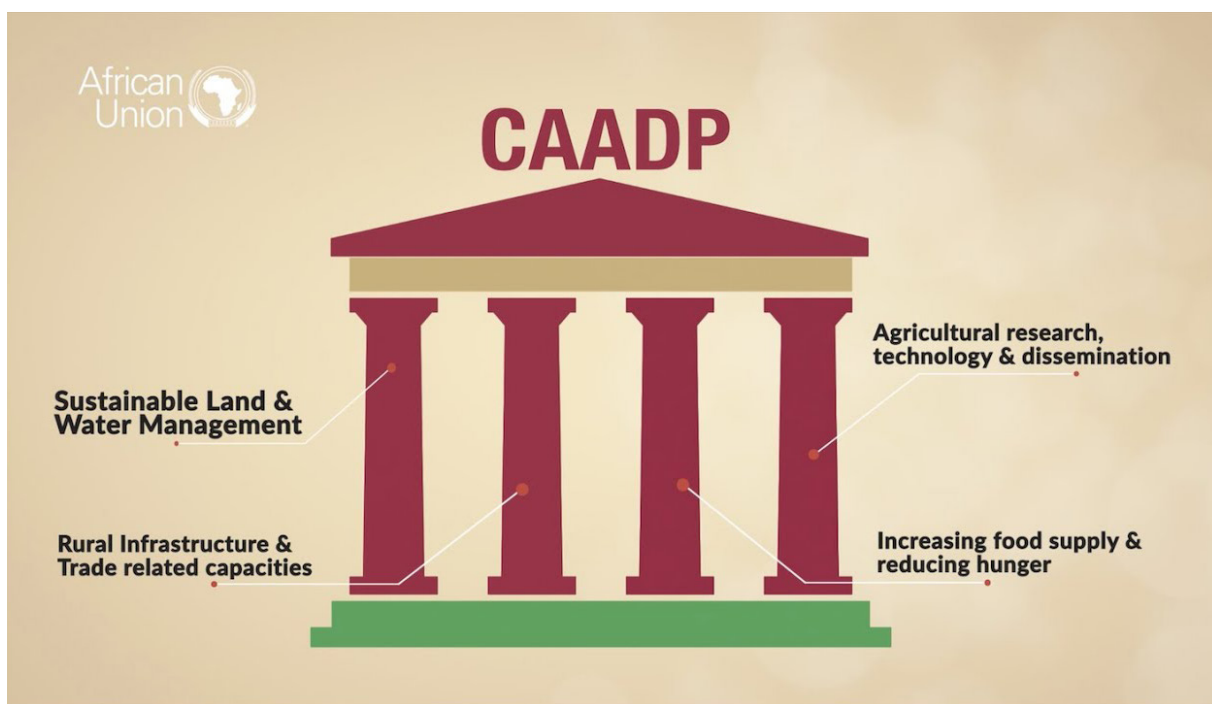
The [Comprehensive Africa Agriculture Development Programme](#) (CAADP) was adopted by the AU General Assembly in July 2003 (Assembly of the African Union, Second Ordinary Session). It is the premier policy document on the transformation of agriculture, food security, nutrition and, broadly, prosperity for the people of Africa. This programme has institutionally become an integral part of NEPAD and in terms of aspiration, part of the AU Agenda 2063 continental initiative aimed at helping Member States eliminate hunger and reduce poverty by raising economic growth through agriculture-led development. The commitments in CAADP are framed around principles of people-centeredness, effective role of the private sector in driving development, enhancing systemic capacity, subsidiarity and a peer-learning and multisectoral approach.

Under this programme, Member States agreed to allocate at least 10 percent of their national budgets to agriculture and rural development, and to achieve agricultural growth rates of at least six percent per annum. CAADP has four priority areas:

- i extending the area under sustainable land management and reliable water control systems;
- ii improving rural infrastructure and trade-related capacities for market access;
- iii increasing food supply, reducing hunger and improving responses to food emergency crises; and
- iv improving agriculture research as well as technology dissemination and adoption.

The CAADP, as well as the Malabo Declaration, has become an integral part of the work of the AUDA-NEPAD. Accordingly, following its implementation, the primary responsibilities of the AUDA-NEPAD are monitoring and evaluation, conducting studies, convening leaders and keeping the aspirations on the agendas of the AU, RECs and Member States. AUDA-NEPAD must coordinate its work, particularly with the AUC, relevant financial institutions and RECs.

**Figure 2. The four priority areas of the CAADP (African Union)**



Source: The African Union (<https://au.int/en/articles/comprehensive-african-agricultural-development-programme>)



### **Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods**

The Malabo Declaration, adopted in 2014, returned agriculture to the centre of the continental agenda. The Member States committed in the Declaration to implement the key principles and values that define the CAADP process. Crucially, Member States also committed to allocating at least 10 percent of their public expenditure to agriculture. They further made an ambitious commitment to end hunger by 2025, and to boost intra-African trade in agricultural commodities and services.

Under the Malabo Declaration, several mechanisms have been instituted to achieve results from the commitments. The AUC has been charged with the responsibility of fast-tracking the operationalization of the African Investment Bank and, alongside RECs, with facilitating the acceleration of economic integration to boost intra-African trade in food and agriculture. The AUC and AUDA-NEPAD have been tasked with developing mechanisms for knowledge and data generation (Commitment Seven). Notably, the AU Commission and the NEPAD Planning and Coordinating Agency (NPCA) have been mandated to produce a progress report (in the form of CAADP biennial review reports) for presentation to the AU Assembly every two years, starting from 2017, to monitor progress and hold governments accountable for their agriculture and nutrition commitments (Commitment Seven).

### **Agenda 2063: The Africa We Want**

Adopted in June 2015, Agenda 2063 complements the objectives and aspirations outlined in the Constitutive Act, sets out Africa's roadmap to peace, democracy and sustainable development, and is a key policy document to drive the thinking and decision-making by the AU bodies and their actions ([African Union, 2013](#)). Under the Agenda, the first aspiration is having a prosperous Africa based on inclusive growth and sustainable development as necessary to eradicate poverty in Africa. One of the ways that the Agenda intends to do this is through modernizing agriculture for increased production, productivity and value addition that will contribute to farmer and national prosperity and Africa's collective food security. The Agenda also includes nutrition among the quality of health measures and seeks to elevate Africa to be among the best performers in quality of life around the world.

### **Ecological Organic Agriculture Strategic Plan 2015–2025**

The Agriculture and Food Security Division (AFSD) has been promoting organic agriculture in Africa, notably with the establishment of a Continental Steering Committee for Ecological Organic Agriculture (EOA), which is functionally chaired by the AUC ([AU, 2021](#)). Under technical guidance of the AFSD, the committee has developed an Ecological Organic Agriculture (EOA) Action Plan (2015–2020) and EOA Strategic Plan (2015–2025) to boost organic agriculture on the continent.

The plan intends to achieve the following outcomes ([Ecological Organic Agriculture Initiative, 2015](#)):

- i Scientific and indigenous knowledge, technologies and innovations on EOA increased.
- ii Information and communication on EOA approach and good practices (production processes and learning systems) developed, packaged and disseminated.
- iii EOA product value chain mapping, data collection, opportunity analysis and product/input vetting conducted.
- iv Business development strategies developed for target businesses along value chains.
- v The market share of EOA quality products increased at the national, regional and international markets.

- vi Functional partnerships and networks realized at national, regional and continental levels.
- vii A harmonized understanding and awareness of the value and benefits of EOA realized among various stakeholders.
- viii Integration into an alignment of EOA with national government and RECs policies, plans and regulatory frameworks of the agriculture sector and other relevant line ministries realized.

The overall objective of the plan is to promote and achieve a well-governed, efficient and effective EOA. For this purpose, the plan envisages the adoption of several strategies, including on:

- i the alignment of Member States' frameworks to continental and international policies and development frameworks.
- ii the alignment to the UN Sustainable Development Goals – including goal 1 on ending poverty, goal 2 on zero hunger, goal 3 on good health and well-being, goal 12 on ensuring sustainable consumption and production patterns, goal 13 on climate action, goal 14 on conservation of life below water, goal 15 to protect, restore and promote sustainable use of land and goal 17 to strengthen partnerships for sustainable development.
- iii holistic, multistakeholder and multisectoral approach, partnership and networking strategy.
- iv community empowerment and inclusivity, growth and expansion strategy.

These strategies are yet to be adopted by the AU and its Member States to achieve these outcomes.

### **The Model Law on Food Security and Nutrition in Africa**

In 2022, the Pan-African Parliament (PAP) adopted the Model Law on Food Security and Nutrition in Africa with a view to inspire and guide countries to develop national or subnational legislation on the right to adequate food and food security and nutrition. The model law can enable the harmonization and coordination of the development of laws on food security and nutrition across Africa. Although it is not binding, the model law is critical to aid states in developing laws, strategies, policies and interventions in agriculture, food and nutrition.

The development of the model law was led by the PAP Committee on Rural Economy, Agriculture, Environment and Natural Resources, with the technical support of FAO. The model law was presented and discussed in regional consultations and several PAP committee gatherings before it was finally adopted by the PAP plenary on 9 November 2022.

The model law is meant to govern issues in food security and nutrition including the availability, accessibility, stability and utilization, and realization of the right to adequate food. The model law recommends that all policies, strategies, legislative programmes and interventions relating to food and security should be guided by the PANTHER principles – Participation, Accountability, Non-discrimination, Transparency, Human Dignity, Empowerment and Rule of Law. The model law is valuable as it provides for different aspects in legislation on food and nutrition laws, including:

- i food and market trade
- ii food safety
- iii food labelling, marketing and advertising



- iv food fortification and diversification
- v national food reserve

The model law can inspire and provide a reference point for domestic lawmakers and policymakers.

Beyond these broad instruments, the AU has also taken several decisions related to agriculture. The 2022 CAADP Biennial Review Report outlines these decisions and provides a cursory look at the level of implementation (AUDA–NEPAD, 2022). These are:

- i Abuja Declaration on Fertilizer for an African Green Revolution (DOC. ASSEMBLY/AU/6 (VII)), and Decision on Fertilizer Consumption in Africa (Decision: EX.CL/1041[XXXII]), aimed at policy and market development to boost the production, availability and use of fertilizers.
- ii Access to Seed and Biotechnology (Decision: Doc. ASSEMBLY/AU/6 [VIII]), to enable the establishment of effective and efficient seed systems and enhanced application of biotechnologies and methodologies within the seed sector.
- iii Framework for Sustainable Agricultural Mechanization in Africa (F-SAMA) (Decision EX.CL/1041[XXXII]), to support sustainable agricultural mechanization in agriculture.
- iv Framework for Irrigation Development and Agricultural Water Management (IDAWM) in Africa (Decision: EX.CL/1187[XXXVI]), to promote access to and use of irrigation and other agricultural water management solutions.
- v Livestock Sector Progress Report on EX.CL/Dec.792(XXIV), and Decision on the Report of the Ninth Conference of Ministers Responsible for Animal Resources (Doc. EX.CL/807[XXIV]), to enable the development of a Livestock Development Strategy.
- vi Fisheries and Aquaculture in the CAADP Process (Decision: Doc. EX. CL /627[XVIII]), to improve performance in the sector by establishing a strong policy framework.
- vii Progress on the Implementation of the AU Sanitary and Phytosanitary (SPS) Policy Framework (Decision EX.CL/1187 [XXXVI]), to increase access of Africa's agricultural commodities to markets, particularly the Africa Continental Free Trade Area (AfCFTA).
- viii Land Policy Decisions Promoting Land Tenure Security (Decision Assembly/AU/Decl.1[XIII] Rev.1), recognizing the importance of protecting and securing land tenure rights and equitable access to land for all land users, particularly those vulnerable in society, including women, youth, pastoralists, minority and indigenous people and other vulnerable groups.
- ix Decision on the Ecological Organic Agriculture in Africa (Decision: Ex. CL/Dec. 631 [XVIII]), to promote and develop the organic sector in Africa, recognizing the trade and sustainable development opportunities offered by organic agriculture for developing country farmers, particularly smallholders

## Domestic implementation

The implementation of AU policy and legal frameworks primarily hinges on the Member States' awareness of the policy frameworks, and their capacity and willingness to implement the frameworks. Despite the relatively robust continental ambitions, policies, programmes and strategies, the level of implementation

on the ground remains low. This is partly attributable to the lack of capacity and resources at the AU level, inadequate systemic coordination with RECs, and the crucial absence of a proper reporting mechanism for Member States to note progress and challenges in line with commitments on food and agriculture. The Malabo Declaration has sought to address this gap and ensure that the emphasis on delivery does not remain an empty promise. Accordingly, the AUC and the NEPAD Planning and Coordinating Agency are required to produce a progress report for presentation to the AU Assembly every two years, starting from 2017, at which progress of each individual country is measured in alternating years and against all that they have committed to achieve under the Malabo Declaration.

Moreover, the AU promotes domestic implementation of its policies through the RECs, in line with the principle of subsidiarity, but it also directly engages domestic actors. However, according to the Head of the AU Agriculture and Food Security Division, one of their major challenges is the overlap among the different RECs and intergovernmental organizations. For example, Kenya is a member of EAC, IGAD and COMESA, but also a member of other regional and intergovernmental organizations such as the WTO, AU and the United Nations. This pattern is evident in other countries, such as Zambia, which is a member of COMESA and SADC, and Tanzania, which is a member of EAC, COMESA and SADC. The Head of the AU Agriculture and Food Security Division explained in an interview that these institutions at times develop policies and guidelines that are either similar or contradictory. This is because the institutions develop these instruments without concerted effort, hence causing duplication and contradictions which pose challenges for Member States in the implementation of the policies and guidelines. It should be noted that “overlapping membership to RECs” has previously been identified as a major challenge for Member States that belong to different RECs, leading to duplication and conflicting programme implementation (Jakobeit, Hartzenberg and Charalambides, 2005).

It should be noted that although the AU framework – CAADP and Malabo Declaration – requires that African Member States dedicate at least 10 percent of their national budgets to agriculture, most African states are yet to put this into practice (Goyal and Nash, 2016), with some, such as Uganda, spending as little as 3.7 percent of their national budget on agriculture ([Uganda National Budget Framework Paper 2021/22](#)). According to the 2022 CAADP Biennial Review Report, of the 51 Member States that reported progress in implementing the Malabo Declaration during the 2021 Biennial Review cycle, only one country, Rwanda, is on track towards achieving the CAADP Malabo commitments by 2025. This was lower than the four Member States (Egypt, Rwanda, Seychelles and Zambia) that were on track in 2019 during the second Biennial Review cycle. It should be noted that although the remaining 50 Member States are not on track, 21 of them were regarded as progressing well ([AUDA–NEPAD, 2022](#)). Moreover, spending on agricultural research by Member States as a share of agricultural GDP, with a target to increase the level of investments in agricultural research for development to at least one percent of the agricultural GDP from the period 2015 to 2025, is not on track. Overall, according to the 2022 CAADP Biennial Review Report, Rwanda is the only country currently on track to achieving the Malabo goals. The entire continent failed to achieve any of the seven Malabo commitments ([Syngeta Foundation for Sustainable Agriculture, 2022](#)). Concerningly, these statistics are lower than the four Member States that were on track in 2019 during the second Biennial Review cycle, and 17 in the inaugural Biennial Review cycle. The report therefore calls for “the need for accelerating CAADP implementation to build a resilient African food system” ([AUDA–NEPAD, 2022](#)).

In addition, the review of CAADP showed that agricultural growth was achieved mainly by an increase in area under cultivation rather than by an increase in productivity per unit of land ([NEPAD, 2022](#)). Moreover, while the CAADP was mainly focused on agriculture, the Malabo Declaration imagines an integrated, multisector engagement in the achievement of agricultural and food security ambitions. As a result, ministries of agriculture are only one actor of many in achieving the stated objectives. This creates coordination challenges for implementation at the national level ([NEPAD, 2016](#)).



## Possible areas of cooperation and needs for capacity building

In view of the capacity, resource and coordination challenges, as well as problems experienced with implementation, FAO can deploy its resources to support the AFSD, RECs and AUDA-NEPAD. Support to AFSD could take the form of expansion of the FAO secondment of experts, support for convening of expert meetings, studies into the extent of implementation of specific targets, as well as in systematically promoting and popularizing existing frameworks and in identifying and sharing good practices among national and local policymakers and bureaucrats. FAO may also work with AFSD, RECs and AUDA-NEPAD to convene regular roundtables to harmonize their plans and enable regular and systematic exchange of information. This would also help to properly track and come up with innovative strategies at country level to support the food and agriculture sectors, as well as clear monitoring mechanisms based on the continental frameworks discussed in this document, notably the Malabo Declaration and CAADP.

The model law on food and nutrition security developed by the PAP offers a great opportunity for collaboration with the AU and Member States in promoting its use and building the capacity of legislators, policymakers and bureaucrats, as well as civil society and the private sector actors working for food and agriculture. FAO may also work with the AU in supporting RECs to promote the model law and support Member States in adapting and implementing their policies, legislation, plans, programmes and strategies in line with continental standards.

As highlighted before, the AU primarily implements its programmes and strategies on food and agriculture using the RECs through the Committee on Coordination. This is usually done through harmonization of laws, policies and strategies of the RECs with the AU frameworks. This is a possible area of collaboration on food and agriculture between the AU, the RECs and FAO. Agriculture and food policies and strategies should be harmonized to avoid conflicts within policies and laws of the RECs and therefore making it challenging for Member States to implement AU policies and strategies.

AUDA-NEPAD has functions that are critical to food and agriculture, such as assisting Member States and RECs in implementation, research and technical advice on priority areas. This offers an opportunity for FAO to collaborate with the institution in research development, monitoring of the implementation of continental standards, development of the CAADP biennial reports and provision of technical advice for RECs and Member States.

In pursuing the achievement of continental standards in food and agriculture, there is a need to adopt a human rights-based approach as highlighted in the PAP model law on food and nutrition security. The guiding principle for policy, strategy, legislative, programme and operational interventions relating to food security and nutrition should be geared towards advancing the overall human rights of all stakeholders, particularly the most vulnerable (Draft Model Law On Food Security and Nutrition In Africa, Article 5. These human rights principles are captured in the "PANTHER" principles: participation, accountability, non-discrimination, transparency, human dignity, empowerment and rule of law. FAO is best placed to pursue these principles in its engagements with African, RECs and Member State stakeholders as it has already adopted the approach in food and agriculture (FAO, 2010). This will be used to hold the principal duty bearers, the Member States, accountable for failure to fulfil their commitments. The human rights-based approach is another area where capacity building is required. This can be drawn from the aspirations of the continent in Agenda 2063 towards good governance, democracy, respect for human rights and the rule of law. This would also be in implementation of the different African human rights instruments that give obligations critical for food security, nutrition and agriculture.

In capacity building, FAO can collaborate with the AU in the study and identification of good state practices in the implementation of the various food and agriculture frameworks. FAO can support this through providing data and carrying out learning exchange sessions on practices that have worked in places such as Southeast Asia. As stated in an interview with the Head of the AU Agriculture and Food Security Division, this can enable and support policymaking processes for the RECs.

The African Continental Free Trade Area (AfCFTA) presents an opportunity for collaboration with the AFSD of the AUC. Food and agriculture are central to trade on the African continent. Among other things, the AfCFTA aims to eliminate tariffs and non-tariff barriers to trade. This will require harmonization of issues such as rules of origin, sanitary and phytosanitary regulations and customs procedures. These will open avenues for collaboration to build the capacities of different stakeholders, such as the RECs, on different issues. The AfCFTA secretariat is taking steps to implement programmes on food and agriculture. It has entered into a memorandum of understanding with Afreximbank and the World Food Programme to promote the commercial development of smallholder agriculture, facilitate intraregional agricultural trade initiatives, and advance climate change mitigation and adaptation of smallholder agriculture and related value chains (AfCFTA, 2022). This would be critical in boosting trade for food and agricultural products within the continent and achieving the objectives of the AfCFTA. It would also offer an opportunity for collaboration between FAO and AfCFTA.

## Conclusion

Food and agriculture are central to the objectives and mandate of the AU. Accordingly, it has established critical normative and institutional frameworks in these areas. Notably, the AU has established a dedicated department to handle matters of food and agriculture, namely the Agriculture and Food Security Division at the AU Commission. Food security and agriculture are also central to the foundational values espoused in Agenda 2063 and the various human rights instruments adopted at the African level. In line with goals, several organs and institutions of the AU have been doing critical work in keeping food and agriculture on the continental agenda.

The implementation of these objectives primarily falls with Member States. In this regard, the AU seeks to work through and with RECs in the implementation of AU programmes on food and agriculture. The RECs Protocol was enacted to promote cooperation among the RECs and with the AU, including in food and agriculture policies and strategies, mainly through the Committee on Coordination and the Committee of the Secretariat Officials.

Despite the robust normative and institutional frameworks at the African level, implementation of the frameworks has been hampered by lack of capacity, limited follow-up and monitoring, overlapping and, at times, conflicting approaches between RECs and with the AU.

These challenging areas open significant opportunities to avail FAO's worldwide expertise, networks and experience to the benefit of the AU, AUDA-NEPAD, RECs and Member States in translating commitments into realities.







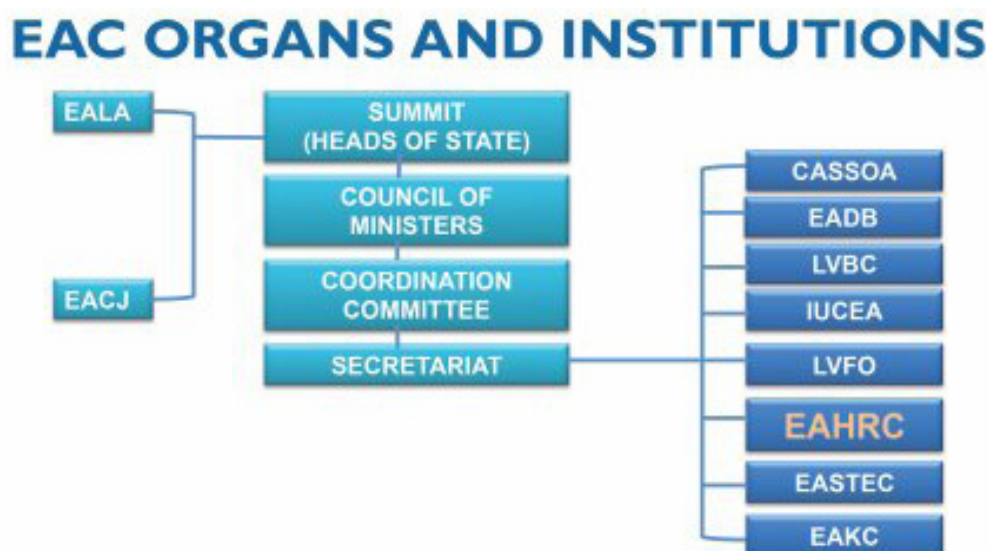
# The East African Community

## Introduction

The Treaty for the Establishment of the East African Community established the East African Community (EAC) as well as an East African Customs Union and a Common Market as transitional stages and integral parts of the EAC ([Article 1](#)). The EAC is a regional intergovernmental organization consisting of Burundi, Kenya, Rwanda, South Sudan, Uganda, the United Republic of Tanzania, and recently, the Democratic Republic of the Congo (Mbilinyi, 2011). The EAC is a Regional Economic Community (REC) which is formally recognized by the African Union.

The objectives of the EAC are, among other things, to develop policies and programmes for the strengthening of cooperation among Partner States (Article 5[1]). Additionally, the EAC is charged with ensuring the attainment of sustainable growth and development of the Partner States (Article 5[3][a]), promotion of peace, security and stability within, and good-neighbourliness among, the Partner States (Article 5[3][f]) and consolidating political, economic, social, cultural and traditional ties and associations between the peoples of the Partner States to promote a people-centered mutual development of these ties and associations (Article 5[3][d]).

**Figure 3: EAC organizational structure**



Source: East African Community website (<https://www.eahealth.org/about-eahrc>)



## Mandate

Generally, the mandate of the EAC is covered under three objectives (Article 5):

- i Developing policies and programmes that aim to strengthen cooperation among the Partner States, covering areas such as political, economic, social and cultural fields and the areas of technology, defence security, and legal and judicial affairs.
- ii In furtherance of the creation of unity in the region, the EAC is mandated to establish a Customs Union, a Common Market, a Monetary Union and a Political Federation in view of strengthening and regulating the industrial, commercial and other relations of the Partner States.
- iii The EAC's mandate also includes ensuring sustainable growth and development, consolidating fields with the potential for economic development and promoting the sustainable use of natural resources of the Partner States.

In terms of its specific mandate, Chapter 18 of the Treaty for the Establishment of the East African Community contains provisions on agriculture and food security. It lays down general objectives of cooperation in the agricultural sector such as the achievement of food security and rational agricultural production within the EAC. Partner States undertake a scheme for the rationalization of agricultural production to promote complementarity and specialization in and the sustainability of natural agricultural programmes, to ensure a common agricultural policy, food sufficiency within the EAC, an increase in the production of crops, livestock, fisheries and post-harvest preservation and conservation, and improved food processing (Article 105).

The scheme aims to achieve four goals:

- i a common agricultural policy;
- ii food sufficiency within the EAC;
- iii an increase in the production of crops, livestock, fisheries and forest products for domestic consumption, exports within and outside the Community and as inputs to agrobased industries within the Community;
- iv post-harvest preservation and conservation, and improved food processing (Article 105[1]).

The Treaty also refers to specific fields of agriculture that require the cooperation of Partner States, such as harmonizing the agricultural policies of all Partner States, developing food security within Partner States and the EAC through the production and supply of foodstuffs, developing and applying agricultural training and research and extension services, and adopting internationally accepted standards for food processing (Article 105[2]).

## Governance structure

The EAC is structured into [seven main organs](#) – the Summit, the Council of Ministers, the Coordinating Committee, the Sectoral Committees, the East African Court of Justice, the East African Legislative Assembly and the Secretariat.

## **The Summit**

It is made up of Heads of Government of the Partner States, who provide tactical direction towards the realization of the goals and objectives of the EAC. It is established pursuant to Article 9 of the Treaty. The tenure of office of the Chairperson of the Summit is one year and the office is held in rotation among the Partner States (Article 12[2] of the Treaty).

The primary role of the Summit is to give general direction to the development and achievement of the objectives of the EAC (Article 11[1]). The Summit is also responsible for considering annual reports and any other reports submitted to it by the Council of Ministers (Article 11[2]), reviewing the state of peace, security and good governance within the region (Article 11[3]).

