



## **FIRST NATIONAL CONFERENCE ON FARMERS' RIGHTS**

**LILONGWE, MALAWI 1 JUNE 2015**

### **REPORT**

1. The First National Conference on Farmers' Rights in Malawi was co-organized by the Global Forum on Agricultural Research (GFAR), the Development Fund of Norway (DF) and the Centre for Environmental Policy and Advocacy of Malawi (CEPA). The meeting was attended by more than fifty representatives of the the public sector; research institutes; farmers' organizations; women farmers' organizations; university and academia; media; international organizations; nongovernmental organizations and civil society. The list of participants is included in Appendix 2.

2. The First National Conference is framed under the capacity building initiative undertaken by the three mentioned institutions to support the implementation of Farmers' Rights in Malawi.

## **Item 1. Opening and Welcome Remarks**

3. At 9.45 am, Mr. William Chadza, Director of CEPA made the first welcoming statement of the meeting. After welcoming participants to the First (ever) National Conference on Farmers' Rights, he stressed that the Conference gives the opportunity to understand the international debate, national policies and community level practices relevant for Farmers' Rights in the country. Mr. Chadza reminded participants of the contributions of smallholder farmers to food security and the overall economy of Malawi.

4. After, Mr. Thor Oftedal, Country Director of DF for Malawi, noted that 75% of Malawi's population is smallholder farmers, whom contribute to food security, the conservation and improvement of relevant food crops. He reiterated that DF supports food security in Malawi and the work smallholder farmers undertake to contribute to this aim. Mr. Oftedal noted that Farmers' Rights should be protected and promoted. However, the formal seed sector does not recognize smallholder farmers as innovators, nor share the benefits arise from the use of those resources. Lack of institutional attention has resulted in smallholder farmers to be the only responsible for the conservation of relevant food crops in the country. However, Malawi is going through a very important moment. The Government has taken the initiative to reform the national seed policy. In this context, the new seed policy should include and recognize Farmers' Rights and seek a balance between the informal and formal seed sector.

5. Mr. Alick NKHOMA, Assistant Representative of FAO-Malawi recalled that FAO has been the only international body recognizing Farmers' Rights as they relate to plant genetic resources for food and agriculture. The International Treaty on Plant Genetic Resources for Food and Agriculture, in force since 2004 and hosted in FAO, is the only international legally binding instrument recognizing these rights. In 2014, the International Year of Family Farming was declared by FAO, recognizing the crucial role of family agriculture for food security and the conservation of plant genetic resources for food and agriculture. Mr. NKHOMA underlined the importance of supporting local communities on their conservation and sustainable use of plant genetic resources, strengthening their community organizations, and promoting their participation in local markets. This meeting is very important to understand what Farmers' Rights are and how they can be implemented in the country. Different measures need to be adopted, including legal policies and legislation.

6. Mrs. Juanita CHAVES POSADA, Coordinator of the Programme on Capacity Building on the Implementation of Farmers' Rights of GFAR, recalled that smallholder farmers play an essential role in the development, maintenance and use of agricultural biodiversity. Plant genetic resources have been conserved and improved by these farmers for more than 10,000 years. Even more, smallholder farmers have conserved and make available plant genetic resources for food and agriculture that are the raw material indispensable for crop improvement by modern biotechnologies. Mrs. CHAVES also referred to the important contribution of women farmers' to agriculture. They are particularly aware of the usefulness of plant genetic diversity, and in many parts of the world are responsible for the production of subsistence crops that are essential to household food security. She also recalled the recognition of the contribution of smallholder farmers

to agriculture by the international community in the 80s, highlighting that since then, the international community has seen the need of co-existence and mutual supportiveness of Farmers' Rights and Breeders' Rights. Finally Mrs. CHAVES explained the aim of GFAR and the support given to smallholder farmers of developing countries and relevant stakeholders on Farmers' Rights.

