

REGIONAL AND INTERNATIONAL AGREEMENTS TO FACILITATE SEED TRADE

Seed Trade Association of Kenya
SEMIS- NPPOs & NSCA Short Course
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2 types

1. International- Technical

- a. OECD Seed Schemes – Field certification
- b. ISTA laboratory methods
- c. IPPC disease movement

2. Regional – Trading blocks, Policy

- a. EAC / ASARECA
- b. SADC
- c. COMESA
- d. WASA



Introduction

EAC / ASARECA

- Rationalization and harmonization of seed policies, laws, regulations and procedures initiated in 1999.
- By the Eastern and Central Africa Program for Agricultural Policy Analysis (ECAPAPA), precursor to PAAP
- The process involved
 - national studies on key constraints
 - consultation on opportunities for improvements and
 - dialogue between the countries to reach common agreements.

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Introduction cont.

- Technical agreements reached in 2002
- From 2002, individual countries have been modifying their policy environments to conform to the common agreements through review of policies, laws and regulations.
- But to date, changes minimal

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HARMONIZATION OF SEED REGULATIONS

- ASARECA undertook study on regional seed markets in late 1990's
- Study showed seed markets were too small to attract investment
- Each country had different laws, policies, regulations and standards
- Harmonization was key to addressing the identified issues

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Key areas

Five key areas were identified to restrict seed movement in region:

- Variety evaluation, release and registration process
- Seed certification
- Phytosanitary measures
- Plant Variety Protection
- Import/export documentation



Process

- National resource persons were hired to undertake country studies in 1999
- The country reports were discussed nationally
- The outputs were discussed with national policy makers

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Process cont..

- Regional consultations held, with input from national and external resource persons
- Agreements were finally arrived at in June 2000
- These were summarized in ASARECA Monograph No. 4 of 2000

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MECHANISM OF IMPLEMENTATION

- Seed Regional Working Group (S-RWG) established June 2001
- However, there was no progress
- S-RWG transformed to Eastern Africa Seed Committee (EASCOM) from Nov 2004, to include policy makers

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COMPOSITION OF EASCOM

each ASARECA member had 4 reps as follows:

- National Seed Trade Associations
- National Certification Agencies
- Ministries of Agric policy dept
- Plant breeders assoc/NARI

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Agreements

- Technical agreements were reached in the 5 areas in 2002.
- Additionally an independent National Designated Authority to oversee the agreements was recommended
- Little progress was achieved in implementation of the agreements
- Formation of EASCOM to effect implementation in 2004
- Members NDA, Seed Industry, Ministry (Policy) and Breeders
- Nature of agreements either **Legal** or **Procedural**



EASCOM's functions

- Influence review of seed policies, laws and regulations to implement agreements
- Strengthen national seed and plant breeders' associations
- Develop and maintain data bases and disseminate information to stakeholders
- Spearhead capacity building for seed industry stakeholders



EASCOM Functions cont.

- Represent seed industry in regional economic blocs - the East African Community (EAC) and the Common Market for Eastern and Southern Africa (COMESA) Committees
- Create an effective network of seed industry stakeholders in the region
- Enhance seed market development
- **Strengthen the Private-Public partnerships**

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Progress in implementation of harmonization agreements in ECA countries

Policy milestone	Achievements by country to date	Work in progress
Enacted legislation (Seed Act) that accounts for harmonization agreements;	Burundi (Seed Act 2009), Kenya (Seed Bill revised in 2010), Madagascar Seed Act 1994 reviewed in 2010, Rwanda (Seed Act 2003), Tanzania (Seed Act 2003), Uganda (Seed and Plant Act 2006)	Review of: Sudan Seed Act 2006; Uganda draft Plant Variety Protection Bill of 2008; Ethiopia Seed Proclamation of 2006 revised in 2010;
Finalised seed Act implementing regulations;	Kenya (NPT Regulations 2009); Tanzania (Seeds Regulations 2007); Uganda draft Seed Regulations of 2010 to implement the Seed and Plant Act of 2006,	Rwanda, Burundi, Ethiopia, Madagascar
Finalised Plant Breeders Rights Act in accordance with UPOV 1991 and its implementing regulations	Ethiopia (PBR Proclamation 2006 requires significant revisions); Kenya (UPOV 1978), Tanzania and Uganda (largely UPOV 1991 compliant)	Burundi, Rwanda, Sudan, Madagascar, Eritrea, DRC have no pvp systems - but are developing based on UPOV (1991), Kenya has a draft Bill (1991 compliant)
Autonomous certification agency	Kenya Plant Health Inspectorate Service (KEPHIS), Tanzania Official Seed Certification Institute (TOSCI) and Plant Breeders' Rights (PBR) Office in Tanzania in 2005	Uganda considering autonomous seed Service to oversee variety evaluation, release and registration Ethiopia's certification agency is under review with the seed proclamation based on the experiences of the other countries. There are efforts to have an independent body



National Seed Trade Association	Burundi (COPROSEBU) 2009, Sudan (SSTA) 2008, Ethiopia (ESTA) 2005, Rwanda (STAR) 2003 revived in 2010, Kenya (STAK) 1982, Madagascar (AMPROSEM), Uganda (USTA) 2003, Tanzania (TASTA) 2002, DR Congo revived the Interprofessional Association of Seeds Producers of Congo (AISC) in 2010	
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Acceded to OECD and ISTA seed testing rules	Kenya is a member to both	Burundi, Tanzania and Uganda are in the process of acceding to OECD and ISTA Ethiopia, Madagascar and Rwanda considering South Sudan is shifting from the American classification system to OECD
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Developed quarantine pest list	Burundi, Ethiopia, Kenya, Madagascar, Rwanda, Sudan, Tanzania, Uganda	Publishing of the KE, UG, TZ as the ET is being finalized
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Simplified export/import documentation procedures	Burundi, Sudan, Madagascar, Tanzania, Uganda	Kenya, Ethiopia to put theirs in place
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The 2008 Victoria Declaration of COMESA Ministers of Agriculture

- *Member States commit to harmonizing, within two years, seed trade regulations in the region and to finalize a regional protocol for the protection of new varieties of plants within the same period;*
- *It urges member States and development partners to work in collaboration with the COMESA Secretariat to implement the decisions of this Victoria Declaration on Agriculture, together with all decisions of the Ministers as contained in the Report of the Fifth Meeting of the Committee of Ministers.*

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COMESA harmonization initiative

- Formation of COMRAP-ACTESA, a specialized agency for inputs (COMESA)
- Harmonization in the 4 areas, except PVP left out with 12 selected crops
- 6 technical workshops held, and a validation workshop
- Agreements to Ministers by end of July
- Hopefully will fast track implementation



Issues

- Under EAC, free goods movement, seeds and plant materials excluded
- Agreements are yet to be incorporated in national laws and regulations
- Biosafety laws and regulations need to be urgently included in activities
- Under EAAPP we may still find restriction in technology movement within region, technology from RCoE's to others
- What is our role in ensuring success of EAAPP

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Issues

- How do we assist each other in the region, e.g. reaching EAC secretariat to incorporate agreements, use of standards committee at EAC
- Expand to other crops
- Can we have regional offices for PVP
- Can we influence the process and policy environment to implement agreements

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