



MINISTRY OF AGRICULTURE AND IRRIGATION

SOMALI NATIONAL PESTICIDES POLICY

May, 2019

Forward

To support economic growth, government intends to remove a number of major constraints its productivity through a range of public policy interventions, including improved security across the country, resettling of rural population, in particular farmers back in the countryside, restoration of agricultural research and extension services, rehabilitation of riverine irrigation infrastructure and improved uptake of modern agricultural technologies and creating enabling business environment through regulation of markets for input. With regard to market, the Federal Ministry of Agriculture and Irrigation (FMOAI), in collaboration with states ministries and relevant public agencies with policy remit in this area, has developed a policy for pesticides with view of enacting legislation to regulate the trade and use of pesticides in Somalia. At present, there are no official controls for trade and use of pesticides in Somalia – regulatory gaps that poses significant economic, health and environmental risks.

Uncontrolled trade and use of pesticides raise serious concerns. Pests are very adept at developing resistance against the chemical pesticides intended to control them. Pest resistance, stimulated by excessive pesticide use, as well as secondary pests' emergence are mechanisms by which inappropriate pesticide use, initiated to suppress pests in the first place, leads to greater pest outbreaks. Excess and inappropriate use of some pesticides can result in residue in treated agricultural produce in levels higher than those considered safe for human consumption. The policy provides a framework for legislation of pesticides to address these concerns. It will sufficiently reflect the requirements of international agreements or regional initiatives to harmonize requirements. It will also ensure that the legislation is adequately connected to existing and future national legislation on environmental protection, chemicals management, or other relevant areas. It will also ensure that the future revision of the legislation will reflect the changes in the institutional framework and associated mandates to maintain the safety and efficacy of pesticides marketed in Somalia all the time.

I take the opportunity to thank European Union Commission for supporting the development of this policy through the funding OUTREACH project. I also thank Adam Smith International and Somali Agriculture Technical Group (SATG) who implemented the OUTREACH project, and experts who worked on the policy. Agricultural development in Somalia is facing major challenges in contributing to sustainable development of the country. The use of chemical

pesticides in agriculture has increasingly become a matter of concern in the absence of appropriate regulatory controls of their trade and use. While undoubtedly, an increasing trend of pesticide use and incidents of pest infestation, as well as high level of reported pesticide poisoning, together suggest there is an inappropriate use of pesticides in Somalia with potentially significant health and environments risks. Pesticides usually kill pests and their natural enemies alike, and as result pose risks to environment.

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1. Context

The agriculture sector has been historically and continues to be the backbone of the Somali economy. Livestock and crops remain the main sources of economic activity, employment, and exports in Somalia¹. It has a crucial role to play in Somalia's renewed pursuit to achieve peace and political stability through, among other strategies, food security, job creation, and, eventually, sustainable economic growth. In fact, a large proportion of the country's population live in rural areas and derive their livelihoods from agriculture, livestock and related activities. The agriculture sector development is therefore a central to future national and international interventions aimed at addressing undernutrition and food insecurity in Somalia, as well as tackling the widespread poverty, which is the prime driver the resource-based social conflicts and the ensuing political instability throughout the country.

However, the sector's productivity is currently very low due to several interlinked factors including security problems in main agricultural regions, conflict and frequent droughts which have forced displacement of large proportion of rural population to urban centres, poor irrigation and rural infrastructure, as well as limited and inappropriate adoption of modern agricultural practices such as use of mechanisation, high quality seeds, pesticides and pesticides². The impact of constraints is exasperated by the lack of institutional and technical capacities in the current post-conflict situation of Somalia.

1. Institutional context

Somalia's government institutions ceased to function during the civil war that started in 1990. Key regulatory functions such as official controls of agricultural input such as pesticides ended abruptly as state collapsed. In addition, the technical and administrative capabilities to develop policies and enact and enforce laws were lost, together with supporting infrastructure and service such as technical and legal expertise, laboratory facilities, research and extension services, and documentation archives. This has left farmers, consumers, general public and environment unprotected against potential risks associated with the unregulated trade and use of pesticides.

¹ World Bank and FAO (2018) 'Rebuilding Resilient and Sustainable Agriculture in Somalia', <http://documents.worldbank.org/curated/en/781281522164647812/pdf/124651-REVISED-Somalia-CEM-Agriculture-Report-Main-Report-Revised-July-2018.pdf>

² Idem

In recent years, the Somalia government in partnership with the international community is working towards restoring peace and stability while rebuilding government institutions in order to provide the basic services and stimulate economic growth. As part of this effort the government wishes to develop a regulatory policy re-enabling the official controls of pesticides in Somalia. The Federal Ministry of Agriculture of Agriculture and Irrigation (FMOAI), alongside its counterpart ministries of federal states, is responsible for the formulation, implementation and monitoring of agricultural policies, legislations, and regulations on pesticides. An effective design and implementation of such policy is prerequisite to establishing a business-enabling policy environment that encourages, facilitates and promotes the development of and investments in the various sectors of agriculture value chains.