The Summit meets at least once annually and may hold extraordinary meetings at the request of any member of the Summit (Article 12[1]). The Summit is the highest decision-making organ of the EAC, and its decisions are reached by consensus (Article 12[3]).

## **The Council of Ministers**

The Council of Ministers is the policy organ of the EAC (Article 14[1]). It promotes, monitors and reviews the implementation of the programmes of the EAC and ensures the proper functioning and development of the EAC. The Council also makes policy decisions for the development of the EAC, initiates and submits Bills to the Assembly (Article 14[3][b]), makes regulations, issues directives, takes decisions, makes recommendations and gives opinions (Article 14[3][d]), as well as submits annual progress reports to the Summit (Article 14[3][h]). It performs other functions as conferred on it by the Treaty (Article 14[3][m]). The regulations, directives and recommendations of the Council are binding on all Partner States, organs and institutions of the EAC (Article 16).

Meetings of the Council are held twice a year. A Partner State or the Chairperson of the Council may request an extraordinary meeting (Article 15).

## **The Coordination Committee**

The Coordination Committee of the EAC consists of the Permanent Secretaries who are responsible for EAC affairs in each Partner State (Article 17). The following are the functions of the Committee: it is responsible for submitting reports and recommendations to the Council, implementing the decisions of the Council, receiving and considering reports from the Sectoral Committees, among others (Article 18).

Meetings of the Coordination Committee are held at least twice annually in each year preceding the meetings of the Council. Extraordinary meetings may be held at the request of the Chairperson of the Coordination Committee (Article 19).

## **Sectoral Committees**

The Treaty also establishes Sectoral Committees (Article 20). The Sectoral Committees are charged with the preparation of a comprehensive implementation programme and the setting out of priorities with respect to its sector, monitoring and review of the implementation of the programmes of the EAC, submission of reports and recommendations to the Coordination Committee (Article 21). Sectoral Committee meetings are held as often as necessary for the discharge of their functions (Article 22).

## **East African Court of Justice**

The East African Court of Justice (the Court) is established as a judicial body with the mandate to interpret and apply the Treaty pursuant to Article 23 of the Treaty. Judges of the Court are appointed by the Summit,



for a term of seven years, from among persons recommended by the Partner States (Article 24[1]). Additionally, the Court has other original, appellate human rights and other jurisdictions as determined by the Council (Article 27[2]). The Court may deliver judgments or advisory opinions regarding a question of law arising from the Treaty which affects the EAC (Article 36[1]).

### **East African Legislative Assembly**

Membership of the East African Legislative Assembly (the Assembly) comprises nine members elected by each Partner State, ex officio members, the Secretary-General and Counsel to the EAC (Article 48). The Assembly operates as the legislative organ of the EAC (Article 49). In terms of Article 62 of the Treaty, it passes Bills which, if assented to by the Heads of State, then become Acts of the Community (Articles 63 and 64). Under Article 8 (4) of the EAC Treaty, community laws must take precedence over similar national ones on matters pertaining to the implementation of the Treaty. However, insofar as the EAC Member States are dualist in nature (Killander, 2014), effective implementation of EAC law within each State territory requires that they be translated into national law through ratification and domestication.

The Assembly liaises with the National Assemblies of the Partner States on matters relating to the EAC, debates and approves the budget of the EAC, considers annual reports on the activities of the EAC, annual audit reports of the Audit Commission and any other reports referred to it by the Council, discusses matters pertaining to the EAC and makes recommendations to the Council as it may deem necessary for the implementation of the Treaty, as well as other functions that may be conferred upon it by the Treaty (Article 49).

Meetings of the Assembly are held at times and places appointed by the Assembly (Article 49). These meetings are held at least once every year at Arusha in the United Republic of Tanzania and at a time to be determined by the Assembly (Article 55). Questions raised for decision by the Assembly are determined by a majority of the votes of the members present and voting (Article 58). The Assembly is governed by rules of procedure that provide for the proposal of any motion or introduction of Bills in the Assembly (Article 59). Under Article 78 of the East African Legislative Assembly (EALA) Rules of Procedure, the Assembly has six standing Committees. These include the Committee on Agriculture, Tourism and Wildlife, under whose docket issues to do with agriculture and food security fall.

### **The Secretariat**

The Secretariat is the executive organ of the EAC (Article 66). It contains the offices of the Secretary-General, Deputy Secretaries-General, Counsel to the Community; and such other offices as may be deemed necessary by the Council (Article 66). The Secretariat is responsible for, among others, initiating, receiving and submitting recommendations to the Council and forwarding Bills to the Assembly through the Coordination Committee, strategic planning, management and monitoring of programmes for the development of the EAC and undertaking investigations, collection of information or verification of matters relating to any matter affecting the EAC that appears to merit examination (Article 71).

## **Legal and policy instruments relating to food and agriculture**

### **Treaty for the Establishment of the East African Community**

The Treaty provides for strengthening cooperation in quality seed development and production through research and plant breeding, enhancing capacity in seed technology and creating an enabling environment for the private sector to improve seed multiplication and distribution (Article 106).

Climate change has been recognized as an emerging driver of food insecurity in the East African region. Changing climate patterns, coupled with extreme weather events like floods and droughts, present significant challenges to food security (East African Community Food and Nutrition Security Action Plan 2018–2022). Because a large percentage of households in East Africa depend on rainfed agriculture, they are directly affected by climate change (East African Community Food and Nutrition Security Action Plan 2018–2022). The Treaty highlights an important link between climate change and agriculture (Article 100). In the provision of meteorological services, Partner States undertake to provide meteorological support to key sectors of the economy, including agriculture (Article 100[1][c]).

In furtherance of the climate change argument, the Treaty makes provision for the management of the environment (Article 112). Partner States have an obligation to cooperate in the management of the environment through the integration of environmental management and conservation measures in all developmental activities such as trade and agriculture in the EAC (Article 112[1][e]). Partner States also undertake to encourage public awareness and education on the use of agricultural and industrial chemicals and fertilizers (Article 112[2][d]).

Further, Partner States make undertakings towards ensuring food security by establishing a mechanism for exchange of information on demand and supply surpluses and deficits, trade, forecasting and state of food nutrition, harmonizing quality and standards of inputs and products, developing modalities to have timely information on market prices, initiating and maintaining strategic food reserves and developing marine and inland aquaculture and fish farming (Article 110).

The Treaty is sensitive to gender concerns, and draws an economic link between agriculture, industry and trade (Article 122). Consequently, Partner States agree to elevate the access of women by increasing the participation of women in business at the policy formulation and implementation levels, elimination of laws, regulations and practices that hinder women's access to financial assistance, and promoting special programmes for women in small, medium and large-scale enterprises (Article 122).

In terms of livestock multiplication and distribution, the Treaty states that Partner States have an obligation to develop mechanisms for cooperation in livestock breeding, encouraging and facilitating the exchange of genetic material, encouraging private sector participation and developing a common regulatory framework in livestock multiplication, among other measures (Article 107).

Pursuant to Article 108 of the Treaty, Partner States agree to harmonize policies, legislation and regulations for the enforcement of pest and disease control, strengthen regulatory institutions and adopt common mechanisms to ensure the safety, efficacy and potency of agricultural inputs.

The Partner States are obliged to make efforts towards the expansion of agricultural land by cooperating in the formulation and implementation of national and EAC irrigation programmes, the development and preservation of traditional irrigation systems, the improvement of water catchment management and the adoption of environmentally safe methods of land use (Article 109).

The Partner States endeavour to strengthen the private sector by encouraging the sustainable and efficient use of scarce resources as well as promoting the development of private sector organizations which are engaged in all types of economic activities, including agriculture (Article 128[2][a]).

### **EAC Common Market Protocol, 2010**

The Protocol on the Establishment of the EAC Common Market entered into force on 1 July 2010, following ratification by all five Member States as they then were. The establishment of the Common Market is consistent with the EAC Treaty and represents the second stage of the regional integration process. The Protocol provides for the free movement of goods, labour, services and capital.







In terms of Article 45 of the Protocol, EAC Partner States undertake to cooperate in agriculture and food security. In particular, they commit to develop and promote agriculture sustainably with respect to crops, livestock, fish, forestry and their products; and to ensure food security in the Community through access to quality and sufficient food (EAC Common Market Protocol, Article 45[1]). Specifically, the Partner States undertake to cooperate in agricultural research and development and plant breeding; promote the production and distribution of quality seeds of crops, livestock, fish and forest trees; develop capacity in the agricultural sector; cooperate in the breeding, multiplication, distribution and artificial insemination of livestock including domesticated animals; develop, promote, manage and conserve fisheries resources on a sustainable basis within the Community; cooperate in the control of plant and animal pests, vectors and diseases; establish early warning systems and manage food security; develop, promote and manage forests and forestry products; promote and support the development of sustainable water use and irrigation facilities; stabilize markets and ensure the availability of supplies for both domestic consumption and exports; establish an effective regime of sanitary and phytosanitary measures, standards and technical regulations; establish and promote the production and availability of farm inputs and implements in sufficient quantities in the Partner States; and promote and encourage private sector participation in agricultural commercial activities and provision of support services (Article 45[3]).

### **EAC Food and Nutrition Security Policy 2016**

The EAC [Food and Nutrition Security Policy](#) (FNSP) aids in the implementation of the EAC Treaty (1999) Chapter 18 Article 110 which provides for the harmonization of food supply, nutrition and food security policies and strategies relating to stimulating agricultural development, eliminating hunger, eradicating poverty and ensuring food security. It further provides cross-sector linkages for the implementation of chapters 11, 12, 14, 18, 21, 22, 25 and 26 of the Treaty.

The key legal and policy framework established by the EAC was in the development of the EAC FNSP. The Partner States are expected to integrate the policy into their national policies and agriculture investment plans as well as achieve food and nutrition security in the region through policy measures that target causal factors in food and nutrition insecurity in the region. The goal of the FNSP is to “attain food and nutrition security for all the people of EAC throughout their life cycle for their health as well as their social and economic well-being”. The policy is linked to the 2010 EAC Common Market Protocol, which makes provision for a framework that operationalizes the Common Market through the production, intraregional, cross-border trade, leading ultimately to exports of value-added surplus EAC food products.

Major components of the FNSP include:

- i The recognition that malnutrition is a challenge requiring broad approaches that incorporate interventions that address the causes of malnutrition in the short, medium and long term.
- ii The provision for linking humanitarian assistance with development to build resilience in vulnerable communities.
- iii The recognition of the need for a cross-sectoral approach that requires both nutrition-specific and nutrition-sensitive interventions for the attainment of food and nutrition security in the region.
- iv The affirmation that strong institutional structures are required for the implementation of food and nutrition security actions. This envisions structures such as food and nutrition security leadership, governance and management, coordination, as well as integrated and multisectoral linkages for its operationalization.



### **EAC Vision 2050 (2015)**

The EAC Vision 2050 places agriculture among the priority sectors. It presents agriculture, food security and rural development as the second pillar for the decades that lie ahead and recognizes the importance of the agricultural sector in the development of the region. The vision for the agricultural sector is increased investment and enhanced agricultural productivity for food security, and a transformation of the rural economy.

Vision 2050 lists agriculture as one of the main drivers of growth in the East African region, hence the need to emphasize rural development based on improved agricultural practices such as mechanization, irrigation, improved seeds and use of fertilizers.

### **EAC Food and Nutrition Security Strategy 2019–2023**

The [Food and Nutrition Security Strategy](#) (FNSS) puts forward a strategy intervention that covers the components of food and nutrition security as set out in the first phase, that is, food availability, access, utilization and stability. Pursuant to Chapter 18, Articles 105 and 110 of the Treaty, the strategy makes provision for the harmonization of food supply, nutrition and food security policies and strategies relating to the stimulation of agricultural development, elimination of hunger and poverty and ensuring food security. This provision indicates cross-sector links necessary for the implementation of chapters 11, 12, 14, 18, 21, 22, 25 and 26 of the Treaty, the Agriculture and Rural Development Policy and the Agriculture and Rural Development Strategy (2005–2030), the EAC Common Market Protocol (2010) and the Fifth EAC Development Strategy (2017–2023).

The FNSS was adopted to create a framework within which the EAC Food and Nutrition Security Policy could be operationalized.

### **EAC Agriculture and Rural Development Strategy 2005–2030**

Programmes and projects for achieving the objectives of the EAC are contained in the 25-year (2005–2030) multi-year EAC Agriculture and Rural Development Strategy (EAC-ARDS). The ARDS outlines interventions in four thematic areas of production, trade, supporting infrastructure and services, and natural resources management over the period 2005 to 2030. Additionally, it contains provisions for institutional arrangements supporting the implementation of the Agriculture and Rural Development Programme (ARDP).

The ARDS has several specific objectives in line with the overall objective of the EAC in the promotion of cooperation within agriculture and rural development. According to Section 4.3, some of the objectives of the ARDS are to:

- i ensure food security in the EAC region as well as improve the standards of nutrition by increasing the output, quality, availability and accessibility of food.
- ii encourage agricultural production to promote complementarity and specialization.
- iii improve the standards of living in the rural areas through increased income generation from agricultural production, processing and marketing.
- iv support agrobased industrialization.

After setting out its objectives, the ARDS proposes several strategic interventions to be undertaken to facilitate the process of rural development. These are classified from medium- to long-term implementation periods to be guided by the EAC Agriculture and Rural Development Policy (EAC-ARDP). The areas

identified for intervention include the need to improve food security, accelerate irrigation development, strengthen early warning systems, finance agriculture and agroprocessing, and improve governance as well as the legal and regulatory framework (Section 5).

### **EAC Food and Nutrition Security Action Plan 2018–2023**

The EAC Summit directed the EAC Secretariat to develop its very first Food Security Action Plan (FSAP), adopted in 2011. Its aims were to fast-track the development of an EAC Food and Nutrition Security Plan. At the end of the five-year implementation period of the FSAP, the Secretariat formulated the second phase of the action plan – the [Food and Nutrition Security Action Plan \(FNSAP\) 2018–2022](#) that aligns to the EAC Food and Nutrition Security Strategy (FNSS). The EAC–FNSAP is a policy document that contains a cross-sectoral approach in the elimination of hunger, malnutrition and extreme poverty in the East African region by 2023. According to Section 5.1, its objectives are the promotion of sustainable and inclusive agricultural production, productivity and trade of crops, animal and animal resources, fisheries, aquaculture, apiculture and forest products, the strengthening of resilience among households, communities and livelihood systems through sustainable use of natural resources, environmental conservation and disaster risk reduction and management, and improving access to and utilization of nutritious, diverse and safe foods.

The EAC–FNSAP 2018–2022 proposes three objectives. First, it aims to improve sustainable and inclusive agricultural production, productivity and trade of crops, animal resources, fisheries, aquaculture, apiculture and forest products (Section 5.1). This objective has three expected results, namely improved agricultural production, productivity and incomes, improved trade and market access, and increased farm and off-farm enterprise and job opportunities for youth and women at all levels of the value chains.

Second, the FNSAP is aimed at strengthening resilience among households, communities and livelihood systems by promoting sustainable utilization of natural resources, environmental conservation and uptake of disaster risk reduction, with enhanced post-harvest management and value addition. This objective has two expected results, which are strengthened disaster risk preparedness and management, with sustainable utilization of natural resources and environmental conservation under the changing climate and improved post-harvest handling, agroprocessing and value addition.

Lastly, the EAC–FNSAP 2018–2022 aims to improve access to and utilization of nutritious, diverse and safe foods. The rationale for this objective is that millions of East Africans experience chronic hunger, famine and pest invasions, which cause malnutrition. The EAC–FNSAP recognizes that for the region to achieve food and nutrition security, it is important to adopt a multidimensional approach that cuts across social protection systems and general health education. This objective has one intermediate result – to increase investment in nutrition. The EAC–FNSAP proposes cross-cutting intermediate results, including commitments by EAC Partner States and donors to invest in the action plan and improved governance, policy and institutional effectiveness.

The development of the FNSAP followed the first Food Security Action Plan (FSAP) (2011–2015) which was adopted in 2011. The FSAP covered several intervention areas like agricultural production, agrifood processing, research and innovation, agricultural inputs, plant and animal disease control, food quality and safety, trade, agricultural risk management, emergency preparedness and response in arid and semi-arid regions and pastoralist communities. The FSAP was designed to facilitate the implementation of food security in East Africa in its first phase, against the backdrop of rampant food insecurity in the region which has led to several incidents of chronic hunger.

During the five-year timeframe of the FNSAP, Partner States undertake to encourage strategic programmatic directions in the management of food and nutrition security issues. The FNSAP identifies target areas of work to be selected based on the following criteria – areas where there are high levels of







food insecurity, poverty and malnutrition, and high cost of living, where the EAC Secretariat can leverage complementary resources and expertise and support capacity development through partnerships with the private sector, areas that present strong opportunities to strengthen regional integration, regional trade and development corridors, and rural and urban people who are the most vulnerable such as the youth, the extremely poor children and smallholder producers (Section 6.1).

In the implementation of the first phase under the FNSAP, Partner States pledge to engage with public and private sector actors, research and academia, and civil society and community-based actors. Institutionally, the effective implementation of the FNSAP requires coordination between the EAC Secretariat and Partner States, as well as concerted efforts with private sector players to conduct oversight, and joint monitoring mechanisms that enhance accountability (Section 6.2).

The second phase of the action plan aligns with the EAC Food and Nutrition Security Strategy 2019–2023.

### **Regional Agriculture Investment Plan 2018–2025**

The [Regional Agriculture Investment Plan](#) (RAIP), approved by the Thirteenth Extraordinary Council of Ministers held in January 2019, proposes interventions needed for the implementation of the EAC Comprehensive Africa Agriculture Development Programme (CAADP) Compact and the EAC Food Security Action Plan I. It has four specific objectives. The first of these is to provide a brief review that highlights the performance of the agriculture sector in the EAC, specifically to show the status of progress towards the achievement of the CAADP goals. Its second objective is to highlight factors that impede sustainable agricultural transformation in the EAC region. The third objective involves prioritizing and formulating strategic interventions to facilitate sustained agricultural transformation in the region. Lastly, Partner States undertake the costing of the strategic interventions and propose mechanisms for the RAIP.

## **Law- and policymaking processes**

Pursuant to Article 14 of the Treaty, the policy organ of the EAC is the Council of Ministers. The Council is charged with making policy decisions for the efficient functioning and development of the EAC. The Council additionally makes regulations, issues directives, takes decisions and makes recommendations in accordance with the Treaty (Article 14[3][d]). The Bills of the EAC are initiated by the Council and submitted to the Assembly (Article 14[3][b]). Upon making any directives and regulations under the Treaty, the Council has the mandate to cause such directives and regulations to be published in the Gazette (Article 14[5]).

In terms of the legislative organ of the EAC, the mandate lies with the Assembly. Any member of the Assembly may propose any motion or introduce any Bill in the Assembly (Article 59[1]). The enactment of legislation of the EAC is effected by passing of Bills by the Assembly, which are then assented to by the Heads of State. After a Bill has been passed by the Assembly, the Speaker of the Assembly then submits it to the Heads of State for assent (Article 62[2]). Every Bill that has been passed and assented to is an Act of the EAC (Article 62[1]).

Where Heads of State withhold assent to a Bill, the Bill is referred back to the Assembly, with reasons and with a request that the Bill or a particular provision thereof be reconsidered by the Assembly (Article 63[2]). If the Assembly discusses and approves the Bill, the Bill is resubmitted to the Heads of State for assent (Article 63[3]).

The East African Legislative Assembly Strategic Plan (2019–2024) recognizes that one of the key priority areas of focus for the EAC is the improvement of agricultural productivity, value addition and facilitation of movement of agricultural goods to enhance food security in the region. To this end, part of the



legislative agenda of the Assembly includes the enactment of the EAC Sanitary and Phytosanitary Bill, the Standardization, Accreditation and Capacity Assessment Bill and a Bill on Livestock. If passed and adopted, these laws would introduce important normative standards for enhancing food safety and security in the EAC.

## Domestic implementation

### **Treaty for the Establishment of the East African Community**

The Treaty makes a general undertaking as to implementation in Article 8. Here, Partner States plan and direct their policies and resources with a view to creating favourable conditions for the development and achievement of the objectives of the EAC. Institutionally, Partner States are to designate a Ministry with which the Secretary-General may communicate with any matter arising out of the implementation or the application of the Treaty. In the implementation of the Treaty, EAC organs, institutions and laws take precedence over similar national ones regarding areas of EAC competence (Article 8[4]). The Council is responsible for the promotion, monitoring and keeping under constant review the implementation of the programmes of the EAC and ensuring the proper functioning and development of the EAC in accordance with the Treaty (Article 14[2]). Sectoral Committees are also mandated with the preparation of a comprehensive implementation programme and the setting out of priorities with respect to its sector (Article 21[a]).

### **EAC Food and Nutrition Security Policy 2016**

The East African Community Food and Nutrition Security Policy (EAC-FNSP) contains provisions on an enabling environment for its implementation. It recognizes the need for a functional regional institutional framework that can ensure that policies and decisions made at regional level are supported and implemented at national levels (Section 3.1). The policy acknowledges the need for cross-sectoral and multisectoral responses through active participation and involvement of relevant government line ministries, civil service organizations, research institutes, United Nations organizations, and private sector and development partners (Section 3.1). The FNSP proposes an institutional framework involving sector councils, country-level ministers of regional cooperation and ministers/cabinet secretaries responsible for food and nutrition security (Section 3.1.1).

The FNSP also relies on coordination and governance mechanisms in the implementation of some of its policies. The FNSP for instance encourages Partner States to invest in initiatives that contribute to enhancing food and nutrition security, such as the Scaling up Nutrition Movement and CAADP as means of advancing the objectives of the FNSP (Section 3.1.2).

### **EAC Regional Agriculture Investment Plan 2017–2025**

The East African Community Regional Agriculture Investment Plan (EAC-RAIP) proposes key interventions required for the implementation of the EAC-CAADP Compact and the EAC Food Security Action Plan I. The RAIP is underpinned by the EAC Agriculture and Rural Development Strategy, EAC Food and Nutrition Policy and Strategy, EAC CAADP Compact and Results Framework and the EAC Regional Food and Nutrition Security Policy and Action Plan.

EAC Partner States, the EAC Secretariat, the Inter-University Council for East Africa (IUCEA), the East African Civil Society Organizations Forum (EACSO), the Association for Strengthening Agricultural Research in Eastern and Central Africa (ASARECA) and the United States Agency for International Development (USAID), in furtherance of the objective to use agriculture for social and economic growth, signed the [EAC-CAADP Compact](#). In so doing, EAC Partner States agreed to increase public investment in agriculture

to 10 percent of national budgets annually and to raise and maintain agricultural productivity and annual growth by at least 6 percent.

## Areas of potential collaboration

The EAC is a robust REC which has grown even more significant with the accession of the Democratic Republic of the Congo. It has faced some challenges in the past, particularly with certain protectionist tendencies emerging from certain Member States, a situation which was worsened by the COVID-19 pandemic as well as by security concerns in the region.

As stated in an interview with the principal agricultural economist of the Department of Agriculture and Food Security in the EAC, FAO is already working with the EAC in terms of capacity building, such as support to the programme on youth involvement in agriculture. FAO supported the EAC to upskill youth from the Member States in hands-on training at an incubation centre in Port Novo, Benin and also provided seed money to support their existing agribusinesses. Furthermore, FAO is supporting the EAC to develop a regional strategy on highly hazardous pesticides (HHPs).

Going forward, another potential area for cooperation appears to be support towards the enactment of three existing food security and safety-relevant bills, namely the EAC Sanitary and Phytosanitary Bill, the Standardization, Accreditation and Capacity Assessment Bill and the Livestock Bill. These provide useful entry points for FAO engagement with and support to the EAC, given the importance of these potential laws for enhancing food security and safety in the region.

## Capacity development needs

### Human resource expansion

For the EAC to realize its objectives generally and in the food and agriculture sector, there needs to be an expansion of its technical and human capabilities. The EAC Food and Nutrition Security Policy, for instance, lays down areas that require capacity development in the agriculture and food security sector, particularly to facilitate the implementation of the policy. Human, technical and logistical capacity is critical in the implementation of the policy (Section 3.1.4). This entails the training of more human resource personnel to meet the multisectoral requirements and occupy institutions.

### Information technology and research

Currently, the research on food and nutrition security within the EAC is not well-coordinated. Statistics and research would benefit from a [harmonized database](#) that facilitates a framework for data collection, analysis and documentation, as well as an archive system that enables the establishment of a Regional Statistical System. The research on food and nutrition security and agriculture is fragmented and the establishment of a venue for accurate data to inform food and nutrition security policies within the region is timely.







# The Intergovernmental Authority on Development

## Introduction

The Intergovernmental Authority on Development (IGAD) is a Regional Economic Community (REC) which makes up one of the eight African Economic Communities (AEC). According to the IGAD Regional Strategy, Volume 1, it was established in 1996 to supersede the Intergovernmental Authority on Drought and Development (IGADD). The IGADD had been founded in 1986 to address extreme climate events in Djibouti, Ethiopia, Kenya, Sudan and Uganda. While it had been founded mainly to combat drought and desertification in the region, it became apparent that it provided an avenue for handling a wider range of political and socioeconomic issues. Thus, the Heads of State and governments of the Member States on 18 April 1995 resolved to broaden IGADD's mandate to be inclusive of cooperation among the Member States, hence IGAD was established.

Currently, IGAD comprises the countries of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. These countries, with the exception of Kenya, constitute the world's least developed countries (LDC). The [major economic activity carried out in the IGAD](#) region is agriculture, made up of both livestock and crop production which acts as a source of food and export, and employs over 80 percent of the population. All IGAD Member States, except Somalia, are members of one or two other RECs, that is COMESA and/or the EAC, both of which have regional Comprehensive Africa Agriculture Developmental Programme (CAADP) processes (Molina, 2017).

The Agreement Establishing the Intergovernmental Authority on Development (the Agreement) establishes the IGAD, whose membership is open only to the African States in the subregion which subscribe to the principles, aims and objectives of the organization. It is headquartered in Djibouti, the capital of the Republic of Djibouti (Article 1A).

## Mandate

The Agreement lays down several general as well as food- and agriculture-related aims and objectives of IGAD (Article 7). IGAD's aims and objectives include:

- i Promote joint development strategies and gradually harmonize macro-economic policies and programmes in the social, technological and scientific fields.
- ii Harmonize policies about trade, customs, transport, communications, agriculture and natural resources, and promote free movement of goods, services and people, and the establishment of residence.
- iii Create an enabling environment for foreign, cross-border and domestic trade and investment.
- iv Achieve regional food security and encourage and assist efforts of Member States to collectively combat drought and other natural and human-made disasters and their consequences.



