

Analysis of the Legal and Institutional Framework for Sustainable Agriculture in Nigeria

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ABSTRACT

Agriculture is of great import to the development of the country's economy. It is a way out to boost the economy and at the same time provide food and security for the growing population hence, it's import cannot be over emphasized. Meeting the SGDs to end poverty, hunger and malnutrition amongst others come the year 2030 requires a more productive agricultural sector. The legal frameworks for agriculture in Nigeria are numerous but unsustainable hence there is need for the National Assembly to enact a comprehensive legal framework that will enhance sustainable agricultural practice both for the present and future generations. It is recommended that this legal framework should be designed and implemented with the necessary political will and with the involvement of relevant stakeholders if economic activities, social equity and increased environmental health is to be achieved.

Keywords: Legal, Institutional, Sustainable, Agriculture

I. INTRODUCTION.

Food is and has always been one of the most important issues relevant to life, and consequently development. According to Howard, "a man's belly must be full before he can indulge in the luxury of worrying about his political rights and freedom."¹ Similarly, Mahatma Gandhi also once famously remarked "there are people in the world so hungry, that God cannot appear to them except in the form of bread." Generally, one cannot think

well, love well; sleep well, if one has not dined well.²

It is worth mentioning that the National Centre for Agricultural Mechanization Act,³ which was enacted to accelerate agricultural mechanization and increase the quality and quantity of agricultural products does not meet the present day sustainable agricultural practices.

The importance of agriculture in any nation's economy cannot be overemphasized. For example in Canada, agriculture contributes about 8% of the country's Gross Domestic Product, 1.1% in the United States of America, 13% in China, 2.6% in Australia, 9% in South Africa, 2.5% in Israel, 12% in Australia, 9% in Argentina and 13.5% in Egypt.⁴ Agricultural sector contributed 22.35 per cent to the nation's economy, better than the same quarter in 2021 but lower than the preceding fourth quarter. In terms of contribution, the sector accounted for 22.35 percent of overall Gross Domestic Product (GDP) in real terms in first quarter of 2021, higher than the contribution in the first quarter of 2020 but lower than the fourth quarter of 2020 which stood at 21.96% and 26.95% respectively.⁵ In Canada, agriculture provides one in eight jobs, employing 2.1 million people and

²I Acheampong, *Background Paper on Ghana* (London: Mimeo 1974).

³National Centre for Agricultural Mechanization Act 1990, Cap N13 LFN 2004.

⁴Food and Agricultural Organization of the United Nations, 'Statistics on Production and Trade' <<http://faostat3.fao.org/home>> accessed 6 January 2022.

⁵O Udegbunam 'Nigeria's Agriculture Contribution to GDP Falls Despite Economic Rise' *Premium Times* (Abuja, 25 May, 2021)

<<https://www.premiumtimesng.com/agriculture/agric-news/463730-nigerias-agric-contribution-to-gdp-falls-despite-economic-rise.html>> accessed 27 May 2022..

¹ R Howard, 'The Full Belly Thesis: Should Economic Rights Take Priority over Civil and Political Rights? Evidence from Sub-Saharan Africa' (1983) (5) *Human Rights Quarterly*, 469.

accounting for 8% of the total work force; 2.5% in Brazil; 32% in Egypt; 3.7% in Israel and 70% in Nigeria.⁶ The above statistics underline the importance of agriculture in Nigeria and to Nigerians. Majority of Nigerians depend on agriculture for food, employment and survival. With a population of more than 204 million, the largest in Africa – and a fast-growing economy, agriculture remains the mainstay of the economy in Nigeria. The agriculture sector provides a livelihood for about 90% of the rural population in Nigeria.⁷ This will stress the capacity of agriculture to meet food needs without further sacrificing the environmental integrity of local landscapes and global environment. Agriculture continues to play its role as the backbone of the Nigerian economy despite that its contribution to GDP has not been stable.