Developing a regulatory policy governing the trade and use of pesticides is crucial for Somalia. Indeed, creating an enabling regulatory environment to promote the safe use of pesticides is critical for achieving the overarching Somalia's National Development targets of (a) 20% increase in cereal production by 2019 and (b) improved food security and alleviation of widespread rural poverty through income stabilisation³. Somalia faces a chronic food crop deficit, as local production meets only 22 percent of per capita cereal needs⁴. Even in the best agricultural seasons, domestic production provides only about 40–50 percent of per capita cereal needs. Consequently, farming communities suffer from high rates of chronic malnutrition given the seasonality of the production and frequent natural environment shocks including floods and droughts.

2. Policy problem

Pesticides are active substances and products that have the inherent potential to kill or control harmful or unwanted organisms – such as pests and weeds. Specifically, pesticides are chemical agents designed to kill pests such as insects or rodents or prevent the growth of microbial agents which damage crops. They also used as a plant regulator, defoliant, or desiccant (drying agent) on a crop. They can be used in agriculture or to control the growth of plants on non-agricultural surfaces (plant protection products), or for other purposes (biocidal

³ NDP final, 2017-2019, Dec. 2016, <http://mop.gov.so/wp-content/uploads/2018/04/NDP-2017-2019-1.pdf>

⁴ World Bank and FAO, Rebuilding Resilient and Sustainable Agriculture in Somalia, 2019 <http://documents.worldbank.org/curated/en/781281522164647812/pdf/124651-REVISED-Somalia-CEM-Agriculture-Report-Main-Report-Revised-July-2018.pdf>

products). Therefore, pesticides are used to improve or safeguard agricultural yield and the quality of agricultural produce while minimising labour input. As such pesticides can play an important role in meeting plant health requirements and therefore facilitating international trade in agricultural products if appropriately used. However, pesticides can be harmful to non-target organisms, and can therefore have unintended adverse effects on human health and the environment. Pesticides have been shown to disrupt the balance of natural ecosystems, often killing beneficial organisms such as natural predators of pests and pollinators. This can drastically alter the natural balance of the ecosystems and also negatively impact agricultural productivity if used inappropriately.

Similarly, a number of incidences of pesticide poisoning are often reported in Somalia. These incidents include both accidental by ingestion or skin contact and self-poisonings, as well as through consumption of treated crops. The most common acute adverse effects of pesticides on workers and operators include headaches, vomiting, stomach-aches, and diarrhea. These symptoms occur through exposure during the application, preparation or mixing of pesticides, or handling. Repeated exposure may also lead to long-term and chronic health effects (e.g. cancer, birth defects and reproductive problems) through bioaccumulation as many synthetic pesticides are not broken down metabolically once they enter the body of an organism and therefore stored in the body tissue.

At present, there is no national legal framework governing official controls of trade and use of pesticides in Somalia. In addition to the health and environmental risks, the lack of regulatory oversight in the trade of pesticides may result in the imports of substances which may not be of the stated nature and quality standard. In effect, the unregulated imports of these products leave farmers exposed to fraudulent activities as counterfeit pesticide formulations would have little or no positive impact on yield. This clearly calls for primary legislation governing the trade and use of pesticides in Somalia. In addition to protecting farmers, public health and environment, such legislation would enable the country to meet its obligation under the relevant international conventions listed in Annex 1.

3. Rationale for developing national policy on pesticides

Historically, the Ministry of Agriculture had sole responsibility for importation and distribution of pesticides in Somalia, often free of charge or at a low cost to large commercial

or government owned farms. As Somali state collapsed private market for pesticides emerged under unregulated environment. In the absence of official controls, the trade and use of pesticides continues to pose the considerable economic, environmental and public health risks. Government therefore need to have in place the necessary institutional infrastructure for registering traders of pesticides, products and enforcing legislation. Further, it will require effective supporting policies and tools to promote sustainable pest and pesticide management. This may include promotion of Integrated Pest Management (IPM)⁵ through training programmes and incentive schemes, enhancement of the availability and use of low risk products, fostering scientific research, carrying out public education campaigns and providing training for inspectors, retailers and professional users. A solid legal framework should underpin the set of necessary institutional framework, policies and tools.

Evidence collated highlighted the need for such policy intervention. Following extensive consultations between FMOAI, Federal States Members (FMS), it was agreed that the federal government must develop regulation governing official controls of pesticides. Furthermore, evidence from consultation undertaken by the OUTREACH programme⁶ showed that there are acute needs for regulatory governance in these two areas, in particular to create business-enabling environment with regard to ensuring quality and safety of pesticides in Somalia.

