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# EAST AFRICA

## SEED POLICIES

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## HARMONIZING SEED POLICIES AND REGULATIONS IN EASTERN AND CENTRAL AFRICA

The countries of Eastern and Central Africa are heavily dependent on agriculture, and seeds are a key input in agricultural production. Yet in each country in Eastern and Central Africa, the seed industry faces different laws, standards, and regulations, which are costly to meet. Some of the laws, regulations, and administrative and technical procedures that each country imposes are restrictive, impede trade, and place unjustifiably discriminatory demands on importers, exporters, and even domestic producers of seed. If agriculture is to be competitive in Eastern and Central Africa, then the seed industry within the region needs to be improved. Harmonizing the countries' seed laws, policies, standards, and regulations could help establish a regional market with enough demand to stimulate a viable and efficient seed industry. A regional seed market would, among other things, promote regional trade, create economies of scale for developing and marketing seeds, and prevent negative spillover effects from seed systems in neighboring countries, such as the introduction of harmful seeds. The Seed Initiative of the Eastern and Central Africa Programme for Agricultural Policy Analysis (ECAPAPA) was undertaken to address the challenge of harmonizing seed policies and regulations in the region.



## THE PILOT PHASE OF THE SEED INITIATIVE

The Seed Initiative began in 1999 with a pilot phase in three East African countries—Kenya, Tanzania, and Uganda. The project adopted ECAPAPA's basic working framework, the Policy Change Cycle, which consists of five main steps: policy agenda identification, policy data collection, policy data analysis, policy dialogue, and policy action.

Through literature and consultation with key stakeholders, the initiative noted five specific areas that needed to be addressed in the harmonization: (1) *variety evaluation, release, and registration*—procedures for evaluating and releasing new varieties were different in each country and often lengthy; (2) *seed certification*—standards were different for each country; (3) *phytosanitary regulations*—regulations, often based on nonscientific data, became trade barriers, and there were differences in requirements for importing or exporting; (4) *plant variety protection*—of the three East African countries, only Kenya had legislation on plant variety protection (PVP), lack of which discourages breeders from developing new crop varieties; and (5) *seed laws and regulations*—some laws and regulations were restrictive and constrained participation of the private

seed industry in variety evaluation, release, and certification.

The next steps were policy data collection and analysis. A national resource person for each country was selected to undertake studies on national seed laws, policies, regulations, standards, and procedures. A regional resource person then synthesized the three country reports to identify areas that were potentially harmonizable. In a series of national and regional consultative workshops, a range of stakeholders came together to review the reports and to recommend ways to rationalize and harmonize seed policies and regulations. These meetings led to agreements on laws that could be harmonized in each of the three countries to ease movement and trade of seed, at the same time ensuring adequate safeguards to avoid spread of diseases and pests through seed trade.

At one regional workshop, ECAPAPA facilitated the creation of the Seed Regional Working Group to oversee completion of the process of harmonizing regulations and procedures and to improve and strengthen cooperation in the seed sector in the region.

## THE BENEFITS OF HARMONIZING

Before the Seed Initiative, breeders in the three countries entered materials for evaluation at the national level in each country before official approval for listing in the seed certification schedule. In addition, commercial seed producers conducted evaluations at different stages of the variety development cycle. There was limited and uneven participation of private seed companies in national seed evaluation trials. Agreement on a common seed-tagging system did not exist in the region. And only Kenya had legislation on plant variety protection.

The harmonization process has a number of achievements so far. It has streamlined variety evaluation, release, and registration processes, with the result that more private seed companies have been registered and more varieties have been released in all three countries. The testing period for new varieties has been shortened from three years to one season, and the number of variety release committees has been reduced from three to two.

This initiative set in motion certification standards for 10 crops beginning in 2000. As a result, Kenya is reviewing its seed regulations, Uganda adopted a Seed Statute in 2003, and Tanzania adopted a Seeds Act in 2004.

The number of phytosanitary restrictions on 10 selected crops has been reduced from 33 to only 3 pests. The harmonization process has also raised awareness in the three countries of the importance of sharing phytosanitary information,

leading to compulsory notification of new pests, as well as the need for a pest list for the region. And it has reduced the time it takes to obtain a phytosanitary certificate from one week to one day in Kenya and from two weeks to two days in Uganda.

The focus on harmonization resulted in a PVP Act of 2003 in Tanzania, with PVP offices in place in 2004, and a Draft PVP Bill for Uganda, now with Uganda's parliamentary committee.

In addition, as a result of the streamlining of export and import documentation, seed volumes traded within the three countries have increased. Since the increase could have resulted from several other factors, it is important to conduct a survey of seed traders to establish the source of the increased import and export volumes.

Finally, intangible benefits such as lasting partnerships have resulted. The initiative created fora for the public and private sectors to meet as equal partners to develop the seed sector. Moreover, the project now links regional seed subsectors with global seed structures. The initiative is also creating pressure for seed policy change elsewhere in the region.

The second-tier (Burundi, Eritrea, Ethiopia, Rwanda, and Sudan) and third-tier countries (the Democratic Republic of Congo and Madagascar) have largely embraced the agreements of the pilot-phase countries, offering promise that harmonization of the seed sector for the whole region will soon be a reality.

## CONCLUSION

The region of Eastern and Central Africa has made remarkable progress in rationalizing and harmonizing seed policies and regulations. Translating agreements into practice, particularly through legislation, involved a number of participatory stakeholder meetings and coordination. The ECAPAPA network coordinated this effort and contributed to significant changes

in the seed legislation in Kenya, Tanzania, and Uganda. Linking these efforts with the international seed system and responding to emerging issues, such as genetically modified organisms, remain challenges. But the Seed Initiative has highlighted the existence of great political will, an enabling political environment, and extensive human and financial support for this effort.

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