- v Initiate and promote programmes and projects for sustainable development of natural resources and environmental protection.
- vii Develop and improve a coordinated and complementary infrastructure, particularly in the areas of transport and energy.
- viii Promote peace and stability in the subregion and create mechanisms within the subregion for the prevention, management and resolution of inter- and intra-State conflicts through dialogue.
- ix Mobilize resources for the implementation of emergency short-term, medium-term and long-term programmes within the framework of subregional cooperation.
- x Promote and realize the objectives of COMESA and the AEC.
- xi Facilitate, promote and strengthen cooperation in research, development and application in the fields of science and technology.
- xii Develop such other activities as the Member States may decide in furtherance of the objectives of this Agreement.

In accordance with Article 13A, IGAD also provides for areas of cooperation for the IGAD Member States, some of which specifically deal with agriculture and food security:

- i IGAD pledges to enhance cooperation and coordination of the macroeconomic policies of Member States in sustainable agricultural development and food security (Article 13A[a]).
- ii The Member States are particularly interested in improving the handling and analysis of data in agrometeorology and climatology, nutrition, social and economic indicators as well as establishing a strong food information system (Article 13A[b]).
- iii The Member States undertake to coordinate and strengthen effective mechanisms for monitoring and controlling the migration of pests, and the spread of animal and plant diseases and pests (Article 13A[c]).
- iv Further, an area of cooperation for the Member States is recognized as the harmonization of national plans of action for marginal lands and drylands management and control of land degradation in line with the Urgent Action for Africa under the United Nations Convention to Combat Desertification (UNCCD) (Article 13A[g]).

## Governance structure

IGAD is made up of four hierarchical policy organs. At the top of this governance structure is the Assembly of Heads of State and Government. It is followed by a Council of Ministers, a Committee of Ambassadors and a Secretariat.

### **The Assembly of Heads of State and Government**

The Assembly of Heads of State and Government (the Assembly) is the supreme decision-making organ of IGAD (Article 9[1]). The functions the Assembly are charged with include policymaking, directing and controlling the functioning of IGAD, determining the main guidelines and programmes of cooperation,

giving guidelines, as well as monitoring and approving the scale of assessment of contributions of Member States to the budget of IGAD upon the recommendation of the Council of Ministers (Article 9[2]).

The Assembly meets at least once a year and upon the request of any of the Member States, with the agreement of the majority of its members (Article 9[3]). The Assembly reaches decisions by consensus (Article 9[4]).

### **The Council of Ministers**

The Council of Ministers (the Council) is composed of the Ministers of Foreign Affairs and one other focal Minister designated by each Member State (Article 10[1]). The Council is tasked with making recommendations to the Assembly on matters of policy, approving the budget of IGAD, reviewing its operations, overseeing the functioning of the Secretariat, preparing the agenda for the Assembly and undertaking any other functions assigned by the Assembly (Article 10[2]). The Council has the mandate to establish ad hoc sectoral Ministerial committees to deal with issues in their respective sectors (Article 10[3]). It also meets twice a year and at any time at the request of any of the Member States (Article 10[4]). Its decisions, like the Assembly, are reached through consensus (Article 10[5]).

### **The Committee of Ambassadors**

The Committee of Ambassadors is made up of Member States' ambassadors or plenipotentiaries accredited to the country of the headquarters of the organization. The Committee reports to the Council (Article 11[1]). The Committee is mandated to advise the Executive Secretary on the promotion of efforts in realizing the workplan approved by the Council of Ministers and to guide the Executive Secretary on the interpretation of policies and guidelines which may require further elaboration (Article 11[2]).

The Committee holds meetings whenever necessary to follow up on the activities of the Secretariat and subsequently advise the respective Member States (Article 11[3]). The Committee reaches its decisions by consensus (Article 11[4]).

### **The Secretariat**

The Secretariat is the executive body of IGAD. It is headed by an Executive Secretary appointed by the Assembly for a renewable term of four years. It has its own staff (Article 12[1]). The functions of the Secretariat include the implementation of the decisions of the Assembly and the Council, preparing draft proposals and agreements on matters arising from the decisions and recommendations of the Assembly and the Council, and initiating, identifying and coordinating development programmes and projects (Article 12[2]).

## **Legal and policy instruments relating to food and agriculture**

Under Article 17 of the Agreement, Member States are entitled to conclude any such Protocols as may be necessary to implement the aims and objectives of the Agreement (Article 17[a]). Each Protocol needs to be approved by the Assembly on the recommendation of the Council, and at that stage has effect as "an integral part" of the IGAD Agreement (Article 17[b]).

The major normative Protocols so far concluded under Article 17 have been the IGAD Protocols of June 2021 on Free Movement of Persons and Transhumance. Another important Protocol is that which establishes the [Centre for Pastoral Areas and Livestock Development](#) (CPALD).



These two Protocols were both adopted by the IGAD Council of Ministers on 24 June 2021. They are aimed at easing the movement of both persons and animals across borders, a critical step towards enhancing food security. They recognize that it is not the aim of pastoralists to have permanent settlements, but that their movements are instead informed by seasonal weather patterns and the objective of grazing their herds. They aim to protect all stakeholders concerned, including through the issuance of health certificates for cattle to enable smooth border crossings. Under their terms, all transhumant livestock and herders must be allowed free and safe passage across points of entry into, and departure from each, provided they have the IGAD Transhumance Certificate.

Major support for these Protocols came from the European Union Trust Fund project on “Free Movement of Persons and Transhumance in the IGAD region”. The European Union and IGAD are continuing to work together to support national ratification processes for the instruments.

### **IGAD Strategy 2021–2025**

The IGAD Strategy 2021–2025 is founded on the objectives of IGAD under Article 7 of the Agreement Establishing the Intergovernmental Authority on Development, particularly the objective of building and accelerating regional integration and cross-border cooperation among the Member States. This objective is aimed at facilitating food security and environmental protection and management of climate change, economic cooperation, regional integration, social development, peace, security and humanitarian affairs.

The strategy lays down a framework for strategic priority interventions in the first five years of implementing IGAD Vision 2050 for a “resilient, peaceful, prosperous and integrated region where citizens enjoy a high quality of life”. It builds on ongoing interventions, including the IGAD Drought Disaster Resilience and Sustainability Initiative (IDDRSI) and the regional CAADP Compact Institutional Strengthening Action Plan (ISAP).

One of the strategic development objectives is aimed at enhancing food and nutrition security in the region. In so doing, the strategy recognizes the role of the agricultural sector in the development of the region. This is because over 80 percent of the region’s population relies on semi-subsistence agriculture for their livelihood (IGAD Regional Strategy: The Framework 2021–2025, page 20). The strategy lists as main priority areas supporting livestock animal husbandry; post-harvest management practices; development of the fisheries sector; harnessing water resources for irrigation, animal and human use; and leveraging the blue and green economies. The main pillars of this strategy are food security, socioeconomic development, sustainable utilization of transboundary resources, and peace and security.

One of the programme areas focuses on agriculture, livestock and the blue economy. It seeks to strengthen the efforts by the Member States towards achieving food security and environmental protection as well as the maintenance of peace and security in the region. A [key plan under the strategy](#) is the establishment of an IGAD Fisheries Management Regional Organization, and FAO is specifically identified as a key strategic partner in the achievement of this objective.

### **IGAD Drought Disaster Resilience and Sustainability Initiative**

The Heads of State and Government of the region convened a Summit in Nairobi in September 2011 to pass the IGAD Drought Resilience and Sustainability Initiative (IDDRSI) that called for action in introducing strategies, policies and programmes to strengthen investment plans nationally and regionally. It is also known as the Nairobi Strategy. The Nairobi mandate gave IGAD the task to coordinate and implement the IDDRSI. The IDDRSI’s objective to develop a framework for managing disasters in the Horn of Africa is founded upon the need to strengthen pastoral livelihoods through interventions that target livestock

production, health and marketing (AFSA, 2017, page 5). The IDDRSI's key element of the framework is to develop supportive policy, institutional and legal frameworks at regional and national levels. To date, under this initiative, two Model frameworks have been formulated to guide national level implementation of legislative best practice. These are the [IGAD Model Legal Framework for Livestock Identification and Traceability System \(LITS\)](#) of 2016, and the [Regional Model Legal Framework for Conservation, Sustainable Utilization and Access and Benefit Sharing of Farm Animal Genetic Resources](#) of 2018.

IDDRSI is an initiative which followed the drought that ravaged the IGAD region between 2010 and 2011, affecting more than 13 million people and causing severe crises. Therefore, the Member States recognized that the effects of droughts were far-reaching and had lasting impacts on the population, yet are avoidable.

### **IGAD Food Security and Nutrition Response Strategy 2020–2022**

The [IGAD Food Security and Nutrition Response Strategy](#) (IGAD-FSNRS) was adopted in reaction to the COVID-19 pandemic to address food insecurity in the IGAD region. It is estimated that about 25 million people were facing food insecurity in Djibouti, Ethiopia, Kenya, Somalia, South Sudan and Uganda prior to the COVID-19 pandemic. The region continues to deal with issues of insecurity and severe climate events that are responsible for internally displaced persons (IDPs) in the IGAD region.

It is projected that the situation in the region will continue to deteriorate with regard to the food security situation and in the context of the COVID-19 pandemic. The goal of the IGAD-FSNRS is to significantly reduce food insecurity and malnutrition affecting the IGAD Member States.

The IGAD-FSNRS recognizes that the food systems in the IGAD region are currently facing multiple shocks. These systems provide four key priority areas, strategic objectives and interventions. The first is to provide humanitarian assistance and livelihood support for vulnerable populations in pastoral, urban and rural areas. The second is to improve and sustain nutrition security among vulnerable groups during food crises. The third is to promote and facilitate regional trade and access to markets. The fourth is to safeguard pastoralists and pastoral assets. The strategy also provides for regional preparedness and capacity enhancement interventions through the operationalization of the IGAD Disaster Response Fund, enhancing regional capacity for preparedness and response to food and nutrition crises, and the establishment of a Regional Operation Centre for Emergencies.

### **Malabo Declaration Commitment through the implementation of RAIPs and NAIPs**

In line with the African Union's Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods (Malabo Declaration), it is important that Malabo-compliant Regional Agriculture Investment Plans (RAIPs) and National Agriculture Investment Plans (NAIPs) are formulated and implemented, using a rule of law approach. At the country level, there should be support for strategies to utilize the rule of law principle in food and agriculture. IGAD made commitments to collaborate and facilitate complementarity in programmes to avoid duplication, while ensuring support for the Member States. It is estimated that 70 percent of the African population relies on agriculture, and it is thus important for a country's NAIP and RAIP to align with the Malabo commitments (as discussed in a regional workshop held in 2018 on Accelerated Domestication of the Malabo Declaration by Member States and Regional Economic Communities).

The IGAD-RAIP (2016–2020) implementation is underway with commitment III, Ending Hunger in Africa by 2025. It underscores ending hunger, accelerating agricultural growth by increasing current productivity levels, improving nutritional status and, particularly, eliminating child undernutrition among the Member States by 2025.







Commitment IV involves halving poverty by 2025 to ensure that the agricultural growth and transformation process is inclusive and contributes at least 50 percent to the overall poverty reduction target. It also entails the establishment of inclusive public-private partnerships for at least five priority agricultural commodity value chains with links to smallholder agriculture.

### **IGAD Livestock Policy Initiative**

The IGAD [Livestock Policy Initiative](#) seeks to “enhance the contribution of the livestock sector to sustainable food security and poverty reduction in the IGAD region”. Together with its Member States, IGAD works to strengthen livestock sector outcomes, including through stakeholder engagement, knowledge sharing and capacity building.

### **IGAD Land Governance Strategy 2017–2022**

Through this strategy, Member States made recommendations to formulate an IGAD land policy framework and guidelines, mainstream land governance issues in programmes and activities of the IGAD Secretariat and ensure land policy convergence, among other initiatives (see the [IGAD Land Governance Strategy](#) [2017–2022]). The strategy builds directly upon the IGAD Regional Strategy 2016–2020 and its Implementation Plan (2016–2020). Its main goal is to offer assistance and complement Member States’ efforts in land governance. The strategy has nine strategic guiding principles, which include adherence to gender sensitivity and equity; facilitation of land-related national policies, laws, strategies and regulations already devised by Member States; and the promotion of integrated land management for sustainable development. Importantly, the implementation of this strategy is premised, among other things, on envisaged cooperation with United Nations bodies, including FAO, which are understood as being “important sources of financial resources and technical assistance” (see Section 4.6 of the document on Strategic Partnerships). Other key mechanisms of implementation include national level focal points and the IGAD Secretariat.).

## **Institutional frameworks on agriculture and food security**

### **IGAD Centre for Pastoral Areas and Livestock Development**

The establishment of this IGAD Centre is anchored in Article 17 of the Agreement. In 2011, the IGAD Executive Secretary appointed a committee of regional experts who recommended the establishment of a dry-land and livestock centre. The 45th IGAD Council of Ministers mandated the IGAD Secretariat to establish the IGAD Centre for Pastoral Areas and Livestock Development (ICPALD) (see the ICPALD website, [Background on the establishment of ICPALD](#)). According to Article 6(2) of the Protocol for the Establishment of the IGAD Centre for Pastoral Areas and Livestock Development, ICPALD was set up as a specialized technical institution of IGAD.

### **Objectives**

- ICPALD was envisioned as an advisory centre for arid and semi-arid lands (ASALs) and livestock development issues in the region (Article 7[1]) of the Protocol).
- It is expected that ICPALD should promote and enhance the development of livestock and complementary livelihood resources (Article 7[43]).
- ICPALD contributes to the creation of awareness of the contribution of the complementary livelihood resources and livestock sector to national economies, as well as assisting the Member States in any manner as envisioned by the CPALD Protocol (Article 7[4]).



- In addition, ICPALD was launched to facilitate the development and implementation of internationally acceptable regional non-wood forest products and artisanal minerals and animal health inspection (Article 7[5]).

#### **Functions of ICPALD are to:**

- ensure the effective implementation of the CPALD Protocol in line with the mandate of IGAD.
- identify and follow up on any action or decision taken or recommended in the past by any of the organs of IGAD on any matter relating to complementary resources and livestock development.
- maintain databases and information systems required for complementary livelihood resources and animal production, marketing and diseases, and related risks, to support national and regional strategies and livestock early warning systems.

#### **IGAD Food Security and Nutrition Working Group**

The [East and Central Africa Food Security and Nutrition Working Group](#) (FSNWG) is a multistakeholder regional platform co-chaired by the Climate Prediction and Applications Centre (ICPAC) and FAO. ICPAC was established to build subregional and national capacity for climate information, prediction products and services, early warning and related applications for environmental and climate risk management towards sustainable development in the IGAD subregion.

FSNWG has two goals: food security and nutrition situation analysis (early warning) and a forum for building consensus on critical issues facing policy interventions. The Integrated Food Security Phase Classification (IPC) Global Support Unit (IPC–GSU) for East and Central Africa estimates that about 56 million people in 10 of the 13 countries covered by FSNWG were severely food insecure. IGAD joined the Global IPC Steering Committee in July 2015. The IPC provides relevant and timely evidence-based analyses to national and regional stakeholders. It also makes a crucial input to the IDDRSI strategy and contributes to the FSNWG.

The FSNWG made [recommendations](#) to address the food insecurity situation in the IGAD region. The working group suggested the coordination of assistance in areas where people are exposed to crises, especially in Ethiopia and South Sudan, scaling up livelihood programmes for recovery in emergency contexts and sustaining nutrition interventions to prevent as well as treat acute malnutrition. The FSNWG is an important mechanism, both for obtaining national-level data relating to food security as well as identifying areas for coordinated interventions, including urgent action where necessary.

## **Domestic implementation**

#### **Agreement Establishing the Intergovernmental Authority on Development**

IGAD has established several mechanisms for the implementation of norms at a national level. The Council has the mandate to monitor the implementation of the decisions of the Assembly pursuant to Article 10(2)(g), which Member States are obliged to implement.

One of IGAD's objectives is to mobilize resources for the implementation of emergency short-term, medium-term and long-term programmes within the framework of subregional cooperation.

Member States also undertake to support the elaboration of subregional action programmes for the implementation of the UNCCD in line with the Implementation Annex for Africa under the Convention (see Section 13A[h] of the Agreement). In this regard, Member States undertake to prepare National Action Programmes (NAPs) to implement the UNCCD. For instance, Kenya prepared its NAP to cover a ten-year strategic plan between 2015 and 2025 (Ministry of Environmental and Natural Resources, 2017).

### **IGAD Drought Disaster Resilience and Sustainability Initiative**

The implementation of the IGAD IDDRSI was developed in three five-year phases in alignment with a review at the end of each phase to assess the status and effectiveness of implementation. The first phase covered the period between 2013 and 2017. The second implementation phase is ongoing for the period between 2019 and 2024. The National Coordination Mechanisms (NCMs) at national and subnational levels were established in seven IGAD countries as a multisectoral coordination mechanism under the auspices of the government, coordinating different stakeholders. The NCMs are used to mobilize, organize and harmonize activities that contribute to the implementation of IDDRSI at the Member State level (see the IGAD website, About IDDRSI).

The implementation of IDDRSI is covered by different ministries, partners and stakeholders with support frameworks in all IGAD Member States. In Kenya, for example, there is the National Drought Management Authority (NDMA). The Country Programming Paper (CPP) is integrated into the government of Kenya Vision 2030 and translated into the Ending Drought Emergencies (EDE) programme. Uganda also has an IDDRSI coordination mechanism through the National Disaster Risk Reduction Platform under the Office of the Prime Minister. Its CPP was approved in 2013 with the objective to improve livelihoods and enhance the resilience of communities to drought (see the IGAD website, [Uganda](#)). In Ethiopia, the host ministry for the implementation of the IDDRSI is the Ministry of Agriculture and Livestock Resources. The CPP is implemented mainly through two donor-funded programmes, the Drought Resilience and Sustainable Livelihoods Program (DRSLP) and the Regional Pastoral Livelihoods Resilience Project (RPLRP). In Djibouti, the host ministry is the Ministry of Agriculture, Water, Livestock, Fisheries and Marine Resources. In Sudan, the implementation is chaired by the President, the Secretariat is housed within the Ministry of Agriculture, while in Somalia the implementation is overseen by the Office of the Prime Minister through a steering committee of key ministries and the Ministry of Livestock, Forestry and Range (see the IGAD website, [Sudan](#)).

## **Areas of collaboration**

FAO is already collaborating with IGAD, including through the Food Security and Nutrition Working Group. This remains an important forum for coordinated effort.

From the foregoing review, three important additional areas of collaboration might be explored: i) establishment of the IGAD RFO; ii) ratification of the Protocols on Free Movement of Persons and Transhumance; and iii) national level domestication of model legal frameworks.

### **IGAD Fisheries Management Regional Organization**

The establishment of the IGAD Fisheries Management Regional Organization (RFO) has been envisaged under the IGAD 2021–2025 Strategy. Indeed, as noted earlier, FAO is specifically highlighted in the strategy and its implementation matrix as a key partner in RFO's founding.



### **Ratification of the Protocols on Free Movement of Persons and Transhumance**

The 2021 protocols provide important opportunities for enhancing food security within the Member States of the IGAD region. FAO's collaboration with IGAD, which is already being supported by the European Union in this regard, would provide further impetus to the process of national level ratification and domestication of the protocols.

### **National level domestication of IDDRSI model legal frameworks**

FAO could also work with IGAD to encourage Member States to formulate national laws based on the two IDDRSI model legal frameworks (the 2016 IGAD Model Legal Framework for Livestock Identification and Traceability System and the 2018 Regional Model Legal Framework for Conservation, Sustainable Utilization and Access and Benefit Sharing of Farm Animal Genetic Resources).

## **Capacity development needs**

### **Institutional and technical capacity**

Though IGAD has the mandate to improve regional food security and drought resilience, the capacity to do so is weak. There have been efforts to strengthen institutional capacity through IGAD's Institutional Strengthening Action Plan (ISAP) and IDDRSI. The overall objective of ISAP is to strengthen IGAD's capacity to deliver on its mandate of promoting peace, prosperity and regional integration. In 2009, ISAP developed a framework for strengthening IGAD's institutional capacity by focusing on enhancing the performance of IGAD's Secretariat and specialized institutions, improving interactions between IGAD and the Member States, improving interactions between IGAD and development partners, and improving the interactions between IGAD and other stakeholders. However, there is still room for strengthening the institutional capacity of IGAD, especially in continuous staff development.

### **Involvement of civil society organizations**

A targeted involvement of civil society organizations (CSOs), as well as non-state actors such as private sector actors, non-governmental organizations (NGOs) and vulnerable groups, should be encouraged. Many of these groups are involved in mobilization at grassroots level in rural communities and can therefore contribute significantly to the implementation of the laws and policies of IGAD, especially in the agricultural sector. CSOs are also able to solicit funds for interventions. The IGAD Regional Strategy 2016–2020 recognizes the role of CSOs and non-state actors in IGAD development initiatives. This led to the establishment of the IGAD, CSO and NGO Forum in line with the Khartoum Declaration of the Heads of State and Governments in 2004 (see the IGAD website, [Governance: Programme Area 1: Capacity development](#)). However, there is still a need to establish a focused platform, targeting the agricultural sector.

### **Addressing the gender imbalance in the agricultural sector**

A significant capacity development need of IGAD is the inclusion of women in policymaking in the agricultural sector. Addressing the gender imbalance would create opportunities for funding, adopting policies that ensure that women, as well as other historically marginalized groups like persons with disabilities and indigenous minorities, are catered for in the agriculture, food security and nutrition sector.











# The Southern African Development Community

## Introduction

The Southern African Development Community (SADC) is one of the subregional economic communities recognized by the African Union. It covers 16 member countries in south and central Africa – Angola, Botswana, Comoros, Democratic Republic of the Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia and Zimbabwe. The organization was set up in 1992 with the broad objective of promoting sustainable socioeconomic development through deepening cooperation and integration, good governance and durable peace and security, and ensuring complementarity of national and subregional strategies and programmes (a full list of the objectives can be found in article 5 of the [Declaration and Treaty of SADC](#)). Under the treaty constituting SADC, cooperation in the harmonization of political and socioeconomic policies and plans in each sectoral area is recognized as critical to the achievement of the objectives.

First on the list of priorities for cooperation among Member States of SADC is food security, land and agriculture alongside natural resources and the environment (article 21[3] of the SADC Treaty). The declaration and preamble to the treaty emphasize that land, agriculture and food security are “synonymous with life and livelihoods”. This is understandable considering that agriculture constitutes a significant share of the GDP of the subregion and absorbs an even higher share of the labour force.

In addition to serving as a source of food and income (including for export), agriculture is seen as necessary to provide raw materials for home-grown, labour-intensive industries necessary to absorb the growing number of youths joining the workforce. Accordingly, the [SADC Regional Indicative Strategic Development Plan](#), a comprehensive development and implementation framework that guided SADC’s regional integration agenda for the 2005–2020 period, recognized sustainable food security as a priority area for interventions towards sectoral cooperation and integration. The current Development Plan for the 2020–2030 period, as well as the SADC Vision 2050, seeks to build on the achievements and identifies as a key strategic objective “a transformed agricultural sector that practices sustainable management of the environment and its natural resources”.

This section on the SADC identifies a commendable body of instruments and institutional frameworks to achieve the stated objectives regarding agriculture and food security. One major gap in the existing frameworks relates to the mainstreaming of gender and youth perspectives and needs in the formulation of policy instruments. Crucially, the SADC appears to leave much of the implementation of its norms and frameworks to national actors, with the Secretariat mainly playing a coordination and facilitation role. This mismatch between a relatively robust normative framework and minimal follow-up, monitoring and implementation architecture means that there is limited effective coordination of policy and practice at the national and subnational levels.



Accordingly, a key area for possible collaboration between FAO and SADC relates to the strengthening of the regional normative frameworks such as through the development of model regulations and laws, notably to mainstream women and youth interests; conduct a (pilot) study to assess the level of implementation of key instruments and identification of enablers and constraints; promote SADC standards among stakeholders in Member States (including those operating at the subnational levels – provinces and municipalities); and enhance coordination channels and the capacity of both SADC and Member State officials charged with operationalizing the regional objectives and norms. In this regard, FAO and SADC already have a comprehensive memorandum of understanding and accompanying implementation plan outlining a robust cluster of shared objectives and joint activities.

The following sections outline the SADC governance structure, key legislative and policy frameworks, implementation and potential areas for FAO–SADC collaboration to advance shared visions and objectives.

## Governance structure

### The Summit

The supreme policymaking body of SADC is the Summit of Heads of State and Government (Article 10, SADC Treaty). The Summit meets at least twice a year and is composed of heads of state and government of SADC Member States. It is responsible for setting out the overall vision and policy direction and controlling the organizational functions. It is also responsible for the adoption of legal instruments necessary for the achievement of the objectives of the organization. Decisions of the Summit are in principle by consensus, and binding. The Summit also appoints the Executive Secretary and deputies of the SADC Secretariat, based on the recommendations of the Council of Ministers.

The Summit has a Troika composed of the SADC chairperson, the outgoing chairperson and the expected upcoming chairperson. The Troika serves, in between Summit meetings, as the decision-making body, providing policy directions and facilitating the implementation of decisions.

The Summit also appoints the chairperson and deputy chairperson of the Organ on Politics, Defence and Security Cooperation, whose functions and mandate are outlined in a separate protocol. The Organ has a Ministerial Committee consisting of ministers of Member States responsible for foreign affairs, defence, public security, state security or police. A Troika similar to that of the Summit also exists at the level of the Organ.

### Council of Ministers

According to Article 11 of the SADC Treaty, the Council of Ministers is the second highest body and is composed of ministers from Member States (preferably those responsible for economic and financial portfolios). In addition to overseeing the functioning and development of SADC, the Council supervises the implementation of policies and programmes, and advises the Summit on the efficient and harmonious functioning of the organization. The Council usually meets four times a year. A Troika similar to that of the Summit also exists at the level of the Council of Ministers.

### Committees

SADC also provides for committees, whose composition, mandate, powers and other related matters are determined through protocols adopted by the Summit (Article 12). Committees are responsible for

and report to the Council. They are dedicated to coordinating and promoting policy and programmatic cooperation and integration on designated sectoral areas among Member States. Standing committees bring together officials from Member States (preferably permanent secretaries or equivalent at ministries responsible for economic and financial portfolios) and provide technical advice to the Council.

