



Meeting Minutes: EAC Seed Bill Webinar

Date: 11th September 2025

Time: 3:00 PM – 5:00 PM (EAT)

Venue: Online (Zoom)

Duration: 2 Hours

Moderator: Tabby Munyiri, Advocacy and Communications Officer, Seed Savers Network

Participants: 116 participants (panelists, stakeholders, civil society representatives, regional farmer organizations, legal experts)

Organisers: Seed Savers Network and Swissaid (Coordinators), ISFAA, Acts for Change, CIDSE, Witness Radio, AFSA, BIBA Kenya, CJPd, TOAM, CERN/CENCO, PELUM Association, TABIO, SEATINI, CEFROHT, Slow Food Kenya, Greenpeace Africa, Laudato SI Movement, NCCJP among other partners.

1. Opening Session

The webinar commenced at 3:00 PM with welcoming remarks by the moderator, Tabby Munyiri. She outlined the objectives of the session:

- To review and discuss the proposed EAC Seed and Plant Varieties Bill, 2025.
- To analyze its implications on regional seed harmonization.
- To explore its potential impact on farmers' rights, seed systems, and agricultural trade in the East African Community (EAC).
- Participants were encouraged to actively contribute to the discussions and were informed that a link to the Bill document would be shared in the chat for reference.

2. Context Setting by the Moderator

Tabby highlighted that the draft Bill closely mirrors provisions of UPOV frameworks and lacks explicit recognition of farmers' seeds and farmers' rights. She noted that while some EAC member states such as Kenya and Uganda have made progress in integrating farmer-managed seed systems in their national laws, adoption of this regional Bill could override such national strides through harmonization. She informed participants that Kenya is currently reviewing its national Seed and Plant Varieties Act, and a technical committee (including Seed Savers Network) is conducting a gap analysis to ensure farmers' rights are embedded in the new bill.

3. Key Presentation: Legal Analysis of the Bill

I. Presenter: Peter Munyi – Advocate and agricultural legal expert

Highlights from the Presentation:



The East African Community is a regional economic bloc of eight partner states with the long-term vision of political federation. It operates through organs including the Summit (Heads of State), Council of Ministers, sectoral committees (such as agriculture), and the East African Legislative Assembly (EALA). Agriculture employs a large portion of the population and contributes significantly to GDP, but the region remains largely food insecure.

Rationale and Legal Overlaps

The Bill is framed as a response to food insecurity and is linked to efforts by the EAC and development partners such as USAID and AGRA to harmonize seed laws. It comes on top of a backdrop of national seed laws and existing international obligations, each with different applications and impacts. The Bill introduces another layer of obligations on seeds and Plant Variety Protection (PVP) for EAC states, potentially overriding national legal provisions.

Variety Release Procedures

The Bill recognizes only DUS (Distinctness, Uniformity and Stability) testing, Value for Cultivation and Use (VCU) and National Performance Trials (NPT) as acceptable procedures for seed release. It does not give room for other national procedures, which creates problems:

- o These procedures are designed for commercial varieties and do not accommodate farmer varieties.
- o They fail to account for national realities such as Quality Declared Seed (QDS), which is formally recognized in Tanzania.
- o Seeds not passing through these tests could become legally unrecognized under the new framework, even if they are currently recognized nationally.

Plant Breeders' Rights (PVP) Provisions

Normally, a PVP law defines: conditions for protection, scope of breeder rights, exceptions, and duration. The 2018 draft Bill contained these material elements.

- The 2025 Bill leaves all these crucial details to be defined later by the Council of Ministers via subsidiary regulations raising questions about transparency and the future of farmers' rights.
- This creates uncertainty for countries that already have PVP laws: they may be forced to cede parts of their national laws to align with future regional subsidiary regulations.

Overall Observations

The Bill is highly one-sided, favoring commercial and industrial crops, and neglects farmer-managed seed systems. It does not provide a balance between different farming realities, and fails to recognize or protect farmers' rights.



Contradiction noted: In July 2025, EALA passed a motion urging partner states to adopt Agroecology to strengthen food sovereignty—yet this Bill, published earlier, runs counter to that call. This contradiction suggests that EALA may be open to reconsidering the Bill to better align it with agroecology and food sovereignty objectives.

Human Rights Perspective on the Bill

II. Presenter: Dr. David – Executive Director, Centre for Food and Adequate Living (Uganda); Food rights lawyer

Dr. David analyzed the Bill from a human rights-based approach (HRBA), emphasizing:

- o The right to food as a foundational human right.
- o The duty of states to protect smallholder farmers' seed systems as part of ensuring food sovereignty and adequate livelihoods.
- o The risk that the Bill could undermine these obligations by prioritizing commercial breeders' rights over community seed systems.
- He stressed the importance of participatory lawmaking, where affected communities are consulted, which was lacking in the Bill's development process.