4.1 Supporting evidence

The evidence emerging from these consultations leads to conclude that:

- a) there are acute needs for regulatory interventions to verify quality of imported pesticide products, create a register of input suppliers, improve use and handling practices to protect public health and environment. Indeed, reported asymmetry of information about the quality and resulting lack of trust among actors of the agricultural supply chains suggests that regulatory controls for pesticides can help creating a more business-enabling environment in Somalia. Lack of regulatory

⁵ Integrated Pest Management means the careful consideration of all available pest control techniques and subsequent integration of appropriate measures that discourage the development of pest populations and keep pesticides and other interventions to levels that are economically justified and reduce or minimize risks to human and animal health and the environment. IPM emphasizes the growth of a healthy crop with the least possible disruption to agro-ecosystems and encourages natural pest control mechanisms.

⁶ OUTREACH project, which is funded by the European Union is intended to increase the competitiveness of agriculture value chains through effective public-private-producer partnerships and policy support to federal and regional Ministries of Agriculture, responsible for creating an enabling economic environment.

controls also means that, in the absence of inspection and monitoring of common uses and practices leaves the public health and environment unprotected from the harmful effects of pesticides. There has a number of reported incidents of human, domestic animal and wildlife poisonings including fatalities.

- b) it is important to recognise that the current limited institutional and technical capacity within the federal and state ministries to enforce regulation makes challenging to develop and enforce comprehensive legislation in this area effectively. Whilst government could enact legislation requiring registration of suppliers, setting guidelines for good agricultural practices with regard to input use and handling, legally allocating responsibility for inspections at the port of entry, it would be a challenge to enforce the rules fully at least in the short run. Building testing facilities, set up public extension services and recruiting staff and building technical and administrative competencies requires time and money.
- c) Therefore, there is a need for a flexible legislation which can be implemented gradually as government capacity increases, realistically allowing government to use existing capacity of regional agencies in exporting countries (e.g. Kenya and Middle Eastern countries), perhaps through bi-lateral agreements with those agencies to coordinate the verify quality and safety of imported through certifications, whilst developing a full enforcement capacity overtime.
- d) The legislation shall also create a scope for public-private partnership in regulation of agricultural sector, allowing government to tap into the existing industry technical capacity and resources within the private sector.

5. Scope of policy

As mentioned above, there are no official controls of imports of pesticides in Somalia, or a national register of approved pesticide substances and traders of pesticides at present. Also, there are no controls for inland (re) processing or (re) labelling of these pesticides once imported into the country, or their handling and use inland. Furthermore, given the challenges faced by traders and users in ascertaining the nature and quality of marketed products, buyers of pesticides are exposed to potential frauds. In line with the International Code of Conduct on Pesticide Management⁷, the scope of this policy is therefore to guide legislation for the

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http://www.fao.org/fileadmin/templates/agphome/documents/Pests_Pesticides/Code/CODE_2014Sep_ENG.pdf

imports, production and use and handling of pesticides to address the economic, public and environment risks posed. Such legislation shall cover:

1. Establish an administration for official controls of pesticide by:
 - a. Designating the authority in charge of coordination of pesticide management in Somalia, (the “competent authority”). This authority will be responsible to facilitate coordination of pesticide policymaking, regulation and enforcement among all different national institutions with a role on pesticide management in all areas of the pesticide life cycle.
 - b. Establishing a pesticide registration board to review and decide upon applications for pesticide registration. Such a board should integrate expertise from the relevant national ministries and agencies dealing with various aspects of pesticide management to ensure broad representation of disciplines relevant for risk assessment.
 - c. Establishing a Pesticide Registrar that serves as Secretary to the pesticide registration board. This might be a person or an administrative entity within the competent authority or a person from the responsible authority. Legislation should specify the role of the Pesticide Registrar. It is common practice that the legal basis is included in primary legislation and the details of the tasks and duties are developed in implementing legislation.
 - d. Establishing, or giving the competent authority or the pesticide registration board the power to establish other bodies, groups or councils with an advisory role. This could be made specialist experts drawn from relevant government ministries, industry stakeholders, academia and consumer and civic society groups to ensure widest participation.
 2. Establish a procedure for application for authorisation of pesticides by:
 - a. Providing a procedure to apply for registration or provisional registration of pesticides. This procedure should specify who may apply for permission to trade pesticides. This usually is the person or company that wishes to import or manufacture a pesticide for use in the country. It can also be large volume users, such as large-scale commercial farmers or contracted sprayers.
 - b. specifying the required information that must be submitted with an application for registration or indicate how this will be provided legally. Typically,
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mandatory data for submissions may include: the applicant's company details; trade name; common name; formulation; proposed use (crop/pest combinations); the manner of its use (including mixing instructions, use instructions, application method and rates); withholding periods; co-formulants; chemical properties and toxicological data; reports of efficacy trials conducted in the country or under conditions similar to those in the country; reports of residue trials; reports on risk to human health and the environment; proposed warnings, hazard symbols and pictograms; type of packaging; information on how the pesticide will be stored and handled and how used containers and any surplus will be disposed of; first aid instructions; etc.