7. Dr. MAKUMBA, Director of the Department of Agricultural Research Services (DARS) under the Ministry of Agriculture of Malawi, highlighted the importance of the First National Conference on Farmers' Rights, where all stakeholders joined to discuss on Farmers' Rights. He also noted that Malawi's economy is highly dependent on agriculture and on smallholder farmers' work. They contribute a lot to the economy of the country and play a crucial role in the maintenance and improvement of plant genetic resources for food and agriculture. The International Treaty, adopted in 2001, of which Malawi is a Contracting Party since 2004 was also mentioned. Malawi is committed to implement this Treaty, but there are challenges to implement Farmers' Rights. Limited awareness has usually been identified as a challenge. However, the Government of Malawi recognizes the importance of the past, present and future contributions of smallholder farmers in the conservation, improvement and availability of plant genetic resources for food and agriculture. The Government is committed to promote Farmers' Rights, including by undertaking various policy reforms in the agriculture sector and providing a policy framework to guide agricultural sector operations recognizing these rights. These are all strategic opportunities to recognize Farmers' Rights. Finally he expressed that the meeting would contribute to identify elements for the policy review and development process currently undertaken in Malawi. After his speech, Dr. MAKUMBA declared the First National Conference on Farmers' Rights formally opened.

## **Item 2. Symbolic delivery of the capacity building material on Farmers' Rights**

8. Mr. Teshome HUNDUMA, on behalf of DF; Mrs. Juanita CHAVES POSADA, on behalf of GFAR; and Mr. William Chadza on behalf of CEPA gave Dr. MAKUMBA, Director of the Department of Agricultural Research Services, a copy of the capacity building material on Farmers' Rights for its use by the research institutions and public sector in Malawi. At the same time, Dr. MAKUMBA gave Mrs. Wezzie MFUNE and Mr. Abednego BOTHA, two smallholder farmers of Malawi the capacity building material for their use and dissemination to other smallholder farmers in the country.

## **Item 3. Conference objectives, approach and expected outcomes**

9. Mr. Herbert Mwalukomo of CEPA made a brief presentation on the main objectives and expected outcomes of the Conference. As the main objectives of the National Conference, he highlighted the following: i) to generate a common basis of understanding on Farmers' Rights among stakeholders in Malawi; ii) facilitate dialogue between decision makers and stakeholders from the formal and informal seed sector on Farmers' Rights and their implementation in Malawi; iii) launch the capacity building material on Farmers' Rights; and iv) discuss how national policy could recognize Farmers' Rights and reflect on their co-existence and mutual supportiveness with Plant Breeders' Rights. Mr. MWALUKOMO indicated as expected outcomes of the First National Conference on

Farmers' Rights: i) the common understanding, by all stakeholders, of Farmers' Rights and the different measures to implement those rights at national level; ii) steps and concrete actions identified for the establishment of a task force to advance in the implementation of Farmers' Rights in Malawi; iii) elements identified to be included in the national policy recognizing and implementing Farmers' Rights and their co-existence with Farmers' Rights; and iv) issues raised for decision makers to be used in international negotiations relevant for the implementation of Farmers' Rights, including the upcoming Sixth Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture.

#### **Item 4. Farmers' Rights and their implementation in practice**

10. Two presentations were made under this agenda item. The first one aimed to explain what Farmers' Rights are and how they can be implemented in practice. Mr. William CHADZA, from CEPA, who gave this presentation, explained Farmers' Rights as the rights of farmers over their plant genetic resources for food and agriculture and traditional knowledge, including their right to save, use, exchange and sell farm-saved seeds and propagating material. He also referred to the differences between Farmers' Rights and Breeders' Rights and introduced the International Treaty on Plant Genetic Resources for Food and Agriculture (Articles 5, 6 and 9) as the only international instrument recognizing Farmers' Rights.

11. In regards to the national context, he briefly mentioned the Malawi Seed Act, currently under review, and the Draft Seed Policy, which is under development. Mr. CHADZA recommended to: i) look at the Malawi policy and legal framework and identify elements that can facilitate the realization of Farmers' Rights; ii) clarify the national objectives in terms of Farmers' Rights; iii) identify appropriate institutions to facilitate the implementation of Farmers' Rights in Malawi; iv) promulgate rules and regulations on access and benefit-sharing, ensuring the right of farmers to participate in the distribution of benefits that arise from the use of genetic resources; and v) improve the information and public awareness on Farmers' Rights among different stakeholders.

