

Seed sovereignty for peasant farmers in Malawi blocked by emerging national seed policy

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September 2017

The government of Malawi is poised to adopt a draconian National Seed Policy that blocks peasant farmers' opportunities to secure and strengthen farmer-managed seed systems (FMSS), and which would undermine farmers' rights and the International Treaty on Plant Genetic Resources for Food and Agriculture, to which Malawi is a party.

An ad hoc stakeholder policy dialogue on the draft National Seed Policy held at the Ministry of Agriculture headquarters in Lilongwe (Malawi) on 07 September 2017 marginalised the voices of farmers and civil society at large. It dismissed out of hand concerns that have been made via various submissions and petitions. Civil society raised the following three key aspects: the omission of FMSS from the National Seed Policy framework, including the narrow scope of the definition of seed; the implications of harmonising regional seed trade regulatory systems under the auspices of the Southern African Development Community (SADC) and the Common Market for East and Southern Africa (COMESA); and lack of recognition and protection of farmers' rights.

The meeting advanced provisions in the policy framework that require standardisation and certification of seed varieties by mandating government registries to regulate plant varieties for genetic homogeneity. The provisions automatically sidelines economically and ecologically viable farmers' varieties from Malawi's seed sector. They were advanced despite assurances from the Ministry of Agriculture, Irrigation and Water Development (MoAIWD) that resources will be mobilised for the development of subsidiary legislation to give meaning to farmers' rights and FMSS.

The value of farmers' varieties, which are often mixtures, is in their diversity and adaptability over time, rather than their uniformity and stability. Diversity and adaptability are qualities less easily quantifiable and not suitable for commercialisation. Shockingly, the draft National Seed policy has been developed on the premise that agricultural innovation may only take place off-farm and in the hands of "professional breeders and scientists".

While Priority area #4 of the draft National Seed Policy establishes practical mechanisms through the Quality Declared Seed regulatory system to regulate organised farmer groups, like those participating in out-growers schemes as part of local seed business undertakings (business-oriented, collective seed production and marketing), the framework is

completely silent on providing technical support and space for farmers' participation in agricultural research endeavours. It totally ignores the need for continued maintenance of diverse crop varieties, which are vital to ensure food security and resilient food systems. Not only is this inconsistent with national nutrition policies, but it also does not recognise small-scale farmers' valuable contributions to the conservation and development of plant genetic resources for food and agriculture (including development of conventional varieties), which constitutes the basis of livelihood resiliency in Malawi.

The draft National Seed Policy also includes some rather hostile provisions that undermine the rights of farmers to save, use, and re-sow farm-saved seeds. The provisions bar farmers' groups from recycling seeds of protected varieties, while encouraging farmers in general to buy and use newly purchased seed annually from certified seed agencies. The policy aims to discourage the recycling of self-pollinated seed beyond the genetically recommended recycling time (policy statement #2). Notably, the draft National Seed Policy includes a chapter on breeders' rights, but is completely silent on farmers' rights.

Civil society in Malawi should call on the MoAIWD in Malawi to postpone the adoption of the draft National Seed policy and institute an immediate review of the framework, on the basis of a seed sovereignty agenda. Such a review should provide legal space to FMSS in Malawi and clearly recognise farmers' rights.