



Food and Agriculture
Organization of the
United Nations



The International Treaty
ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE

**Views, Experiences and Best Practices as an example of possible options for
the national implementation of Article 9 of the International Treaty**

Note by the Secretary

At its [second meeting](#) of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG), the Expert Group agreed on a revised version of the [template](#) for collecting information on examples of national measures, best practices and lessons learned from the realization of Farmers' Rights

This document presents the updated information on best practices and measures of implementing Article 9 of the International Treaty submitted by The Development Fund on 30 July 2019.

The submission is presented in the form and language in which it was received.



Template for submission of

Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

Basic information

- Title of measure/practice: Promotion of Farmers' Rights through awareness raising and capacity building materials
- Date of submission: 18 July 2019
- Name(s) of country/countries in which the measure/practice is taking place: Malawi
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person):
 - Elin Cecilie Ranum, Head of Programme Department
 - Utviklingsfondet / The Development Fund
 - Mariboegate 8, 0183 Oslo
 - Tel: +47 2310 9600 / +47 9622 9600
 - elin@utviklingsfondet.no
 - www.utviklingsfondet.no
- Type of institution/organization (categories): Non-governmental organisation
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

Centre for Environmental Policy and Advocacy (CEPA)
Globe House, Raynor Avenue, Plot CC365, Limbe
P. O. Box 1057, Blantyre, Malawi
Tel.: +265 212 700 104
Email: william@cepa.org.mw; Website: www.cepa.org.mw

Description of the examples

Mandatory information:¹

- Short summary to be put in the inventory (max. 200 words) including:

Since 2015, the Development Fund together with its partner, Centre for Environmental Policy and Advocacy have been involved in promoting realization of Farmers' Rights and ensuring that the Government of Malawi policies support agrobiodiversity conservation and management. The main objective is to increase awareness of and contribute to the realisation of Farmers' Rights.

A publication on capacity building material for the realization of Farmer's Rights in Malawi was published. Among other purposes, the publication aims to provide tools to inform and create awareness amongst farmer communities, relevant stakeholders and decision makers on Farmers' Rights; and to 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. The partners have influence the development of the new seed policy and legislation for Malawi to ensure that they support farmer seed systems that are critical in the realization of Farmers'

¹ This mandatory information is required in order for the measure/practice to be included in the Inventory.



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Rights. An important lessons learned is the importance of involving community members in the development of capacity building material as they contribute with reality checks on the local context.

- Brief history (including starting year), as appropriate:
 - The measure has been implemented since 2015. It is based on the Development Fund's work on community based agro-biodiversity programmes in Malawi, implemented in collaboration with BCI, and policy work implemented by CEPA.
- Core components of the measure/practice (max 200 words):
 - The partners have developed and disseminated various publications related to good practices, guidelines and positive experiences regarding the implementation of Farmers' Rights.
 - A publication on capacity building material for the realization of Farmer's Rights in Malawi was published. The publication is aimed at: providing tools to inform and create awareness amongst farmer communities, relevant stakeholders and decision makers on Farmers' Rights; informing national and international discussions being made relevant for the implementation of Farmers' Rights; encouraging dialogue among stakeholders on what Farmers' Rights are, their scope and implementation at national level; and providing 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. In order to increase outreach, the publication was translated into two commonly used local languages in Malawi.
 - Secondly, Development Fund and Centre for Environmental Policy and Advocacy have been engaged in the development of the new seed policy and legislation for Malawi to ensure that they support farmer seed systems that are critical in the realization of Farmers' Rights.
- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)
 - Malawi has adopted policy instruments such as the National Environmental Policy and the National Biodiversity Strategy and Action Plan in accordance with the country's commitments under the CBD addressing conservation and management of biological diversity including Farmers' Rights.
 - There is however no legislation providing for realization of farmers' rights. A key challenge is that those advocating for breeders' rights have the policy space and influence to undermine community rights. Thus while plant breeders rights have the policy support of the Ministry of Agriculture, advocates' for farmers rights have literally 'no home over their heads' with the Ministry of Agriculture being sceptical to take full responsibility, pushing farmers' rights related issues to the gene bank and nongovernmental organizations.
 - The Ministry of Agriculture is responsible for implementation of the ITPGRFA and should thus been responsible for administering farmers' rights legislation either as part of the plant variety protection legislation or a standalone farmers' rights statute.
 - There is lack of institutional attention to promote realization of Farmers' Rights, which in the long term may result in loss of knowledge and materials by and benefits for the originators of that knowledge and the associated biological resources, especially people and communities in the informal sector.
- To which provision(s) of Article 9 of the International Treaty does this measure relate



- Art. 9.1 x
 Art. 9.2a x
 Art. 9.2b x
 Art. 9.2c x
 Art. 9.3 x

Other information, if applicable

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant ²	Also relevant ³
1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge		
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		
6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks ⁴ , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.		
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		x
9	Training, capacity development and public awareness creation	x	

² Please select only one category that is most relevant, under which the measure will be listed.

³ Please select one or several categories that may also be relevant (if applicable).

⁴ Including seed houses.