12. Further, Mr. CHADZA explained different activities for implementing Farmers' Rights. Among them, he mentioned community seed banks; participatory plant breeding; access to markets; local seed fairs; and community protocols.

13. Among the challenges for the implementation of Farmers' Rights in Malawi, Mr. CHADZA identified: i) the lack of awareness; ii) the absence of appropriate policy and legal frameworks; iii) the lack of institutional attention to this issue; and iv) the lack of clarity on how to implement these rights in Malawi.

14. Mr. CHADZA recommended, as relevant steps to improve the implementation of Farmers' Rights, to: i) discuss how to contextualize Farmers' Rights in Malawi and the direction that needs to be taken; ii) increase the awareness and lobby to articulate the need to protect smallholder Farmers' Rights through legislative processes; and iii) encourage the balance between Farmers' Rights and Breeders' Rights, as complementing rights to each other.

15. After this presentation, Mr. Leonard MANDA of the Biodiversity Conservation Institute (BCI), made the second presentation under this agenda item. He gave participants information about the project on Community Based Agrobiodiversity Management (CBAM) (2013-2016) implemented by BCI with the support of DF, which implements Farmers' Rights at the community level. Under this project, the use of farmers' traditional knowledge, skills and practices are being promoted; awareness raising on Farmers' Rights is taking place; and platforms, such as local seed fairs, are promoted and encouraged where farmers can share their seeds and traditional knowledge.

16. He identified the following challenges for the implementation of Farmers' Rights: i) limited communication and information materials on Farmers' Rights; ii) skepticism by some farmers regarding the existence of Farmers' Rights and their recognition; and iii) policy gaps on Farmers' Rights to provide an enabling environment for their implementation.

17. After almost three years of the implementation of the project lead by BCI, Mr. MANDA identified the following relevant issues to be taken into account when identifying mechanisms to implement Farmers' Rights in Malawi: i) smallholder farmers have been using, saving and exchanging their seeds, without realizing that this is their right; ii) most smallholder farmers are not aware of what Plant Breeders' Rights are; iii) smallholder farmers know they have diversity of plant genetic resources on farm, but are not aware of the critical role they play in maintaining and improving those resources for food security beyond their families and communities; iv) if we are to empower communities, then we need to sustain their livelihoods, local culture and food traditions through seed and food security. This can be done by implementing Farmers' Rights.

18. Finally, he made the following recommendations to move forward the realization of Farmers' Rights in Malawi: i) increase national awareness campaigns on Farmers' Rights; ii) integrate the formal and informal seed sectors in agricultural policies; iii) adopt a national legislation on Farmers' Rights; iv) formally recognize community seed banks as a way to implement Farmers' Rights and as an effective and complementary mechanism to conserve plant genetic resources for food and agriculture; iv) link community seed banks with the Malawi Plant Genetic Resources Centre to benefit local conservation initiatives with technical and financial support; v) the Government and other stakeholders should be vigilant on the implementation of Farmers' Rights; vi) engage farmers in the implementation of Farmers' Rights, including by increasing and improving their participation in decision-making relevant for the conservation and use of plant genetic resources for food and agriculture.

#### **Item 5. Female farmers: champions for household food and nutrition security and effective managers of agricultural seeds**

19. Mr. Amon Chinyophiro from the National Smallholder Farmers' Association of Malawi (NASFAM) explained the relevant contribution of female farmers in agriculture. He stated that female farmers (women and girls) contribute with 70% of the agricultural workforce and 80% to family food and consumption. They are masters of food production

but dominate lower levels of the agricultural chains. Farmers have always been seed stewards, best seed selectors, are effective seed keepers and facilitate genuine seed propagation. They also ensure knowledge transfer across generations. Female farmers detect food insecurity in the household earlier than all other members. They sacrifice their own health and nutrition to protect their children and husbands. They exclusively ensure that vulnerable members are properly nourished. They decide the form and combinations in which food is consumed in the household. However, their important contribution to agriculture and food and nutrition security has passed unrecognized. According to Mr. CHINYOPHIRO, female farmers own 1% to 2% of land with no tenure security, lack of knowledge for utilizing improved technology because extension workers spend little time on the smallholder farmers especially women owning unfertile land, female farmers are confined to local markets where low prices and discrimination is the common rule, they suffer high spousal violence on the farm, perform multiple tasks motivated by their strong desire to serve others in the household, their access to formal credits is negligible as they are considered high risk borrowers, and have little participation in decision making. Furthermore, many agricultural policies assume wrongly that farmers and rural workers are only men.

