

CHINA CASE STUDY – INDIGENOUS FARMERS of GUANGXI

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Objectives and Context:

Through participatory research with four traditional farming communities in Guangxi, S.W. China, the study aims to understand the customary laws and practices relevant for controlling external use of maize landraces and traditional knowledge. It aims to inform the development of national policies and laws, including the recognition of customary laws, the “Protection Regulation for New Plant Varieties”, and ABS laws being developed by the Environmental Protection Administration (SEPA). Most of the people in the four villages are ‘minority’ nationalities, such as Zhuang and Yao, with their own language and culture. These indigenous communities with multi-nationalities have rich TK, genetic resources and culture. They live in typical Karst remote mountain areas, with limited water and arable land and harsh natural conditions. The area is a centre of maize biodiversity, the origin of maize cultivation in China, and wax maize worldwide, and has plenty of medicinal plants in the mountain areas.

Challenges & Opportunities for Protection of Collective Bio-Cultural Heritage: The genetic base for maize breeding in China has been dramatically reduced during the last few decades. A new assessment has revealed that biodiversity loss is one of the new challenges for China to ensure future food security (Huang, 2003). In the national legal system, TK protection and enhancement are not included. In the study area, landraces in farmers’ fields are disappearing as a result of the spread of modern varieties with high productivity. The main threats for local livelihood, genetic diversity and TK are limited cultivated land, unstable and unclear land rights, institutional interventions on the TK system and customary laws, and increasing commercialization and globalization. In view of farmers’ current inferior socio-economic status and increasing involvement in market competition, the protection of farmers’ right and interests for equal benefit sharing and sustainable livelihood is a key concern that requires greater attention from policy makers. Without compensating measures and appropriate protecting policies/laws, there will be exploitation of farmers’ rights and interests, and a deterioration in their TK and the environment and natural resources (UNDP, UNIFEM and NDRC, 2003, Song and Zhang, 2003).

Participatory Plant Breeding and Community Based Natural Resource Management offer opportunities for local genetic resource protection. These collaborative approaches through which the formal system stakeholders work with farmers are crucial for GR/TK protection and can bridge agrobiodiversity conservation and rural development by focussing not on crops and crop diversity per se, but on the farmers, their TK, skills and (adaptive) management practices which maintain and depend on agricultural biodiversity on-farm and off-farm. However, ABS issues need to be carefully addressed in this collaborative process. In addition, Farmers' seed fairs offer ways through which farmers' seeds and TK could be further valued and exchanged with different communities; as well as local registers and community seed bank, recording and collecting genetic resources by local communities.

Interlinked Systems of Collective Bio-Cultural Heritage: In Guangxi province the total maize germplasm collection has around 2 700 entries of which more than 1700 are landraces from the region. These are the result of local peoples' selection, domestication, cultivation and diffusion through their TK system for thousands years. There are close connections between the culture of the 'minority' peoples, Zhuang, Yao, Miao etc, dwelling in this area, their TK and the rich genetic resources. For instance, local people like waxy food, and even when a lot of local waxy varieties are replaced by high yielding varieties, they still try to grow some waxy and other special local varieties in isolated areas, like vegetable gardens, used as quality food or for making maize wine for special traditional use, such as festivals and weddings. However, cultural and spiritual values for maintaining TK and biodiversity are becoming weak. More and more young villagers are 'modernized', and migrating out for non-farming activities. TK, cultural and genetic diversity have disappeared very rapidly in the last few decades.

Customary Laws and Practices: People in the communities with different nationality have different lifestyles, language and customary laws. In general, genetic resources and TK considered as *common* or public property are transferred between and within communities through village trade fairs, festivals, gatherings etc. Villagers are always willing to share these common TK with others, even outsiders. Yet, some *specific* TK that is clan/family-owned, can only be transferred through generations within clan/family system, e.g. special indigenous medicinal plants and their usages. Such customary ownership is very strongly respected by the indigenous people. This may be due to unclear land rights and external intervention in the last few decades. The community decision-making process is dominated by village committee, which is under the government political institutional system. Although this system is becoming more democratic, it still cannot fully represent farmers and local communities' interests.

Community Response for TK Protection and ABS: The communities' main concerns are value addition and recognition by the formal system. For instance, communities have planned to register, document and process their local medicinal plants. Their key concern is how to enter the market. Therefore farmers want to work together in a group, instead of individually, in order to strengthen their ability on ABS in the marketing process.

Farmers' awareness of ABS and IPR issues in the PPB process is still weak. They consider genetic resources and TK in seed selection as common property and even feel proud to share with others, especially formal breeders. However, the local farmers are gradually realizing that their sharing principle is not practiced by all, especially not by profit oriented stakeholders. They start to realise the need for equal ABS, like farmers' free access to PPB varieties and other varieties, made with local germplasm and TK, for community seed production, landraces registration and documentation. Farmers' own organisation and community based management are essential for the enhancement of farmers' collective right and customary laws at local level and for their recognition by the state. Clear and systematic ABS agreements should be made between local communities and outsiders before and during collaboration such as PPB. Such agreements should respect customary laws and respond to the unique needs of indigenous and local communities. National laws for protection of new plant varieties and genetic resources should give full recognition to the rights of farmers rather than only formal plant breeders, as farmers are also breeders and important contributors of genetic resources/ TK.