Notably, the Sectoral and Cluster Ministerial Committees (also called Integrated Committee of Ministers) consist of ministers of Member States responsible for the relevant sector. They play an important role in providing policy advice to the Council and oversee, monitor and control the implementation of activities in their core area of integration. One of the Cluster Committees involves the ministers responsible for food, agriculture, natural resources and the environment. A Troika similar to that of the Summit exists at the level of the Sectoral and Cluster Ministerial Committees.

The SADC Treaty also provides for Standing Committees of Officials, which are composed of permanent secretaries (or an equivalent rank) of relevant ministries from each Member State. According to Article 13 of the Treaty, these committees serve as technical advisory bodies to the Council. A Troika similar to that of the Summit also exists at the level of the Standing Committees.

### **SADC Secretariat**

The Secretariat, headed by an Executive Secretary, is responsible for the corporate and operational aspects of SADC, and follows up on the implementation of decisions of other organs, notably the Summit and Council (Article 14). In particular, it is responsible for the coordination and harmonization of the policies and strategies of Member States. For these purposes, the Secretariat has several directorates, including one on Food, Agriculture and Natural Resources under the Deputy Executive Secretary for Regional Integration. The Executive Secretary is also responsible for the promotion of cooperation with other organizations for the furtherance of SADC objectives. In this regard, the Treaty requires SADC to maintain good working relations and other forms of cooperation and authorizes it to enter into agreements with other states, regional and international organizations, as long as their objectives are compatible with and advance those of SADC (Article 24).

### **Directorate on Food, Agriculture and Natural Resources under the Deputy Executive Secretary for Regional Integration**

In view of the recognition of food, land and agriculture as key priority areas, SADC has established a dedicated Directorate on Food, Agriculture and Natural Resources. The Directorate is mandated to develop, promote, coordinate and facilitate harmonization of specific policies and programmes to increase agricultural and natural resource production and productivity, promote trade and ensure food security and sustainable economic development across the SADC region. It has the following specific key functions:

- the development, promotion and facilitation of agricultural policy harmonization, taking into account gender equity in all strategies and programmes;
- ensuring sustainable food security policies and programmes;
- the development, promotion and harmonization of biodiversity, phytosanitary, sanitary, crop production and animal husbandry policies;
- the development of measures to increase agricultural output of agrobased industries;
- the development, promotion and facilitation of harmonized policies and programmes aimed at achieving effective and sustainable utilization of natural resources such as water, wildlife, fisheries and forestry;



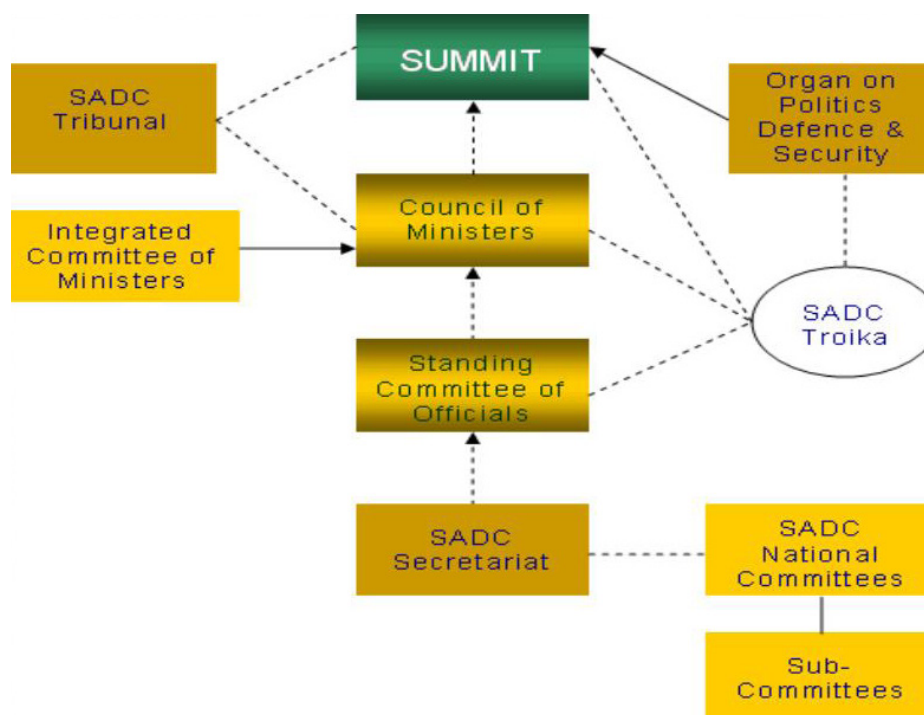
- the development and facilitation of harmonized and sound environmental management policies; and
- the promotion of trade in agricultural products.

In view of the objective and functions, the Directorate identifies several priority areas under which activities are planned and implemented to fulfil its mandate. These are:

- availability of food;
- access to food;
- promotion of improved safety and nutritional value of food;
- disaster preparedness and awareness for food security;
- equitable and sustainable use of the environment and natural resources; and
- institutional framework strengthening and capacity building.

The Directorate coordinates its work through technical units covering the environment, sustainable development and food security. The latter comprises a unit on crop development, livestock development, agricultural information management, agricultural research and development, natural resources management and a SADC Plant Genetics Resource Centre.

**Figure 4. SADC organization structure**



### **SADC Parliamentary Forum**

SADC has a Parliamentary Forum composed of representatives of parliaments at the national level, with each Member State parliament represented by a maximum of five members. The Forum is not specifically provided for in the SADC Treaty. Accordingly, it was established as an autonomous institution of SADC in line with the SADC Treaty (article 9[2]), which allows the Summit to establish other institutions. It aims to provide a platform to support and improve regional integration through parliamentary involvement and promote good practices in the role of parliaments in regional integration and cooperation. The Forum does not have policymaking powers, nor direct reporting relationships with the Summit or other SADC entities. It nevertheless works in coordination with them on matters of common interest. Notably, the Forum serves as a platform for the exchange of ideas, good practices and dialogue on issues of subregional interest, including through promoting and accelerating the pace of economic and development cooperation and integration. The Forum adopts model laws (for example on elections), minimum standards (for example on sexual and reproductive health) and other proposals to advance. The Forum is yet to adopt model laws or minimum standards on issues related to agriculture.

### **SADC Tribunal**

The Treaty also provides for a SADC Tribunal responsible for adherence to and interpretation of the Treaty and subsidiary instruments, as well as adjudication of disputes. The Tribunal was suspended following a string of controversial decisions against Zimbabwe regarding measures connected to the nationalization of farmlands (Nathan, 2013). [A new protocol](#) to replace the Tribunal was adopted but is yet to enter into force.

### **SADC National Committees**

SADC also provides for National Committees consisting of national stakeholders from government, the private sector, civil society, non-governmental organizations and employee and employer organizations (Article 16A of the SADC Treaty). National Committees are expected to meet at least four times a year. The Committees are designed to enable bottom-up flow of inputs from the national level in the formulation of SADC policies, strategies and programmes of action, as well as to coordinate and oversee the implementation of SADC programmes of action at the national level. Member States are required to create and fund a national secretariat to facilitate the operation of the National Committees.

## **Legal and policy instruments related to food and agriculture**

In addition to the institutional setup, SADC has adopted several policies and instruments to give effect to the objectives related to food and agriculture.

The SADC Treaty provides for protocols to be adopted by the Summit and approved by each Member State. Such protocols effectively amend the Treaty and are binding on Member States that have ratified them (Articles 1 and 22). In addition, the Treaty anticipates policies, strategies, programmes and projects (Article 15[2]). In practice, different SADC institutions have also released a diverse set of instruments variably called declarations, programmes, plans, guidelines, memoranda of understanding, model laws or reports to advance their objectives. Examples include the Dar-es-Salaam Declaration on Agriculture and Food Security in the SADC Region (2004), Regional Crop Development Programme (RCDP 2019), SADC Foot-and-Mouth Disease Programme (2006), Regional Guidelines on Pesticide Management and Risk Reduction, and the Harmonized Seed Regulatory Framework (2007). In principle, none of these instruments are legally binding, although they reflect commitments among Member States to comply with their norms and should therefore not be taken lightly.







### **Dar-es-Salaam Declaration on Agriculture and Food Security**

One of the key instruments is the 2004 Dar-es-Salaam Declaration on Agriculture and Food Security in the SADC Region. The Declaration outlines a number of commitments regarding the provision of key agricultural inputs, agro-industrial development and processing; crop, livestock and fisheries production; water management and irrigation; the sustainable management and use of natural resources; disaster preparedness; research, technological development and dissemination; market access, agricultural financing and investment; training and development of human resources; and involvement of the private sector. As a crosscutting issue, the Declaration also commits to ensure gender mainstreaming and particularly address discriminatory laws and practices in women's access to finance, land and other key agricultural inputs. The Declaration ordains SADC to implement the plan of action and to review progress every two years.

### **Regional Agricultural Policy and Regional Agricultural Investment Plan**

SADC adopted a comprehensive [Regional Agricultural Policy](#) in 2014. The Policy defines common objectives and measures to guide, promote and support actions at regional and national levels in the agricultural sector to ensure regional integration and the attainment of the SADC Common Agenda. The overall objective is to contribute to sustainable agricultural growth and socioeconomic development. Specifically, the policy seeks to enhance sustainable agricultural production, productivity and competitiveness; improve regional and international trade and access to markets of agricultural products; improve private and public sector engagement and investment in the agricultural value chains; and reduce social and economic vulnerability of the region's population in the context of food and nutrition security and the changing economic and climatic environment.

The policy also sets out the issues and strategic interventions to attain the overall goal and objectives, as well as implementation mechanisms. These include refinement and harmonization of instruments on land administration, tenure, use and management; complementing of national efforts towards productivity-enhancing inputs and farm support systems and services; and support for national efforts to improve production, processing, trade, conservation and sustainable management of forest and fisheries resources. The policy also deals with ways of promoting regional and international trade and access to markets for agricultural products, and development of needed infrastructure to enable and support agricultural growth. Furthermore, the policy recognizes the importance of public-private partnership and investment in the agricultural value chain. It also includes goals, strategies and commitments to reduce vulnerability associated with food and nutrition insecurity in view of changing climate and economic contexts. As a cross-cutting issue, the policy outlines ways to reduce gender-related vulnerability and marginalization, as well as the impact of the vulnerability of the region's agricultural labour force and the migrant/mobile rural population to HIV/AIDS.

Finally, the policy includes a phased planning and implementation mechanism reviewable every five years. In affirmation of the principle of subsidiarity, each Member State and key stakeholders are responsible for planning and implementing related action at the national level, while SADC provides overall coordination, guidance and support. The policy particularly provides for the adoption of regional and national agricultural investment plans.

Accordingly, a Regional Agricultural Investment Plan (RAIP) was adopted in 2016, covering the period 2017–2022. The RAIP identifies areas for investment and is founded on the principle of subsidiarity between national and regional levels. Its stated objective is “promoting collaborative actions at the regional level and complementing national actions that stimulate competitive production and trade of agriculture-based products whilst ensuring the sustainable utilization of natural resources and effective protection of the environment”. In line with this, it outlines five priority investment programmes on agricultural



production, productivity and competitiveness; access to markets and trade of agricultural products; investments in and access to finance for agriculture; social and economic vulnerability reduction; and food and nutrition security in the region. SADC also plans to adopt an Agricultural Development Fund to further advance its objectives in implementing the policy.

### **Food and Nutrition Security Strategy 2015–2025**

SADC has also adopted the [Food and Nutrition Security Strategy 2015–2025](#). The strategy is aimed at significantly reducing food and nutrition insecurity in the region through:

- promoting the availability of food through improved production, productivity and competitiveness,
- improving access to adequate and appropriate food in terms of quality and quantity,
- improving the utilization of nutritious, healthy, diverse and safe food for consumption in an adequate biological and social environment with proper healthcare,
- ensuring the stable and sustainable availability, access to and utilization of food.

The implementation of the strategy is founded on principles of value addition, broad consultation and participation, and subsidiarity. To ensure the effective implementation of the strategy, subsidiarity and value addition are adopted as the guiding principles. In this regard, interventions at the regional level are expected to focus on complementing national level efforts. The primary responsibility to review, approve and oversee the implementation of the strategy lies with the Joint SADC Ministers Responsible for Agriculture and Food Security and Ministers Responsible for Health and those responsible for HIV and AIDS. Notably, in addition to the role of the SADC Secretariat, the strategy calls for the establishment of a Steering Committee on Food and Nutrition Security composed of coordinators of food and nutrition security from all Member States of SADC and key partners. The Committee does not appear to have been significantly operational and so far, there is very little information available on its existence and work records.

### **Regional Indicative Strategic Development Plan**

The most recent and comprehensive instrument is the Regional Indicative Strategic Development Plan, which was adopted in 2020 to cover the 2020–2030 period. The plan includes an assessment of progress in the areas of agriculture, food security and natural resources. It notes the adoption of policy instruments such as the Protocol on Fisheries, on Forestry, on Wildlife Conservation and Law Enforcement; the Crop and Livestock Development Programmes; the SADC Regional Aquaculture Strategy and Action Plan; the Animal Genetics Resources Conservation and Utilisation Strategy; strategies for the surveillance and control of transboundary crop and animal pests; the Peste des Petits Ruminants Eradication Roadmap; the Foot-and-Mouth Disease Progressive Control Pathway; the Highly Pathogenic Avian Influenza Preparedness Plan; and the SADC Strategy for Elimination of Dog-Mediated Human Rabies.

SADC has furthermore implemented initiatives such as the Agricultural Productivity Programme for Southern Africa, which involved capacity development of agricultural stakeholders on climate change adaptation, and developed a regional agricultural information and knowledge management portal. The Development Plan also notes the establishment of 18 Transfrontier Conservation Areas, and the creation of the Great Green Wall Initiative of Southern Africa and the Subregional Action Plan to Combat Desertification.

SADC has also supported the establishment of the [Centre for Coordination of Agricultural Research and Development for Southern Africa \(CCARDESA\)](#) as a subsidiary organ to coordinate regional cooperation in agricultural research and development.

The Development Plan laments the big lag in the domestication of the RAIP by Member States, with only a few Member States completing and/or updating their National Agricultural Investment Plans (NAIPs), as well as failure to set up the Agricultural Development Fund. Moreover, conversations on a regional framework for the transboundary movement, handling and use of genetically modified organisms (GMOs) and living modified organisms are yet to make a breakthrough due to divergent views among Member States.

Looking forward to 2050, the Development Plan includes, among its strategic objectives, the achievement of “a transformed agricultural sector that practices sustainable management of the environment and its natural resources” with a view to secure a highly productive agricultural sector and improved market access to agricultural products. SADC will seek to achieve these and other objectives through activities such as monitoring and reporting, technical assistance, capacity building and advocacy and outreach. These would be geared towards achievement, among other outputs, of a set of harmonized policies, legislation and other frameworks to ensure a predictable legislative and regulatory environment for the private sector, civil society and the general public.

The Development Plan includes specific interventions towards the achievement of the strategic objectives:

- i The Regional Agricultural Policy (RAP) and Regional Agricultural Investment Plan (RAIP) implemented and monitored.
- ii Private sector participation and investment in the implementation of the RAP and RAIP promoted, with particular attention to engaging micro, small and medium enterprises (MSMEs) formally and regularly throughout RAP implementation.
- iii Implementation of regional crop and livestock development programmes monitored, including regional strategies/guidelines to address inputs, transboundary crop/animal pests and diseases, and the AU Framework on Land Policy.
- iv Sharing of research, information and best practices promoted to upgrade agro-industrial production processes, improve quality and modernize production systems.
- v Measures to help farmers adapt to climate change and, where possible, mitigate climate change effects implemented.
- vi Key initiatives implemented and monitored. These include (a) Sustainability Strategy for the Regional Plant and Animal Genetic Resource Centres; (b) strategies to reduce plant and animal genetic erosion; (c) harmonization of at least one piece of legislation on access to, and use of, plant genetic resources (PGR) and animal genetic resources (AnGR) in the region; and (d) sharing of generated PGR and AnGR knowledge and information with all Member States.
- vii Functionality and sustainability of National Early Warning Systems and National Vulnerability Assessment Committees for Food and Nutrition Security strengthened at national and regional levels.

In relation to improved and widened market access for agricultural and industrial products, the Development Plan includes two key areas of intervention:

- i Strategic programmes developed and strengthened that enhance the competitiveness of agricultural and industrial SADC products in terms of internationally acceptable standards and harmonization of health standards.
- ii Regulatory frameworks for the transboundary movement, handling and use of genetically modified and living modified organisms developed and implemented.



While the primary responsibility in achieving these objectives lies with the Member States and SADC, the Development Plan calls on contemporary and emerging cooperating partners, including the private sector, to align their support with the priorities. FAO can therefore play a supporting role in the achievement of these objectives. Indeed, FAO was involved in supporting SADC in the development of both the Regional Agricultural Policy and RAIP, as well as in the ongoing efforts to establish the Agricultural Development Fund.

The Regional Indicative Strategic Development Plan updated the Development Plan that was first adopted at the 2003 Summit.

### **Protocol on Fisheries**

SADC has furthermore adopted protocols on specific sectors. [The Protocol on Fisheries](#) is being implemented and, according to the Regional Indicative Strategic Development Plan (page 30), has been partially domesticated in 13 Member States. The Protocol ordains Member States to take measures towards efficient, responsible and sustainable fishing, notably referring to the FAO Code of Conduct for Responsible Fishing. It also provides for, among other things, harmonization of legislation, policies, plans and programmes on fisheries. SADC has established the Monitoring, Control and Surveillance Centre to combat illegal, unregulated and unreported fishing. In terms of cooperation and capacity building, the Protocol calls on Member States to enhance training on fisheries and to encourage national and regional programmes for skills transfer to all levels of practitioners and policymakers.

The Protocol principally seeks to set normative standards but does not provide for a specific implementation or monitoring and reporting mechanism. Instead, it requires Member States to establish a committee to oversee the implementation of the normative standards.

### **Protocol on Forestry**

The [SADC Protocol on Forestry](#) was adopted to enable the protection, conservation and development of forests and forest resources. In view of this, Member States are required to develop and publish national forest policies, programmes and plans in consultation with affected communities and stakeholders and revise them regularly. To ensure the achievement of the objectives, the Protocol calls on Member States to promote training, capacity building and research and development on forests, forestry and forest-related activities, including in collaboration with relevant international and other training and education institutions and organizations outside the region. Specifically, they call for a regional programme for capacity building in the forest sector. The Protocol also calls for harmonization of standards for international trade in forest products. The Protocol is being implemented and, according to the Regional Indicative Strategic Development Plan, has been partially domesticated in 10 Member States.

The Protocol charges the Integrated Committee of Ministers with overseeing implementation and allows it to establish a subcommittee to oversee and follow up on the implementation of the Protocol.

### **Protocol on Wildlife Conservation and Law Enforcement**

The [Protocol on Wildlife Conservation and Law Enforcement](#) focuses on the promotion of the conservation and sustainable use of wildlife (other than forestry and fishery). It seeks to encourage the adoption and harmonization of legal instruments in building national and regional capacity in wildlife management, conservation and enforcement of wildlife law. The Protocol on Wildlife Conservation and Law Enforcement has, according to the Regional Indicative Strategic Development Plan (page 30), been partially domesticated in 12 Member States through legislation operationalizing key aspects of the Protocol.

Unlike the Protocols on Fisheries and Forestry, the Protocol on Wildlife Conservation and Law Enforcement establishes a series of bodies to ensure implementation (see Article 5 of the Protocol). The Committee of Ministers responsible for Food, Agriculture and Natural Resources is empowered to supervise the implementation of the Protocol, adopt and, as necessary, adapt regional wildlife policies and development strategies, provide policy guidance to the Committee of Senior Officials, and consider and approve a sectoral annual report for submission to the SADC Council of Ministers. For these purposes, the Committee must meet at least once a year.

The Committee of Senior Officials brings together the heads of ministries responsible for wildlife or their representatives. It continually assesses the need for and updating of regional policy and development strategies, reviews and coordinates the work of the various committees and reports to the Committee of Ministers on matters pertaining to the implementation of the Protocol. The Technical Committee is composed of heads of wildlife departments and coordinates the development of policy guidelines for common regional approaches to the conservation and sustainable use of wildlife resources. Finally, the Wildlife Sectoral Technical Coordinating Unit serves as the secretariat for the implementation of the Protocol at the regional level and coordinates common approaches on wildlife and harmonization of applicable legislation and cooperation in necessary law enforcement. The Unit also coordinates research and capacity building in the management of wildlife resources.

### **SADC Trade Protocol**

The SADC [Trade Protocol](#) also contains certain standards relevant to agriculture and food security. Notably, the Protocol ordains Member States to base their sanitary and phytosanitary measures on international standards, guidelines and recommendations, with a view “to harmonize sanitary and phytosanitary measures for agricultural and livestock production and food safety” (Article 16[1] of the SADC Trade Protocol). This opens possibilities for SADC Member States to draw on international standards, and potentially learn from FAO’s global expertise, resources and networks, in order to create awareness, understanding and adaptation in view of the SADC context.

## **Domestic implementation**

The primary responsibility of taking cognisance of and implementing SADC standards, including on food security and agriculture, falls on Member States. SADC has urged Member States to establish SADC national committees to facilitate the process of translation of SADC standards into domestic standards, and to ensure ease of communication. This has not always succeeded, as can be seen from the failure to fully domesticate and operationalize some of the protocols.

To address the challenges of compliance and harmonization, the 2020–2030 Plan outlines ways to strengthen the implementation of effective compliance monitoring and assurance mechanisms to track progress in the implementation of SADC programmes and compliance with its protocols and legal instruments. It particularly plans to establish a tailored compliance mechanism, drawing on experience from the African Peer Review Mechanism and comparative insights of other regional economic community compliance mechanisms in Africa and beyond. The Plan also speaks of the need for a strong coordinating body (akin to the SADC Secretariat) to ensure compliance with the vision, objectives and outcomes, augmenting existing mechanisms that seek to monitor and evaluate ongoing initiatives in the region.



## Possible areas of cooperation and needs for capacity building

The main gateway for external cooperation with SADC, including on issues around food security and agriculture, is the SADC Secretariat, and at the national level, the SADC national committees. Virtually all the relevant instruments, programmes and plans speak of the need for cooperation with partners, such as FAO, in ensuring the implementation, harmonization, capacity building and technical assistance initiatives at the domestic level. FAO, through its subregional office for Southern Africa, has signed a memorandum of understanding (MoU) with SADC to cooperate on a number of issues, including agriculture and food security. The MoU, and its accompanying implementation plan, contain several elaborate areas of collaboration, including:

- i analysis, review, implementation and monitoring-evaluation policies on agriculture and food security;
- ii identification and formulation of strategies in areas of agriculture, nutrition and food systems;
- iii identification, formulation, implementation and monitoring-evaluation of common programmes and projects;
- iv risk and disaster management;
- v the conduct of joint studies, and promotion and dissemination of technical and technological innovations on agriculture and food security;
- vi capacity building for SADC staff and relevant personnel in Member States;
- vii collaboration in assisting the establishment and/or operationalization of transboundary advisory, cooperation and management mechanisms; and
- viii sharing experiences on various platforms.

The MoU contains a comprehensive set of guidelines on a wide range of activities to enable the achievement of shared objectives between FAO and SADC. The MoU can provide a useful template for similar endeavours with other regional and subregional organizations working in areas of agriculture and food security. Additional specific areas of potential cooperation with FAO include:

- Programmes and activities on the promotion of African and international standards in the development of SADC policy, strategy and protocols – the Plan for 2020–2030, for example, was adopted through broad consultation, including with FAO.
- Supporting mutual understanding and as needed, harmonization of SADC and African Union standards on agriculture and food security.
- Capacity building of SADC personnel, particularly those of the Secretariat charged with coordinating, facilitating and supporting the implementation of instruments, as well as relevant national staff on the understanding and implementation of SADC standards, including through technical assistance in revising policy and legislative frameworks.
- Regular dialogue on the identification of the need and support for the development of harmonized regulatory frameworks on relevant areas of agriculture and food security.
- Domestication and implementation of SADC standards at the national level. In this regard, accurate understanding of the level of implementation of SADC objectives and instruments

remains elusive. The conduct of (pilot) assessments and studies is an area where FAO and other organizations with the technical expertise and resources can support SADC. The outcomes of such assessments and studies can help identify bottlenecks as well as good practices that could help spur future follow-up, monitoring and implementation drives.

- Support for the development of model laws on agriculture and food security issues, particularly with the SADC Parliamentary Forum.
- Enabling conversations among Member States on the harmonization of standards on relevant aspects of food security and agriculture.
- Popularize SADC standards and enable engagement of stakeholders, including farmers and the private sector, in the development and refinement of regional policies, plans and interventions on agriculture and food security, notably among policymakers (ministries) and implementers (bureaucrats).

While the research has identified the broader needs, the specific nature and modalities of intervention would have to be discussed, agreed and crafted in consultation with relevant SADC institutions.

## Conclusion

Overall, SADC has a robust normative and institutional framework for food security and agriculture. Additional elaborations and supporting frameworks, including through persuasive but non-binding instruments, could still add value, including in responding to the needs of women and youth in the agriculture and food security sectors. SADC has also developed a commendable practice of engaging in broad participation and consultation in developing its policy instruments, including with FAO. This is particularly notable in relation to the 2020–2030 Plan, which includes strategic objectives, outcomes and needed interventions on all of SADC's priority areas, including food security, agriculture and sustainable natural resource management.

The various instruments also outline the need for capacity building and technical assistance in ensuring the domestication, implementation, monitoring, evaluation and reviewing of national standards, and their regional harmonization. The development of strategic plans, programmes and specific actions at the SADC level also needs coordination and support, particularly in ensuring the participation and genuine consideration of the citizens and other stakeholders in the region.

FAO can work closely with the SADC Secretariat, particularly the Directorate of Food Security, Agriculture and Natural Resources, to discuss and identify priority areas for technical assistance and capacity building.