20. Considering the unrecognized but important contribution of female farmers in agriculture and food security, Mr. CHINYOPHIRO made the following recommendations: i) promote approaches that bring effective awareness of the contribution of female farmers to agriculture development and food security; ii) good governance is necessary to ensure female Farmers' Rights are respected; iii) ensure female Farmers' Rights to land and natural resources; iv) promote programmes that build capacity for the effective leadership and decision making of female farmers; v) encourage programmes that respect and build on female farmers' indigenous knowledge on seeds and food preferences; vi) recognize that female farmers are indeed the champions of household food and nutrition security and the future of effective agriculture.

### **Discussions and questions**

21. After the first set of presentations, the floor was opened for comments and questions of participants. Some of them expressed that agriculture is holistic, and therefore recommended to address Farmers' Rights not only in relation to plant genetic resources for food and agriculture, but also to livestock, water and farmland. Others noted that Farmers' Rights implementation should not be a concern of only the public sector. Other national authorities should be involved in the discussions and further implementation of Farmers' Rights such as the Ministry responsible for Environment. Some participants made comments and questions regarding how to implement the rights of farmers to participate in benefits arising from the use of plant genetic resources for food and agriculture, considering the collective nature of these rights.

22. Participants emphasized on the importance of strengthening the relationship between the Malawi Plant Genetic Resources Centre (MPGRC) and the informal seed sector, to ensure the activities of MPGRC benefit smallholder farmers in Malawi. They indicated that the MPGRC should actively contribute to the development of locally adapted crop varieties in collaboration with smallholder farmers according to their needs, and then

farmers should have access to those improved varieties. Germplasm conserved *ex-situ* at MPGRC should also be available for restoration and further crop improvement.

23. The need to make a better use of media was also highlighted in the discussion. Participants recalled that 80% of the seed supply for all crops in Malawi is from the informal seed sector and constitutes a lion's share of Malawian population's food security. However, promotion of these local crops is further needed. The whole country needs to appreciate and value local food crops.

24. Another point raised by participants was the need to start the real implementation of Farmers' Rights in the country. National policy and legislation should move towards this aim and clarify what Farmers' Rights mean and how to implement them in Malawi. Compliance measures also need to be adopted.

#### **Item 6. Exchange of experiences in the implementation of Farmers' Rights based on seed related policies, laws and regulation of Ethiopia**

1. Mr. TEFERA from the Ethiopian Agricultural Transformation Agency was invited to share Ethiopia's experience in the implementation of Farmers' Rights. He first noted that Ethiopia has a federal system with federal and regional seed regulatory entities. Ethiopia as the second populous nation in Africa hosts a population of 92 million people, where 85% lives in rural areas. The seed sector constitutes regional seed companies; a national seed company, other public seed companies; and local private seed companies. 10 to 15% of the country's crop area is covered with certified seed (85% comes from the informal system). The agricultural research sector, including breeding, is almost public in Ethiopia. The seed sector is divided in three categories: formal; intermediate and informal seed sector. The informal seed system is fully taken care of by farmers for their subsistence farming. This sector is not regulated. The intermediate seed system is integrated by seed cooperative and other groups supporting community level agriculture. This system is formerly regulated in similar way as the formal system in Ethiopia. Due to capacity reasons of the regulatory system and business entities of the intermediate sector, Quality Declared Seed (QDS) certification scheme is in process of final preparation for implementation. The formal seed system constitutes both private and public commercial seed companies.

