



## 3<sup>rd</sup> PAN-AFRICAN CONFERENCE ON SEED GOVERNANCE

State and non-state actors partnership for resilient seed systems in  
Africa

### CONCEPT NOTE

**Venue:** Hotel Radisson Blu, Niamey, Niger

**Date:** 21-23 August 2024

**Organised by** the Alliance for Food Sovereignty in Africa (AFSA), the  
Raya Karkara agroecological platform and SWISSAID Niger.

### Content

<b>State and non-state actors partnership for resilient seed systems in Africa</b> .....	1
<b>Background to the conference</b> .....	2
<b>Rationale for the conference</b> .....	4
<b>Aim of the conference:</b> .....	6
Conference objectives: .....	6
Expected outcomes of the conference .....	6
<b>Conference participants</b> .....	6
<b>CONFERENCE OUTLINE</b> .....	7

## Background to the conference

Seeds are the very basis of human society and have been for all of human history. They are the foundation of agriculture and food in Africa. Their importance for food sovereignty is well known. Farmers who have access to locally adapted seeds can produce diversified crops and food adapted to their needs and local socio-ecological conditions. The genetic diversity of local seeds is crucial to support climate resilience and maintain cultural practices of communities. This is why seventy percent of food production in Africa is still in the hands of family farmers and peasant farming systems. Farmer managed seed systems (FMSS) under communities control are the main source of seeds for family farms. They are often used in intercropping. These systems based on mass selection of seeds from food production fields, from preferred plants and year after year are the basis of crop domestication over the 10 000 years of agriculture. This has led La Via Campesina to say that 'all industrial seeds are the product of thousands of years of selection and breeding by our peoples'. These seeds not only satisfy food needs, but are also used to express communities' specific culinary preferences and socio-cultural identity. Products from these FMSS make up the bulk of foodstuffs on local markets, providing healthy nourishment for the majority of the African population, both in rural areas and in growing urban areas. FMSS are connected to food supply and distribution systems. African farmers and citizens recognise the potential of farmers' seeds and traditional varieties for various roles they play.

However, local markets and African markets in general are increasingly being invaded by imported agricultural products, which are highly subsidised and come from cropping systems that make intensive use of synthetic agrochemical inputs. Under the pretext of globalisation and food security, policy-makers have opened up markets and exposed local produce to unfair competition. Worse still, pressure is being exerted on Africa to use industrial seeds, including genetically modified (GM) and hybrid seeds, making farmers increasingly dependent on monoculture systems and external seed markets. These markets are owned, controlled and designed by and for corporate value chains. What's more, these seeds often require public subsidies, particularly for synthetic fertilisers, to ensure that farmers have access to them. Their presence therefore contributes to genetic erosion and soil degradation. Industrial seeds, particularly maize, inexorably force farmers to abandon highly resilient, community-controlled and nutritious traditional crops such as millet, sorghum, various local vegetables and legumes, which are often grown in association.

In addition to genetic erosion and the dependence of our agriculture on seeds, the move towards cash crops (cotton, groundnuts, tea, etc.) is leading to much less diversified local diets. This creates various forms of undernutrition, in particular chronic malnutrition (or stunting), caused by a lack of essential minerals and vitamins in the diet, which remains terribly high throughout Africa. Stunting leads to irreversible physical and cognitive impairment in children. In Africa, the number of stunted children is increasing tragically, from 54.4 million in 2000 to an estimated 60 million in 2025. For example, in 2018, 35% of Zambian children were stunted, compared with 47% and 37.8% of Nigerian and Chadian children respectively in 2022. These figures are well above the very high threshold defined by the WHO (30%). In response to these situations, biofortification is often proposed. However, in Chad for example, a farmer's variety of sorghum has traditionally been used (now adopted by health structures) with great success in the recovery of affected children. There are certainly many other similar cases on

the continent.

