



Eastern and Southern Africa  
Small Scale Farmers' Forum  
**ESAFF - UGANDA**

## POLICY BRIEF

# Community Seed Banks (CSBs): A groundbreaking opportunity to realize small-scale farmers' seed rights

## INTRODUCTION

In the 1980s, small-scale farmers' seed rights were first developed to secure and recognize their role in the conservation and development of local plant varieties as well as to protect rights to small-scale farmers' varieties i.e. (to save, sell and exchange seeds from their harvest)<sup>1</sup>. This enabling environment was set to minimize the impact of plant breeder's rights on small scale farmers, whose rights are enshrined in a variety of legal instruments regulating access to and use of genetic resources and traditional knowledge. The recognition of the rights of small-scale farmers is critical not only to their local seed varieties but also to their lands, resources, traditional knowledge, and self-determination. In Uganda, the seed sector has grown exponentially, however most farmers 70- 80% still rely on farmer managed and farmer saved seeds<sup>2</sup>. The availability, accessibility and reliability of farmer saved seed is therefore crucial for small-scale farmers to be able to attain food and nutrition security. Community seed banks therefore provide a robust system both in terms of locally adapted seeds, diversity of plant genetics and strengthened small-scale farmers groups that ensure accessibility of seed by small-scale farmers<sup>3</sup>. The question of seed control and ownership is one many continue to ask themselves in the wave of food sovereignty.

It is critical to note that CSBs are crucial for both seed and food sovereignty, however, most of the community seed

banks are local initiatives operating within the domain of informal seed systems and hence not well linked to or supported by governments. Very many CSBs are grappling with the lack of legal frameworks and institutional support as well as the presence of restrictive seed laws. The international treaty for Plant Genetic Resources for Food and Agriculture (ITPGRFA) allows governments, gene banks and agricultural research centres to use small-scale farmers' genetic resources and share the benefits arising from the use e.g through breeding. This enhances the protection and use of genetic material and giving fair recognition and benefits to local small-scale farmers who hold and conserve local genetic material. However, in Uganda with the seed sector consisting widely with an informal seed system, the treaty is not yet localized and there are no legal or policy frameworks through which CSBs and other local initiatives can function<sup>4</sup>.

In Uganda, the majority of the population are small-scale farmers using farm-saved seed sourced from farmer-managed seed systems (FMSS) which are not adequately supported by policies and research. It is no secret that seed banks allow small-scale farmers to access a wide range of diversity for climate change adaptation, and helps small-scale farmers protect and conserve their biological diversity and improve seed storage. This makes it a vital moment to continue to grow and expanding seed sharing among small-scale farmers across the country.

<sup>1</sup> Australian Centre for Intellectual Property in Agriculture (ACIPA) (2016). Fact Sheet International No. 8. Available at <http://acipa.edu.au/pdfs/factsheets/Int-8Farmers-Rights-Fact-Sheet.pdf>

<sup>2</sup> Lewis, V., & Mulvany, P. M. (2012). A typology of Seed Banks. Natural Resources Institute, Chatham UK

<sup>3</sup> Development Fund (2011). Seeds of the Future: Savings, security, and seeds. A short study of community seed banks in Bangladesh, Costa Rica, Ethiopia, Honduras, India, Nepal, Thailand, Zambia, and Zimbabwe Retrieved from: [http://www.planttreaty.org/sites/default/files/Development%20Fund%20FR\\_submissions.pdf](http://www.planttreaty.org/sites/default/files/Development%20Fund%20FR_submissions.pdf)

<sup>4</sup> 4 FAO (2014). Module, Community Seed Banks: Farmer Field and Life School-Facilitators' Guide. Available at <http://www.fao.org/3/a-i3987e.pdf>

## The Role of Community Seed Banks (CSBs) in the Management of PGRFA



Inadequate availability of quality and preferred plant genetic materials in Uganda continues to constrain agriculture and threatens food and nutritional security, especially during times of climate changes. ESAFF Uganda has invested in community seed banks (CSBs) in Uganda with a bid to empower small-scale farmers to locally govern and manage plant genetic resources as well as maintain seeds for local use. ESAFF Uganda has designed these CSBs to conserve, restore, revitalise, strengthen and improve plant genetic resources, especially for local varieties of crops. CSBs also handle major and minor crops as well as neglected and underused species. ESAFF Uganda has so far established four (4) community seed banks across the country, these include; Orungo Community Seed Bank in Amuria district, Ongako Community Seed Bank in Omoro district, Apac Community Seed Bank in Apac district and Pakele Community Seed Bank in Adjumani district. These community seed bank operations have greatly

contributed to the empowerment of small-scale farmers to conserve, develop, exchange, seed production enterprises and sustainably use plant genetic resources to improve their livelihoods.

Neglected Underutilized Species/Plants (NUS) are very important in ensuring food security especially during food scarcity periods in communities. NUS also play a very important role in ensuring nutrition security of a household. Acknowledging this importance, the community seed banks are also serving to preserve Neglected Underutilized Species/Plants (NUS), indigenous knowledge and contributing to the realization of farmers rights.