2. Mr. TEFERA mentioned different national laws and policies in Ethiopia regulating the seed sector in the country. He mentioned the new Ethiopian Seed Law, which is not applicable to exchange or sale of farm saved seeds among smallholder farmers; seeds to be used for research purposes and forest seed; the National Biodiversity Policy which gives prior emphasis to plant genetic resources conservation; The Plant Breeder Rights, which was developed based on Ethiopian realities; the Access to Genetic Resources and Community Knowledge Law; and the National Seed Sector Development Strategy; which is the implementation road map for the seed system in Ethiopia. All of these national instruments protect smallholder farmers in Ethiopia.

3. He identified the following challenges for the implementation of Farmers' Rights at national level: i) lack of bargaining capacity of farmers to protect their rights; ii) need for further interventions to enhance the capacity of the intermediate sector to enhance more

participation of farmers to benefit from the seed sector. He recalled that the implementation of Farmers' Rights in Ethiopia has been a long process of public awareness and capacity building among decision makers and relevant stakeholders. According to Mr. TEFERA, everybody needs to believe Farmers' Rights as the center of consideration to design policies, laws and strategies. Every policy should incline towards the interest of farmer in countries with their economy is highly agriculture dependent.

#### **Item 7. Overview of the Capacity Building Material on Farmers' Rights for Malawi**

4. Mrs. Juanita CHAVES from GFAR presented the Capacity Building Material on Farmers' Rights for Malawi. During her presentation, she gave information regarding background, objectives, main beneficiaries, explanation of the main issues included in the material, and next steps to be undertaken. Mrs. CHAVES noted the participatory and inclusive process undertaken for the development of the capacity building materials on Farmers' Rights. The lead organizations GFAR, DF and CEPA also had the support of an Editorial Committee composed of farmers' representatives; governmental institutions, civil society; media; women farmers and nongovernmental organizations.

5. The main objectives of the capacity building material, composed of 8 chapters, are to: i) provide tools to inform and create awareness amongst farmer communities, relevant stakeholders and decision makers on Farmers' Rights; ii) inform on national and international discussions being made relevant for the implementation of Farmers' Rights; iii) encourage dialogue among stakeholders on what Farmers' Rights are, their scope and implementation at national level; and iv) provide relevant information that can serve as input in the development of protocols, community instruments, policies, legal and administrative measures ensuring the recognition and implementation of Farmers' Rights.

6. The main beneficiaries of the material are smallholder farmers organizations; local leaders and community facilitators; development agents; policy makers; teacher; and relevant stakeholders. The capacity building material explains: i) what Farmers' Rights are and how they can be implemented in practice; ii) the International Treaty on Plant Genetic Resources for Food and Agriculture and Farmers' Rights; iii) policy and legal framework in Malawi relevant for the implementation of Farmers' Rights; iv) women farmers and Farmers' Rights; v) Plant Breeders' Rights and Farmers' Rights; vi) regional framework in Africa relevant for the implementation of Farmers' Rights; vii) international instruments recognizing the rights of local communities over their natural resources and traditional knowledge; and viii) community seed banks for the conservation and use of plant genetic resources for food and agriculture.

7. The capacity building material aims to: i) motivate the performance of self-diagnosis of the state of the recognition and implementation of Farmers' Rights in Malawi; ii) design national or/and local strategies, research protocols and other instruments of governance to ensure the respect and protection of Farmers' Rights; and iii) support public awareness and better understanding of Farmers' Rights promoting its implementation in practice.

8. Mrs. CHAVES informed participants that the capacity building material is framed under the International Treaty on Plant Genetic Resources for Food and Agriculture, which recognizes Farmers' Rights in relation to these resources. She also indicated that according to FAO, a seed policy helps stakeholders to understand their roles, responsibilities and contributions within defined boundaries, thus facilitating the smooth operation of the sector. Seed policies should integrate approaches that strengthen both the formal and informal seed systems and the connections between them. A seed policy should include as key elements: i) the conservation and sustainable use of plant genetic resources for food and agriculture; ii) seed production in both formal and informal sectors; iii) seed quality assurance; iv) agricultural extension; v) seed marketing, seed import and export; vi) seed enterprise development; vii) seed value chain; and vii) capacity building.