- c. Establish the criteria which should be taken into consideration when reviewing a registration application and what decisions can be taken. The purpose of establishing these criteria is to enhance transparency in decision making and to avoid disputes with the applicant. As part of this, the legislation should indicate the possible outcomes of a final decision, which the authority must deliver within a specified timescale. To avoid ambiguous outcomes and therefore aid effective regulatory decision-making, the criteria should preferably lead to one of three possible outcomes: a positive decision (approval of application), suspension of the application procedure (deferred decision) or negative decision (rejection of application).
- d. Specify the time period in which the registration of a pesticide remains valid, after which the registration automatically expires unless the product is reregistered. Re-registration should be requested by the registration holder if the registration holder wishes to keep the product concerned on the market. Re-registration should require a new application and involves a re-assessment to determine whether the considerations that led to the earlier registration decision are still valid with special attention to new information regarding its efficacy and risks, and the availability of less hazardous alternatives. Expiration of the registration without renewal through re-registration means that the registration is cancelled, and the product can no longer be distributed and used in Somalia. Legislation should establish clearly the procedure, requirements and timeframe for re-registration.

- e. Requiring a registration holder to notify the registration authority of any change in the data included with the initial application submission for registration.
3. Provide provisions for reviews of registered pesticides by:
 - a. clarifying that the registration authority may decide at any time to review a registration or provisional registration in light of relevant new information about health or environmental effects linked to the use of registered pesticide. Such information may come from a listing of the product under a relevant International Convention⁸ or from reports of additional testing, poisoning cases, damaging effects on the environment, resistance, phyto-toxicity or information about control actions in other countries.
4. Ensure record-keeping and confidentiality by:
 - a. Specifying that the registration authority should be charged with keeping a register of pesticides containing basic information on all registered pesticides, including the pesticide's brand name, common name, concentration, formulation, uses and the name and address of the applicant.
5. Specify rules for controls for imports and (re) exports of pesticides by:
 - a. prohibiting the import of pesticides that have not been registered. In those cases, the law should also indicate whether there can be exceptions for reasons described in 2. In addition, the pesticide legislation should prohibit the importation and distribution of all pesticides which do not meet the requirements set forth in national regulations and/or in the decision on registration. This includes counterfeit, substandard or outdated pesticides, as well as pesticides that are not properly packaged or labelled.
 - b. making explicit that all products are required to conform to minimum quality standards in order to safeguard human health and the environment, as well as to establish a common standard for different companies producing the same product. The FAO/WHO Pesticide Specifications should serve as primary guidance in standard setting for the quality of specific products.
6. Set clear licensing conditions by:

⁸ Under the Stockholm Convention, parties must eliminate, or take steps to eliminate, the production of all pesticides and other persistent organic pollutants listed in Annex A and to reduce the production of chemicals listed in Annex B.

- a. Requiring that all persons or businesses that manufacture, import, formulate, pack, re-pack, distribute or sell a pesticide be in possession of a valid licence.
 - b. Requiring commercial pest control operators, including manual and aerial applicators and other specialized applicators to have a special license for the use of pesticides in large volumes.
 - c. Providing provisions to ensure that the storage of pesticides is safe and conforms to relevant FAO technical guidance⁹.
7. Set requirements for packaging and repackaging by:
- a. Specifying the technical requirements for safe and effective packaging and re-packaging of pesticides. As noted earlier, the packaging for a pesticide is generally approved under the registration scheme, with the applicant supplying packaging prototype along with the application for registration. The primary legislation or its secondary regulations should forbid any person to pack, re-pack, sell, import, transport or distribute any pesticide unless it is in packaging that:
 - i. is safe for storage, handling and use and does not present unnecessary danger to human health or the environment;
 - ii. will not degrade under normal conditions of storage in the country and normal conditions of use for a specified time period;
 - iii. does not resemble common packaging for consumable goods;
 - iv. prominently displays the approved label with clear directions for use and risk reduction measures; and
 - v. preferably, has a safety mechanism that prevents children from inadvertently opening the container;
 - vi. preferably, is designed to make it difficult to be re-used.
8. Set the rules for labelling by:
- a. Specifying what information needs to be conveyed on a label. A common approach is to specify the main requirements in the law and then to refer to secondary legislation for the detailed requirements¹⁰. The main requirements include:

⁹ <http://www.fao.org/3/v8966e/v8966e00.htm>

¹⁰ The FAO/WHO Guidelines on Good Labelling Practice for Pesticides (2015) provide detailed guidance on labelling requirements. These guidelines serve as voluntary international standards for labelling.