III. Broader Regional and Policy Context

Speaker: Famara Diédhiou Program Officer (Alliance for Food Sovereignty in Africa)

- Famara highlighted that:
 - o The Bill is linked to the 2021 EAC Harmonised Seed Trade Guidelines and efforts under the AfCFTA IPR Protocol.
 - o Under the Kampala Declaration, there is explicit room to support Farmer-managed seed systems (FMSS).
- This shows two parallel systems:
 - o A push for commercial seed harmonization (Bill, IPR protocol), and
 - o A recognition of the need to strengthen FMSS and seed sovereignty.
- He noted that continued civil society advocacy is crucial:
 - o “If we keep quiet, they will continue using the ones with money; if we keep pushing, we will secure our space.”

IV. Speaker: Medius Bihunirwa Head of Programs (Pelum Association Regional Secretariat)

Thanked organisers and panellists and built on points from previous speakers about the East African Community(EAC) Seed and Plant Varieties Bill. She Highlighted that these processes



are not isolated they link from national to regional, continental, and international levels. She noted that African policy frameworks are increasingly influenced by international developments such as the European Union's Plant Reproductive Materials (PRM) Regulation, due to bilateral relationships and corporate pressure. 60–80% of seed in Africa comes from smallholder farmers and forms part of African cultural identity, biodiversity, and heritage. Expressed concern that current seed harmonisation processes primarily serve corporate interests, undermining smallholder farmers and biodiversity.

Medias Warned of corporate infiltration of policy processes (naming AGRA and others) and called for African governments to fund their own policy-making to reduce dependency and external influence.

Medias Urged that the EAC Bill be examined alongside other frameworks such as:

- o East African Community Vision 2050
- o EAC Food and Nutrition Policy (2016)
- o EAC Seed Harmonisation Initiative and related input systems. She Pointed out policy gaps: notably, no mention of farmer-managed seed systems, despite their dominance in African food production.
- Emphasised joint advocacy at multiple levels (national, regional, continental, international) and engaging with key regional bodies such as:
 - o East African Legislative Assembly (EALA) — especially the Agriculture, Tourism and Natural Resources Committee
 - o Eastern Africa Parliamentary Alliance on Food Security and Nutrition (EA-PAFSN), which includes EAC and IGAD as members
- Suggested exposing policymakers directly to farmer realities, e.g. through participation in seed and food festivals, as done at the 2024 Continental Seed and Food Festival in Arusha.
- Called for:
 - o Reading and analysing the Bill and its legal interpretation
 - o Mapping how it interrelates with other EAC and continental policies
 - o Organising civil society actors to engage and advocate collectively

v. Speaker: Joe Mzingi (Eastern and Southern Africa Smallholder Farmers Forum - ESAFF)

Reiterated urgency: time to act is now, and the Bill is already moving through the East African Legislative Assembly (EALA) (first reading done, second reading pending). Joe Stressed that smallholder farmers must push for recognition of farmer-managed seed systems in the Bill rather than staying silent. Warned that delays are linked to lack of funding for EALA, but the Bill remains active and progressing. Joe Emphasised the importance of food sovereignty starting from seed sovereignty, noting that Africa could face food insecurity in future if it relies on external seed systems.



He gave background:

- o He participated in initial consultations in 2017 convened by the East African Community Secretariat
- o Faced backlash for sharing drafts publicly, showing lack of transparency and farmer involvement from the start

He Pointed out historical precedent:

- o In 2014, advocacy by African Centre for Biodiversity (ACB) and others secured exceptions for smallholder farmers in the Protocol on Plant Breeders' Rights.

He Called for engaging ongoing continental processes:

- o The African Union (AU) Council of Ministers is meeting this October/November — last year they failed to agree on agroecology; this year civil society should push hard for its inclusion.
- o Link advocacy to the Comprehensive Africa Agriculture Development Programme (CAADP) and the emerging Kadip/Comparative Declaration (KD) agenda.

He Urged working with the system but pushing for inclusion, warning that ignoring the process will only strengthen corporate dominance.