9. As next steps to be undertaken, she mentioned: i) the official launching of the capacity building material on Farmers' Rights in the margins of the First National Conference on Farmers' Rights; ii) distributing the material among different stakeholders in Malawi for their further socialization and use; and iii) monitoring the use of the capacity building material and positive impacts achieved. Mrs. CHAVES finished her presentation with the following statement: Farmers' Rights are crucial for food security and alleviating poverty. Public policies can make a difference: they can create the necessary conditions for Farmers' Rights to be recognized and implemented in practice.

### **Item 8. Seed Policy and Regulatory Framework in Malawi**

10. Mr. Chikosa BANDA of the Chancellor College introduced the Seed Policy and regulatory seed framework in Malawi. He started noting that Malawi is in the process of updating the Seed Bill (adopted in 1988 and amended in 1996). He hoped that Malawi will develop a seed policy and legislation that is well aligned with an open market and recognize Farmers' Rights. Currently, seed legislation in Malawi is more in favor of the formal seed sector. However, studies have shown that over 80% of seed accessed by subsistence farmers comes from the informal seed sector. The national Seed Law of 1993 highlights the need for these sectors (formal and informal seed sector) to be prioritized.

11. Mr. BANDA identified the following as gaps of the current version of the Draft Seed Policy: i) omission of the definition of seed; ii) limited scope of propagating material, which fell under the policy; iii) no reference of Farmers' Rights. The seed policy should avoid undermining Farmers' Rights.

12. Afterwards, Mr. BANDA recommended the following elements to be considered in the process of drafting the Seed Policy of Malawi: i) recognize the past, present and future contributions of smallholder farmers in the conservation, improvement and making available plant genetic resources for food and agriculture; ii) mutual reinforcing of Farmers' Rights and Breeders' Rights; iii) implement the International Treaty on Plant Genetic Resources for Food and Agriculture, particularly in regard with Farmers' Rights; iv) include elements regarding the conservation of seeds and strength and promote local seed systems.

### **Discussions and questions**

13. After the above three presentations, the floor was opened for the second time for discussions and questions among participants. Some participants recommended translating the capacity building material on Farmers' Rights to local languages of Malawi, for smallholder farmers to understand and use this relevant education tool. CEPA responded that the most relevant chapters of the material (definitions and how Farmers' Rights are implemented in practice; women and Farmers' Rights and Community Seed Banks) will be translated in the near future into local language (s) in Malawi.

14. Other participants addressed the need to educate also on Plant Breeders' Rights and to promote community protocols.

### **Item 9. Group discussions on issues for consideration to promote Farmers' Rights in Malawi**

15. Participants were divided into six working groups. Below the summary of the challenges identified and recommendations made.

#### *Group 1: Implementation of Farmers' Rights at policy level in Malawi*

##### Recommendations:

- The Seed Policy should be aligned with the International Treaty on Plant Genetic Resources for Food and Agriculture
- Advocacy is needed so farmers can defend their interests and rights
- The Seed Policy should balance the formal and informal seed systems
- The Seed Policy needs to define relevant concepts such as "seeds" and "grain"
- Initiate multi-stakeholder sensitization including Members of Parliament
- Use media to promote Farmers' Rights
- Learn from other countries with similar context in their implementation and legal recognition of Farmers' Rights.

#### *Group 2: Implementation of Farmers' Rights in Malawi at field level*

##### Challenges:

- Communication on Farmers' Rights and their implementation in practice
- Lack of extension services for underutilized crops
- Limited national awareness
- Lack of clarification about the ownership of genetic resources
- Limited farming union advocacy for Farmers' Rights
- Poor contextualization of international tools that have been developed

##### Recommendations:

- National level awareness on Farmers' Rights
- Clarifying ownership of genetic resources
- Farmers union advocating for Farmers' Rights
- Contextualization of the international tools that have been developed

*Group 3: Role of women in sustainable access to seeds*

Challenges:

- Low literacy level affecting seed quality and grading
- Limited control over the produce/seed
- Inadequate financial resources to cater for household
- Limited or lack of access to control over land
- Market forces especially poor prices/ limited access of markets for certain crops
- Men dominate the resources.