Until very recently, farming and seed breeding were undertaken by farmers on their own land, season after season. However, we are now witnessing the separation of these two interdependent activities, with seed breeding increasingly being privatised and farmers becoming increasingly dependent on seed varieties made available to them by seed companies. This process of separation began in Europe and North America at the turn of the nineteenth century, and continues today in developing countries...<sup>1</sup>". The past few years have witnessed growing external investment in African agriculture, including in seed systems. Africa is thus seen as the 'new frontier' of wealth accumulation. Rising demand and constrained supply suggest profits can be made through investments in agricultural production. All investors share the principle that private enterprise is the ideal path to pursue. They do recognise that states can play a role, either in providing the basic infrastructure or more directly in public-private partnerships, especially around plant breeding research and development (R&D). However, when it comes to propagating, multiplying and distributing seeds for commercial use, these investors stand as one in the belief that this must be owned and managed privately for gain. The immediate emphasis is not on direct ownership by multinationals. Rather the short-term focus is on building markets. This means business and technical skills, institutional arrangements and physical infrastructure (left to the public sector as far as possible, since few capitalists will be willing to invest in collective goods that their competitors will also benefit from). Successful seed companies may be acquired by multinationals at a later stage. What is of interest to them in these early stages is to set the legal framework for private ownership over germplasm, and this is the current frontline of the battle for control over genetic resources. This may take the form of acquisition of companies that hold locally-adapted germplasm or it may take the form of securing intellectual property rights (IPR) over imported varieties and techniques. IPR is a recent invention by industry, adoption of the 1991 Act of the International Union for the Protection of Plant Varieties (UPOV (<https://www.youtube.com/watch?v=JJmJg8157M>) being central to this project, with the aim to: 1) Recoup investments and maximise profits by stopping farmers from saving, sharing or selling seed; 2) Stop competing seed producers from using the seed for commercial purposes; and 3) Stop seed breeders, public or commercial, from using a protected variety or technology in the development of a new variety. IPRs thus ignore all 10000 years of seed domestication by farming communities. Worst, Africa is embarking on a process of Harmonisation of Africa's seeds laws inspired by UPOV regulations.

Africa seed governance becomes then questionable. Governance refers to the interactions between structures, mechanisms and traditions that determine how power, regulatory processes and practices and responsibilities are exercised, decisions are made, and individuals and other stakeholders are in a position to give their views on the management of a specific topic, including seeds. From a human rights perspective, it refers above all to the process by which public institutions conduct public affairs, manage public resources and ensure the realization of human rights.

Why the African Model Law, endorsed in 2000 by the African Union (AU) is still dormant? It recognises Plant Breeders' Rights and provides for their protection, but balances such protection against the rights of farmers and communities. For whom's interests Africa's seed laws being harmonized? Who took part to this harmonisation?

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<sup>1</sup> <chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://acbio.org.za/wp-content/uploads/2022/04/Harmonisation-of-seed-laws-in-Africa.pdf>

## Rationale for the conference

In June 2022, AFSA hosted a conference in Senegal focusing on seed governance, attended by representatives from 23 African countries. The conference aimed to address challenges in seed governance and promote farmer managed seed systems (FMSS) for sustainable agroecological transition. It emphasized the importance of continental seed sovereignty initiatives and urged the African Union to enhance its guidelines on seed regulation. Following this, farmers' seed festivals and webinars were organized to scale up FMSS narrative, garnering media attention and policy maker recognition.

Implementing recommendations from webinar series of 2022, a three-year campaign strategy titled "SEED IS LIFE" was developed in March 2023 in Benin with the aim of having FMSS officially recognized and promoted in at least 50% of African countries rejecting GMOs. This campaign gained support from various organizations such as 3AO (Alliance pour l'Agroécologie en Afrique de l'Ouest) and SKI (Seed and Knowledge initiatives). Subsequently, a second pan-African conference on seed governance was held in Tanzania in August 2023, where recommendations were made to advance FMSS policies. With delegates of 27 african countries including policy makers and AUC representative, one of the conference results was the consolidation of the continental seed movement.

AfricaSeeds, in its October 2023 virtual dialogue, focused on FMSS to diversify seed systems (systems <https://www.africa-seeds.org/en/our-work/high-level-dialogue/>), leading to plans for a physical conference in 2024. Additionally, the AUC initiated a study in early 2024 to update knowledge on seed systems, with a focus on FMSS. These are signs of FMSS uptakes by institutions.