- b. Product content information, including product name; product category; active ingredient name; active ingredient concentration; type of formulation; net contents.
 - c. Hazard and safety information, including: hazard symbols and statements; signal words; precautionary statements, warnings and pictograms; hazard colour bands; first aid and medical advice, including, where available, the phone number of a poison control centre.
 - d. Directions for use, including field of use (target crops/pests); dosage; mode of application; personal protection; pre-harvest intervals; storage and disposal; etc.
 - e. Supplier identification and contact number.
9. Set requirements for use by:
- a. Providing specific provisions for agricultural and other uses of pesticides. These provisions may need to be aligned with existing provisions in the Somalia's environmental and health protection legislation. To reduce the risks to the environment and human health, the pesticide law should:
 - i. require the use of prescribed protective gear;
 - ii. prohibit the use of a pesticide for a purpose, or in a manner, other than that prescribed on the label or contrary to any conditions attached to the product's registration;
 - iii. require that application equipment is cleaned in an appropriate manner that does not pose health or environmental risks;
 - iv. require that empty containers and left-over product are disposed of, or where relevant recycled, in a manner prescribed by the legislation;
 - v. prohibit employers from recruiting children, pregnant women or other vulnerable persons to apply pesticides which may pose an unacceptable risk to their health;
 - vi. prohibit employers from requiring employees to use a pesticide for any purpose, or in any manner, that is not approved under the legislation;
 - vii. require employers to provide the necessary training and appropriate personal protective equipment to employees who handle pesticides;

and

- viii. require employers to provide periodic health evaluations of employees involved in the handling and use of pesticides in order to identify, assess and treat any pesticide-related illness or injury.

10. Set requirements for advertising of pesticides by:

- a. regulating the advertising of pesticides in all media to ensure that it is in line with the conditions of registration as regards label directions and precautions, particularly those relating to proper maintenance and use of application equipment, appropriate personal protective equipment, special precautions for vulnerable groups and the dangers of reusing containers.

11. Set requirements for storage, transport and disposal of pesticides by:

- a. Providing general storage requirements that apply to all pesticide storage. These may include full separation of stored or displayed pesticides from food products or other consumables; adequate ventilation; impermeable floors; adequate protection against unauthorized access; availability on location of the necessary materials and equipment to deal with leakage and other emergencies; etc. Further requirements can be established for pesticide storage above certain quantities or for a specific category of stores or products. Such a provision may require further safety measures and pose restrictions on the location of stores in order to minimize risk. This could apply to locations in habitation areas and shops selling food and drink, near hospitals, schools or waterways. The legislation should differentiate scale of storage, which varies from bulk storage by an importer to storage of small stocks at a village store.

12. Set requirement for information collection and monitoring by:

- a. designating the competent authority and assigns it the obligation to carry out monitoring and data collection, including collecting information and obliging others to keep and convey information.

13. Set requirements for incident reporting by:

- a. Specify when an event involving pesticides is considered an “incident.” These should include industrial and other accidents that involve pesticides and have an actual or potential negative impact on human health, the environment or crops (e.g. spills during transport, illegal dumping, fish die off due to water contamination, high number of poisoning cases within a community, etc.).

Deliberate self-poisoning with pesticides as a means of committing suicide may require specific attention regarding incident reporting.

14. Set requirements for inspections by:

- a. Making provisions for the appointment of qualified persons to act as pesticide inspectors and establish the mandate of inspectors and the procedures for inspection within the two-tier (FGS and FMS) government levels in Somalia. The latter can be detailed in subsidiary regulations.

15. Specify offenses and penalties by:

- a. Setting enforcement provisions consisting of a list of offences, the penalties associated with each violation and the applicable procedures once an offence has been committed. It should also set rights and appeals related to enforcement procedures.

6. Guiding principles of policy

This policy and resulting legislative development activities should be led by the Federal Ministry of Agriculture and Irrigation, in collaboration with other relevant ministries, within the broader government agenda guided by the 2019 National Development Plan (NDP) to increase the food production in the country by 20% and protect public health and environment. With the prevailing peace and stability in many parts of Somalia, the government is building its institutions and gradually gaining institutional capacity to enforce complex policy intervention measures involving the regulation of multifaced issues including ensuring efficient use and safe use of pesticides across the emerging federal governance model. Under the current condition where the country is transiting from emergency to development interventions, a flexible regulatory approach, building on existing regional regulatory capacity and commercial and technical skills and capabilities of the local private sector is advisable. The guiding principles behind the choice of policy instruments are articulated as follows:

Ownership: The realisation of effective performance of the national pesticides policy requires commitment of all stakeholders. Ownership entails both the formulation and successful implementation of actions and shared roles of the policy. All stakeholders in the pesticides sub-sector should be involved in the implementation, monitoring and evaluation processes of the policy instruments.