# The Central African Economic and Monetary Community

## Introduction

The Central African Economic and Monetary Community (CEMAC) was established in 1999 after the treaty of N'Djamena came into force. The CEMAC is based on four main institutions: the [Monetary Union](#) (UMAC), the [Economic Union](#) (UEAC), the [Parliament](#) and the Court of Justice. Under the common legal framework provided by the N'Djamena Treaty, each of these four institutions is regulated by a [specific treaty](#) which outlines their objectives and modus operandi. CEMAC is made up of six Member States: Cameroon, the Central African Republic (CAR), Chad, the Republic of the Congo, Equatorial Guinea and Gabon. These countries and subregion cover a total surface area of around three million km<sup>2</sup>. Together with the larger Economic Community of Central African States (ECCAS) and the mainly inactive Economic Community of Great Lake Countries, CEMAC is one of the Central African regional communities established to [promote cooperation and exchange among its members](#).

The CEMAC vision is articulated around the Regional Economic Programme (PER), whose objective is to make CEMAC, by 2025, “an integrated, emerging economic space where security, solidarity and good governance reign”. The main mission of CEMAC is to develop an integrated space and to promote harmonious development in Member States and the subregion.

Succinctly, two major economic realities articulated in the PER characterize the CEMAC as a community:

- i        belonging to the Congo Basin, which is home to the world’s second largest forest and hydraulic reserve;
- ii       with considerable but little exploited mining, mineral and agricultural potential.

CEMAC stands out as a community with the weakest infrastructure network on the African continent, particularly in terms of transport and energy, with a negative impact on the social conditions and well-being of populations (high poverty rate, health scourges). [The private sector in CEMAC is underdeveloped and its business environment unattractive](#).

As part of the implementation of the PER, an operational plan will be developed for each of the three five-year phases that end in 2025. The programme is further layered as follows: the 2010–2015 phase, which consists of building the institutional foundations of emergence; the 2016–2020 phase, which aims to “anchor the pillars of the Community’s economic diversification”; and the 2021–2025 phase, which aims to consolidate the previous phases. The PER makes it possible, on the one hand, to ensure good coordination between the agenda of CEMAC, its Member States and the private sector, and that of the Community’s development partners. On the other hand, the PER provides opportunities for complementarity between the interventions of the various donors at the Community level.



## Mandate

In terms of its mandate, CEMAC aims to:

- ensure stable management of the common currency (CFA Franc);
- secure the environment for economic activities and business in general;
- harmonize national sectoral policies for ever greater integration;
- establish an ever-closer union between the peoples of the Member States to strengthen their geographical and human solidarity;
- promote national markets by removing barriers to intra-Community trade;
- coordinate development programmes and harmonize industrial projects; and
- create a genuine common market.

In relation to the food and agriculture situation in CEMAC, [worlddata.info](https://worlddata.info) estimates that food demand is expected to increase by 60 percent to 80 percent in the near future, mainly because of the rapidly increasing population within the region. Generally, the food situation in Central Africa remains precarious, as illustrated by a high percentage of underfed population (over 29 percent in Niger and the Central African Republic) and worrying levels in the Sahel, with the regional prevalence rate of acute malnutrition currently at 14.5 percent. Indeed, while the monetary component of regional integration has been operational for many years, provisions related to the free movement of goods, people and services remain limited and problematic (FAO Investment Centre, 2019). In particular, less than a quarter of food imports are sourced within the region. Crude petroleum, for example, accounts for almost 86 percent of CEMAC's exports (Mien, 2022). These issues make the subregion vulnerable to commodity cycles and falling oil prices to the point where [the region now faces a major fiscal crisis](#). Across the region, agricultural imports represent close to one-fifth of the total import bill, with Cameroon and the Republic of the Congo each importing over US\$1 billion worth of agricultural products each year since 2015.

## Governance structure

The functional architecture of CEMAC is designed to function on five major bodies, in addition to the Executive Secretariat, the Ministerial Councils and the Conference of Heads of State. The five major bodies as indicated in article 10 of the Revised Treaty, are:

- the Monetary Union (UMAC)
- the Economic Union (UEAC)
- the Parliament
- the Court of Justice
- the Auditors Chamber

Within article 10 of the Revised Treaty, the organs of CEMAC include:

- the Conference of Heads of State
- the Council of Ministers
- the Ministerial Committee
- the CEMAC Commission
- the Bank of Central African States (BEAC)
- the Development Bank of Central Africa (BDEAC)
- the Banking Commission of Central Africa (COBAC)

The mandates of four of the most influential bodies and organs within CEMAC are briefly explained.

### **The Conference of Heads of State**

According to article 12 of the Revised Treaty, the Conference of Heads of State is the leading decision-making organ of CEMAC. It meets every year to determine the activities of the UMAC Ministerial Committee and the UEAC Ministerial Council. The Conference is held at least once a year in an ordinary session and at the request of the sitting president, or at least two heads of Member States, meeting in an extraordinary session (article 13). The presidency of the Conference revolves each year by alphabetical order among the heads of state (article 14). Decisions at the Conference are taken by consensus (article 16). The principal role of the Conference is to establish the central principles and structures of the Society. It also determines whether new members should be admitted. It appoints the heads of most of the bodies of the Community, including the executive and deputy secretary, the governor, the vice-governor and general secretary of the BEAC and the directors of any of its affiliated bodies (article 15).

### **Ministerial Councils**

CEMAC has two Ministerial Councils – the UMAC Ministerial Committee and the UEAC Ministerial Council. Each council consists of three ministers from each Member State (article 18) and meetings are held twice a year (article 20). Both councils have a key role to play in maintaining the leadership of the two Unions and fostering progressive policy harmonization. In addition, the UMAC Ministerial Committee oversees the activities of the BEAC (article 21), authorizes the Bank's budget and accounts, and reviews its annual report. The committee members observe a unanimous decision, or a 5-to-6 vote.

### **Monetary and Economic Unions**

The main institution of UMAC continues to be the BEAC, which produces a common currency, the CFA franc, and ensures its stability through monetary, exchange and reserve definition and management in the Member States. The other core element of CEMAC, the UEAC economic union, is less advanced at present and is still being developed. Notwithstanding a very detailed body of legislation, the implementation of UEAC has so far been slower than expected and is currently behind schedule.



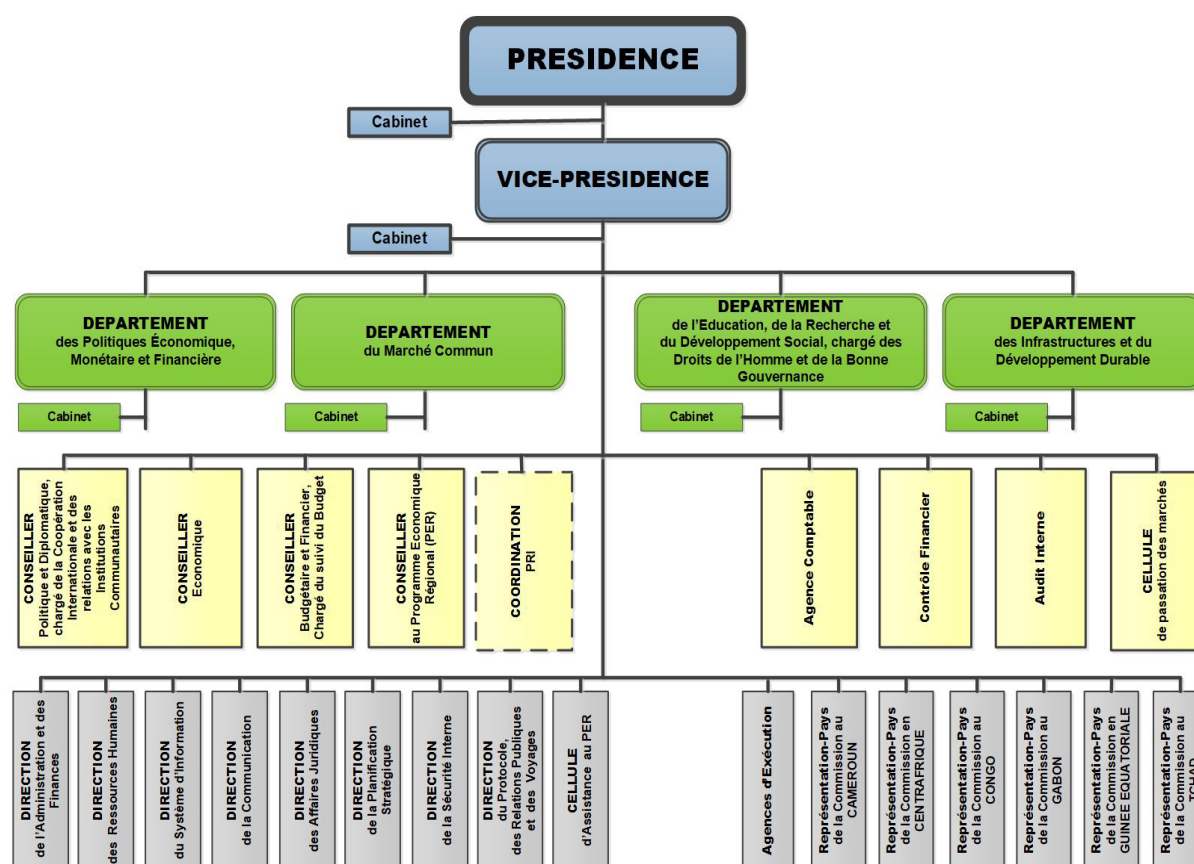
## **The CEMAC Commission**

The CEMAC Commission is the executive body of the community. The Commission oversees the organization of the UEAC Councils of Ministers and the conferences of CEMAC Heads of State. The Commission is comprised of an equal number of commissioners from every Member State. The Commission is headed by a President and a Vice-President (article 26). The administration of the Commission includes four Commissioners in the areas of common market, infrastructures and sustainable development, human rights and good governance, and economic and monetary policies – appointed by the Conference of Heads of States (article 27). They are appointed for a period of four years, renewable once, if chosen based on competence, objectivity and independence (article 27).

According to article 35 of the Revised Treaty, the principal objectives of the Commission include:

- the gathering of all information necessary and useful for the execution of its mandate.
- generating an annual report on the functioning and development of the Community, which is presented by the president of the Commission to the Parliament of the Community.
- submitting proposals to the Conference of Heads of State and the Council of Ministers to enable them to make major decisions on economic policies of the Member States.
- promoting the integration of the socioeconomic development of Member States.
- strengthening cooperation between Member States and coordinating activities of common interest as the engine of Community policy.
- ensuring that Member States or their nationals comply with and apply the provisions of the Revised Treaty and of the Acts adopted by the institutions, bodies and specialized institutions of the Community.
- drawing the attention of the Member States as well as the institutions, bodies and specialized institutions of the Community to the consequences of non-compliance with Community policies. To this end, the Commission draws up a report to the Council of Ministers. In the event of silence by the Council, the President of the Commission shall refer the matter to the Court of Justice for a declaration of failure to fulfil obligations and to impose penalties.
- implementing the Community's budget and mobilizing resources.
- developing self-financing strategies.
- recruiting and appointing to the various posts within its competence, within the limits of the open budget posts, based on the criteria of competence and moral integrity and considering the principle of the balanced distribution of posts between the Member States.
- ensuring the implementation of the Revised Treaty and the conventions and decisions of the Community. The Commission also ensures the achievement of integration objectives. It concludes, on behalf of the Community, cooperation agreements with other organizations or States.
- adopting its rules of procedure, after obtaining the assent of the Council of Ministers.

Figure 5. CEMAC organization structure



Source: CEMAC website (<https://cemac.int/organigramme>)

## The CEMAC Parliament

The Community Parliament is established in article 47 of the [Revised Treaty](#). However, its mandate, structure, composition and functioning are governed by a separate Convention. The Convention was first signed in Yaoundé, Cameroon on 25 June 2008 (CEMAC, 2010). The Community Parliament is located in Malabo (see Article 2 of the Convention Governing the Community Parliament). Members of parliament are elected by direct universal suffrage for a period of five years, according to the electoral procedure which is determined by an additional Act of the Conference of Heads of State, after consulting the members of parliament by Member States, their indemnities, the eligibility regime and that of incompatibilities (Article 5). The Community Parliament replaces the Inter-Parliamentary Commission composed of 30 members designated by each member country's parliament. The Community Parliament's objective is to control CEMAC policies and their functioning, as well as to monitor the budget.

## Court of Justice

Akin to the Parliament, the Court of Justice is also governed by a separate Convention. The Court of Justice, located in N'Djamena, was established in 2000 (Article 3). It is made up of a Judicial Chamber and an Audit Chamber, which contains legal audit functions and whose activities are headed and overseen by a President. It consists of two courts, each consisting of six judges from each Member State. The members of the judiciary are nominated by the conference of heads of state to serve for a period of six years, renewed once (Article 4).







## Legal and policy instruments relating to food and agriculture

### Vision 2025

Despite the Community's riches in mineral resources, it remains one of the poorest subregions in Africa. This, as acknowledged in its Vision 2025, is because the CEMAC economies have structural weaknesses that delay the subregion's economic take-off. At the same time, CEMAC faces critical challenges, including the management of a deep economic crisis, the preservation of peace and security and the protection of its precious ecosystem. Therefore, the vision aims to "make CEMAC an emerging integrated economic area by 2025, where security, solidarity and good governance reign, in the service of human development". In so doing, CEMAC also aims to improve its "Green Power" through sustainable development and full promotion of the economic potential of forest and agricultural areas.

The vision furthermore promises to ensure that at the level of green economy sectors (such as the forest economy, agriculture and industries, agri-food, livestock and fisheries), the diversified potential is fully exploited, with a view to enable sustainable management of resources and preservation of the environment, as well as recognition for and preservation of the Congo Basin as a major carbon sink.

Therefore, among other initiatives, the Community undertakes to establish four technopoles and real centres of innovation to improve:

- the forest economy,
- agropastoral systems for the savannahs,
- tropical plantation agriculture,
- fisheries and aquaculture.

This study focuses on two of the four thematic strategies of the CEMAC established in its Vision 2025 – the technopole for tropical plantation agriculture and the technopole for fisheries and aquaculture.

According to Vision 2025:

1. The technopole dedicated to "tropical plantation agriculture" is aimed at ensuring the promotion and development of a competitive export agriculture. The targeted tropical agricultural products include palm, rubber, cocoa, coffee, tropical fruits and cut flowers. More specifically, this technopole is expected to:
  - i assist Member States in the establishment of rural cadastre services to determine and allocate land according to their vocation and the choice of sectors in the countries.
  - ii encourage Member States to establish and manage partnerships with research institutions and international companies operating in the production and trading of tropical products and provide technical solutions.
  - iii encourage Member States to allocate a large area of agricultural land to carry out incubators of experiments and varietal multiplication on the various agricultural targets.
  - iv establish networks and partnerships with national research structures and agricultural development and extension. These different institutions will be represented on the Monitoring Board of the technopole.
  - v identify and train trainers from Member States to strengthen the capacity of the technopole.



2. The technopole dedicated to “fisheries and aquaculture” aims to be the reference and support centre for the implementation of regional fisheries and aquaculture policies. More specifically, it will:
  - i manage and ensure a common and shared use of the marine territory of CEMAC, with the use of satellite aerial surveillance or setting up of patrols;
  - ii ensure the harmonization of the conditions for the approval of fishing armaments and the evolution towards a single approval system, the erection of a community armament, a coordinated policy to safeguard the mangroves and the ecosystem of the mouth areas, promotion of marine protected areas and the restoration of fish habitats;
  - iii provide technical support to Member States during the negotiation of fishing agreements;
  - iv promote the development of landing halls, industrial and artisanal platforms of fish storage and processing; and
  - v establish landing and processing platforms and artisanal fishing products, particularly near river ports.

### **Timetable for the implementation of phase 1 of the Regional Economic Programme**

The capacity of the CEMAC Commission to manage the implementation of the Regional Economic Programme (PER) remains limited. The PER identified four stages for phase 1 of the implementation, spanning from 2010 to 2015. During this period, the following stages were anticipated: the start-up (three months), the take-off (2010–2011), the ramp-up (2012–2013) and cruising speed (2014–2015). Phases 2 and 3 of the implementation of the PER are divided as follows: PER Phase 2 – harmonized and integrated economy (2016–2020); and PER phase 3 – emerging economy (2021–2025).

Vision 2025 promises that by 2025, CEMAC will be a force and a community to reckon with under three main thematic emergences – an energy power, a power in metallurgy and a green power. To achieve this aspiration, Vision 2025 is further layered in five different stages:

- i Priority 1: The shared vision
- ii Priority 2: Good governance and business environment
- iii Priority 3: Physical integration and land planning (economic infrastructure and spatial planning)
- iv Priority 4: Human capital
- v Priority 5: Common market and access to export markets

This study briefly highlights aspects under Priorities 3, 4 and 5 that speak to the Community's vision to improve certain aspects of its food and agriculture frameworks.

Priority 3 allows the Community to establish, within the CEMAC area, critical infrastructures for competitiveness, divided into two strategic objectives, six programmes and 33 projects. These programmes cover basic infrastructure such as electricity, transport and telecommunications, without which no economic take-off is possible. However, they also integrate the critical levers of competitiveness of modern economies that represent specialized infrastructures. Specifically, under the subprogramme for the development of forest and agricultural areas, Vision 2025 aims to encourage Member States to ensure that the Congo Basin sustainably plays a leading global role in the absorption of greenhouse gases. Further, it plans to position the Congo Basin as a valued World Heritage Site which sustainably offers the people

of the Community a perennial source of food, medicinal plants and jobs. This programme will make it possible to distinguish the zones which can be allocated to forestry or agriculture, to biodiversity reserves or even for the use of the populations, strengthening the integration of the latter in the exploitation of forestry and agriculture.

The Community anticipates, by 2025, to provide capacity building for project management to submit its framework and plans to the Carbon Fund. The framework and plans will be aimed at reducing emissions from deforestation and land degradation, generalization of the development of the forestry industry (biodiversity reserves, sustainable development of forestry operations, including small permits), capacity building of local populations of the forest, the development of projects for the promotion of forest products, 100 percent recovery of CEMAC tropical timber, and reforestation and regeneration of degraded agricultural land in savannah areas.

Priority 4 covers all critical infrastructures for the competitiveness of an economy. It promises two strategic objectives, five programmes and eight projects. The Community undertakes to institute and promote vocational training and sector development programmes of learning. Within this framework and based on an assessment of the needs of the economies of CEMAC by 2025 and international best practices in terms of vocational training and apprenticeship in these sectors, CEMAC plans to provide training to its people to develop and implement targeted regional policy and to further the support of national policies in varied sectors, including but not limited to agriculture.

Under priority 5, CEMAC wishes to establish and accelerate the implementation of the common market with the aim of improving and elevating critical programmes and enabling a better structuring of the value chain within the Community's output in the following sectors identified in the regional programme:

- i Electricity, wood and hydrocarbons (oil refining, natural gas, liquefied petroleum gas, petrochemicals, fertilizers).
- ii Metallurgical sectors and products for the construction industry (aluminium, iron and manganese alloys, construction materials, construction).
- iii The livestock/meat sector, the agricultural plantation sectors (coffee, cocoa, oil palm, rubber, fruit arboriculture, sugar) and intensive farming and food products (cereals, tubers, poultry farming, aquaculture).

The "Common Market and Economic Diversification" further aims to accelerate the diversification of CEMAC economies through competitive access for its companies to major markets. The Common Market is the first market for CEMAC companies. Its effective implementation, as well as the free movement of persons, are the first two programmes of this initiative to make CEMAC a space where companies trade freely, based on common commercial and competitive rules. It will promote economic diversification by supporting the pillar sectors of growth in strengthening their competitiveness and their access to export markets, through two programmes:

- i common policies of economic diversification sectors, and
- ii cooperation and access to export markets.

Common policies in the diversification sectors will make it possible to mobilize the private sector and economic actors in the CEMAC area in the new dynamic of emergence: common policies, particularly in the two priority areas of energy and agriculture, will benefit from the synergy of several PER programmes. The ambition of these programmes is the establishment of a strong vision and sectoral strategy, formalized through the common policy. This policy will be the subject of broad consultation with the







CEMAC private sector, which is responsible for implementing it on the ground, launching a new era of partnership between the community public and private sectors. It will also have to be widely promoted internationally, which should lead to a boost in foreign direct investment in these sectors.

### **CEMAC's Common Food and Agricultural Policy**

The department of infrastructure and sustainable development of CEMAC is responsible for developing and implementing food and agricultural policies within the Community. Broadly, CEMAC's common agricultural policy aims to coordinate and harmonize the agricultural policies of its Member States. It places the issue of food security at the centre of its concerns and has dedicated a specific programme to this theme – the Regional Program for Food Security. Institutionally, PRASAC–CEMAC (Regional Applied Research Hub for the Development of Agricultural Systems in Central Africa) is the research institution and hub of all the food and agricultural policies of CEMAC. All Member States of CEMAC have subscribed to PRASAC.

CEMAC's common agricultural policy is therefore part of a broader process of a common economic policy that is aimed at promoting the establishment of a common market of Member States, with the coordination of sectoral policies and harmonization of regulations to achieve gradual economic integration of the region's economies under stage 5 of CEMAC's Vision 2025.

Succinctly, the common agricultural policy focuses on strengthening the agricultural sector's competitiveness and productivity, comprising increased sustainable food production. Generally, this policy gives priority to infrastructure components to facilitate trade and movement of products, people and information as well as structural ones such as access to training, new technology and support services (extension and advisory, input supply, credit – savings, veterinary services and quality control).

Specifically, CEMAC's common agricultural policy, through the lens of its Vision 2025, strategically appears to respond to the following challenges:

- Strengthen and harmonize macroeconomic frameworks to promote policies that support the agriculture and agrifood growth pillar as elaborated in its Vision 2025. However, as stated by the President of the World Bank, despite being close to the end of the period anticipated to attain the objectives of Vision 2025, a lot still needs to be done: "Deep structural reforms are needed now more than ever to secure social cohesion and put the region on a sustainable and more inclusive development path. [Thus], the World Bank Group and IMF are working closely with CEMAC countries to shape new policy programs, projects, and incentive structures." For more information see Malpass, 2021.
- Improve producers' living conditions by increasing their income. This calls for diversifying economic activities, developing financing tools and mechanisms suitable for agriculture, improving access to technology and strengthening the capacity of poor producers and their organizations in rural settings. Though this aspect has been correctly prioritized under stage 4 (Human Capital) of CEMAC's Vision 2025, [several smallholders live in poverty, unable to meet basic needs](#). Therefore, smallholder farmers in the region would need the support of the state and stakeholders such as FAO to capacitate small-scale farmers with finance generation and management strategies to improve their incomes and competitiveness if CEMAC is to achieve and sustain its plans to improve its agrifood production in 2025 and beyond. Generally, the business benefits of investing in smallholder supply chains are clear as it would trigger long-term supply security, improved quality and yields, greater supply chain transparency and the creation of new markets. Supporting smallholders can also help them build stronger relationships with government, increase their ability to meet stakeholder expectations, enhance their reputation and help them align with initiatives such as the [UN Sustainable Development Goals](#) (SDGs). In some cases, [investing in local smallholder farmers](#) could enhance supply chains, reduce costs and minimize price volatility.



Therefore, in 2016, heads of state of CEMAC member countries created the CEMAC Economic and Financial Reform Program to “provide and implement rapid, strong and coordinated actions, both at the national and subregional levels, for the stabilization of the macroeconomic framework and a structural and significant transformation of the subregion’s economies, in order to strengthen their resilience and enable them to emergence”. The meeting of the heads of state was followed by a meeting of the Technical Secretariat of the Economic and Financial Reform Program of the Economic and Monetary Community of Central African States (PREF-CEMAC), held on 18 September in Cameroon – during which a financing plan for the community strategy worth CFAF 642 billion was adopted to develop cassava production and processing in the subregion.

- Increase agricultural productivity to cope with the impact of climate change and the rapid urbanization experienced by most Member States and particularly in countries such as Cameroon, Gabon and the Central African Republic to create new jobs. Although the security and health situation in some of the member countries may affect production, especially during the rainy season, the BEAC predicts that [the abundance of short-cycle food products in Cameroon will be enough to support the region for a short while](#). Indeed, the need to improve and increase food productivity and create jobs, especially for young farmers within CEMAC, still remains a necessity to sustain its agricultural productivity to cope with rapid urbanization in the long term (Emmanuel *et al.*, 2016).
- Develop agricultural research, promoting the transfer and adoption of appropriate technologies and knowledge sharing between researchers and the development of technologies for water and soil management, for example, that will allow steady production while safeguarding the environment. As acknowledged in its Vision 2025 and elaborated earlier in this document, investment in agricultural research and development is important for global food security and environmental sustainability. For more information, see Pardey *et al.*, 2014.
- Develop collection, transport, storage of crops and marketing infrastructure to improve the competitiveness of production (reduction of transport costs and post-harvest losses) on the local and international markets. As emphasized under all the key strategic thematic in the PER, the development of roads and other means of transport and storage of produce is critical for food security within the region. Agricultural commodities produced go through a series of operations such as harvesting, threshing, inspecting, bagging, transportation, storage, processing and exchange before they reach the market, as evident from several studies across the country (Waisundara, 2021).

## Challenges in implementing the food and agricultural policies

Despite all the improvements, including strategic policy developments and promises outlined in the PER, the Member States of CEMAC still face enormous challenges. These include:

- consolidating the agricultural sector as an engine of economic and social development in the country;
- promoting professional and interprofessional organizations for the various economic operators, as they should be the main actors in agricultural development;
- improving the population's food security through increased production and total income;
- lack of support for producers, farmers and the entire supply chain;
- rising prices, predominantly due to rising inflation;
- fall of the purchase price paid to producers; and
- lack of funding.

In general, the agricultural sector of the CEMAC remains fragile and vulnerable to economic liberalization and globalization, which results in more pressure from agricultural products originating from other countries within the continent in general, and from Europe in particular. Confronted with rapid population growth, joblessness, inflation and the impact of climate change, farmers are facing increased challenges to meet their supply targets. Moreover, with fewer people living in rural areas and more choosing to migrate to the cities, there is a decrease in the number of farmers, resulting in competitiveness and productivity challenges and the need for intensification. The current situation exposes CEMAC countries to food insecurity and recurrent poverty.

## Possible areas for collaboration and needs for capacity building

CEMAC's Common Food and Agricultural Policy appears to be a good entry point for collaboration and capacity building. The main need now appears to be the harmonization of national level food and agricultural policies to make them consistent with the agreed benchmarks at the regional level.

FAO support might therefore be aimed at: i) supporting CEMAC and other key stakeholders and organs such as PRASAC to deepen the awareness, acceptance and implementation of food and agricultural policies and strategies, and ii) capacity building towards national level development of CEMAC-compliant laws and policies.