Learning from Past Experiences

vi . Speaker: Mariam Mayet – Founder & Director, African Centre for Biodiversity (ACB)

- Shared lessons from the 2018 EAC Seed Bill advocacy:
 - o Detailed legal and policy analysis done.
 - o Summaries and reports widely shared with regional partners.
 - o Workshop held in Arusha to review the bill clause by clause.
 - o Advocacy and lobbying done at national and EAC Parliamentary level.
 - o Press statements and media engagement carried out.
 - o The 2018 Bill was eventually stalled.
- **Analysis of 2025 Bill:**
 - o Similar ethos to the 2018 Bill: focuses on commercial seed systems, disregards farmer-managed systems.
 - o Contains two main parts:
 1. Seed marketing provisions.
 2. Plant breeders' rights / plant variety protection.
 - o Supports private sector-led seed production and certification.



- o Requires costly Distinctness, Uniformity and Stability (DUS) and Value for Cultivation and Use (VCU) testing — inaccessible to small-scale farmers.
- o Calls made to:
 1. Introduce alternative quality standards for farmer seed (germination, moisture, phytosanitary checks).
 2. Insert exceptions to breeders' rights under Article 12.4 to allow smallholders to save, exchange, reuse protected varieties.
 3. Align with Article 9.3 of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) on farmers' rights.
- o Warned the Bill could force EAC member states to amend national laws to accelerate commercial seed systems, risking loss of biodiversity and farmer seed systems.
- **Concerns**
 - o Risk of regional fast-tracking of private commercial seed, bypassing national systems.
 - o Urged participants not to try fitting farmer seed into a commercial law — instead push to remove harmful provisions and advocate for a separate law/policy on farmer seed systems.

4. Presentation of the Draft Position Paper

Tabby Shared that a joint position paper has been developed with partners to respond to the 2025 EAC Seed Bill. A link to the draft will be shared via chat and email for further input before submission to East African Legislative Assembly (EALA). [Find it Here](#)

- Key proposals in the position paper include:
 - o Terminology amendment: Replace the word “discovered” with “bred” in the definition of a breeder.
 - o Recognition of farmers'/traditional varieties:
 - Insert provisions recognising and protecting farmers' varieties.
 - Propose that Member States establish and maintain national registers of farmers' varieties.
 - o Farmers' rights:
 - Explicitly include the right to save, use, exchange, reuse, and share even protected seed varieties.
 - Insert these provisions under Article 12.
 - o DUS/VCU testing:
 - Note that DUS is only applicable to formal seed systems; create alternative pathways for farmer varieties.
- Clarified that actors are still discussing whether to:
 - o Reject the current bill entirely and propose a new one or retain it but insert a specific section exempting farmers' varieties.



5. Reflections & Legal Context

- Wanjama addressed a question from Sidi on whether legal court action may have influenced the decision to review the Seed and Plant Varieties Act:
 - While no direct evidence exists, it is possible.
 - Policymakers have shown a change of heart and have referenced court cases as part of the motivation to begin reviewing the Act.
 - Some believe this may also be linked to fear of an impending court judgment in November.

6. Closing and Way Forward

Consensus that civil society must speak with one voice, work jointly, and reach grassroots communities (especially smallholder farmers and women seed savers) to build awareness of the bill's implications. Participants agreed to continue giving input on the position paper and consolidate into a final draft. The final version will be submitted to EALA and other stakeholders. Participants encouraged to keep engaging through email and collaborative documents.

7. Group Photo and Meeting Closure

- Participants were invited to turn on their cameras for a group photo. The moderator thanked everyone for attending, for their time, and for agreeing to extend the meeting by 20 minutes. Meeting was adjourned with appreciation to all contributors.

Action Points Summary

- Share and input on draft position paper (Tabby to circulate link via email).
- Continue lobbying and advocacy with EALA ATNR Committee members.
- Prepare for upcoming public hearings across the 8 EAC states.
- Monitor AU Council of Ministers meeting (October–November) on agroecology resolution. Continue capacity building and information-sharing with grassroots farmer groups.

[Draft EAC Seed and Plant Varieties Bill, 2025](#)

[Link to joint position paper for inputting](#)

[Link to presentations](#)



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WEBINAR: THE EAST AFRICAN COMMUNITY (EAC) SEED AND PLANT VARIETIES BILL, 2025

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Speakers:

Dr. Peter Munyi– Advocate

Mariam Mayet– Executive Director, African Center for Biodiversity

Famara Diédhiou– Program Officer, AFSA

Daniel Wanjama– Coordinator, Seed Savers Network

Medius Bihunirwa– Head of Programs, PELUM Regional

Joe Mzinga– Regional Coordinator, ESAFF

Dr.Kabanda David– Executive Director (CEFROHT)



Date: Thursday, 11th September 2025

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