Given that one reason for the production of the AUC's "*continental guidelines for the harmonisation of seed and regulatory frameworks*" is the supposed success of the Harmonised Regional Seed Regulations at RECs' level, it's important to note that in all the RECs, harmonization has been a contentious issue, and has been slow to materialize in practice, if any. During the process of harmonizing regional texts around 2010s, FMSSs were ignored and farmers' seeds criminalized. Today, some 10 years later, the situation has changed and several factors militate in favor of a reconsideration of seed policy orientations. In addition to what has been said above about AfricaSeeds and the African Union with regard to FMSS, it is important to highlight the followings:

- On 2024 April 24<sup>th</sup>, the European Parliament voted the regulation on the production and marketing of plant reproductive material in the EU. It reduced number of restrictions of farmers' rights on seeds.
- On 2024 January 26<sup>th</sup>, in an article of the NewYorkTimes - A 'Revolutionary' Way to Feed the World That's Very Old -, the U.S. global food security envoy is pushing to bring back traditional African crops that American policies helped to sideline, namely in seed policies.
- Ukraine Russia war : many countries, particularly in Africa, have experienced shortages of cereals and, above all, of the fertilizers needed to accompany the use of commercial seeds.
- AfricaSeeds reported that the disruption caused by COVID-19 has led to a reduction in agricultural production due to the unavailability of quality seeds required for timely sowing, both in time and space. It was recommended that the problem of the effects of the pandemic on the seed sector be addressed along the seed value chain. It has been established that the

effects of the pandemic on the seed sector are diverse, for example : a drop in applications for seed production approvals and ; disruptions to seed distribution.

- Covid-19 consequences include a reduction in seed production activities, reduced availability and access to quality seeds on the market and a reduction in certain types of agricultural production.

Both Ukraine-Russia war and Covid pandemic have created an identity withdrawal and a heightened awareness of the need for food sovereignty. In countries like Senegal, the nomenclature of ministries has changed, and the Ministry of Agriculture now includes the concept of food sovereignty. Seed sovereignty is key to food sovereignty.

To improve productivity and food security, many of our countries have embarked on seed policies (training, research, extension, etc.) based on a certification system for so-called high-yield, climate-resilient or early varieties. Enormous financial and human resources have been mobilized for decades. However, access to and availability of these seeds remain problematic. Despite receiving no public support, farmers' seed systems have weathered every crisis (fertilizers, pandemics, conflicts, climate, finance, etc.). It has been reported that in several African countries, seeds from these systems have been used during the last two crises, and have performed very well with agroecological practices.

In the Alliance for Food Sovereignty in Africa (AFSA)'s strategic plan 2019-2024, the seed working group stated the following goal « Continue to strengthen regional platforms that support Farmer-Managed Seed Systems, and influence seed policy and legislation to support FMSS ». To date, FMSS narrative reaches a level it rarely reached on the continent. With contributions of several initiatives from village to national levels, from local to national organizations, from farmer to media and food rights proponents ; there's now a seed sovereignty movement on the continent and SEED IS LIFE campaign succeeded to set a clear and unified demand to academics, policy makers, local governments, members of parliaments and to the AUC : policy spaces for FMSS !

As part of its work to galvanise the seed sovereignty movement on the continent, the AFSA Seed Working Group will hold an annual Pan-African Seed gathering in August 2024 in Niamey, Niger. This will be the 3<sup>rd</sup> of its kind, following those in Dakar in 2022 and Dar Es Salam in 2023. The conference will build on some government officials, including those working at RECs' level, who are very aware of FMSS and agrobiodiversity potentials for food sovereignty. It will initiate dialogues between seed movements and regional institutions to anticipate the results of the study launched by the AUC on FMSS. In addition, the conference will strengthen collaboration between FOs, CSOs and government delegates (or focal points) for the implementation of international decisions on plant genetic resources (ITPGRFA) and biodiversity (CBD). It is important for these three parties to get to know each other and support each other where the need is great.

