



## Letter to The ASBP Technical Working Group on Farmer Managed Seed Systems regarding the EOA-FMS Cluster Group

August 2021

The ACB was invited to input into documents, as well as participate in a meeting held by the African Seed and Biotechnology Partnership Platform (ASBP) technical working group (TWG) on Farmer Managed Seed Systems (FMSS) Cluster, being led by the Ecological Organic Agriculture (EOA) Initiative, following The Executive Council's decision on organic farming Doc. EX/CL/631, taken in 2010. This decision requested the AU Commission and its NEPAD Planning and Coordinating Agency:

- I. To initiate and provide guidance for an AU-led coalition of international partners on the establishment of an African organic farming platform based on available best practices;
- II. To provide guidance in support of the development of sustainable organic farming systems and improve seed quality;

The now ASBP-TWG recognises the importance of FMSS in the implementation of the above Decision, and aims to ensure the consideration of organic seed systems in the seed development sector.

The AU is currently embarking on a mission towards harmonizing seed regulatory frameworks across the Continent, beginning with the establishment of Guidelines in this regard. Once the Guidelines are validated and adopted at the AU level, the process will eventually develop into a Continental Seed Harmonisation Programme for Africa.

In the Concept Note shared by the EOA Cluster Seed TWG, it mentions how at the last meeting of the ASBP Steering Group (SG), concerns were raised on the process of harmonizing seed regulatory frameworks across the continent, which was focusing on the formal and commercial seed sector, while completely neglecting and even criminalising FMSS, and failing to recognise Farmers' Rights within the harmonisation process. While the ACB was not at that meeting, the ACB, along with partners, have been following and participating in the process to develop these Guidelines, and have made substantial inputs, which have been integrated into the Draft Guidelines, and in these discussions.

The ASBP WG recognizes that the FMSS serve as the main source of seed for many African farmers providing 90% to 100% for several traditional and vegetative propagated crops, and perceives that harmonisation efforts can be complementary to both FMSS and the commercial seed sector, and intends that provisions in the Guidelines:

- I. Make FMSS a general standpoint by almost all African governments, where farmers can freely produce, use and exchange farmer-based varieties, without infringing seed regulations.
- II. Do not use the Continental Harmonisation process to formalize FMSS and farmer saved seeds – and rob these seed of their attractiveness to farmers.

While these are important recognitions and provisions, there are some key missing points, which we believe are crucial. Firstly, FMSS are not only about the production, use and exchange of seed, around 50% of all seed sourced through FMSS are from local markets. Therefore, the *sale* of farmer seed must be incorporated into any definition or provision related to FMSS. This is important from a seed, food, nutritional and livelihood security perspective. The recognition of FMSS must go hand in hand with the recognition for the local economies they sustain, and that sustain them.

Secondly, as Farmers' Rights is a fundamental component of FMSS, it is necessary to ensure that no seed law or regulation infringes on the functioning of these systems, rather than vice versa. Farmers' Rights is linked to a bundle of human rights stemming across rural and urban areas, and must be secured and realised before complying with commercial and private interests inherent in seed trade and PVP Laws.

The ACB participated in an EOA-FMS Cluster meeting, and the Concept Note shared outlines some important points to consider collectively, and indeed does take this discussion forward. While we appreciate the invitation to provide input, we believe that this meeting had a preconceived agenda. While we understand different opinions are there, and indeed necessary, we cannot condone the misrepresentation of FMSS and Farmers' Rights.

The promotion of FMSS and FRs cannot be considered simply as "graduating" subsistence farmers into commercial farmers and into commercial value chains. The age-old dogmatic approach of subsuming smallholder farmers into commercial supply chains has not only failed on the continent, but has deepened hunger, inequality, the concentration of agricultural and food sectors and supply chains, through the widespread narrative promoting agricultural extractivism on the continent, with the few promised, low-waged jobs to show for it. We cannot condone this approach, and unfortunately could not participate any further after this blatant side-lining of representing farmers and the diverse voices on the continent.

We are deeply concerned that despite the emphasis on FMSS, that the discussion tended to be about focusing almost exclusively on commercial interests, and the commercialisation of FMSS and Farmers' varieties. This does nothing to ensure that adequate resourcing is provided to the ground, to promote, maintain and develop local solutions regarding the conservation and sustainable use of farmers' seed, and through the realisation of farmers' rights.

In our opening statement we made it clear that FMSS are not for sale, and that we would be unable to participate and support a process, which does not ensure farmers define and lead the way.

While we commend the ABSP and the EOA FMS Cluster for bringing actors together to discuss how to further give recognition and support the FMSS, we are concerned that this meeting was geographically biased, held primarily with civil society organisations and individuals from East Africa, with no representation of farmers from smallholder farmer networks/ organisations. In addition, this meeting was done only in English, with no interpretation with therefore an incredibly top-down, exclusive conceptualisation of developing ToRs to cover:

- I. Standards and protocols for exchange and use of FMSS
- II. Genetic improvement and conservation strategies
- III. Mobilization of the national, regional and continental facilities for FMSS conservation
- IV. Development and strengthening national, regional and continental FMSS networks

We believe that before any decisions are made on FMSS, farmers should be consulted and give their full consent in participating in such a process. Despite this the programme still went ahead and further discussions on the guidelines for standards for FMSS, and development of an FMSS vision and mission and detailed activities – without the actual people working on the ground, the farmers themselves. The first step therefore must be to map FMSS networks and those involved, and ensure their involvement, in order to give

this process legitimacy. We believe that this process must move slowly, and we regard the objectives for this initial meeting as too ambitious and overzealous. Only then when African farmers are on the table then it will be possible to start developing ToRs and Action plans for FMSS. We respectfully believe that CSOs despite our role and position in supporting farmer organisations, that we cannot speak on behalf of the millions of farmers in Africa.

We call on the ASBP to ensure any process that aimed at FMSS must ensure the realisation of Farmers' Right, and ensure adequate, geographical representation from smallholder farmer organisations from across the Continent from the beginning, and to halt any development on ToRs, plans, actions and roadmaps and any discussions on the content and standards of FMSS, until this is put in place.

Kind regards



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