Credibility, which requires that the pesticides policy should be credible in terms of the due process for its formation, appraisal, implementation and practical application in the context of federal systems of governance.

Proportionality, which pertains to the fact that farmers and other users, importers and traders affected by this policy are different in their nature of business, risk associated with their activities and ability to meet the requirements imposed by this policy; therefore, the policy should adopt a differential approach to avoid that the requirements placed upon these entities are disproportionate.

Market friendliness: The policy instrument should be consistent with the promotion of a competitive pesticides market.

Legality: The policy instruments require appropriate legislation and regulation to back them up.

Regional consistency: The national policy instruments should be in harmony with regional policy dispensation on pesticides, and indeed enable Somalia to take advantage of existing regional capacity within the regional exporting countries before Somalia develops its in own capacity to assess the safety and efficacy of new and old formulation imported.

Partnership and dialogue: All stakeholders in the pesticides sub-sector should be regularly involved in the implementation, monitoring and evaluation processes of the policy instruments.

Gradual approach to policymaking: Whenever necessary policy reforms on pesticides and changes should be gradual within the time frame agreed upon by stakeholders.

Fiscal responsibility: Efficient regulatory interventions require that necessary resources committed to the implementation of pesticides policy should be allocated on cost-benefit analysis.

Transparency in labelling: All pesticides products offered for sale in Somalia are properly labelled with a guaranteed analysis of active substances content and instruction of use, and the quality control of the products is based on the truthfulness of the claims on the label.

Environmental integrity, which calls for efficient use based on the need to protect and conserve the environment through IPM approach to pest management, which has successfully reduced pesticide use and improved yields, food quality and incomes for millions of farmers

around the world. Providing farmers with access to local supplies of well adapted and good quality seeds and planting material also helps to prevent the spread of pests and diseases. Furthermore, protecting soils and attending to nutrient and water availability to crops produces healthier plants that are more resilient to pest and disease attacks.

Risk management, which calls for informed decision making that explicitly, addresses uncertainty about public health and environmental safety of pesticides.

7. Policy vision

To support the development of efficient pesticide market that is responsive of needs of farmers, whilst ensuring the protection of the public health and environment.

8. Mission of policy

To support the development of a competitive and profitable supply chain that ensures pesticides access and affordability at farm gate, whilst promoting the protection of public health and environment.

9. Overall policy objective

The objective of the policy is to contribute to increased agricultural productivity, economic growth and incomes through sustainable access and safe use of pesticides.

8.1 Specific Objectives of the Policy

- i. Create an enabling business environment for the development of integrated supply chain for pesticide importation and distribution system that fosters efficiency and protection of public health and environment;
- ii. Strengthen the capacity of the suppliers to deliver affordable and safe pesticides, and promote responsible trade of pesticides by introducing appropriate incentives that encourage investment by the private sector in good pesticides management practices;
- iii. Establish a flexible regulatory and monitoring system capable of building on the existing technical capability of the private sector to ensures the supply of high-quality pesticide products along the supply chain in a manner that safeguards farmer's interest, and protects human health, and the environment;

- iv. Strengthen the capacity of the farmers to engage in safe, profitable and sustainable pesticide use while creating awareness to safeguard the public health and environment;
- v. Promote diverse pesticide products, IPM (including improved seeds and soil conservation) and application of good agriculture practices that enhance efficient utilization of pesticides.
- vi. Support agricultural research on pest and disease diagnostics and help farmers to apply the recommended rates and methods of pesticides application in various cropping systems and agro-ecological zones. Equally important is to develop extension services to disseminate best practices (through demonstration plots and outreach activities) into a wider use throughout the country.
- x. Create a regulatory capacity that is in line with existing regional and international standards and enforcement capabilities to ascertain both the quality of imported pesticides and their appropriate domestic use and handling, with view of enabling Somalia to meet its obligations under the relevant international conventions.

