



AGRI-BIOTECH AND POLICY FORMULATION IN AFRICA

A Perspective on New Breeding Tools



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ABBC Principal Convenor:

Margaret Karembu, PhD, MBS - Director, ISAAA AfriCenter



OVERVIEW

This booklet captures key lessons on policy formulation related to application of New Breeding Tools (NBTs) to achieve sustainable food systems and One Health goals in Africa. These lessons emerged during a Policymakers' Roundtable Panel Discussion happening at the 5th edition of the Africa Biennial Biosciences Communication (ABBC2023) symposium held in Nairobi, Kenya in August 2023.

Comprising acclaimed policymakers and policy consultants from the East African Legislative Assembly (EALA), Kenya, Ethiopia, Nigeria and Burkina Faso, this session provided an opportunity to share policy formulation experiences in the area of modern biotechnology in Africa. It also aimed at interrogating policy and legal instruments on the technology and suggesting recommendations for influencing policies supportive to NBTs.



Nigeria's Perspective

- In Nigeria, policy formulation does not necessarily require a legislative procedure. The following considerations are taken into account in the process of policy formulation: Thematic areas the policy will address, and the target group and implementation agencies. Also considered is the potential impact of the policy to people's livelihood, environment and economy.
- Once the policy has been drafted, it is subjected to public participation and stakeholder review before it goes to the Cabinet where it is approved.
- The approved policy will require development of laws and guidelines that will ensure the policy is adequately implemented.
- Three key reasons why Nigeria's biosafety system is robust:
 - i. The Nigerian biosafety system, including biotechnology policy, **gives the National Biosafety Management Agency (NBMA) discretionary powers** in biosafety decision making. Sharing these decision making powers among different agencies was going to pose a difficulty. However, the NBMA Chief Executive is held liable should they go against the law.
 - ii. **Stakeholders are fully involved** in biosafety framework/policy development and implementation process. The Agency engages an ad-hoc committee whose role is to only give recommendations on the draft policy/law.



“ *Issues of biosafety are not based on democracy but on scientific facts.* ”

Dr. Rufus Ebegba, former DG/CEO, National Biosafety Management Agency, Nigeria

- iii. The NBMA counts on the diversity of departments/units such as legal, media, protocol and enforcement units as integral in biosafety decision making. This diversity enhances the Agency's capacity on biosafety regulation.



Burkina Faso's Perspective

- Just like other Sahel countries, Burkina Faso's population is growing faster than its food production. The impact of climate change is visible and high.
- Agriculture policies in Burkina Faso focus on production of sufficient and healthy food. They also look at environmental safety. Policymakers look at how science yields solutions to these challenges.
- Once the policy has been prepared, it is reviewed at the Cabinet level before it gets to Parliament. Once Parliament okays it, it goes back to the Cabinet who will then approve it for implementation.
- Biotech cotton was adopted in Burkina Faso in 2003 when cotton production was plummeting. A biosafety framework was put in place in 2004 and amended in 2012.
- The country is further revising the biosafety law in view of AU guidelines and advancement in modern biotechnology especially development of genome editing field.



Kenya's Perspective

- Policy making in Kenya is a laborious process due to the nature of the constitution that provides two levels of Government – the National Government and County Governments. It may take as long as one year to formulate a policy in the country.
- One big policy challenge in Kenya is the overlapping biosafety mandate between NBA and the National Environment Management Authority. The Environmental Management and Coordination Act (EMCA) contains a 'miscellaneous' clause that classifies major developments in biotechnology as 'high risk' requiring full Environment Impact Assessment.
- Strengthening coordination among relevant agencies comes in handy in order to address the aforementioned challenge.
- A champion is needed to ensure success in policy formulation and approval. He/she will collect evidence required to guide the new direction.
- Working with County Governments in the realm of policy formulation is crucial – County Governments are very powerful.



“ *Consensus building is critical for contentious issues like food safety where many agencies are involved (agencies in charge of health, environment and agriculture).* ”

Dr. Roy Mugiiira: CEO, National Biosafety Authority, Kenya

- Strategies to use in addressing areas of contention in biotech policy formulation include: Equipping champions with evidence and facts, having open conversations about areas of contentions, engaging all stakeholders and working closely with policymakers.
- Like-minded organizations should come together to support stakeholder engagement and facilitate experience-sharing with countries that have made significant progress – benchmarking helps in addressing controversial topics/technologies and builds confidence in decision-making.



Ethiopia's Perspective

- To build sustainable food system and planetary health in line with SDGs and Agenda 2063 goals, effective policies are needed. Engaging stakeholders at all levels during policy development is paramount.
- A review of existing policies is conducted to obtain a better experience in developing new policies.
- A diversity of aspects was considered while developing Ethiopia's agri-biotech policy. These included aspects such as infrastructure, human resource, biodiversity, biosafety, biocontrol and biosecurity, market exchange, entrepreneurship and partnerships.
- Community participation is also conducted before any draft policy gets a nod.
- The draft policy then goes to the Ministry of Justice, and thereafter gets to The House of Peoples' Representatives.





East Africa Legislative Assembly

EALA is strongly committed to harmonize a number of legal instruments among East African Community (EAC) members. The East African Science and Technology Commission (EASTECO), an organ of the EAC, provides the platform for harmonization of biosafety frameworks in the region. Already, a regional bio-economy strategy has been developed. The Commission is forging for common policies that will promote inclusive economic growth, job creation and competitiveness.

EASTECO has developed a draft harmonized biotechnology and biosafety policy for EAC. The policy will be subjected to stakeholders, and submitted to the Council of Ministers in each partner State. The policy will harness the benefits of biotechnology and prioritize responsible and sustainable use of this technology with the aim of safeguarding human health, environment and biodiversity.

EALA recognizes the contribution of biotechnology and biosafety in building sustainable agriculture and food systems in the East African Community.

The regional Assembly is ready to support stakeholder engagement and community/farmer outreach and promote dialogue about the technology.



“ *We applaud and commend Kenya for leading the front in agri-biotech and biosafety development in the EAC region.* ”

Hon. Francoise Uwumukiza, Chairperson, Committee on Agriculture, Tourism and Natural Resources, EALA

The Assembly is also engaging EAC member States to commit more funds into research. Ugandan Government has allocated the highest amount to science and research. EALA recognizes that research and technology is needed to make sure we develop policies and strategies that are innovative for crop and livestock improvement.

“ *At EALA, we are moving a Bill – the East Africa Livestock Bill – to address, among others, transboundary zoonotic diseases.* ”

Hon. Francoise Uwumukiza, Chairperson, Committee on Agriculture, Tourism and Natural Resources, EALA

Here is a key message from this session:

Lack of biosafety laws does not, in any way, hinder research and development in modern biotechnology. Scientists in countries that do not have these laws should conduct research in accordance with other science, technology and innovation (STI) laws enacted in the country, and in line with international biosafety protocols.



ABBC2023 was an eye-opener, it gave us an opportunity to know whether we can harmonize, collaborate or cooperate in the area of biosafety regulations and improvement of biotechnology. We need to find ways to implement ideas from this conference and take the lessons to more and more stakeholders including the public.

Dr. Rufus Ebegba, former DG/CEO,
National Biosafety Management
Agency, Nigeria