# The Common Market for Eastern and Southern Africa

## Introduction

The Treaty Establishing a Common Market for Eastern and Southern Africa establishes COMESA, an organization of independent sovereign states currently comprising 21 members with an estimated population of 583 million ([“what is comesa” – Common Market for Eastern and Southern Africa \[COMESA\]](#)). COMESA is categorized as the major marketplace for both internal and external trading, with a gross domestic product (GDP) of USD 805 billion and a global export/import trade in goods worth USD 324 billion.

## Mandate

COMESA’s vision is “to be a fully integrated economic community that is prosperous, internationally competitive, and ready to merge into the African Economic Community” (COMESA Strategy on Climate Change 2020–2030). The aims and objectives of COMESA are to attain sustainable growth and development of the Member States (Article 3[a] of the Treaty for Establishing the Common Market for Eastern and Southern Africa); cooperate in the promotion of peace, security and stability among the Member States (Article 3[d]); cooperate in strengthening the relations between the Common Market and the rest of the world (Article 3[e]); and contribute towards the establishment, progress and realization of the objectives of the African Economic Community (Article 3[f]).

The Treaty further provides for specific undertakings to promote the aims and objectives of the Common Market. Notably, in relation to agriculture, under Article 4(5) the Common Market seeks to enable cooperation in agricultural development, adopt a common agricultural policy, enhance regional food sufficiency, cooperate in the export of agricultural commodities, coordinate their policies regarding the establishment of agro-industries, coordinate agricultural research and extension and enhance rural development.

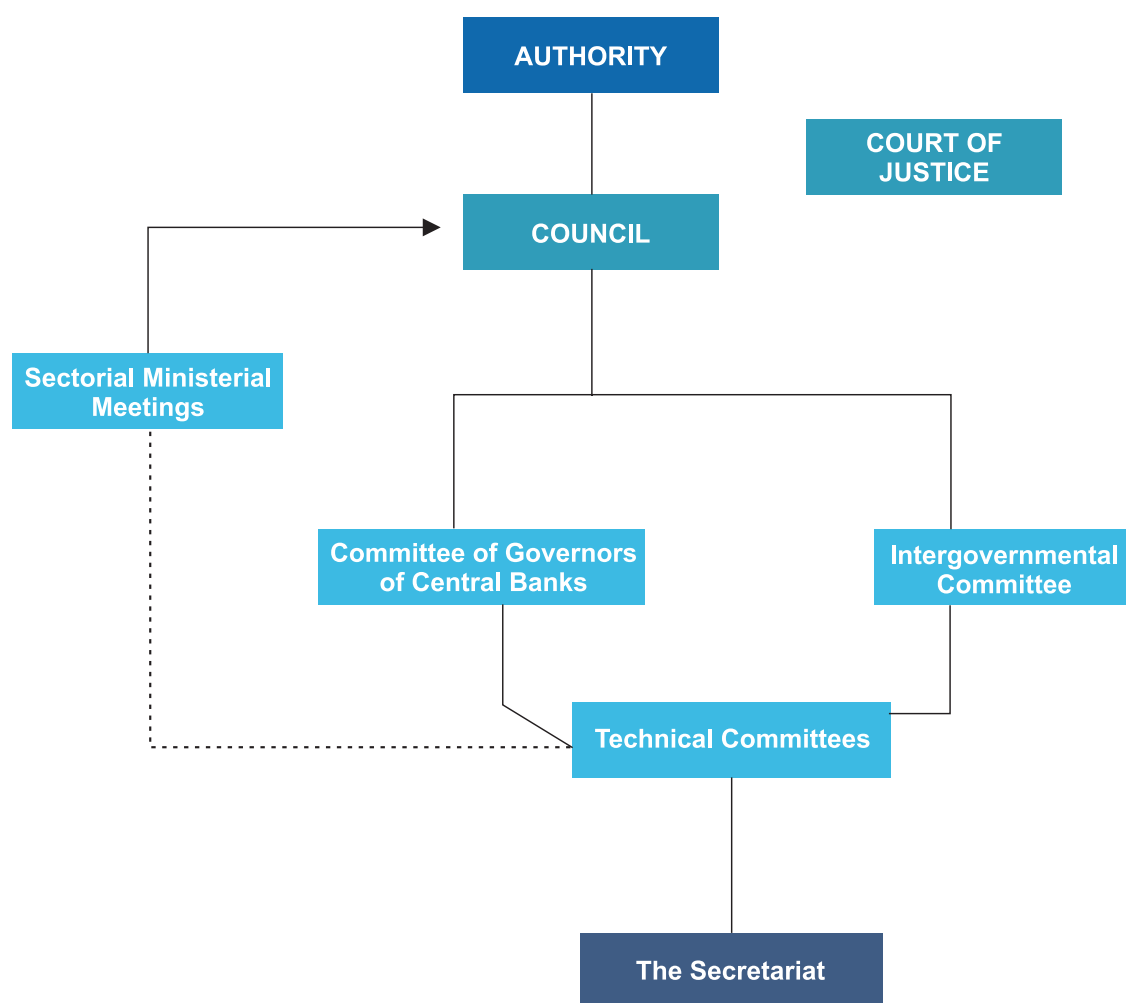
This provision is further expounded under Chapter 18 of the Treaty, which provides for cooperation in agriculture and rural development. The overall objectives of cooperation in the agricultural sector are the achievement of regional food security and rational agricultural production within the Common Market. To this end, the Member States undertake to adopt a scheme for the rationalization of agricultural production with a view to promoting complementarity and specialization in and sustainability of national agricultural programmes to ensure:

- a common agriculture policy;
- regional food sufficiency;
- an increase in the productivity of crops, livestock, fisheries and forestry for domestic consumption, exports within and outside the Common Market and as inputs to agrobased industries; and
- replacement of imports on a regional basis.



The Treaty makes specific reference to cooperation in specific fields of agriculture, including the harmonization of agricultural policies of the Member States with a view to having a common agricultural policy, production and supply of foodstuffs, the coordination of the export and import of agricultural commodities and the coordination of bulk purchases of imports of essential agricultural inputs (Article 130).

**Figure 6. COMESA organization structure**



Source: COMESA website (<https://cemac.int/organigramme>)

## Governance structure

### **The Authority**

The Authority is the supreme policy organ made up of the heads of state and government of the Member States. It is established under Article 8 of the Treaty and is responsible for the general policy, direction and control of the performance of COMESA's executive functions as well as the achievement of the Common Market aims and objectives (Article 8[2]). The Authority is required to meet once every year and may hold extraordinary meetings at the request of any of the members (Article 8[5]). Decisions are taken by consensus (Article 8[7]).

### **The Council of Ministers**

This is the second highest policy organ and comprises ministers designated by Member States. This is provided for under Article 9 of the Treaty. The Council is responsible for ensuring the proper functioning of COMESA programmes and activities, including the monitoring and review of its financial and administrative management. As provided for in the Treaty, Council decisions are made by consensus, failing which they are made by a two-thirds majority of the Council members. The Treaty further specifies that the Council may, in accordance with the provisions of the Treaty, make regulations, issue directives, take decisions, make recommendations or deliver opinions which shall be binding on all the Member States (Article 10).

### **The Committee of Governors of Central Banks**

This committee consists of the governors of the monetary authorities (Article 13[1]) responsible for the development of programmes and actions in the field of finance and monetary cooperation, among other duties (Article 13[2][a]). The committee also monitors, keeps under constant review and ensures the proper implementation of the programmes and plans adopted pursuant to the Treaty (Article 13[2][b]).

### **Intergovernmental Committee composition and functions**

The committee consists of the permanent or principal secretaries (Article 14[1]) responsible for the development of programmes and action plans in all sectors of cooperation except in the finance and monetary sectors. It also oversees the implementation of the Treaty and, for that purpose, may request a technical committee to investigate any specific matter (Article 14[2][a] and [c]).

### **Technical committees**

The Treaty provides for 12 committees composed of Member States, including a Committee on Agriculture (Article 15[1]). The Council may establish additional technical committees as may be necessary for the attainment of the objectives of the Treaty (Article 15). Each technical committee is responsible for the preparation of the comprehensive implementation of and a timetable prioritizing relevant programmes. In addition, technical committees monitor and keep under constant review the implementation of cooperation programmes in their respective sector (Article 16[a] and [b]).

### **The Secretariat and the Secretary-General**

The Secretariat is the executive organ of the Common Market headed by the Secretary-General appointed by the Authority. The Authority also appoints the Assistant Secretary-General. The Secretariat is principally responsible for ensuring that the regulations and directives adopted by the Council of Ministers are properly implemented and provide the Council of Ministers with strategic recommendations.







The Secretary-General, as the chief executive officer of the Common Market, represents the Common Market in the exercise of its legal personality and acts as secretary to the Authority and the Council (Article 16).

### **The Court of Justice**

Among the organs of the Common Market is the Court of Justice, established under Article 7 of the Treaty to ensure adherence to the law pursuant to Article 19 of the Treaty. The Court is composed of twelve judges appointed by the Authority. The judges should be chosen from among persons of impartiality and independence who fulfil the conditions required for the holding of high judicial office in their respective countries of domicile or who are jurists of recognized competence. The court has jurisdiction to adjudicate upon all matters which may be referred to it pursuant to the Treaty. The Court became formally operational in 1998.

## **Legal and policy instruments relating to food and agriculture under the Common Market**

COMESA recognizes agriculture as a key sector in view of the contribution of the sector to the export and GDP of most of the Member States. Accordingly, the bloc seeks to promote agriculture to ensure the development of a sustainable, competitive and profitable agricultural sector. In recognition of the linkages between agriculture and industrial development, COMESA has established a dedicated Division on Industry and Agriculture. The Division is charged with, among other things, the responsibility to support increased agricultural productivity and agroprocessing for improved food security and nutrition, and to support the development and implementation of agricultural policies, regulations, strategies and programmes. It also supports Member States in developing national agricultural and food security investment plans, often in coordination with strategic organizations, to mobilize and avail technical resources to support COMESA's agricultural investment plan, and to enhance linkages between the agriculture sector and research institutions.

### **Treaty for Establishing the Common Market for Eastern and Southern Africa**

The Treaty under Article 129 provides the overall objective of cooperation in the agriculture sector to include the achievement of regional food security and rational agricultural production. COMESA recognizes that agriculture is the main economic activity accounting for more than 32 percent of the GDP of the bloc while contributing to about 80 percent of the region's labour force (COMESA, 2016). Therefore, the Treaty responds to this commitment through the elimination of non-tariff barriers on Common Market goods. According to Article 49, members are required to remove, with immediate effect, non-tariff barriers to import into that Member State of goods originating in other Member States and thereafter refrain from imposing any further restrictions or prohibitions. This is to contribute significantly to food security and improve livelihoods of citizens.

The Treaty highlights the responsibility of Member States to cooperate in the marketing and stabilization of prices of agricultural commodities, bearing in mind internal agricultural and exchange rate policies as one of the measures to facilitate trade in agriculture. These strategies exist to promote cross-border initiatives, and in the long term, introduce a monetary harmonization programme.

The Treaty also recognizes the role of women in development through including the economic linkage of women in the value chain of agriculture (Article 155[1]). To this end, partner states agree, among other things, to increase awareness of women in business, to create an enabling environment for the effective participation of women in Common Market trade and development activities, and to eliminate laws and regulations that hinder women's access to credit.



Member States further commit to ensuring the adequate supply and availability of food through the promotion of agricultural development that would lead to the production of surpluses in food, the establishment of adequate storage facilities and strategic grain reserves (Article 131). Additionally, the Treaty addresses the variation in climate patterns among Member States and outlines diverse approaches, including the development of irrigation programmes, improved techniques in dryland farming and use of drought-tolerant crops (Article 135).

Furthermore, the Treaty enjoins Member States to cooperate in the export of agricultural commodities, and in relation to the development and implementation of policies for export and solving specific problems (Article 132[b]).

### **Regional Agriculture Investment Plan 2018–2022**

This [Plan](#) is also identified as the COMESA Regional Compact. The Regional Compact serves to accelerate individual countries' agricultural growth by enabling them to benefit from regional spillovers and economies of scale in technology, human and policy development, and trade and investment. The Compact is based on four priority areas: i) production and productivity of commodity value chains within the selected agricultural corridors; ii) agricultural trade and markets; iii) resilience, food and nutrition security; and iv) coordination and cross-cutting issues.

The first priority on production and productivity focuses on regional agricultural commodity value chains, with priority given to selected regional corridors. The second priority of agricultural trade and markets focuses on reducing barriers to agricultural trade and improving farmers' linkages to markets. The third priority on resilience, food and nutrition security focuses on contributing to reducing social and economic vulnerability and enhancing food and nutrition security. The fourth priority relates to coordination to ensure efficient achievement of all express and implied objectives of the Regional Compact. Together, the priorities create a holistic approach to the food system value chain, with an emphasis on addressing the power imbalance. Acknowledging that the Regional Compact has come to an end, the bloc is working towards reviewing and analysing the achievements and the challenges to inform the second Regional Compact.

### **COMESA Strategy on Climate Change 2020–2030**

The objective of this [strategy](#) is to bring about the achievement of the COMESA Vision by building the resilience of the region to the impacts of climate change. Specifically, the strategy strives to achieve Sustainable Development Goal No. 13 on taking action to combat climate change and the attainment of the goals of the Paris Agreement. This strategy acknowledges the region's unprecedented change in weather patterns that threatens agricultural production where rainfed agriculture is projected to drop by as much as 50 percent by 2050.

Among the eight thematic areas of the strategy is implementing early action projects in agriculture and food security, sustainable energy, ecosystems and biodiversity, sustainable trade and disaster risk management. The strategy creates an enabling environment for Member States to respond to climate change through adhering to the commitments laid down to cushion the agricultural sector against climate effects for present and future generations.



## Conclusion and potential areas of collaboration

As with other subregional organizations, COMESA recognizes the agricultural sector as critical to the promotion of agricultural growth and trade, and as critical to the achievement of the objectives towards stronger regional integration and broader goals to ensure food and nutrition security. The bloc has established enabling policy, strategic and institutional frameworks to advance its objectives on agriculture, including as part of the drive to link the sector with the transition to regional industrialization.

These objectives overlap with the vision and mission of FAO, which offers tremendous opportunities for collaboration. Accordingly, the two organizations have already been collaborating and should strengthen ties towards advancing common objectives towards promoting agriculture and food security.

Because FAO signed an MoU in 1987 with the then Preferential Trade Area – now COMESA, FAO should work on renewing the MoU to strengthen the collaboration and should specifically also consider capacity building in the food and agriculture sector of COMESA. This entails the training of more human resource personnel to meet the multisectoral requirements and occupy institutions.

Notably, FAO and COMESA can work together in the review of the Regional Compact. COMESA also needs technical support in translating the regional policies into national strategies and in capacity development in enhancing its capabilities to monitor implementation, and to enhance its roles in regularly identifying and informing national policy debates related to agriculture.









# The Community of Sahel-Saharan States

## Introduction

The [Community of Sahel-Saharan States](#) (CEN-SAD) was established on 4 February 1998, following the Conference of Leaders and Heads of State held in Tripoli, Libya. CEN-SAD became a [regional economic community](#) during the 36<sup>th</sup> ordinary session of the Conference of Heads of State and Government of the Organization of African Unity, held in Lomé, Togo, from 4 to 12 July 2000. CEN-SAD gained observer status of the General Assembly under resolution 56/92, and thereafter, initiated cooperation agreements with numerous regional and international organizations with the purpose of consolidating collective work in the political, cultural, economic and social fields. One of its main goals is to achieve economic unity through the implementation of the free movement of people and goods in order to make the area occupied by Member States a free trade area.

The Treaty Establishing the Community of Sahel-Saharan States specifies the harmonization of sectoral policies among Member States as part of the overall ambition of establishing the Community. This ambition is expressed in terms of collaboration on political, cultural, economic and social issues, and in the areas of land improvement, air and sea transportation and telecommunications among Member States through the implementation of joint projects. These projects are predominantly grouped under two main areas of work which include security and environmental management, which further establishes and elaborates on the Community's flagship project to create the [Great Green Wall](#) of trees across the [Sahel](#).

The CEN-SAD has 29 Member States: Benin, Burkina Faso, Cabo Verde, Central African Republic, Chad, Comoros, Côte d'Ivoire, Djibouti, Egypt, Eritrea, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Libya, Mali, Mauritania, Niger, Nigeria, São Tomé and Príncipe, Senegal, Sierra Leone, Somalia, Sudan, Togo and Tunisia. Compared with other RECs, the CEN-SAD is home to countries with mixed levels of income – this includes the highest number of low-income countries, several lower middle-income countries and a few upper middle-income countries. Uniquely, the Member States of the community are widely dispersed, and no country is solely a member of CEN-SAD, [thus negatively affecting the community's autonomy](#).

CEN-SAD's total population is projected to almost double from 2019 to 2043, rising from 688 million to 1 175 million — an increase of 71 percent. The increase builds on the trend that the community experienced between 1990 to 2019, when the population increased by 104 percent from 337 million to 688 million people. The total populations of CEN-SAD's members vary greatly: Nigeria, the most populous country in Africa, had a total population of 204 million people in 2019, while the three island nations of the Comoros, Cabo Verde and São Tomé and Príncipe all had populations below one million people. Niger and Chad are projected to see increases above 100 percent from 2019 to 2043, while significantly, Nigeria will see the fourth highest increase at 90 percent, reaching a total population of 388 million people in 2043.



## Mandate

Since the extraordinary session of the Conference of Heads of State and Government held in N'Djamena, Chad, in February 2013 aimed at restructuring and reviving the Community, CEN-SAD has approved a new treaty revising the first. The first treaty, [the Treaty Establishing the Community of Sahel-Saharan States](#), specified the following objectives:

- Establishment of a comprehensive Economic Union based on a strategy implemented in accordance with a developmental plan that would be integrated in the national development plans of the Member States. It includes investment in the agricultural, industrial, social, cultural and energy fields.
- Elimination of all obstacles impeding the unity of its Member States through adopting measures that would guarantee the following: facilitating the free movement of individuals and capital, and meeting the interests of Member State citizens; freedom of residence, work, ownership and economic activity; freedom of the movement of national goods, merchandise and services; encouragement of foreign trade through drawing up and implementing an investment policy for Member States; enhancement and improvement of land, air and sea transportation and telecommunications among Member States through the implementation of joint projects; and the consent of the community Member States to give the citizens of Member States the same rights and privileges provided for in the constitution of each Member State.
- Coordination of pedagogical and educational systems at the various educational levels, as well as in the cultural, scientific and technical fields.

These objectives were given a new focus by the revised Treaty that emphasized two areas of deepened cooperation – regional security and sustainable development.

The revised Treaty will enter into force in accordance with article 53 after the deposition of 15 ratifications. To date, 13 Member States have ratified the Treaty. The organizational structure of CEN-SAD under the revised Treaty consists of the following organs and institutions:

- Conference of Heads of State/Government
- Executive Council
- Permanent Peace and Security Council
- Permanent Council on Sustainable Development
- Committee of Ambassadors and Permanent Representatives
- General Secretariat
- Economic, Social and Cultural Council
- Sahel-Saharan Bank for Investment and Trade

### **CEN-SAD pillars of integration**

The CEN-SAD is governed on five pillars of integration:

- Trade Integration (faster, most cost-effective trade benefits business and consumers alike)

- Productive Integration (producing goods and services where countries have a comparative advantage allows nations to take part in regional and global value chains)
- Macroeconomic Integration (freeing the movement and convertibility of capital spurs investment and allocates finance to where it can be most productive)
- Infrastructural Integration (digital communications and connections by road, air and water directly affect transaction costs, prosperity, and ultimately, stability)
- Free Movement of People (allowing people to move more freely across Africa fosters social links and makes production more efficient)

This study will focus on the pillars that are close to the food and agriculture policy of the CEN-SAD. Thus, according to the [Africa Regional Integration Index](#) (ARII), the CEN-SAD records a low level of integration compared with ECOWAS and SADC. Indeed, ARII affirms that the CEN-SAD performs poorly on the productive pillar and fares relatively well on the free movement of people dimension. For example, Côte d'Ivoire, Senegal and Morocco are the Community's most integrated countries and have enacted progressive food and agriculture policies (Côte d'Ivoire and Senegal are also top performers in ECOWAS). The ARII establishes that Côte d'Ivoire and Senegal's high scores are attributable in part to their trade of fuel and lubricants with each other: this activity feeds into these countries' productive integration scores, as it also contributes to encouraging modern farming methods such as the use of machines for ploughing, irrigation and harvesting of produce on farms.

Broadly, according to the Pan-African Chambers of Commerce and Industry (PACCI), the CEN-SAD Community is the region where instability is the most endemic in Africa. In effect, due to its geographical positioning relative to Western Europe, the Sahel-Saharan Community has long been subject to a strong migratory turbulence – many Africans in search of better living standards frequently use routes within the Community to migrate to Western Europe (Idemudia and Boehnke, 2020). In addition to this, it has become the place of most of the intra-African conflicts and the sanctuary of all of the continent's jihadist movements (Thurston, 2020). The apparent presence or the fear of conflict at any time has greatly affected the proper implementation of food and agricultural policies and strategies in the subregion. Thus, peace, security and stability [have become essential topics within the Community](#).

### **Food and agriculture forecast for the CEN-SAD**

According to the aggregated data collected and analysed by the [International Futures](#) forecasting platform, CEN-SAD's agriculture demand is projected to continue to rise from 719.2 million tonnes in 2019 to 1.33 trillion tonnes in 2043 – an increase of 84.6 percent. Statistically, however, agricultural production will not rise to meet the anticipated and forecasted increase in population over the same period.

The current food security situation within the CEN-SAD is not a glorious one. For instance, [the overall cereal production for the 2021–2022 crop year](#) dropped by a whopping 9 percent from a 2.2 percent drop in the previous crop year for Sahel countries. The Regional Report on Food and Nutrition Security in the Sahel and West Africa (2022) delves further into the overall decrease to establish that larger decreases were recorded in Niger (-39 percent), Mali (-15 percent) and Burkina Faso (-10 percent). The report further established that Cabo Verde recorded a fifth consecutive year without significant agricultural production. Tuber production, on the other hand, is on the increase, and stands at a 5.4 percent increase in that production year. Akin to the production of tubers, the report also highlights cash crops, including soybeans at +31.8 percent, cottonseed at +15.8 percent and groundnuts at +9.8 percent.

Regarding pastoral farming, the report indicates that livestock feeding and watering conditions are also facing challenges due to large fodder deficits, exacerbated by bushfires decimating herbaceous



biomass and civil insecurity limiting access to pastures and water points. Over the years, and still today, the situation has led to an early pastoral lean season in a context where cross-border transhumance remains limited or even prohibited in some host countries, resulting in the disruption of herd movements and concentration of livestock in secure areas, with a high risk of conflicts and the emergence of animal diseases. Also, in livestock markets, animal prices are constantly increasing during this season. The report further alludes to the terms of trade between livestock and cereals that are deteriorating within the CEN-SAD due to the significant increase in cereal prices. The deterioration of the prices, also exacerbated by the embargo imposed on Mali by ECOWAS, has caused a drop in regional livestock exports of about 70 percent between January and February 2022.

The region is facing a combination of crises including persistent civil insecurity which continues to lead to significant displacements, soaring prices of basic foodstuffs and agricultural inputs including fertilizers, the effects of border closures as part of anti-COVID-19 measures and the embargo imposed on Mali. The risks associated with a worsening food and nutrition crisis are high due to an international context marked by soaring agricultural prices, reaching record levels not seen since 2011. These inflationary trends will continue due to the Russo-Ukrainian war disrupting global trade in food products (wheat, rice), fertilizers and petroleum products. Beyond managing the current food crisis, this situation requires sustained political and financial commitments over time and addressing the underlying causes of the problem.

### **Food availability in the SAHEL**

As indicated earlier, the greater part of the food supply within the CEN-SAD is provided mainly by agricultural production from Member States. A reasonable proportion is from commercial imports from other countries within and beyond Africa. These food products include, but are not limited to cereals, legumes and tubers. Although the production of these food items had been constant for a while, the region experienced a [decline](#) in production of about 2.2 percent at the end of the 2021–2022 farming season. The Member States with the most significant declines include Niger (-39 percent), Mali (-15 percent) and Burkina Faso (-10 percent). Cape Verde recorded a fifth consecutive year without significant agricultural production.

With regard to tuber production, the region did better with an estimated 203 million tonnes, which is an improvement in the production of tubers over the last five agricultural seasons, with a five percent and 11 percent increase respectively. As for legumes, composed of cowpeas, peanuts, voandzou and soybeans, overall production is down compared with the last five agricultural seasons. These decreases are more significant for cowpeas and voandzou. On the other hand, commercial imports are estimated at nearly 19.5 million tonnes, which translates to about 30 percent of the available food in the region. These imported products consist mainly of rice and wheat, which are among the most consumed produce in the urban areas of the region.

During current times, it is increasingly difficult for citizens of the Sahel to gain access to food due to [widespread increases in food prices](#) observed since the start of the [COVID-19 pandemic](#).

In general, the situation is not all doom and gloom within the CEN-SAD, as the ARII has forecast an increase in food production in some countries within the Community vis-à-vis their expected population growth. According to ARII, although Member States are expected to notice a significant increase in the size of their agriculture production shortfalls, in most countries these increases will not equate to [the population growth that has been forecast](#). For Morocco, production is forecasted to increase by eight percent more than its demand from 2019 to 2043. Burkina Faso, Chad, Niger and Somalia, on the other hand, will see the largest increases (above 150 percent) in demand due to the forecasted rapid population growth over this period. Further, the ARII projects Nigeria to have the largest gap between production and demand

by 2043: its shortfall is expected to exceed 200 million metric tonnes in 2043, nearly triple the size of the next largest deficit, which could likely be Egypt, at 81.7 million tonnes.

## Possible areas for collaboration and needs for capacity building

When the revised treaty comes into force, with a new robust focus on sustainable development, this should be a critical window for collaboration and support, both for CEN-SAD and its Member States.

This pillar indicates a recognition on the part of the REC as to the importance of a development process which is consistent with, and supports, human development – including food security and sustainable agricultural policies.

It is quite telling that, to date, CEN-SAD is yet to develop a comprehensive and practical food and agriculture policy and adopt strategies to encourage proper implementation in and among Member States to enhance integration and promote sustainability. This policy shortfall within the Community creates and supports an opportunity for collaboration with FAO. Initially, FAO's support to the Community could be directed towards the achievement of this important policy, as a starting point towards even greater cooperation, including but not limited to capacitating technocrats to facilitate the completion of the Great Green Wall Initiative.