II. LEGAL AND INSTITUTIONAL FRAMEWORKS

2.1 Constitution of the Federal Republic of Nigeria 1999 (As Amended)

The great relevance of export trade to commercial agriculture is relevant to examining the efficiency of the constitutional framework. The position under the CFRN 1999 is that international trade and commerce are within the exclusive jurisdiction of the federal government.⁸ In the case of agriculture, both the National Assembly and the States Houses of Assembly may make laws with regard to agricultural development, among others.⁹ The implication is that both the Federal Government and the states may make laws on agriculture. The exclusion of the states as part of the standardization process under the CFRN 1999 is a contributory factor to the low quality of agricultural products/food exports from Nigeria and the mandatory standard system has proved to be an inefficient system for the country.¹⁰ The absence of

institutions that perform the quality functions of the defunct commodity boards is one of the main reasons for deterioration in the quality of cocoa and cotton products.¹¹

The fundamental objectives and directive principles of state policy on food under the CFRN 1999 states that: “The state shall direct its policy towards ensuring that suitable and adequate food is provided for all citizens subject to availability of resources”. According to the constitution, every person has a right to life and no one shall be deprived intentionally of his right. This right to life cannot be guaranteed in the absence of a sustainable agricultural sector. It takes efforts directed at the promotion of sustainable agriculture to guarantee the right to life.

2.2 Agricultural and Rural Management Training Institute Act 1980 (ARMTI)

The Agricultural and Rural Management Training Institute Act (ARMTI) has 17 sections and deals with the following matters: the establishment and functions of the Agricultural and Rural Management Training Institute (the Institute); the Governing Board of the Institute; the Director of the Institute and other staff; financial provisions; borrowing power and power to receive gifts; annual estimates, accounts and audit; annual report; and staff regulations. The ARMTI Act in sections 12 to 15 deals with matters relating to the procedure in respect of suits against the Institute (including pre-action notice); service of documents on the Institute; restriction on execution against the property of the Institute; and the power of the Minister of Agriculture to give directions to the Board. Finally, section 16 of the ARMTI deals with Interpretation and section 17 is the citation. However, in 2016 the National Assembly enacted the Agricultural and Rural Management Training (Amendment) Act 2016¹² to allow federal universities participate on the board of the institute.¹³

2.3 Agricultural Credit Guarantee Scheme Fund Act 1977 (ACGSFA)

The Agricultural Credit Guarantee Scheme Fund Act 1977 has 23 sections and it seeks to establish a fund into which shall be subscribed a certain sum to provide guarantees for loans granted for agricultural purposes by any bank. The current

⁶Food and Agricultural Organization of the United Nations (n.3).

⁷IFAD, ‘Enabling Poor Rural People to Overcome Poverty in Nigeria’, <<http://www.ifad.org/operations/projects/regions/pa/factsheets/ng.pdf>> accessed 17 January 2022.

⁸ CFRN 1999, 2nd sch, pt 1, Item 62.

⁹*Ibid.*, 2nd sch, pt. II, item 1, 18, 19 and 20.

¹⁰A Adegboye and A S Bankole, ‘Standards, Technical Regulation and Product Quality’, in J Wilson and V Abiola (eds), *Standards and Global Trade: A Voice for Africa* (World Bank Publication, 2003): 212.

¹¹*Ibid* 215.

¹² Agricultural and Rural Management Training (Amendment) Act of 2016, s.3.

¹³*Ibid* s.2 (1) (d).

trend towards building an agriculturally oriented economy calls for urgent overhauling of the agricultural credit scheme. There is need to harmonise the various laws on the agricultural sector with a view to making security more attractive.

In 2019, the National Assembly enacted the Agricultural Credit Guarantee Scheme Fund (Amendment) Act 2019¹⁴ to enhance capital base, expand the coverage of the scheme, increase the size of the loanable fund, increase membership and give more power to the board.¹⁵ The Amendment Act 2019 has eight sections.

2.4 Agricultural Research Council of Nigeria Act 1999 (ARCN Act)

The Agricultural Research Council of Nigeria Act 1999 is divided into 6 parts and 20 sections. Part 1 deals with matters relating to the establishment of the council; the governing board of the council; the tenure of office and remunerations of members of the governing board, while Part 2 deals with the functions of the council, Part 3 relates to the staff of the council. Part 4 deals with: the establishment of the National Agricultural Research and Extension Endowment Fund; the fund of the council; power of the council to borrow and to accept gifts; annual estimate; accounts and audit; and annual report.