## **Aim of the conference:**

Dialogue and collaboration spaces on Seed governance are strengthened between policy-makers in the Regional Economic Communities (RECs), farmers' organisations (FOs) and civil society organisations.

### ***Conference objectives:***

1. Analysing the contribution of seed governance systems to achieving food and nutrition security in Africa.
2. Analysing and improving seed governance tools with a view to defining public policies for seed sovereignty.
3. Strengthening synergies among seed sovereigntists accros Africa.

### ***Expected outcomes of the conference***

- Participants understand impacts of seed policies and integrate the potential of farmers' seed systems to guarantee food and nutritional security into the development of local, national and regional seed, agricultural and food programmes.
- REC decision-makers are aware of Farmer managed Seed Systems tools and improve their collaboration with CSOs and FOs on seed governance bodies at local, national, regional and global levels (ITPGRFA, CBD, etc.).
- "Seed is life" campaign is well known and understood by conference participants.

## **Conference participants**

The conference will bring together around 140 participants from Africa and key international partners. They will represent farmers (30), environmental lawyers (05), governments (25: members of parliament, local authority representatives, ITPGRFA and CBD focal points, RECs officers, etc.), national agricultural research institutes (10), youth organisations (10), women's organisations (15), faith-based organisations (05), other specialised NGOs (35) and the media (05).

**NB:** Around a hundred participants are sponsored, including around twenty nationals (Niger), and around 40 additional places for self-sponsored participants.

# CONFERENCE OUTLINE

## Day 1: STANDARDS : updating, understanding and assessing impacts of seed policies implementation

- Opening ceremony including :
  - 10-20mn sketch on seeds (*Seed is life Campaign in action*)
- Key note speech1 : Recalling the rationale and history of seed regulations across the world/Africa
- Processes of harmonising seed regulations at RECs level (drivers, results and lessons) : ECOWAS, SADC, UMA – **15' each**
  - Questions of clarification – **20'**
- Progress and challenges in implementing harmonized seed regulations at RECs and country levels: EAC, CEMAC, **country case?** – **15' each**
  - Questions of clarification – **20'**
- AUC GUIDELINES FOR THE HARMONIZATION OF SEED REGULATORY FRAMEWORKS – **15'**
- AfCFTA and its IPR protocol – **15'**

Group work (world Café?): key lessons from the above? What should change? ...

- Day 1 ends **16:30**

## Day 2: MANAGEMENT MECHANISMS FOR FARMERS' SEED SYSTEMS: Exemples

- Recap of day 1 : highlights, learnings and recommendations **9:00**
- (*Seed is life Campaign in action*) **9:30**
- 4. Key note speech2: Threats /lockings to FMSS : [SeedAttach](#) and Create awareness about current seed policies threats to FMSS & Seeds liberalization process in Europe (M Goïta speaker) **10:00**
- Existing, proposed and successful mechanisms for FMSS's operations. Each of the below sub theme refers to a break out room. An introductory speech will set the scenario (update); facilitation team's guiding questions will led the group's outputs **11:30**
  - Progressive seed laws: Ethiopia and Mali cases
  - AFSA proposed legal framework
  - Seed register, National gene bank and community seed banks
  - Open source seed systems, alternative measures to protect seed from privatisation
- Plenary session to feedback on group works **14:30**
- Day 2 ends **16:30**

## Day 3: tune fine "SeedIsLife" campaign's strategy

- Recap of day 2 : highlights, learnings and recommendations **9:00**
- (*Seed is life Campaign in action*) **9:30**
- How can Farmers organisations, CSOs and decision-makers work together towards seed

sovereignty? Each of the below sub theme refers to a break out room. An introductory speech will set the scenario (update); facilitator guiding questions will led the group's outputs **10:00**

- Undrop, ACHPR and Universal Periodic Review (UPR)
- Plant treaty and CBD
- UPOV and AfCFTA IPR
- Seed governance at regional and continental levels
- Plenary session to feedback on group works **12:00**
- Conference statement and closure **13:30**
- Day 3 ends **14:00**