



# E-Review

## Electronic Newsletter of the African Seed Trade Association

June 2005

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### PLANT VARIETY PROTECTION IN EASTERN AFRICA

Seed stakeholders in Eastern Africa organized a workshop on Plant Variety Protection in June 2005 in Nairobi, Kenya. They discussed several things, among others, the improvement of the protection of the newly released varieties ranging from pure technical analysis to the practical implementation of the UPOV Conventions. Participants were from Tanzania, Uganda, Rwanda, Madagascar and Kenya. Tanzanian representatives reported that they have recently established an office for registration of the variety whose mission, among others, is to enforce the rules regarding the plant breeding in Tanzania such as the collection of royalties for breeders so that they can be motivated to create more superior varieties. The Tanzania system of Plant Variety Protection, which became operational in February 2004, was considered as having good operational support from the Government of Tanzania. However, the breeders in the workshop felt that the provision for farmers' rights in the Tanzania's Plant Variety Protection law should be restricted to the farmer's privilege provided for under the UPOV system, to avoid defeating the purpose of Plant Variety Protection. Kenya became a member of the International Union for Protection of New Varieties of Plants (UPOV) 1978 Convention in 1999 and it is the only member in Eastern Africa Community. This enabled both local and external breeders whose countries accede to

this UPOV Convention to have their varieties protected in Kenya. External breeders took advantage of this and as a result many (mainly European) flower breeders were able to avail some of their superior varieties for production in Kenya and sale in the European markets, and this in turn has greatly contributed to the phenomenal growth of Kenya's horticultural sector. Plant Variety Protection has also led to breeders mainly in Europe to benefit through collection of royalties on horticultural crops sold in their markets. Rwanda and Uganda are also in the process of providing for the protection of plant varieties while Madagascar has planned for a meeting of the members of the Malagasy seed association (AMPROSEM) on 28<sup>th</sup> and 29<sup>th</sup> July 2005 to discuss, among other things, the place of the Plant Variety Protection in the Malagasy seed industry.

The participants in the workshop underlined that having a plant variety protection system in place was not itself necessarily adequate to ensure breeders benefit from their inventions. There should be a clear system to operationalize the plant variety protection system to develop institutional Intellectual Property Rights policies to operationalize payment of royalties. Since acceding to the UPOV 1978 Convention is now closed, Kenya should consider to accede to the 1991 UPOV Convention, so that should Tanzania and Uganda also accede to the Convention (which is now 1991 based), all the three EAC member States will be having a similar Plant Variety Protection system.

It was also recognized that plant variety protection is a good system of protecting

intellectual property rights and the East Africa Community member States and the African countries at large should make legislative provisions for Plant Variety Protection. In order for local breeders to also benefit from plant variety protection, it is critical that breeding Institutions prepare institutional Intellectual Property Rights policies to facilitate trickling of any royalties paid to the breeders themselves and to clearly define who the breeder is in each Institution.

***By Mr. Obongo Nyachae, Executive Secretary of Eastern Africa Seed Committee (EASCOM)***

#### **STEERING COMMITTEE MEETING OF INTERAFRICAN PHYTOSANITARY COUNCIL**

The Inter-African Phytosanitary Council (IAPSC) is one of the organs of the African Union whose Headquarters is based in Yaoundé, Cameroon. With three sections which are entomology, quarantine and phytosanitary legislation, its major function can be summarized as the international cooperation in the fight against the introduction and spread of plant pests in Africa.

According to the 21<sup>st</sup> General Assembly of IAPSC held in Dakar, Senegal in May 2004, members of steering committee are composed of the Regional Economic Communities recognized by the African Union namely the Southern Africa Development Community (SADC), the East Africa Community (EAC), The Economic Community of West African States (ECOWAS), West African Economic and Monetary Union (WAEMU), Economic Community of Central African States (ECCAS), Common Market for Eastern and Southern Africa (COMESA), and other organizations such as the African Seed Trade organizations (AFSTA).

Members of this steering committee of IAPSC met in Nairobi in mid-May 2005 for two days to discuss, among others, the organization chart of IAPSC, the

improvement of the communication such as using two languages (French and English) to reach out more people, and the current status of phytosanitary issue in Africa. All the resolutions of this meeting will be submitted to the next General Assembly for approval. Information sharing on plant phytosanitary issue among members of the steering committee was also an important aspect of this meeting. Each regional economic community presented the current status of the phytosanitary issue in its sub-region along with near future plan of actions. The necessity of close cooperation between private seed sector represented by the African Seed Trade Association (AFSTA) and IAPSC was emphasized with a view to reaching out more stakeholders.

The current Bureau of the steering committee of IAPSC is composed as follows: COMESA Chair, AFSTA: Vice-Chair and AU/IAPSC and IITA: Secretariat and rapporteurs.

Following the retirement of Dr. Nazaire Nkouka from Congo who assured the Scientific Secretariat for about 20 years, Dr. Koumba-Koumba from Gabon was recently appointed scientific Secretary of IAPSC to replace him.

The next meeting of the steering committee of IAPSC will take place in Cairo, Egypt in April 2006 prior to the 22<sup>nd</sup> General Assembly of IAPSC.

***By Mr. Justin Rakotoarisaona Secretary General of AFSTA***

#### **CHURCHER URGES ECOWAS MINISTERS ON BIOTECHNOLOGY**

The Economic Community of West African States (ECOWAS) Ministerial Conference on Biotechnology, held in Bamako, Mali ended with a reminder to African countries that the decision to accept modern biotechnology and its potential role in enhancing food security on the continent should be determined by weighing potential or perceived risks against potential benefits.

