

STATUS OF FARMERS' RIGHTS IN MALAWI: stakeholder perspectives

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FARMERS RIGHTS

- Rights recognised in the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) as well as the Convention on Biological Diversity (CBD)
- Recognition of the enormous contribution of farmers
- Governments decide how to implement

Distinguishing components (Farmers' rights ≠ Rights of farmers)

- Protection of indigenous/traditional knowledge
- The right to save, reuse and exchange seed
- Participation in benefit sharing
- Participation in decision-making

A MINIMUM DEFINITION OF FARMERS' RIGHTS

- Farmers rights consist of:
 - the customary rights of farmers to save, use, exchange and sell farm saved seed and propagating material
 - their legitimate right to be recognised and rewarded for their contribution to the global pool of genetic resources as well as to the development of commercial varieties of plants
 - And participation in the decision making on issues that may affect them

STAKEHOLDERS PERSPECTIVE

STATUS OF IMPLEMENTATION IN MALAWI

DESCRIPTION OF STAKEHOLDERS

- FARMERS
 - Smallholder Farmers Federation
 - Other farmers
- PUBLIC INSTITUTIONS
 - MoAFS
 - EAD
 - NRCM
 - Ministry of Trade and Industry
- NGOs working with farmers
 - FAIR
 - FUM
 - NASFAM
- PVOs
 - Seed companies

AWARENESS AND VIEWS ON IMPORTANCE OF FARMERS' RIGHTS

- Farmers – different levels of awareness, farmers rights important for welfare and improvement of standard of life
- Public institutions – different levels of awareness but also attention, farmers rights important for conservation of plant and genetic resources, access and benefit sharing
- NGOs – different levels of awareness, different approaches, differing emphases, consensus – farmers' rights important for welfare and livelihood of farmers
- PVOs – Lower levels of awareness, farmers access to inputs such as good and quality seed

WHAT SHOULD BE INCLUDED IN FARMERS' RIGHTS

- Farmers – control of market prices, access to agricultural inputs, and right to information
- Public Institutions – preservation of genetic resources, access and benefit sharing, the right to reuse, save and exchange seed, access to inputs
- NGOs – Empower capacity to engage in decision-making and negotiation, right to information, protection of indigenous knowledge, the right to save, reuse and exchange seed, protection through IPRs
- PVOs – right to access good quality inputs such as seed, sharing in benefit from development of plant varieties from plant resources conserved by farmers

IPRs, REWARD MECHANISMS AND ACCESS AND BENEFIT SHARING

- Farmers – hypothetical example elicited views about access and benefit sharing
- Public Institutions – Consensus that farmers need to be rewarded, but raised questions on practicability of IPRs and other reward mechanisms
- NGOs - Farmers ought to be rewarded, skeptical about IPRs, raised questions of how to address sharing of benefits in community setting
- PVOs – Farmers would not be likely to patent inventions or innovations, however a reward mechanism would be welcome, again as the other about, how can this be put in place in the communities?

BARRIERS AND CHALLENGES

- Farmers – disempowerment, limited awareness of farmers' rights, government favours promotion of hybrids, lack of information
- Public institutions – farmers overshadowed by private industry, lack of coordinated efforts to implement rights, lack of recognition of contribution of farmers, policy framework there but direction not that clear
- NGOs – limited understanding of farmers rights, lack of coordination and networking of NGOs, unclear policy direction on farmers rights, farmers not involved in policy-formulation, farmers not empowered to pursue rights

ACHIEVEMENTS

- Farmers – not yet (perhaps elsewhere)
- Public institutions – there is some framework on farmers' rights to work on
- NGOs – Farmers are being empowered participate in decision-making

HOW DO WE REALISE FARMERS' RIGHTS IN PRACTICE?

- Create awareness at all levels
- Ensure participation of farmers in the whole process
- Harmonise and coordinate efforts at all sectors
- Make implementation efforts more clearly focused and effective
 - Protecting traditional knowledge
 - Creating incentive structures to support customary practices of farmers
 - Enhance reward and support mechanisms for farmers
 - Promote equitable benefit sharing

**THANK YOU FOR YOUR
ATTENTION**
