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## **TANZANIAN CIVIL SOCIETY STATEMENT ON FARMERS' RIGHTS 22 March 2013**

We, Tanzanian farmers' organizations and civil society organizations working on farmers' rights, agricultural biodiversity and agroecology, are extremely concerned about the news that Tanzania is on the verge of acceding to the 1991 Act of the International Convention for the Protection of New Varieties of Plants (UPOV 1991).

The rush for Zanzibar to adopt its Plant Breeders' Rights Bill is clearly designed to satisfy UPOV requirements and hasten Tanzania's entry into this intellectual property legal framework.

However, the entire process has been non-participatory, shutting out the very farmers that the Bill purportedly benefits. We are deeply concerned that farmers' organizations and relevant civil society organizations have not been consulted on the Plant Breeders' Rights Bill for Zanzibar.

The implications of acceding to UPOV 1991 for the farmers of Tanzania, who are largely smallholder farmers and women farmers, are wide-ranging and far-reaching. Our farmers are dependent on the farmer-managed seed systems (informal seed sector) and the customary practices of freely saving, using, exchanging and selling farm-saved seeds and other propagating material. These systems allow farmers to limit the cost of production by preserving independence from the commercial seed sector while the unfettered exchange of seeds/propagating materials contributes to the development of crop diversity and locally appropriate seeds that are more resilient to climate change, pest and disease. Farmer-managed seed systems have therefore contributed greatly to conserving, improving and making available agricultural biodiversity, which is the basis of our food security.

We do not think that acceding to UPOV 1991, which is tilted heavily in favour of the commercial breeders to the detriment of small-scale farmers, is a suitable option for Tanzania and our agricultural situation. The provisions of UPOV 1991, now also in the Zanzibar Draft Bill and in the recently adopted Plant Breeders Rights Act 2102, disregards the contribution of small-scale farmers, marginalizes their varieties, and adversely impacts on their interests and livelihoods as it, severely restricts farmers from engaging in their customary practices of freely sharing, exchanging and selling seed/propagating material.

The failure to consult farmers on these important issues affecting their rights, livelihoods and food security is simply unacceptable. The Tanzanian government has obviously failed to live up to its international commitments to take measures to realize farmers' rights including their right to participate in making decisions, at the national level, on matters related to plant genetic resources [1].

We respectfully call on the Government of Tanzania to immediately halt all processes leading to the ratification of UPOV 1991, until all relevant stakeholders – including farmers – have been adequately consulted and their concerns sufficiently addressed.

## **SIGNATORIES**

ACRA Tanzania

ActionAid Tanzania

Biore Tanzania Ltd

PELUM Tanzania

Swissaid Tanzania

Tanzania Organic Agriculture Movement

Tanzania Alliance for Biodiversity

African Centre for Biosafety – South Africa

East & Southern Africa Farmers Federation (ESAFF)

Surplus People Project – South Africa

Endnote:

[1] See the Preamble, Article 6 and 9 of the International Treaty on Plant Genetic Resources.

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