Part 5 deals with the establishment of research institutes by the Minister of Agriculture while Part 6 covers miscellaneous provisions on: offices and premises; directives by the minister; saving of certain research institutions, regulations, interpretation and citation. Section 19 (the interpretation section) of the ARCN Act defines "Agricultural Sciences" to include crop science, fisheries, forestry and veterinary science. By virtue of section 6, the President, on the recommendation of the Minister of Agriculture is to appoint an Executive Secretary who is responsible, inter alia, for the day-to-day administration of the council and its Secretariat. The ARCN Act has 2 schedules: schedule 1 makes supplementary provisions relating to the governing board of the council while schedule 2 makes provisions relating to research Institutes established pursuant to the Act.

¹⁴ Agricultural Credit Guarantee Scheme Fund (Amendment) Act 2019, s.8.

¹⁵ Schedule to the Act.

2.5 Agriculture (Control of Importation) Act 1964 (ACI Act)

The Agriculture (Control of Importation) Act 1964 has 12 sections. Section 1 is the citation while section 2 is the interpretation section and it provides interpretation for some key terms. Section 3 provides for the designation of authorized officers for the purposes of the ACI Act.

Undersection 4 the Minister of Agriculture has discretionary powers to make regulations prohibiting, restricting or laying down conditions for the importation from any or all countries of plants, seeds, soil, containers, straw and other packing materials, artificial fertilizers, and other similar goods or things. The regulations so made are to be laid before the National Assembly¹⁶. Section 6 to 10 deals with matters relating to diseases and pests; furnishing of information; offences and penalties; prosecution; and defence in civil and criminal proceedings brought against any public officer in respect of any act done pursuant to Act. Section 11 deals with the power of the Director of the Federal Department of Agricultural Research to sue for fees while section 12 is on transitional provisions. Arguably, the ACI Act should be reviewed since its commencement date is in March 1964 and it does not meet with the present day realities of agricultural importation.

2.6 Land Use Act 1978 (LUA)

The Land Use Act¹⁷ was enacted and radical title to the parcels of land within the territory of each state was vested in the governor of the state,¹⁸ to be held in trust for the use and common benefit of all Nigerians.¹⁹ Individual unlimited land rights were streamlined and converted to rights of occupancy,²⁰ which²¹ may not be alienated without the requisite consent²² and land may be appropriated for overriding public

¹⁶ Agricultural (Control of Importation) Act Cap. A13 LFN 2004, s.5.

¹⁷ LUA 1978 Cap L5 LFN 2004.

¹⁸ LUA 1978 s1. This is, however, subject to the provisions of the Act regarding Federal Government land and land in the Federal Capital Territory Abuja of which radical title is vested in the Federal Government; s.47 of the Act.

¹⁹ *Ogunola v. Eiyekole* [1990] 4 NWLR (Pt 146) 632;

²⁰ LUA 1978 ss 5, 6, 34, 36.

²¹ *Ibid.*

²² *Ibid* ss 21, 22.

interest which includes public purpose of which requirement for agricultural development is a part.²³ The LUA 1978 is entrenched in the Constitution²⁴ and is inimical to agricultural development.

Section 6(2) of the LUA 1978, provides that 'no single customary right of occupancy shall be granted in respect of an area of land in excess of 500 hectares if granted for agricultural purposes or 5,000 hectares if granted for grazing purposes, except with the consent of the Governor', shows a lack of concern for equity with negative consequences for sustainable agriculture.

2.7 National Agricultural Seeds Council Act, 2019 (NASCA)

This repealed the Agricultural Seeds Council Act²⁵ in order to make the Seeds Act consistent with the current dynamics in the global seed trade and create a better conducive atmosphere for private sector participation in the nation's seed industry.