9. Governance and institutional linkages

Developing an effective and efficient pesticides policy requires coordination in both design and implementation of such policy. Somalia has a relatively new federal governance system, in which central government is envisaged to work with federal states to develop, implement, monitor and evaluate regulatory policy interventions across the sectors of the economy. However, constitutional arrangements for this multilevel governance system is still under development. Without clearly defined roles and responsibilities including processing of applications; registration of producers, importers and distributors; inspection of imports at the port of entry; in-land enforcement activities to monitor use and handling, the pesticides policymaking may be challenging. Therefore, in the current circumstances where there is no appropriate legal framework and administrative structure to coordinate enforcement, it is advisable that the pesticides policy is coordinated under ad hoc memorandum of understanding between federal and state governments to clarify the roles and responsibilities in enforcement and supporting services. Without such coordination, overlaps, duplications, lack of the appropriate level of technical and financial capacity across a federal system, amongst other factors, could lead to ineffective enforcement actions, as well as inefficient public investment in the development capacity of official controls of pesticides and other

agrochemicals, thereby reducing the capacity to boost sector productivity growth, address the widespread food insecurity and poverty, and protect public health and environment.

10.Expected outcome

1. Import of high-quality pesticides that is in line with regional and international standards in the short run;
2. Pesticide producers, importers and traders are registered, trained and licensed so that all actors in the pesticide business are accounted for;
3. Improved use of pesticides through IPM and reduction of:
 - a. yield losses attributes to pest and disease infestation by 60% by 2030;
 - b. reported incidents of agriculture produce exceeding the relevant Maximum Residue Levels (MRLs) by 90% by 2030;
 - c. reported incidental human, domestic animals and wildlife poisoning by 90% by 2030;
 - d. And reported groundwater and rivers contaminations by 90% by 2030.
4. Public institutions and the private sector partner to respond to responsible national pesticide management needs and ensure the sustainable availability and access of appropriate pesticides that are affordable for farmers;
5. research and development, and extension services underpinning site and crop/pest/disease specific recommended applications;

11.Policy Direction

In line with Vision, Mission, Objectives and guiding principles articulated above, the following shall be the Policy direction for pesticides subsector in Somalia.

11.1. Partnerships

The government of Somalia shall develop the administrative and technical capabilities necessary to assess the application of registration of pesticides for use in Somalia, and as part of encourage the importers of pesticides through incentives made available for partnerships with reputable regional and international pesticide producers. Foreign investments into pesticides supply shall comply with requirements in relevant international conventions and domestic policies, laws and regulatory instruments.

11.2. Imports

Importation of pesticides shall be the responsibility of the private sector in partnership with the government which have an overall oversight of the trade. All private companies are free

to import pesticides, but shall adhere to the legal and regulatory framework to be set for business registration, licensing, reporting and monitoring of use and handling of pesticides.

Government shall advise companies to import required pesticides types and quantities according to the timeliness of cropping seasons, and in line with the national development policy priorities to avoid excess supply and henceforth the accumulation of stocks which cannot be used before its expiry. Nevertheless, where possible, the government of Somalia shall encourage the private sector to consider bulk procurement of pesticides imports to benefit from economies of scale and reduce cost. The government shall consider taking advantage of membership to regional bodies (such as EAC and COMESA) which provide a platform for bulk procurement initiatives.

Importers shall conform to the requirements in all existing laws and regulations, and request for a permit for pesticide consignments being imported into the country. Each pesticide consignment imported into the country shall be accompanied by a manufacturer's certificate, bill of lading and a pre-shipment inspection certificate and other requirements as may be required by MOAI as part of enforcement of the pesticides and other legislation.

12. Pesticides Trade and Marketing

The private sector shall be primarily responsible for pesticides trade and marketing. Government shall facilitate the private sector and perform a regulatory role.

12.1. Improving quality and safety supply

All private importers, distributors, retailers (agro-dealers) are free to trade and market pesticides within the country, however, they must operate under the legal and regulatory framework set for pesticides trade.

In order to both increase productivity and protect public health and environment, government shall consider introducing support mechanisms to facilitate use of safest pesticides and good agricultural practices, such as IPM, by farmers through introducing interventions such as subsidies through tax relief and promotion of environmentally and consumer-friendly practices, but these should not distort the market. Private sector shall participate in trading of pesticide and practices subsidized or promoted by government in a transparent and competitive environment based on clear agricultural policy.

The government shall introduce support mechanisms for the private sector to invest in responsible pesticide trade and marketing, partnering with financial institutions and

stakeholders to provide credit and reduce risk associated with access to finance. Government shall routinely provide reliable price information on regional and international markets;

Distribution of pesticides shall be informed by district pesticide requirements based on predicted or actual reported infestations as coordinated with state governments. The pesticides distribution channel existing in the country (supply chain from importer-distributor/agro dealers to farmers) shall be monitored and pesticides use and handling inspected along the distribution chain to ensure public health and environment are safeguarded whilst meeting the demand of farmers timely;

Establish an effective and efficient information system linking importer, distributor and agro-dealer networks to the FMOAI and its counterparts in state governments to improve pesticide trade and market efficiency;

13.Promoting Pesticide use

13.1. Extension services

Government shall establish Somalia Pesticide Board (SPB) through which it shall provide technical guidance in developing and implementing extension programs aimed at a responsible promoting use of pesticides.

