Implementation of the Regional Harmonized Seed Regulation by Member States
13th-14th June 2017
Accra, Ghana

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Seed Policy & Advocacy Specialist

WASP/PSAO
OUTLINE

I. Background and Rational

II. Specificity of the Regional Seed Regulation

III. Field of Application

IV. Implementing Approach of the Regional Seed Regulation

V. Status of the Implementation by Member States (MS)

VI. Benefit from the implementation of the Regional Seed Regulation
Diagnostic studies of West Africa Seed Systems revealed some constraints and dysfunctions:

- Low organization level of the seed sector
- Dysfunction of national seed systems, which do not fully comply with the Regional Seed Regulation
- Lack of operational infrastructural facilities (seed labs, storage, data collection tools, etc.)
- Weak capacity of the Research Seed Units to meet the needs of breeders’ seeds
- Low technical, managerial and organizational capacity of the private sector to play its leading role

ECOWAS, UEMOA and CILSS initiated a process of inclusive sub-regional consultations.

Harrmonization of Rules Governing Quality Control, Certification and Marketing of Plant Seeds and Seedlings, in the ECOWAS-UEMOA-CILSS Region’

Adoption of the so called “Regional Seed Regulation”
Characteristics of the Regional Seed Regulation (1)

- It derives from the Fundamental Agricultural Policy Options (ECOWAP, PAU, CSSA), i.e. “to create an enabling environment for a strong regional seed industry”.

- By its legal nature, it produces the same effect as law.

- When gazetted, it is directly applicable, in the national orders, without transposition and without ratification.

- It provides detailed guidance on actions to be taken, by MS vs Commissions, to facilitate its implementation.

- It clearly defines the roles of each SVC stakeholder.

- Originality lies in the fact that a single legal instrument governs harmoniously, seed production, quality control, certification and marketing in the region.
Characteristics of the Regional Seed Regulation (2)

Actions to be taken, by the Member States:

1. Gazetting the Regulation - #87
2. Institution of a National Catalogue - #9.3
3. Establishing a National Seed Committee - #10.2
4. Creating a Seed Sector Support Funds - #10.2
5. Minima and Maxima Cultivated Areas - #26
6. Types of packaging - #51
7. Certification Fee - #61
8. Criteria for Marketing Accreditation - #71.3
9. Import/Export of unconventional seed - #76.3
10. National Quarantine Pest List - #78.2
11. Sanctions for infringement - #82.2
12. List of Authorized Controllers - #83.1
13. etc. (list non exhaustive)
1. Gazetting the Regulation - #87;
2. Institution of a Regional Catalogue - #9.1;
3. E. Regulation specifying the conditions for the organization of the Regional Catalogue and Procedure Manual - # 9.4;
4. Establishing a Regional Seed Committee - #10.1;
5. E. Regulation related to the functions, organization and Operations of the Regional Seed Committee (#10.4);
6. Templates of Administrative Documents - #57;
8. Establishment of Regional Quarantine Pest List - #78.4;
9. E. Regulation related to Phytosanitary Certification and Procedure Manual - #78.4; etc. (list non exhaustive).
**Field of Application**

- **Variety Release**, based on regionally agreed procedures (DUS & VCU tests required)

- **Seed Quality Control & Certification**, based on agreed standards for each seed class: (Breeders’, Foundation, Certified Seeds)

- **Phytosanitary Certification**, based on a national quarantine pest list, to prevent the entry and dissemination of quarantine pests and diseases

- *Not a Plant Variety Protection regulation*
- *Not a Genetic Resource Management regulation*
- *Not a Biosafety regulation*
III. Field of Application (1)

Variety Release, based on regionally agreed procedures (DUS & VCU tests required)

Procedures Manual of Variety
(with the Test Guidelines for DUS & VCU for the 11 Priority Crops)

Regulation per se

Catalogue Régional

Executive Regulation
III. Field of Application (2)

Seed Quality Control and Certification, based on agreed standards for each seed class (Breeders, Foundation, Certified)

- Regulation per se
- Procedures Manual for Seed Certification & Accreditation
- Executive Regulation (with the ETRs for the 11 Priority Crops)
Phytosanitary Certification, based on National Quarantine Pest Lists (NQPLs), to prevent the entry & dissemination of quarantine pests and diseases.
IV. Implementing Approach of the Seed Regulation

1. Task Force Establishment
2. Political Reforms Required
3. Capacity Building
Implementing Approach of the Seed Regulation (2)

**Task Force Establishment – composed as follows**

- CILSS/INSAH (Seed & Biosafety Expert);
- CORAF/WECARD (Seed Policy & Advocacy Specialist);
- National Plant Protection Offices (Phytosanitary Certification);
- Regional Universities’ Experts (Law & Quarantine);
- NACGRAB & CILSS IT Experts (Data Management);
- National Seed Services’ Experts (Seed Quality Certification);
- Regional NARIs’ Plant Breeders (Variety Release);
Political Reforms Required – Measures to be taken