# The Permanent Interstate Committee for Drought Control in the Sahel

## Introduction

The Permanent Interstate Committee for Drought Control in the Sahel (CILSS) was established in 1973 following the drought crisis in the Sahel. The CILSS is [a leading actor in the fight against food and nutrition insecurity and desertification in the Sahel](#). The Member States of CILSS consist of 13 countries – Benin, Burkina Faso, Cabo Verde, Chad, Côte d'Ivoire, Gambia, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Senegal and Togo. The main characteristics of the Sahel include very irregular and little predictable rainfall and the predominance of agriculture and husbandry. More than half of the inhabitants are farmers. Agriculture contributes more than 40 percent to the GDP. The Sahel is also characterized by high demographic growth (around 3.1 percent) and high urban growth (around 7 percent) – see the forecast highlighted under the CEN-SAD as these subregions have similar Member States. At the organizational level, CILSS is structured in three sites, as discussed under the governance structure of the CILSS.

Overall, the CILSS regularly conducts in-depth studies on topics related to food security, natural resource management and the links between population and development. The [Sahel Institute](#) (INSAH) based in Bamako, specializes in promoting, researching and disseminating information on the food security situation within the Community and beyond. Through INSAH, the CILSS also provides scientific support to Sahel studies that provide information about the return on investment in natural resource management actions in Burkina Faso, Mali, Niger and Senegal.

Further, all CILSS member countries have explicit population policies for economic and social development. These policies, designed and operationalized in an action plan at the national level with the technical assistance of CILSS, constitute elements of support for food security and poverty reduction policies and strategies in Member States. Over the past few years, most of these national population policies have been revised and updated to address growing concerns, particularly around the widening gap between demand and supply of food products due to the growing population in the Community, including but not limited to other aspects such as reproductive health, gender relations, poverty reduction strategies, the SDGs and NEPAD. For instance, [Guinea-Bissau](#) adopted a population policy in 2002, while Burkina Faso, Chad, Mali, Mauritania and Senegal have revised their national population policies over the years. From 1960 to 2021 the population of Guinea-Bissau increased from 616 140 to 2.02 million people. This is a growth by 227.1 percent in 61 years. The highest population increase (2.70 percent) in Guinea-Bissau was recorded in 2013. The smallest increase (0.05 percent) was in 1978.



## Mandate

The main mandate of CILSS is to consistently generate innovative research outputs to enhance food security and the fight against the effects of drought and desertification for a new ecological balance in the Sahel. Broadly, the mandate of the CILSS spills beyond research outputs and includes the following, equally important, contributing aspects to its food and agriculture initiatives:

- Formulation, analysis, coordination and harmonization of strategies and policies;
- Strengthening scientific and technical cooperation;
- The collection, processing and dissemination of information;
- Capacity building of different actors, including the private sector;
- The capitalization and dissemination of experiences and achievements;
- Support in the implementation of strategies, policies and programmes.

Four [operational or specific objectives](#) contribute to the achievement of its mandate:

- to ensure that Member States have better food security and better management of natural resources and population/development issues, to monitor and promote trade actions for agricultural and agrifood products;
- to safeguard and strengthen water quality control to improve the living conditions of Sahelian populations;
- to promote dynamic, fluid and integrated national and regional markets for trade in agricultural and agrifood products;
- to position and strengthen CILSS in its capacity as an authority in the fields of water management, population and development at the subregional and international levels.

To attain its objectives, the sectoral policies related to its mandate have been defined and implemented. CILSS is involved in the following strategies and policies in the ECOWAS region (discussion follows):

- National food security strategies
- National action plans to combat desertification
- National strategies for domestic energy

The CILSS is home to the technical secretariat of the Regional Council for Food Security in West Africa and participates in the definition of the actions of pillars 1 (Land and Water Management) and 3 (Increasing Food Supply and Reducing Hunger) of the NEPAD Comprehensive Africa Agriculture Development Programme. Both pillars are crucial to enhance sustainable food and agriculture production in the subregion. Indeed, water is critical to establish and enhance the potential arable land and to enable improved varieties of both plants and animals to make full use of other yield-enhancing production factors. On the other hand, Pillar 1 feeds into Pillar 3 as successful land and water management in food and agriculture strategies will mostly alleviate hunger across the region.

## Governance structure

At the political and technical levels, the Sahel Institution is coordinated by these statutory bodies:

- Assembly of Heads of State and/or Government
- Council of Ministers
- Regional Monitoring and Programming Committee
- Board of Directors

At the organizational level, CILSS is structured in three sites:

- Executive Secretariat (located in Ouagadougou, Burkina Faso)
- Sahel Institute of Agricultural Research in West Africa (specialized institution based in Bamako, Mali)
- [AGRHMET Regional Centre](#) (specialized institution based in Niamey, Niger). AGRHYMET collects and disseminates both raw data and a variety of finished information products relating to environmental monitoring and food security in the Sahel. It also acts as a centre for capacity building, providing both long-term, degree-level training and short-term training courses in topics such as agrometeorology and hydrology.

## Institutional, legal and policy arrangements relating to food and agriculture

Generally, CILSS has been running a monitoring system on food security in West Africa, designed to forecast harvests, consolidate food balance sheets, monitor prices and markets, identify food risk areas and provide more general information on measures to deal with the various annual situations (deficit or surplus), for more than 35 years. It provides public and private actors with a database summarizing data on agricultural production, rainfall and hydrology. Also, CILSS is home to two information systems on agriculture and natural resources in West Africa: AGRIS (Agricultural Information System) and SIVE (*Système d'information et de Veille Environnementale*). The information produced by CILSS is disseminated through a series of newsletters and databases, all accessible online.

### Strategic Food Security Framework

The *Stratégie de Sécurité Alimentaire* (CSSA) is CILSS's reference document on food security. The framework sets out five objectives to contribute to achieving comprehensive food security for the Sahel, based on better management of regional resources. The specific objectives of the framework are:

- the promotion of productive, diversified, sustainable and regionally integrated agriculture;
- the development, fluidification and subregional integration of national markets;
- the sustainable improvement of the conditions of access of vulnerable groups and areas to food and basic social services;



- the improvement of mechanisms for the prevention and management of cyclical crises, in line with the construction of structural food security; and
- capacity building of actors and promotion of good governance of food security.

In recent years, the Sahel and West Africa regions have experienced major food and nutrition crises. For example, in 2021:

- The production of cereal in the Sahelian countries was down by -11 percent. The most affected countries were Niger (-39 percent), Mali (-15 percent), Burkina Faso (-10 percent) and especially Cabo Verde which, for the fifth consecutive year, recorded no significant production.
- Tuber and root production, estimated at 203.8 million tonnes, was up 11 percent from the five-year average and 5.4 percent compared with 2020. Compared with the average of the last five years, soybeans (1.97 million tonnes), cowpeas (3.2 million tonnes) and groundnuts (10.6 million tonnes) recorded increases of 31.8 percent, 15.8 percent and 9.8 percent respectively.
- Markets were well supplied but rising food prices continued and were increasing; prices were 50 percent higher than the five-year average in some countries (Burkina Faso, Liberia, Mali, Mauritania, Niger, Nigeria and Sierra Leone). These price spikes were fuelled by economic inflation in some countries of the Gulf of Guinea, the production cuts of the 2021–22 season, the security crisis, the surge in world prices of agricultural products, but also by the persistence of obstacles to regional trade (ban on the export of food products imposed by some governments, road harassment and illegal taxation). The conflict in Ukraine is an additional factor in accentuating these increases.

The Community predicted that about 38.3 million people would be under pressure for the period June–August 2022 if measures were not taken. Faced with this third consecutive year of food and nutrition crises, the Committee's Technical Unit embarked on projects to:

- i facilitate the sharing of information;
- ii promote a rapid and coordinated response to the food emergency; and
- iii generate more political commitment for sustainable alternatives to recurrent crises and growing food assistance needs.

### **Combating desertification**

The Sub-Regional Action Programme to Combat Desertification in West Africa and Chad (SRAP/WA) is CILSS's reference document for combating desertification. The SRAP/WA is a framework for guidance, arbitration and coherence between desertification actions and drought mitigation. CILSS provides the technical secretariat for the implementation of the SRAP/WA. To this end, under the aegis of the two focal points, CILSS and ECOWAS, and to a greater extent CEN-SAD, contacts have been made and agreements signed with various partners to better involve them in the implementation of the [United Nations Convention to Combat Desertification](#) (UNCCD) at the subregional and national levels. Partnership agreements have been signed with the UNCCD Secretariat, the Global Mechanism, the French Cooperation, the German Cooperation, the Canadian Cooperation, the American Cooperation and the European Union. In March 2002, West African Environment Ministers decided to make this programme the gateway to the environment component of NEPAD.

## Regional Market Access Programme

Established in 2005, the CILSS [Regional Market Access Programme](#) is aimed at creating the conditions for the promotion of dynamic and integrated national and regional markets with well-equipped and dynamic organizations/networks of actors for the increase and diversification of trade in agricultural and agrifood products in West Africa.

The programme's intervention strategy includes several instruments:

- The facilitation of meetings for the networking of the various actors of the regional trade of agricultural and agrifood products.
- Increasing visibility on exchange opportunities in the region.
- The regular availability of commercial information to increase market transparency and improve the fluidification of trade.
- Strengthening the technical, material and methodological capacities of national market information systems – capacity building of direct regional market players.

To achieve these objectives, the CILSS Regional Market Access Support Programme is fully guided by the following activities:

- Strengthen the capacity of national market information systems;
- Support the implementation of SIMS in countries not yet provided;
- Support and accompany the networking of national information systems;
- Support/accompany the networking of merchants' organizations;
- Strengthen the capacity of private operators' organizations in the regional market;
- Set up and animate a regional database on prices, flows, trade stocks and sectors in support of AGRIS;
- Operationalize the regional system for permanent monitoring of cross-border flows of agricultural and agrifood products;
- Produce and disseminate a regional market newsletter;
- Organize the annual regional conference on the food situation and trade opportunities for agricultural and agrifood products in the Sahel and West Africa;
- Implement the "Border Markets" project in West African countries;
- Support and accompany initiatives for the processing and marketing of locally processed products;
- Support the popularization of sanitary standards for agricultural and agrifood products;
- Support the promotion of labels for agricultural and agrifood products;
- Implement the agro-industry development strategy in West Africa;
- Animate a network of West African experts on market themes;







- Carry out studies on the dynamics and integration of markets in West Africa;
- Maintain strategic intelligence on the theme of markets.

## Water control

Despite the efforts made by CILSS in the valuable support of its Member States and its traditional technical and financial partners, the [levels of investment in the field of water](#) (control and management) remain below the expected results. Responses to the Sahel's development challenge so far have had mixed success. The vulnerability of the Sahel to climate variability and change persists (Brown, Marquette and Cissouma, 2022). According to Mayans (2020), "the depletion of natural resources in the region has become a source of conflict between farmers and herders, especially as climate change has altered the routes and periods of livestock transhumance, which now often coincide with those of the land being cultivated". The desert continues to advance. Food insecurity remains. A very large segment of the population, especially those in rural and peri-urban areas, still do not have access to safe and sustainable drinking water and sanitation systems.

## Pesticide management – Sahelian Pesticides Committee

The West African Sahel region is unique for its regional pesticide registration system. Nine countries jointly evaluate and authorize pesticides through the Sahelian Pesticides Committee (CSP). The CSP is the regional body responsible for implementing the Common Regulations to CILSS Member States for pesticide homologation. It has been operational since 1994, and evaluates the dossiers submitted by pesticide companies for approval for sale in CILSS Member States. Since 1994, the CSP has analysed more than 1 000 applications for registration of different types of pesticides. Currently, about 440 pesticides are authorized for use in CILSS countries. Every year, the CSP publishes at least one list of registered pesticides that should be used in the CILSS by Member States.

The CSP is guided by the following objectives:

- To promote and coordinate activities and research on agricultural inputs (seeds, pesticides, fertilizers), biosafety and crop protection.
- To promote the synergism of legislative and regulatory guidelines on agricultural inputs and biosafety in the region.
- To monitor and implement regional and international regulations and conventions related to agricultural inputs.
- To ensure the implementation of decisions made by the regional committee for the regulation and harmonization of agricultural inputs at subregional and national levels.
- To promote integrated pest management.

In 1992, Member States adopted the Common Regulation on Pesticide Registration by Resolution No 7/27//CM/92 during the twenty-seventh Ordinary session of the CILSS Ministerial Committee. The main objective of this Regulation is to pool expertise in the evaluation and management of plant protection products of all CILSS States for pesticide regulation (Article 1 of the Resolution). However, the 1992 Regulation was revised and replaced on 16 December 1999, with the support of FAO, by [Resolution 8/34/CM/99](#) of the thirty-fourth Session of the CILSS Ministerial Committee. This resolution considers Member States' tried and proven experiences in pesticide legislation and registration procedures acquired by the CSP since its inception.



### **Scope of the regulation**

Articles 3 and 4: The regulation authorizes release on the market, use and control of the active ingredients and formulated products of pesticides in the Member States. The regulation also applies to the classification, labelling and packaging of pesticide formulations.

### **ECOWAS-UEMOA-CILSS Regional Seed Regulation**

The process of developing a harmonized regional seed policy in sub-Saharan Africa started at Abidjan, Côte d'Ivoire, in November 1998, with the support of FAO. Because of their geographical and subregional interest, ECOWAS, UEMOA (*Communauté Économique et Monétaire de l'Afrique Centrale*) and CILSS were involved in the process from the start. Pursuant to the 1998 meeting several workshops were held, during which the idea, purpose and scope of the regulation were discussed and later harmonized and adopted. The rules governing quality control, and certification and marketing of plant seeds and seedlings in the ECOWAS-UEMOA-CILSS zone, were adopted by the organizations' authorities, according to their own procedures (2008 for ECOWAS and 2009 for UEMOA, preceded in 2006 by the Framework Convention on Plant Seeds and Regional Consultative Framework for CILSS).

The harmonized regulation focuses on three areas:

- Plant variety registration in the national versus regional catalogues,
- Seed quality control and certification, including accreditation,
- Seed import/export, including quarantine.

Objectives include:

- the local production of quality seeds is facilitated,
- seed marketing within the subregion is facilitated,
- timely access to quality seeds for farmers is increased,
- a favourable policy environment for the emergence of a strong private sector is created,
- the farmers' choice of new plant varieties is widened, and
- the public-private partnership in the delivery of quality seeds is strengthened.

## **Possible areas for collaboration and needs for capacity building**

An important avenue for collaboration exists with the West Africa Food Systems Resilience Program (FSRP) jointly launched in June 2022 by ECOWAS, CILSS and the West African Council for Agricultural Research (CORAF).

The programme is aimed at enhancing the region's preparedness against food insecurity, including through enhancing shared agriculture-related information services. Importantly, it also envisages support to national and regional agricultural policies relating to land, to reduce land degradation.



This presents an opportunity for FAO to work with CILSS, ECOWAS and CORAF, especially in terms of support to strengthen relevant national and regional policies and legislation, as well as in building the capacity of policymakers in the critical area identified in relation to land degradation, in the popularization and implementation of pesticide legislation, seed regulation, water control and food markets.









# The Economic Community of West African States

## Introduction

The [Economic Community of West African States](#) (ECOWAS) was established on 28 May 1975 as the subregional organization of states in the West African region through the treaty of Lagos. ECOWAS includes 15 Member States bound by the aim to promote economic cooperation and development among Member States in order to raise living standards (Article 3[1]). These are Benin, Burkina Faso, Cabo Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo. Since its creation, ECOWAS has been promoting economic cooperation and regional integration as a tool for an accelerated development of the West African economy. Regional integration remains a viable and appropriate tool for achieving and accelerating sustainable development of the West African countries (Cilliers, 2008). To attain this objective, ECOWAS adopted a resolution in June 2007 to introduce the transformational ECOWAS Vision 2020, which was aimed at setting a clear direction and goal to significantly raise the standard of living of the people through conscious and inclusive programmes that would guarantee a bright future for West Africa. Vision 2020 has since been replaced with Vision 2050, whose objective is to transform the Community from an ECOWAS of the States to an [ECOWAS of the People](#). The Community promises (under the vision) to reposition itself in the achievement of Sustainable Development Goals while taking stock of persistent and emerging challenges within the region. The overarching aim of the ECOWAS Vision 2050 is to contribute to the deepening of the integration process in West Africa, particularly regarding poverty reduction and ensuring better complementarity of approaches and responses between the various local, national, regional and continental levels.

## Mandate

ECOWAS is steered by fundamental principles which guide all its interactions with Member States, citizens and other external bodies. These principles, which are codified under article 4 of the [Revised Treaty](#), include a call for all Member States to promote inter-State cooperation, harmonization of policies and integration of programmes (article 4[c]). The key programmes identified within ECOWAS are listed under 10 sectors – Energy, Telecommunications, Health and Social Affairs, Agriculture and Environment, Water, Trade, Information and Communications Technology, Infrastructure, Civil Society and Political Affairs. Agriculture is the fourth strategic sector in which the ECOWAS operates. ECOWAS is actively involved in the agricultural and food sovereignty of citizens of the subregion. Presently, the implementation of activities in the agricultural subsector revolves around four components of the Regional Agricultural Investment Programme (RAIP) adopted by ECOWAS authorities to ensure the implementation of the Economic Community of West Africa Agricultural Policy (ECOWAP). ECOWAS works through its agricultural policy (ECOWAP) to ensure food security.

Chiefly, the implementation of the food security strategy within the ECOWAS is guided by four thematic aspects:

- promotion of strategic projects for food security and food sovereignty,



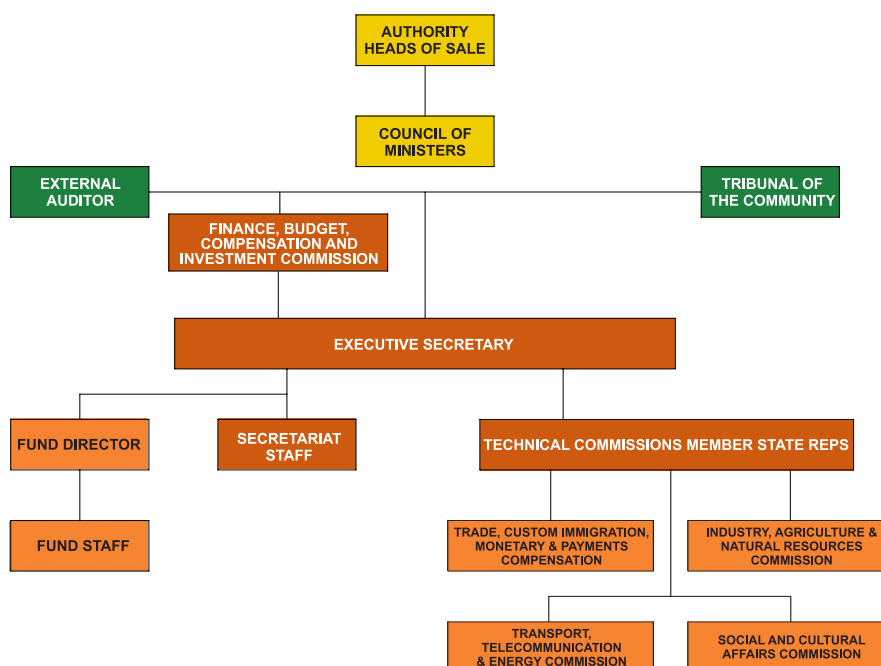
- promotion of a global environment conducive to regional agricultural development,
- reduction of food vulnerability and the promotion of sustainable access to food, and
- governance, coordination, monitoring and evaluation of the ECOWAP implementation.

In the promotion of strategic products for food security and food sovereignty, for example, all the Member States have an obligation to ensure the development of strategic industries essential for collective self-reliance and the modernization of priority sectors of the economy, especially food and agrobased industries (article 26[3][a][i]). Consequently, all Member States have completed the formulation of their National Agricultural Investment Plan (NAIP) and are currently implementing the plan at the national level (for more information on the NAIP and how Nigeria, for example, has designed and implemented its NAIP, see Nwozor and Olanrewaju, 2020). Of the 15 ECOWAS Member States, Burkina Faso, Cabo Verde, Mali, Niger and Senegal have so far devoted 10 percent of their national budgets to investments in agriculture by lending support in the form of inputs such as seeds, fertilizers, foods and cattle to farmers, as well as farming implements including ploughs and harrows and mowing and hay compacting to ensure feeding productive animals in the dry season.

In addition to this financing, the agricultural productivity programme in West Africa is also working on improving and sustaining the availability of genetic material such as plant seeds, animals, fisheries, roots and tubers for stakeholders within the region. This initiative is linked to the NAIPs of the Member States and is implemented by the [West and Central African Council for Agricultural Research and Development](#) (CORAF). The primary objective of CORAF is to improve livelihoods in West and Central Africa through sustainable increases in agricultural production and productivity and promoting competitiveness and markets.

## Governance structure

**Figure 7. ECOWAS organization structure**



The ECOWAS is structurally modelled on three arms of governance – the Executive, the Legislature and the Judiciary. At the helm of the organizational structure is the Chairperson of the Authority of Heads of State and Government. The executive arm is led by the president of the [ECOWAS Commission](#), appointed for a four-year term, renewable once. The Commission plays a critical role as the engine room of the ECOWAS. As the administrative arm of the Community, it ensures the smooth functioning and implementation of all the programmes, projects and activities of the Community. This ECOWAS administrative instrument was transformed from an Executive Secretariat to a Commission in 2007 in fulfilment of a decision to that effect taken the previous year in Niamey, Niger.

The ECOWAS Parliament was established and is governed under Articles 6 and 13 of the ECOWAS Revised Treaty. This legislative arm is led by the Speaker of the ECOWAS Parliament. [The Parliament is composed of 115 seats](#), of which 75 seats are shared equally (five seats each) among its 15 Member States. The remaining 40 seats are allocated based on the population of a Member State, thus Nigeria, because of its population size, has more seats (35) than the other 14 Member States of ECOWAS. Under Article 18 of the Additional Act of December 2016 on the Strengthening of the Prerogatives of Parliament, the 115 members of the Community Assembly are elected by direct universal suffrage by the citizens of the Member States.

In 2020, the Parliament set up an [ad hoc committee](#) to propose mechanisms to make the election of its members effective by direct universal suffrage. At the end of mandate, the Committee is proposing two voting methods through which the Community elections could be organized as is the case in the European Union with each Member State electing Community Members of Parliament in accordance with national electoral laws. Another possibility would be to have Community elections governed by a common electoral system. Further to this suggestion, the Committee calls on the Parliament to:

- implement the election of its members by [direct universal suffrage](#) before the end of the fifth legislature (March 2024);
- continue the study on the election of representatives by direct universal suffrage;
- organize thematic meetings on specific areas such as financing, the electoral code, the code of conduct and the conditions to be fulfilled to take part in the elections;
- appoint a prominent Community figure to lead the advocacy process;
- conduct consultations with the main institutional actors such as the Conference of Heads of State, the Council of Ministers, the Commission and the Court of Justice of ECOWAS;
- organize study visits to similar regional institutions to learn from their experiences and carry out advocacy with these institutions.

The Parliament is a quasi-judicial body with no powers to pass a binding legal text. The leading operational objectives of the Parliament are to:

- strengthen representative democracy in the Community;
- contribute to the promotion of peace, security and stability in the West African region;
- inform and sensitize the population on issues of integration;
- promote and defend principles of human rights, democracy, the rule of law, transparency, accountability and good governance;







- promote the practices of accountability; and
- contribute to the efficient and effective implementation of objectives and policies of the Community, among other objectives.

The Supplementary Act in Chapter IV, Article 25 (A, B, C, D, E) establishes [the structure of the Parliament](#) as consisting of:

- the Political wing, which is the highest decision-making body of the Parliament. Its decisions are binding on other structures of the Parliament and the representatives.
- the Administrative wing, which includes the Speaker and four Deputy Speakers as the governing organ of the Parliament. Its decisions are aligned with the provisions of the Treaty, the Supplementary Act, Rules of Procedure and all other legal texts of general application to Community institutions.

The Judicial arm of the Community (Community Court of Justice) was established pursuant to the provisions of Articles 6 and 15 of the Revised Treaty of ECOWAS. The Court's overall mandate is to ensure the observance of law and of the principles of equity in the interpretation and application of the provisions of the Revised Treaty and all other subsidiary legal instruments adopted by the Community. This mandate is carried out under three main areas of competence of the Court:

- [contentious jurisdiction](#) (for example, the Court examines cases of failure by Member States to honour their obligations under the Community law and has competence to adjudicate on any dispute relating to the interpretation and application of acts of the Community);
- advisory (under Article 10 of the 1991 Protocol of the Court, the Court may "issue on advisory capacity, a legal opinion on matters that require interpretation of the provisions of the Treaty"; this mandate allows the Court to play an important role in the prevention of conflicts or disputes and to interpret the provisions of the Treaty);
- arbitral (under Article 9[5] of the Supplementary Protocol of the Court, the Court is vested with the mandate to act as Arbitrator pending the establishment of the Arbitration Tribunal for the Community).

### **Contentious jurisdiction**

- The Court examines cases of failure by Member States to honour their obligations under the Community law.
- The Court has competence to adjudicate on any dispute relating to the interpretation and application of acts of the Community.
- The Court adjudicates in disputes between institutions of the Community and their officials.
- The Court has power to handle cases dealing with liability for or against the Community.
- The Court has jurisdiction to determine cases of violation of human rights that occur in any Member State.
- The Court adjudges and makes declarations on the legality of regulations, directives, decisions and other subsidiary legal instruments adopted by ECOWAS.



### **Advisory**

- The advisory competence is in the tradition of international courts attached to an international organization. It is under Article 10 of the 1991 Protocol of the Court whereby the Court may “issue on advisory capacity, a legal opinion on matters that require interpretation of the provisions of the Treaty”. It allows the Court to play an important role in the prevention of conflicts or disputes and to interpret the provisions of the Treaty.

### **Arbitral**

- Based on the provision of Article 9(5) of the Supplementary Protocol of the Court, the Court has been vested with the mandate to act as Arbitrator pending the establishment of the Arbitration Tribunal for the Community.

The Court has competence to rule on human rights violations through an individual complaint procedure since 2005. Particularly noteworthy is that local remedies do not need to have been exhausted before cases are brought to the ECOWAS Court of Justice. So, every victim of a human rights violation can directly appeal to the court even while the case is subject to a national proceeding.