Recommendations:

- Strengthen women's groups or organizations
- Improve information and skills of seed management
- Increase awareness on gender equality and women empowerment
- Adopt provisions to increase women's access to micro finance
- Empower women farmers to ensure they have the access and control of the resources

*Group 4: Bridging the information gap between different stakeholders not aware on Farmers' Rights*

Policy makers :

- Arrange meetings and workshops to orient policymakers on Farmers' Rights
- Disseminate relevant documents to policymakers to enhance their understanding of Farmers' Rights
- Engage key stakeholders individually to orient and enhance their understanding
- Produce informative documentaries (TV)
- Engage in dialogue and panel discussions with (parliamentary committees)

Front line staff:

- Train extension workers and teachers on Farmers' Rights using various materials to enhance their capacity and understanding
- Use of media (newspaper, TV, radio) to disseminate information on Farmers' Rights
- Produce and disseminate a summarized version of the Capacity Building Material on the Implementation of Farmers' Rights in Malawi
- Disseminate Community Based Agrobiodiversity Management to higher learning institutions, schools, libraries and relevant offices, extension workers etc.

Communities:

- Utilize existing information platforms disseminate information on Farmers' Rights to community members (farmers, various individuals).
- Sensitize local leaders using the Community Based Agrobiodiversity Management
- Translate, summarize and disseminate the Community Based Agrobiodiversity Management to community leaders, groupings and members

- Interactive programs on community radios to provide information of Farmers' Rights
- Utilize different community forums to disseminate Farmers' Rights information (church meetings, community meetings, celebrations, etc.)

*Group 5: How to promote an integrated seed system (formal and informal seed system)*

Challenges:

- The cost of improved seed is very high
- Quality: the improved seed is soft and it is compromised with storage
- Market linkages: Farmers get low prices due to exploitation by the vendors (Agricultural Development and Marketing Corporation markets are not reliable)

Recommendations:

- Strengthen capacity and associations in seed production, storage and marketing
- Advocate and lobby for the creation of a National Gene Fund
- Scale up awareness. Media should cover these issues.

*Group 6: International and global frameworks*

Challenges:

- The international conventions are not talking to each other.
- The centralized Plant Breeding Protection harmonized at the regional level
- Emerging regional legislation with the potential to nullify some of the gains made by civil society on Farmers' Rights
- Limited space of engagement
- Limited information and awareness of international relevant instruments
- Limited capacity on Farmers' Rights
- Gap in information sharing by responsible ministries

Recommendations

- Awareness to decision makers on the important role played by farmers in conserving and developing plant genetic resources for food and agriculture in order for them to appreciate and understand why participation of farmers in decision-making at national level is required
- Regional level intervention
- Continue to monitor and engage with emerging national and regional models of plant variety protection framed on the basis on UPOV 91 and seek legal space for Farmers' Rights and farm-saved seeds
- National level engagements
- Establishment of seed platforms
- Commission studies on farmer-managed seed systems to complement already documented community practices that serve as mechanisms for the realization of Farmers' Rights - to model a harmonized package that can be advanced for policy support as a mechanism for the realization of Farmers' Rights and the right to food

16. Summary of the recommendations made by participants of the First National Conference on Farmers' Rights to improve the implementation of Farmers' Rights in Malawi are included in Appendix 1.

#### **Item 10. Close of Conference**

17. Mr. Teshome HUNDUMA from DF; Mrs. Juanita CHAVES POSADA from GFAR and Dr. Lawrent PUNGULANI of the Department of Agricultural Research Services of Malawi were invited to give closing remarks. They all thanked the active participation of stakeholders during the discussions and recalled on the importance to advance in the implementation of Farmers' Rights in Malawi. Mr. HUNDUMA and Mrs. CHAVES invited all to use and disseminate the capacity building material on Farmers' Rights, as an important tool to develop capacity and promote public awareness on the rights of smallholder farmers over plant genetic resources for food and agriculture and traditional knowledge, innovations and practices relevant for the conservation and use of these natural resources. They called for the leadership of farmers; farmers' organizations and civil society to claim for the recognition and implementation of Farmers' Rights by the national legal and policy framework; and therefore, the need to strength community based organizations to fully participate in decision-making processes.