10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.		x
11	Other measures / practices		

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? _____
- Objective(s):
 - Increased awareness of Farmers' Rights at local and national level
- Target group(s) and numbers of involved and affected farmers⁵
 - More than 3, 000 publications of capacity building material, in English and two local languages, have been disseminated;
 - Target groups:
 - Communities through community based seed and food fairs, community seed banks, national agricultural fairs, diversity fairs, other national agriculture platforms and to farmer groups actively engaged in conserving plant genetic resources for food and agriculture under Development Fund programmes and the Benefit Sharing Fund Project under FAO;
 - Farmer organizations such as National Association of Smallholder Farmers and Coalition of Women Farmers;
 - Academic institutions such as Lilongwe University of Agriculture and Natural Resources, Mzuzu University, University of Malawi – Chancellor College; and
 - Government agencies: Ministry of Agriculture, Irrigation and Water Development; Gene Bank; District Agricultural Development Offices (Ntcheu, Salima, Balaka, Mzimba, Dedza, Thyolo, Mulanje, Kasungu); Agricultural Development Divisions (Salima, Blantyre, Kasungu, Karonga, Shire Valley, and Mzuzu).
- Location(s) and geographical outreach
 - Malawi: Rumphi, Mzimba, Dedza, Salima and Chikwawa districts. Mzuzu Agriculture Development Division (ADD), Blantyre ADD, Karonga ADD, Shire Valley ADD, Machinga ADD, and Ministry of Agriculture, Irrigation and Water Development headquarters.
 - The publication has also been uploaded on a CEPA online library (<http://cepa.rmportal.net/>) which is accessed by many stakeholders nationally and internationally.
- Resources used for implementation of the measure/practice
 - The publications were developed and translated with support from Development Fund in collaboration with the Global Forum on Agriculture Research. Dissemination was

⁵ Any classification, e.g. of the types of farmer addressed, may be country-specific.



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implemented with funding from Development Fund and Food and Agriculture Organization.

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- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
 - The publications have significantly contributed to increasing awareness amongst farmers, technocrats, academia and decision makers on practical measures for realization of Farmers' Rights in Malawi.
 - The publications are currently being used as main reference material in the development of a concept for a Farmers' Rights Policy Framework that will be used to engage Government of Malawi to develop a policy for promoting farmers rights. This was agreed by stakeholders during the recent policy dialogue on the Seed Bill. In addition, the publication is used by CEPA and Development Fund partners in awareness creation and training farmers on practical ways of implementing Farmers' Rights to conserve and use seeds and propagating material saved in their farms. This has already taken place in the districts of Rumphi, Mzimba, Dedza, Salima and Chikwawa.
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- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
 - Successfully initiated policy dialogue related to Farmers' Rights resulting in Government providing concrete policy direction by requesting CSOs to develop a concept note for formulation of a policy framework on Farmers' Rights;
 - Farmers and other stakeholders gaining knowledge and understanding on importance of Farmers' Rights;
 - Farmers, breeders and media sharing information and knowledge on Farmers' Rights.
 - Upscaling various practical ways of implementing Farmers' Rights. Key ones have been community seed banks; participatory plant variety selection; annual local seed and food fairs; facilitating inclusion of farmers' representatives in local and national level decision making groups; and documenting traditional knowledge, innovations and practices.
- Other national level instruments that are linked to the measure/practice
 - The process of linking the publication to national level instrument has just been initiated by using the publication as reference material for the development of a concept for the Farmers' Rights Policy Framework.
 - However, indirectly the publication has guided civil society contribution to policy dialogue on the draft Seed Bill.
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
 - ITPGRFA and CBD are the international agreements that are relevant for this publication, in addition, the ITPGRFA Benefit Sharing Fund Programme is more relevant for the publication as it promote realization of Farmers' Rights in Malawi



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- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

Lessons learned

- Despite translating the publication in two local languages, some farmers are not able to read as such there is need to develop some of the important sections of the publication into short videos or posters, in the local languages, which can be showed to the communities;
- Involvement of community members in the development of the publication was very important as they were able to provide reality checks on the local context. In this case there were a lot of benefits from having a member of the Coalition of Women Farmers in Malawi on the Editorial Committee.
- What challenges encountered along the way (if applicable) (max 200 words)
 - Unwillingness of government to participate in the process of promoting practical measures for realizing Farmers' Rights. Many linked Farmers' Rights to use of farm saved seeds, not considering that Farmers' Rights also includes rights of farmers to: participate in decision making processes as various levels; protection of traditional knowledge, innovations and practices; and receiving benefits arising from the use of plant genetic resources for food and agriculture.
 - Unwillingness of government to include Farmers' Rights issues in national agriculture policy frameworks.
 - Conflict with plant breeders;
 - Limited understanding of what Farmers' Rights entails and its importance to food and nutritional security amongst technocrats, policy and decision makers; and
 - Limited documentation and sharing of success stories and practices on realization of Farmers' Rights.
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)
 - All stakeholders have to be involved including farmers (especially women), government, the gene banks and other organizations promoting Farmers' Rights related issues;
 - Wide spread awareness on the scope of Farmers' Rights and practical ways at community level on how to realize Farmers' Rights.

Further information

- Link(s) to further information about the measure/practice
 - http://www.fao.org/fileadmin/user_upload/faoweb/plant-treaty/submissions/FRs_DevelopmentFund.pdf



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- https://www.utviklingsfondet.no/files/uf/documents/Rapporter/Capacity_Building_Material_for_the_Realization_of_Farmers_Rights_in_Malawi.pdf