These community seed banks are dealing with local landraces as well as introduced landraces and are community driven and community-owned. They employ a community-led seed management approach that includes production, collection, processing, storage, distribution, and marketing of local seed varieties. This unique approach positions small-scale farmers at the centre of managing plant genetic resources in the community and the country. This makes it easy for small-scale farmers especially women to access, use and to ensure seed security at the community level. Community seed banks are also contributing to the adaptive capacity of small-scale farmers and communities.

## Small-scale Farmers' Seed Rights and Community Seed Banks



Article 9 of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) recognizes the important contribution of farmers in the management, development and conservation of genetic diversity in-situ and their contribution to food production. Other international legislation such as the World Trade Organisation (WTO), Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement which stipulate that countries provide for protection of plant varieties through patents and the Plant breeders' rights under the International Union for the Protection of New Varieties of Plants (UPOV) tend to undermine small-scale farmers rights to save, exchange, use and sell farmer saved seeds.

Furthermore, national seed frameworks and laws that regulate the production, sale, marketing, and distribution of seeds in Uganda doesn't guarantee small-scale farmers' right to own their seeds through

seed registration, hence undermining small-scale farmers' rights to save exchange and use farmer saved seeds. The Plant Variety Protection law (PVP) also does not have any clauses protecting small-scale farmers' rights, indigenous knowledge, or the rights to save, exchange use and sell farmer-saved seed as well as silent on communities' rights. Also, the guidelines on



access to genetic resources and the fair and equitable sharing of benefits arising from their utilization (Access and Benefit Sharing (ABS) Guidelines 2017) do not apply where the exchanges are among local communities for their own consumption. As such, the issue of protecting and promoting small-scale farmers' rights becomes not adequately confronted by international and national legal and policy instruments.

The National Seed Policy aims at boosting the seed sub-sector in Uganda and encourages small-scale farmers to establish community seed bank, this is important in fostering the setting up of community seed banks. National Agricultural Research Organisation Plant Genetic Resources Centre (NARO PGRC) is also in the process of developing a national database of community seed banks which will play a very important role in keeping track of the available seed in the community seed banks and encouraging the collection and sharing

of information on community seed banks in Uganda. In recent years, the relationship between the community seed banks and NARO PGRC is being strengthened because of the increasing collaboration with community seed banks and NARO PGRC. This has seen small-scale farmers' role on conservation of crop (and tree) varieties being highly recognized.

ESAFF Uganda envisions that CSBs will always ensure that small-scale farmers' rights are protected through their function of providing access to a variety of diverse seed to farmers; through protecting their local indigenous knowledge which is often un-documented. By ensuring that materials that small-scale farmers have are conserved and adapted to the impact of climate change, CSBs also help to ensure that small-scale farmers have access to suitably adaptable material that they can use to tackle climate change.

Through seed fairs and other community level seed celebration events, community seed banks are also able to provide information on a portfolio of varieties and crops they have. This is creating more justification for the need to protect small-scale farmers seed rights especially in communities.

## Key Policy Recommendations

**To position community seed banks to realize small-scale farmers' seed rights, the following key policy issues should be addressed;**

1. Government through Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) should speed up the finalization of the International Treaty on Plant Genetic Resources for Food and Agriculture (PGRFA) development and full implementation to enable community seed banking act as a nodal link fostering small-scale farmers' rights advocacy, recognition, and protection. This will also create a unique system of access and benefit-sharing of genetic resources
2. Government through Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) should establish and support more community seed banks as part of the process of realizing farmers' rights in the country and fulfilling obligations of the plant treaty specifically with respect to access and benefit sharing and realization of farmers' rights.
3. NARO PGRC should establish a mechanism for backup and genetic resource sharing between national and community seed banks under the farmer-managed seed system to effectively protect and utilize the resources of our traditional crop varieties and farmers' varieties. This will create linkage to the national gene bank and database for in-situ and ex situ complementarities in conservation.
4. Government through Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) should include community seed banks in the climate change adaptation programmes as they can help communities build their resilience by providing suitably adapted seed and contribute largely to food security.
5. NARO PGRC should create a database for all the community seed banks in Uganda that are promoting farmer-managed seeds to ensure information and seed sharing among small-scale farmers.

## CONCLUSION

The role of community seed banks in ensuring that small-scale farmers realize their seed rights can't be underestimated. Community seed banks are greatly contributing towards the realization of and promotion of small-scale farmers' seed rights and sovereignty by ensuring that communities conserve and manage their genetic resources while at the same time exchanging seed and sharing the diversity and information, they have amongst themselves. Some key national policies and laws relating to seed, plant genetic resources, conservation and utilization, Plant Variety Protection create some space for the recognition and protection, and for documentation of small-scale farmers' indigenous knowledge. It should be noted that achieving a balance between national legislation and international requirements is still a challenge for many countries, Uganda inclusive.

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## About ESAFF Uganda

Eastern and Southern Africa Small-scale Farmers' Forum (ESAFF) Uganda is a small-scale farmer initiated and farmer-led movement formed to facilitate processes through which small-scale farmers' development concerns can be solicited, articulated and ultimately addressed through local, national, regional and international policies and programmes.



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