- Send Circular Letters to MS MoA – Gazetting
- Sensitization & Advocacy Missions – Understanding
- Preparation of draft templates of the main provisions requested – Draft templates;
- Examination of these draft templates, during a regional validation workshop – Consensual Templates;
- Adaptation of these consensual templates, during a national validation workshop – Measures taken by MS

Lessons learned have shown that political reforms cannot be achieved solely by the efforts of MS. They do need technical assistance provided by the Task Force/WASP CORAF.
**Political Reforms Required** – Measures to be taken by the Commissions:

1. **Publication of the Regional Regulation in the Community Official Journal (#87/-).**
3. **Institution of a Regional Catalogue (#9.1/80.1);**
4. **Establishment of a Regional Seed Committee/Council – RSC (#10.1/);**
6. **ER 01/06/12 on the Establishment of Regional Seed Committee (#10.4/81.4);**
Political Reforms Required – Measures to be taken by the Commissions:

- Templates of administrative documents (#57/55);
- ER on Enabling Technical Regulations and a Procedure Manual for Seed Quality Control and Certification (#58/56);
- Establishment of Regional Quarantine Pest List (#78.4/--);
- ER on Technical modalities related to Phytosanitary Certification and a Procedure Manual for Phytosanitary Certification (#78.4/76.4);
- Development of a Regional Quarantine Pest List’
Capacity Building (Human, Infrastructural Facilities):

Variety Release (catalogue development):

*to ensure the quality & management of National Catalogue.*

Seed Quality Control & Certification (standards):

*to ensure the quality of class seeds produced (BS/FS/CS).*

Phytosanitary Certification (Import & Export):

*to prevent entry & dissemination of Quarantine Pests.*

*to involve non-traditional (customers & police) officers.*

Harmonization of National Seed Legislations will be effective when the agreed procedures are fully respected by MS (cf. #4/4)
Recalling actions to be taken by the MS:

1. Gazetting the Regulation - #87
2. Institution of a National Catalogue - #9.3
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5. Minima and Maxima Cultivated Areas - #26
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13. etc. (list non exhaustive)
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<tr>
<th>MEMBER STATES</th>
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<tr>
<td>Togo</td>
<td>December 17, 2012</td>
<td>Special Number N° 56</td>
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<tr>
<td>Côte d’Ivoire</td>
<td>April 15, 2013</td>
<td>JO N° 214 EC</td>
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<td>Guinea</td>
<td>May – 2013</td>
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<td>Benin</td>
<td>August 16, 2013</td>
<td>Special Number N° 15 Bis</td>
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<td>Sierra Leone</td>
<td>December 29, 2014</td>
<td>Gazette No.71, Vol. CXLV, Govt. Notice No. 260</td>
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<td>Senegal</td>
<td>January 25, 2014</td>
<td>JO N° 6771</td>
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<td>February 25, 2014</td>
<td>JO Special Number N° 001</td>
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<td>Mali</td>
<td>June 6, 2014</td>
<td>JO N° 023</td>
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<tr>
<td>The Gambia</td>
<td>March 19, 2015</td>
<td>ISSN 0796-0201</td>
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<tr>
<td>Ghana</td>
<td>July 6, 2016</td>
<td>June 14, 2016 Approval by Parliament (21 days)</td>
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<tr>
<td>Guinea Bissau</td>
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<td>Mauritania</td>
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<td>Chad</td>
<td>ECOWAS-UEMOA-CILSS Tripartite Convention expected to make this possible</td>
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Recalling actions to be taken by the MS:

1. **Gazetting the Regulation** - #87

1. Benin BJ
2. Burkina Faso BF
3. Cabo Verde CV
4. Côte d’Ivoire CI
5. Gambia GM
6. Ghana GH
7. Guinea GN
8. Guinea Bissau GW
9. Liberia LB
10. Mali ML
11. Mauritania MR
12. Niger NE
13. Nigeria NG
14. Senegal SN
15. Sierra Leone SL
16. Tchad CH
17. Togo TG
Policy Reforms, to implement Reg. Seed Regulation:

All the 17 countries have initiated the process of taking the main required actions (*FtF indicators*);

These initiated implementing actions are at different levels of the adoption process (*FtF stage indicators*);

Among required implementing actions, actions related to import-export need to be more explained and promoted;

These import/export related actions are, *inter alia*, the bottleneck for an effective seed trade in the region;

Need to develop National vs Regional Quarantine Pest Lists (i), draft Executive Regulation (ii) and update the Procedure Manual on Import & Export (iii).
VI. Status of Implementation by MS (6)

- Synoptic Table of Implementation

../Documents/CoRSem 2017/Synoptic Table Seed Regulation Implementation_revps June 2017.docx
VI. Benefit from proper implementation
(#2: Purpose)

- **Local production** of quality seeds is facilitated – a professionalization tool;
- **Seed trade** amongst Member States is facilitated – principles & rules being regionally agreed;
- **Access to quality seeds of new varieties** is facilitated – mutual recognition and equivalence;
- **Enabling environment** for private investment is created – roles of SVC actors being clearly defined;
- **Partnership public and private sectors** is promoted – x
Thanks for your kind attention!