Cases may be brought before the Court by an application addressed to the Court Registry. Every application shall state:

- the name and address of the applicant,
- the designation of the party against whom the application is made,
- the subject matter of the proceedings and a summary of the pleas in law on which the application is based,
- the form of order sought by the applicant,
- where appropriate, the nature of any evidence offered in support,
- an address for service in the place where the Court has its seat and the name of the person who is authorized and has expressed willingness to accept service,
- in addition, or instead of specifying an address for service, the application may state that the lawyer or agent agrees that service is to be effected on them by telefax or other technical means of communication.

The Court of Justice has already made several rulings on human rights issues. However, it has not directly adjudicated on [any decision relating to food security](#). Its landmark decision on human rights, specifically socioeconomic rights, under which the right to food classified under the human rights framework, is against Nigeria in [Socio-Economic Rights and Accountability Project \(SERAP\) v. Federal Republic of Nigeria and Universal Basic Education Commission](#).

The [Court is composed of five independent judges](#) chosen from among persons of high moral character, who must be nationals of ECOWAS Member States and must possess the qualifications for appointment to the Supreme Court or the highest judicial office, or are jurisconsults of recognized competence in international law, especially community law or law of regional integration. In addition, they must have at least twenty years professional experience. The judges serve a four-year term, non-renewable.

## Institutions, and policy and legal instruments related to food and agriculture

Largely, the administration and implementation of the ECOWAS food and agriculture programme are governed and managed by two major institutions within ECOWAS with the overall goal to pace the Community's ambition to reposition itself as a people-driven rather than a state-driven Community. These organs are the Department of Agriculture, Environment and Water Resources (DAEWR), responsible for the administration of the programme, and the ECOWAS Regional Agency for Agriculture and Food (RAAF), responsible for the implementation of the programme under the control of DAEWR and with technical support from the other regional cooperation agencies. These institutions are discussed briefly in the following paragraphs:

The [Directorate of Agriculture and Rural Development](#) of the ECOWAS Department of Agriculture, Environment and Water Resources focuses on the 2025 strategic policy framework – the Economic Community of West Africa Agricultural Policy (ECOWAP).

The DAEWR is the administrative hub of the ECOWAS food and agriculture programme. Broadly, it considers and analyses the decisions of the statutory bodies relating to food and agriculture and the advisory opinions of the Consultative Committee for Agriculture and Food (CCAF), and then prepares and submits its recommendations to the Specialised Technical Committee on Agriculture, Environment and Water Resources (STC-AEWR). The CCAF, a committee composed of representatives from Member States and all regional stakeholders, is consulted on all matters relating to the direction and implementation of ECOWAP. It monitors the commitments contained in the Compact. The CCAF is supported by different ad hoc thematic taskforces in designing specific policies, initiatives or programmes.

In its regional 10-year strategic plan (2016–2025), the ECOWAS, through DAEWR, identified seven food and agriculture objectives to attain its regional goals, summarized as follows:

- Ensure the food security of West African rural and urban populations and the health quality of products as part of an approach guaranteeing the food sovereignty of the region.
- Reduce dependence on imports by giving priority to food production and processing by enhancing and exploiting complementarities and comparative advantages within the region while taking account of specificities of the island or landlocked character of certain rural areas or countries.
- Promote equitable economic and commercial integration of agricultural holdings in national, regional and international markets in order to improve the incomes of the agricultural population, in particular women's incomes.
- Develop human capacity, create jobs, guarantee income upstream and downstream of production and contribute to the development of services in rural areas, particularly in the health sector, with particular attention to the fight against pandemics such as HIV/AIDS and malaria.
- Ensure an intensification of production systems adapted to the different agroecological contexts, to ensure production growth while valorizing and preserving natural resources and biodiversity.
- Contribute to reducing the vulnerability of West African economies and to limiting factors of regional instability and insecurity, particularly regarding natural disasters and in areas related to peace, security and good governance.
- Contribute to equipping West African agriculture with funding mechanisms appropriate to the diversity of farms and value chains and the multiplicity of investment needs.



The attainment of these objectives within the subregion by 2025 is not an easy task. Despite some improvements in its food security and sovereignty programmes, the Community faces four major challenges:

- Ensure food security and sovereignty and cover the nutritional needs of the population, in a context of high population growth and urbanization which give a central role to markets, especially to regional markets.
- Modernize family farms, increase their resilience and better integrate them into the markets by taking into account employment poverty reduction issues, the diversity of family farms, their trajectories and prospects.
- Promote itineraries for the intensification of sustainable and climate-friendly production systems in a context of great diversity of high agroecological zones.
- Structure and develop efficient, labour-intensive value chains to meet the challenge of employment, based on contractualization and fairness in trade relations.

Despite the eminent challenges over the years, the regional governance of food and nutrition security and resilience has been strengthened through several initiatives. The most prominent of these are:

- The Food Crisis Prevention Network – Sahel and West Africa (RPCA), a platform which enables dialogue and coordination with the international community.
- The “Zero Hunger” Initiative – to overcome hunger and malnutrition by 2025. It is intended as a framework for governance reform to address all food and nutrition security dimensions. The Charter for the Prevention and Management of Food Crises in West Africa, Chad and Mauritania (PREGEC Charter) and the establishment of the Global Alliance for Resilience – Sahel and West Africa (AGIR) are part of this initiative. The principles of the Charter constitute the backbone of the Network. The new Charter, approved in November 2011 after an inclusive consultation process, covers the fifteen ECOWAS member countries as well as Chad and Mauritania.
- The Regional Food Security Reserve (RFSR). The Reserve is a genuine regional crisis management instrument based on solidarity and complementary to local-level stocks and national stocks. The RFSR is incorporated into the ECOWAS Revised Treaty, article 25.

Adopted in February 2013 at the ECOWAS Heads of State Conference in Yamoussoukro, Côte d'Ivoire, the Regional Food Security Reserve is an important instrument of regional solidarity. As the main component of the ECOWAS Food Storage Strategy, the Reserve constitutes a third line of response to crises, after local/community level and national food reserves.

### **Global Alliance for Resilience**

The [Global Alliance for Resilience – Sahel and West Africa](#) (AGIR) is a framework that helps to foster improved synergy, coherence and effectiveness in support of resilience initiatives in the 17 West African and Sahelian countries, launched in Ouagadougou (Burkina Faso) in December 2012. The Alliance is placed under the political and technical leadership of ECOWAS, UEMOA and CILSS and is based on existing platforms and networks, in particular the RPCA. Building on the “Zero Hunger” target within the next 20 years, it is a policy tool aimed at channelling efforts of regional and international stakeholders towards a common results framework. A regional roadmap adopted in April 2013 specifies the objectives and main orientations of AGIR.

The ECOWAS Specialised Technical Ministerial Committee on Agriculture, Environment and Water Resources (CTS-AERE) and the UEMOA High-Level Committee on Food Security (CHN-SA) are the Alliance's main regional decision-making bodies. The Sahel and West Africa Club (SWAC), via the RPCA, provides the common space for dialogue, debate, lobbying and advocacy for the Alliance on the international stage. Proposals and recommendations formulated by the RPCA are submitted to the decision-making bodies of ECOWAS and UEMOA.

Since the adoption of the regional roadmap in 2013, all 17 Sahelian and West African countries have engaged in the implementation of national inclusive dialogues to define their national resilience priorities (NRPs). To date, ten countries (Burkina Faso, Cabo Verde, Chad, Côte d'Ivoire, Gambia, Guinea-Bissau, Mali, Niger, Senegal and Togo) have validated national resilience priorities (NRP-AGIR). The resilience dimension has also been considered in the second generation of national and regional agricultural investment plans, in line with the African Union Malabo Declaration of 2014 (Little and McPeak, 2014). This is just the first step of a dialogue process that must be pursued in the long term to consolidate a multisector approach within AGIR.

The overall objective of the Alliance is to “structurally reduce, in a sustainable manner, food and nutritional vulnerability by supporting the implementation of Sahelian and West African policies” (Little and McPeak, 2014). In its long-term plan, the Alliance hopes to eradicate hunger and malnutrition (Objective “Zero Hunger”) completely in the Sahel and West African countries in the next 20 years. In the shorter term, the Alliance aims to build resilience among the vulnerable communities and households in the Sahel and West Africa to prepare countries, communities and the people of the Sahel and West African communities to better manage food security shocks caused by multiple factors. More specifically, the Alliance aims to:

- improve social protection for the most vulnerable households and communities in order to secure their livelihoods;
- strengthen the nutrition of vulnerable households;
- sustainably improve agricultural and food production, the incomes of vulnerable households and their access to food;
- strengthen governance in food and nutritional security.

The Alliance is based on a common reference framework, building on four strategic pillars:

- Pillar 1: Restoring and strengthening livelihoods and social protection for the most vulnerable populations.
- Pillar 2: Strengthening health and nutrition.
- Pillar 3: Sustainably strengthening food production, incomes of vulnerable households and their access to food.
- Pillar 4: Strengthening governance in food and nutritional security.

### **Regional Agency for Agriculture and Food**

The creation of the [Regional Agency for Agriculture and Food](#) (RAAF) by regulation C/REG.1/08/11 of the Commission is part of the Community's operationalization of the agricultural policy of the ECOWAP/CAADP. The principal mandate of the RAAF is to provide technical assistance on programmes and regional investment plans that contribute to the operationalization of the agricultural policies of ECOWAS based







on regional institutions, organizations and actors with proven expertise and thereby promote security, food sovereignty and regional integration in West Africa. The RAAF is headed by the Commissioner of the Department of Agriculture, Environment and Water Resources, acting on behalf of the President of the ECOWAS Commission, with headquarters in Lomé, Togo.

The mission of the agency is threefold:

- Strengthen the technical capacity of intervention and action of the ECOWAS Commission, including the DAEWR, in the implementation of investment programmes to enable it to play to play a full regulatory role (strategic direction, regulation, control, monitoring and evaluation, strategic intelligence).
- Coordinate with a view to streamlining the activities and areas of responsibility of specialized technical institutions in the fields of agriculture and food (agriculture, livestock, fisheries, forestry).
- Contribute to strengthening the capacity of regional actors in the preparation of records and the implementation and monitoring of activities.

To attain its mission, the RAAF has identified four key strategic focus areas:

- a Contributing to increasing productivity and agrosilvipastoral and fisheries production through diversified and sustainable production systems and reducing post-production losses.

Broadly, under this strategic focus area, the Agency promises to ensure and monitor the production of agrosilvipastoral and fish farming as well as land issues and natural resources management such as soil, water, forests and biodiversity, marine and river areas. It also promises to ensure the supply of seeds, inputs and equipment, farm financing, climate and market risk management, agricultural research and advisory support, knowledge management, adaptation to climate change and resilience, the reduction of post-harvest losses, the protection of producers' incomes and the guarantee of decent jobs.

- b Promoting contractual, inclusive and competitive agricultural and agrifood value chains geared towards regional and international demand, with a view to integrating the regional market.

Closely related to strategic area one, strategic area two focuses on the organization and structuring of regional value chains of strategic agricultural and food products, from the collection and marketing of the products right from the farmers' organizations down to distribution, both with ECOWAS and beyond.

- c Improving access to food and nutrition to strengthen the resilience of vulnerable populations.

Succinctly, strategic area three focuses on the dimensions of food and nutrition insecurity, both in its structural or chronic and cyclical dimensions and a combination of factors that affect the nutritional status of children, pregnant and lactating women, and elderly people.

- d Improving the business environment, governance and financing mechanisms of the agriculture and agrifood sector.

Strategic area four is broad and criss-crosses the other three strategic focus areas of the RAAF. Particularly, this strategic focus is on issues related to the financing of agriculture holistically, through the creation of a regulatory environment and, more broadly, a conducive business environment for private sector investment, upscaling of information systems and capacity development for public institutions, professional organizations and civil society.



These strategic focus areas of the RAAF are currently implemented across 14 projects designed to ensure and enable the implementation of the food security strategy within the ECOWAS:

- Social Safety Nets Support Project
- Support Project for the Regional Fruit Fly Management and Control Plan in West Africa
- Support Project for Food Security Storage in West Africa
- Regional Support Project for Professional Farmers' Agricultural Organizations
- Support Programme to the Agroecological Transition in West Africa
- Socio-economic Development Programme for the Transborder Zones Liberated from Onchocerciasis
- Capacity Building Project for the Regional Agency for Agriculture and Food
- Support Programme for Livestock Marketing in West Africa
- Project for the Promotion of Clean and Efficient Vehicles in West Africa/Sustainable Land and Water Resources Management in West Africa
- Integrated and Secure Livestock and Pastoralism in West Africa Programme
- Support Programme for Improved Governance for Resilience and Food and Nutrition Security
- Global Climate Change Alliance Plus Support Project in West Africa
- Ruminants and River Valley Fever Diseases Control and Eradication Support Project in Guinea, Liberia and Sierra Leone
- Support Project to the Dissemination and Implementation of Good Practices for Sustainable Agricultural Intensification

To carry out its mandate, strategies, programmes and projects, the Agency is further structured into three divisions:

- the Administration–Finance Division provides administrative, accounting and financial services,
- the Technical Operations Division ensures coordination, monitoring-evaluation, communication/visibility, results capitalization and projects and programmes achievements,
- the Regional Food Security Reserve Division manages the Regional Food Security Instrument established in 2013 and provides support to the Regional Food Security Storage System.

## Domestic implementation

In April 2015, the ECOWAS Commission adopted an Operational Manual for use by national offices to engage Member States in the effective implementation and monitoring of Community programmes and activities at national level. The main objective of the Operational Manual is to harmonize the structures, enhance the performance and ensure effective monitoring of the implementation of ECOWAS programmes at the national level. Also, the Manual seeks to regulate the conduct of affairs of the national offices, especially in the discharge of the mandate of the office and the utilization of the subvention

allocated to promote integration programmes in the respective countries. Also, to further espouse the implementation of its programmes across the region, a Cooperation Protocol is due to be signed among the regional institutions concerned with the agricultural information systems for the operationalization of the mechanism (ECOWAS, UEAMO, CILSS, FAO/SRO).

## Possible areas for collaboration and needs for capacity building

There is potential for FAO to collaborate with the ECOWAS in training staff to monitor and evaluate the implementation of its programmes at the national level. This is particularly important because, from 2010 onwards, several cooperation projects with technical and financial partners have been negotiated within the ECOWAS that are yet to be fully or partially implemented. These cooperation projects include:

- the West African Agricultural Productivity Programme (WAPP),
- the joint UEMOA–ECOWAS project “Marketing Inputs Regionally (MIR) Plus”,
- the Food Facility project,
- the West African regional food security project.

In addition, as noted regarding CILSS, the recently launched West Africa Food Systems Resilience Program (FSRP), which brings together ECOWAS, CILSS and the West African Council for Agricultural Research (CORAF) and which envisions support to regional and national policies aimed at preventing land degradation, is another timely window of opportunity for collaboration with ECOWAS.









# The Economic Community of Central African States

## Introduction

In December 1981, the leaders of the Customs and Economic Union of Central African States (UDEAC) agreed to form a wider economic community. The [Economic Community of Central African States](#) (ECCAS) was established in October 1983 and has 10 Member States – Angola, Burundi, Cameroon, Central African Republic (CAR), Chad, Congo, Democratic Republic of Congo (DRC), Equatorial Guinea (REG), Gabon and São Tomé and Príncipe (STP). ECCAS was inactive for several years due to financial constraints, [conflicts in the Great Lakes area](#) as well as the war in DRC where Member States (Rwanda and Angola) were fighting on different sides. In October 1999, ECCAS was formally designated into the African Economic Community as one of the eight pillars of the African Union.

ECCAS aims to promote cooperation and the strengthening of regional integration in Central Africa in all areas of political, security, economic, monetary, financial, social, cultural, scientific and technical activity with a view to achieving collective autonomy, to raise the standard of living of the population, to increase and maintain economic stability, to strengthen and preserve the close peaceful relations between its Member States and to contribute to the progress and development of the African continent.

The institutional reform of the Community was ordered by the Assembly of Heads of State and Government of ECCAS at its sixteenth ordinary session held in N'Djamena on 25 May 2015. On this occasion, the Conference approved the proposal made by the General Secretariat “to initiate a profound reform of ECCAS” ([Medium-Term Indicative Strategic Plan 2021–2025](#) of the Economic Community of Central Africa, page 7) and agreed to the immediate start of this process under the authority of the current President of ECCAS.

ECCAS is the only REC on the continent that borders all the others, including ECOWAS, IGAD, EAC and SADC. Consequently, it serves as a pivotal region in the continental integration process.

## Mandate

The [objectives of ECCAS](#) for the purpose of achieving these aims are:

- the elimination of customs duties and any other charges having an equivalent effect on imports and exports between Member States;
- the abolition of quantitative restrictions and other trade barriers;
- the establishment and maintenance of an external common customs tariff;
- the establishment of a trade policy vis-à-vis third States;
- the progressive removal of barriers to the free movement of persons, goods, services and capital and to the right of establishment;



- the harmonization of national policies in order to promote Community activities, particularly in industry, transport and communications, energy, agriculture, natural resources, trade, currency and finance, human resources, tourism, education, culture, science and technology;
- the establishment of a Cooperation and Development Fund;
- the rapid development of States which are landlocked, semi-landlocked, island or part-island and/or belong to the category of the least advanced countries;
- any other joint activities which can be undertaken by Member States for achieving Community aims.

## Governance structure

The ECCAS structure includes the Conference of Heads of State and Government, Council of Ministers, Secretariat General (one secretary-general elected for four years and three assistant secretaries-general), Court of Justice and Commission.

The current leadership of the Commission were sworn in on 30 July 2020 during the seventeenth Ordinary Session of the Conference of Heads of State and Government held by videoconference. The seven members of the ECCAS Commission have been given the mandate to lead the Community's [objectives and vision](#). The mandate of the Commission includes the following:

- To ensure total commitment to the mission entrusted to ECCAS at all levels of its work;
- To promote inclusion, which will ensure integration within the structures of the Commission, the best available frameworks of all Member States of ECCAS;
- To ensure and uphold the integrity of officials and agents at all levels, and promote ethics and professionalism to ensure the full success of the mission of the Community;
- To reinforce and strengthen the spirit of solidarity, combined with collegiality, between Member States to commit themselves and assume their responsibilities vis-à-vis the Community.

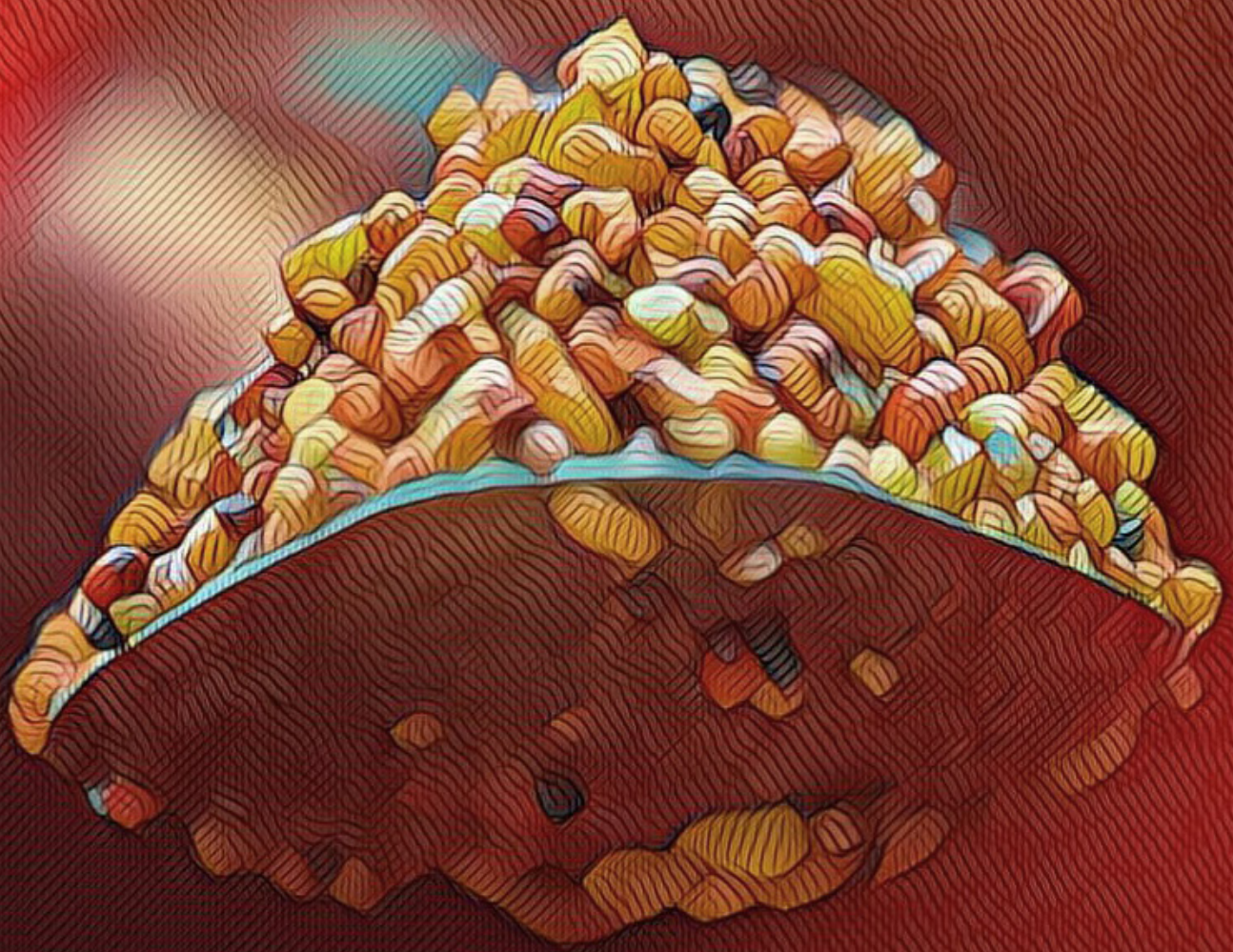
## Possible areas for collaboration and needs for capacity building

FAO is already working with ECCAS, together with CEMAC, IFAD and PROPAC, on the development of a draft Action Plan on Central Africa and an accompanying roadmap for implementation.

The idea behind the Action Plan is to provide a framework for strengthening regional policies, including the Common Agricultural Strategy of CEMAC, as well as persuading Member States to create and adopt National Action Plans related to food and nutritional security. The Common Agricultural Policy is in the process of being honed for the CEMAC and ECCAS. The central objective of the policy is to strengthen the subregions' Regional Programme for Food Security; the Regional Agricultural Investment, Food Security and Nourishment Programme; the Special Regional Agricultural Development Fund; the Regional Cotton and Textiles Development Strategy; and to establish a Regional Animal Health Centre.

This remains an important area for collaboration between FAO and ECCAS.







## Conclusions and recommendations

It is evident, from the foregoing analysis, that food and agriculture are critical pillars in the institutional, legal and policy arrangements of the AU and its RECs. In the main, the AU and its RECs have the mandate, directly and at times impliedly, to develop and implement policies related to food and agriculture on the continent. These mandates are broadly buttressed by governance structures, which are adequately designed to implement the objectives of the respective organizations.

To this end, an impressive array of legal and policy instruments – plans, action plans, strategies and others – have been devised and implemented to varying degrees. A particularly useful indicator in this regard relates to the commitment by States, undertaken under the 2003 Comprehensive Africa Agriculture Development Programme (CAADP) and the 2014 Malabo Declaration on Accelerated Agricultural Growth and Transformation for Shared Prosperity and Improved Livelihoods (Malabo Declaration), to dedicate at least 10 percent of their budgets to agriculture. This lofty goal has been accompanied by only the most lukewarm implementation, with only one country – Rwanda – being set to achieve this goal (AUDA-NEPAD, 2022).

This brings into sharp focus the continuing work required to be done by FAO – at the regional, subregional and national levels – to support implementation of legal and policy commitments, including through building the capacity of relevant policymakers and technical persons. In this regard, in addition to the specific recommendations included in relation to each organization, broader recommendations are outlined for consideration by FAO:

- i **Capacity building:** FAO should continue its regular training of policy and technical staff of identified organizations and, where necessary, second its own experts to those entities. In particular, RECs need continuous technical support for uptake of the AfCFTA opportunities, especially in agricultural goods and services. RECs also require support in the prioritization of the harmonization of trade regimes, rules of origin and non-tariff barriers. This could also cover regulatory reforms to improve agricultural trade facilitation, and to enhance access to finance for the private sector working in areas of agriculture.
- ii **Knowledge generation and management:** This involves the systematic consolidation and popularization of existing normative frameworks developed by various organizations, including, where appropriate, in the form of compendia.
- iii **Monitoring domestic adoption of regional and subregional laws and policies:** This could take the form of an online tracker designed to capture developments at the national level, including passage of laws and policies relevant to food and agriculture.
- iv **(African) Community of knowledge:** FAO should seek to generate a community of knowledge, reduce duplication of efforts and better coordinate normative development and implementation. For this purpose, FAO should seek to establish regular coordination mechanisms to inform these organizations of developments at the national level and support them in developing appropriate responses. FAO's existing roster of experts could provide a good starting point for building the community of knowledge.
- v **Partner convening:** FAO is uniquely placed to regularly convene relevant organs working on food and agriculture in the AU and its RECs to foster enhanced cooperation, information sharing and coordination.

- vi **Climate change resilience:** The impact of climate change remains a major deterrent to farming and food supply chain structures in the RECs. FAO should seek to collaborate with the RECs, for example in areas with massive rainfall (the Congo Basin) and areas experiencing severe drought (the Sahel), to develop and implement policies and legislation that would mandate Member States to engage in durable and sustainable methods of farming.
- vii **Sustainable farming:** FAO should seek to support the AU and RECs in encouraging a blended method of advanced and sustainable farming that would encourage and capacitate both large-scale and small-scale farmers to adopt technology as well as traditional methods of farming, to enhance productivity and increase levels of food supply.
- viii **Access to funding:** FAO should work with the AU and RECs to capacitate farmers on proposal writing and introduce them to funding platforms and organizations to enable them to apply and hopefully gain access to the much-needed funds to improve farming methods and food supply.
- ix **Normative development within RECS:** Specific normative frameworks in RECs should be supported and/or developed to address challenges in productive capacity and poor physical infrastructure and promote the digitalization of markets and information systems in coordination with AfCFTA.

These recommendations are broadly formulated. The specific needs of each of the organizations would require tailored interventions by FAO. Accordingly, to ensure ownership and appropriateness, FAO should engage the relevant organs of the organizations to craft a comprehensive set of objectives, partnerships and activities.



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