The local government, the private sector and relevant stakeholders shall partner with SPB to establish and implement farmer Field School (FFS), demonstrations, field days, training course that educate all stakeholders on the benefits of effective pesticide management practices, thereby promoting its responsible use.

MOAI and its state counterparts shall provide training for field extension agents (Farmer promoters and FFS facilitators) and provide pesticide use guides to farmers to improve knowledge on the use of its safe and effective use.

13.2. Research and Development

Research and development of pesticide formulations/blends and pesticide rate recommendations shall be the primary responsibility of government through the SFB and its research affiliates, the private sector and Universities.

Government shall commission periodic nationwide monitoring surveys to establish the prevailing pesticide trade and use practices, and assess their impact on public health and environment according using a more frequently collected data on MRLs on agricultural produce, environmental surveys and incident reporting.

Based on the outcome of the assessment of the practices, SPB and partners shall periodically develop pesticide application recommendations appropriate for prevalent pest and disease infestations for different crops and regions.

Updated pesticide recommendations shall be provided to both commercial pesticide operators and farmers to use appropriate formulations and rates of application;

14.Environmental Sustainability and Climate Change

It is recognized that inappropriate use of pesticides could have a negative effect on the environment such as leaching to underground and riverine water sources, and poisoning of wildlife and beneficial insects all leading to losses of natural ecosystems. With respect to natural ecosystems, in appropriate use of pesticide can lead to the destruction of biodiversity, including many bird species, aquatic organisms and animals¹¹. The policy shall contribute to environmental safety and sustainability as follows:

- i) Farmers shall be trained on the appropriate handling and judicious use and proper application of pesticides. Pesticides traders shall be trained how to store, handle and transport pesticides safely and appropriately. Awareness shall be created among value chain actors to prevent water pollution, killing of beneficial insect, wildlife poisoning and food produce contamination due to inappropriate handling or use of pesticides;
- ii) Predictive pest and disease infestation reports shall be updated periodically to ensure changes in dynamics of infestation through the year and plant protection needs of different crops and agro-ecological zones to facilitate regular updating of recommended applications,
- iii) The use of IPM shall be popularised and an integrated approach to plant nutrient management that counters to promote more environmentally sustainable good agricultural practices,
- iv) Establish guidelines for large volume users, such as large farms and commercial pest control operators, to implement environmental safety standards and properly dispose of unused pesticides and containers.

¹¹ Effects of Pesticides on Environment, Plant, Soil and Microbes pp 253-269.
https://link.springer.com/chapter/10.1007/978-3-319-27455-3_13

15.Regulatory, standards and quality control

Government shall be responsible for regulating pesticides to ensure that procedures and traders are registered and quality pesticide products are traded in the country. To regulate the pesticides trade and use, government shall enact law governing the pesticides and prepare Ministerial Instructions Regulating the control of pesticides, agro dealers and premises provide the legal and regulatory framework by which the pesticides sub-sector is regulated and quality is controlled throughout the supply chain.

16.Governance and institutional Linkages

To implement this policy, there will be linkages between MOAI, and other relevant government ministries and agencies and private sector organs, development partners, civic society organisations and farmer organisations. Although MOAI shall be the lead implementer, linkages shall be maintained with:

- a. Other ministries, such as Ministry of Health, Ministry of Energy and Water, Environment Agency, and their Federal states counterparts, universities, and the private sector;
- b. Development organisations such as Food and Agriculture Organisation (FAO), World Health Organisation, United Nation's Environment Programme (UNEP), International NGO's and the private sector to ensure harmonisation and compliance with the international regulatory frameworks on procurement, distribution and use of pesticides;
- c. Local seed companies and research institutions to ensure the production of high-quality seed that is capable of producing satisfactory yields in the presence of pesticides, in addition to developing proper agronomic packages to also encourage use of pesticides to promote plant health and reduce crop susceptibility to pest and disease.

END

Annex 1

Legally binding international conventions with direct implications for pesticide legislation in Somalia

- The Codex Alimentarius, and more specifically the Codex Committee on Pesticide Residues, operational since 1966 (55);
- The Montreal Protocol on Substances that Deplete the Ozone Layer, adopted in 1987 and entered into force in 1989, and its subsequent amendments (56);
- The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, adopted in 1989 and entered into force in 1992 (50);
- The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, adopted in 1998 and entered into force in 2004 (1);
- The Stockholm Convention on Persistent Organic Pollutants, adopted in 2001 and entered into force in 2004(57);
- The Convention concerning Safety and Health in Agriculture. ILO, adopted in 2001 and entered into force in 2003 (44).
- The Convention concerning Safety in the Use of Chemicals at Work, adopted in 1990 and entered into force in 1993(58);