18. Dr. Lawrent PUNGULANI stated that this National Conference put a high mark on the implementation of Farmers' Rights in Malawi, key element of the International Treaty on Plant Genetic Resources for Food and Agriculture. He stressed that it is the duty of decision makers, public institutions, farmers' organizations, academia and civil society to translate the recommendations made in the framework of the First National Conference on Farmers' Rights into a reality. Finally he mentioned that the National Focal Point for Malawi to the International Treaty is committed to work with all governmental departments in Malawi to advance in the development of standards for the implementation of Farmers' Rights in the country. The First National Conference on Farmers' Rights was officially closed at 17.30 hours of Monday 1 June 2015.

## **APPENDIX 1**

### **SUMMARY OF RECOMMENDATIONS OF THE FIRST NATIONAL CONFERENCE ON FARMERS' RIGHTS TO IMPROVE THE IMPLEMENTATION OF FARMERS' RIGHTS IN MALAWI**

1. Recommendations to improve the legal and policy framework for the implementation of Farmers' Rights in Malawi:
  - Adopt different measures, including legal policies and legislation.
  - Promote Farmers' Rights by undertaking policy reforms in the agricultural sector, and provide a policy framework to guide the agricultural sector operations recognizing Farmers' Rights.
  - Analyze Malawi policy and legal framework and identify elements that can facilitate the realization of Farmers' Rights.
  - Clarify the national objectives in terms of Farmers' Rights
  - Promulgate rules and regulations on access to genetic resources and benefit-sharing, ensuring the right of farmers to participate in benefit arising from the use of those resources.
  - Integrate the formal and informal seed sectors in agricultural policies.
  - Adopt a national law on Farmers' Rights.
  - Legally recognize community seed banks as a way to implement Farmers' Rights and an effective and complementary mechanism to conserve plant genetic resources for food and agriculture.
  - Identify appropriate institutions to ensure the implementation of Farmers' Rights
  
2. Recommendations to ensure the Draft Seed Policy recognizes Farmers' Rights and the informal seed sector
  - Recognize Farmers' Rights and seek a balance between the formal and informal seed sector;
  - Recognize the past, present and future contributions of smallholder farmers in the conservation, improvement and making available plant genetic resources for food and agriculture
  - Include elements regarding the conservation of plant genetic resources for food and agriculture
  - Strengthen local seed systems
  - Define relevant concepts, such as seeds

- Be aligned and implement the International Treaty on Plant Genetic Resources on Plant Genetic Resources for Food and Agriculture
3. Recommendations to increase public awareness and capacity building on Farmers' Rights
- Improve the information and public awareness on Farmers' Rights among different stakeholders
  - Increase national awareness campaigns on Farmers' Rights
  - Arrange meetings and workshops on Farmers' Rights
  - Disseminate relevant documents to policy makers
  - Engage key stakeholders, particularly high level stakeholders to understand Farmers' Rights.
  - Engage in dialogue and panel discussions (including with parliamentary committees) on Farmers' Rights
  - Promote approaches that bring effective awareness of the contribution of women farmers to agricultural development and food security.
  - Make a better use of media to increase public awareness on Farmers' Rights.
  - Produce documentaries on TV on Farmers' Rights.
  - Use existing networks and platforms to inform farmers on Farmers' Rights
  - Promote programmes that build capacity for the effective leadership and decision making of women farmers.
  - Train extension workers and teachers on Farmers' Rights
  - Disseminate the Capacity Building Material on Farmers' Rights for Malawi
  - Encourage programmes that respect and build on women farmers' traditional knowledge relevant for the conservation and use of plant genetic resources for food and agriculture.
  - Strengthen women farmers' groups or organizations to improve their participation in decision-making and access and control over plant genetic resources for food and agriculture.
  - Learn from other countries with similar context in their implementation and legal recognition of Farmers' Rights.

## APPENDIX 2

### LIST OF PARTICIPANTS

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