Ghana's Minister of Environment and Science, Christine Churcher, who made the reminder, noted that although the facts available suggest that the potential benefits of modern biotechnology are guided by good science, socio-economic and political considerations would determine its adoption or rejection. She was addressing the final part of the Ministerial session of the Conference, which ended on a positive note. All the ministers, agricultural scientists, researchers and producers agreed that, while it is necessary for Africa to take advantage of biotechnology tools such as genetic modification to boost her agricultural production, it is essential to create the right environment for its adoption. These include adopting Biosafety regulations to ensure that products of agricultural biotechnology are safe for humans and the environment.

The agricultural producers who were mostly representatives of various farmer groups across the sub-region were however concerned about whether the method will eventually not make them become dependent on the developed countries for seeds. But from the recommendations of the Committee of Experts adopted by the Ministers, countries are encouraged to give priority to scientists in terms of funding and other logistics, so that they can develop biotech tools appropriate for the small-scale farmers. ECOWAS member countries were asked to develop their national policy and legislation on Biosafety by latest July 1 next year, in order to facilitate the harmonizing of the sub-region's Biosafety system, which should be completed by 2008.

The ECOWAS Secretariat was also asked to adopt the necessary measures that will facilitate the implementation of a regional strategic plan on Biosafety for the benefit and access of biotechnology in West Africa. The Secretariat was further asked to make the ECOWAS Ministerial Conference on Biotechnology an annual affair, while the Executive Secretary was charged to liaise with the African Union's Commission and organize an African Conference on Biotechnology.

The Ministerial recommendations follow intensive discussion during the first two days of the conference by the participants on the way forward for the debate on modern agricultural biotechnology application in the sub-region. Their recommendations formed part of the report presented to the ministers for deliberations by the President of the Committee of Experts, Dr Mahamane Issaka, General Director of Niger's National Institute of Agronomic Research.

Another recommendation was for countries to increase budgetary allocation to agriculture to 10 percent, to foster research activities. The gathering also agreed to hold the next ECOWAS Ministerial Conference on Biotechnology in Accra, in June next year. In her address, the Minister of Environment and Science, Christine Churcher, mentioned that currently there are about 50 countries worldwide involved in thirty thousand field trials of over 45 different genetically modified crops. This, she said, 'suggests that soon the world market will be flooded with genetically modified crops adding that this time round, Africa must be actively involved while there is an opportunity to be assisted by the developed world for the requisite capacity to be built to adopt the tool for increased crop yields'.

**Source: Accra Daily Mail**

#### **SITUATION OF CORN PRODUCTION IN SOUTH AFRICA**

South Africa's total corn crop planted in 2004 and currently being harvested is now estimated at 12.15 million tons, 25% bigger than the crop planted in 2003. The area planted increased by only 4.3% to 3.3 million hectares but the yield increased. The crop on commercial farms (11.9 million tons) is expected to produce a new record yield of 4.1 tons per hectare.

The abundant crop is reflected in the producer prices reported by SAFEX (South African Future Exchange). The price of white corn in July 2005 dropped by more than 47% from R 1,089 per ton on November 1, 2004 to R 574 per ton on June 28, 2005. The price

drop is the cumulative effect of the favorable crop prospects and the big carry over, which reached nearly 3 million tons of old season stocks by the end of April 2005. With total annual consumption at about 8.7 million tons, the oversupply situation is clear. Exports are picking up due to the low prices and depreciated Rand, coupled to strong demand in Zimbabwe and Malawi. Farmers are considering cutting back the area to be planted this year while looking at ethanol production as the long-term solution. The wheat situation is included in the report but is mainly unchanged from previous reports.

US\$1 = Rand 6.65 (06/29/05)

**Source: United States Department of Agriculture**

#### **GHANA SEED LAW TO BE OUT SOON**

Mr. Vepser Suglo, Director of the Plant Protection and Regulatory Services Division of the Ministry of Food and Agriculture said the Seed Certification and Inspection Decree, NRC Decree 100 of 1992, approved by Cabinet was before the Attorney General's Department for approval. He said the law, which has been reviewed and restructured to include biotechnology and genetically modified crops, when passed would make the division more efficient and to move along with the international world on science and technology. Speaking to the Ghana News Agency in an interview after a lecture on "Communicating biotechnology to non-scientists: Lessons Learned" for scientists, agriculture and food regulatory officers, environmentalists and the media, Mr. Vepser Suglo noted that the world was advancing in science and technology and that needed to be reflected in the laws regulating the institutions. He said the law in Ghana was not in conformity with that of the International laws and there was the need for Ghana undertakes the necessary changes to be abreast with them. The lecture was organized by the Program for Biosafety Systems (PBS), a global initiative for supporting the taking of science-based

decisions on general genetically engineered products in collaboration with Forum for Agricultural Research in Africa (FARA). It was also the start of series of awareness creating and capacity building activities for implementing Biosafety regulations in the country.

**Source: GhanaWeb.com, 16 June 2005**

#### **Upcoming events:**

- **29<sup>th</sup> September to 1<sup>st</sup> October 2005:** Annual meeting of OECD seed scheme in Paris, France.
- **17<sup>th</sup> to 19<sup>th</sup> October 2005:** Training on Material Transfer Agreement and Coexistence of GM and non-GM seeds followed by the meeting with International Research Centers (CGIAR) in Nairobi, Kenya.
- **20<sup>th</sup> to 21<sup>st</sup> October 2005:** AFSTA Board meeting in Nairobi, Kenya
- **7<sup>th</sup> to 10<sup>th</sup> November 2005:** ASPA congress 2005 in Shanghai, China.

#### **EDITORIAL TEAM:**

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*The editorial team would like to thank the contributors of this issue.*

#### **Disclaimer:**

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