The NASCA, in terms of structure and content, is divided into 13 parts, two (2) schedules and 55 sections as follows: Part 1 deals with matters relating to the establishment of the national agricultural seeds council (the council); membership and functions of the council; and governing board. Part 2 deals with functions of the council²⁶ and powers of the board²⁷. Part three deals with appointment of directors and other staff, Part 4 deals with appointment and functions of seed inspectors. Part 5 deals with seed registration and release, Part 6 deals with seed certification and official control. Part 7 deals with seed production and processing, part 8 deals with support to plant variety development and plant breeders rights. Part 9 deals with infringements and offences, Part 10 deals with establishment of the seed fund. Part 11 talks about establishment of departments and zones. Part 12 talks about powers to prosecute while part 13 deals with miscellaneous provisions.

In the NASCA²⁸ A person who commits an offence under this act is liable upon conviction as a first offender, to imprisonment for a term not

exceeding one year or a fine not exceeding ₦1,000,000; and²⁹ in the event of such person having been previously convicted under this section, he is liable to imprisonment for a term not exceeding two years or a fine of ₦2,000,000 or both.³⁰

By the provision of section 49(1) "...any person who sells, keeps for sale, barter or otherwise supplies any seed of any variety or hybrid shall apply to the council for grant of certification for the purpose..." In other words, no seeds shall be commercialized in Nigeria unless sanctioned by the council. However, this provision is not acted upon because seeds are commercialized in open markets.

2.8 Nigerian Agricultural Insurance Corporation Act 1993 (NAIC)

The Nigerian Agricultural Insurance Corporation Act 1993 is divided into 7 parts of 35 sections. Part 1 deals with the establishment of the corporation and its board of directors. Part 2 deals with the functions of the Corporation, the functions of the Board and the powers of the Board. The functions of the NAIC are provided in section 3. Part 3 provides for the establishment of the agricultural insurance scheme and deals with premium; indemnity; requirement for indemnity; bearing of losses; participating farmer and remittance of premiums by lending institutions. Part 4 deals with the staff of the NAIC, including its managing director and executive directors; Part 5 covers the Reserve Fund. Part 6 covers matters relating to: the share capital of the NAIC; limitation of liability of shareholders; the fund of the NAIC; expenditure of the corporation; accounts and audit; and annual report. Part 7 of the NAIC Act covers miscellaneous provisions. Arguably, the Act is just on paper and not proactive.

2.9 Endangered Species (Control of International Trade and Traffic) Act 1985 (ESCITTA Act)

The Endangered Species (Control of International Trade and Traffic) Act 1985 provides for the conservation and management of Nigeria's wild life as well as the protection of some of her endangered species in danger of extinction. The ESCITTA Act prohibits the hunting, capture or trade of animals which are not immediately threatened but may become threatened in the

²³ LUA 1978, s.51.

²⁴ Constitution of the Federal Republic of Nigeria 1999, as amended (CFRN 1999) s.315 (5) (d).

²⁵ Cap N5, LFN 2004 (Seeds Act).

²⁶ NASCA Act s.4.

²⁷ *Ibid* s.5.

²⁸ NASCA Act s, 42(1).

²⁹ *Ibid*, s,42(1) (a).

³⁰ NASCA, s, 42(1)(b).

future.³¹ However, license can be issued by the relevant minister for the hunting or capture of such species under certain conditions.³²

Suffice to point out here that in 2016, some sections of the ESCITT Act were amended³³. This amended Act comprises of six (6) sections. By the provision of sec1 of the Amended Act. Section 1 and 2 of the ESCITT Act was amended to delete the words “ as from the commencement of this Act” in line 1.³⁴ Also, section 5(1) (a) of the ESCITT Act is amended by substituting for the words “1,000” in line 2 the expression “5,000,000”³⁵. Also section 5 (1) (b) of the ESCITT Act is amended by substituting for the expression ‘500’ in line 2 the expression “1,000,000”.³⁶

2.10 Environmental Impact Assessment Act 1992 (EIA Act)

Environmental Impact Assessment Act 1992 contains explicit and detailed procedural requirements on proposed activities including agricultural activities that are likely to have significant impacts on natural resources and the environment. The primary purpose of the Environmental Impact Assessment Act³⁷ is to make EIA mandatory by ensuring that the potential environmental impact of a proposed activity is identified and evaluated before given approval to proceed with the planning and implementation of such activity. Section 2 (1) of the EIA Act provides that:

The Public or Private Sector of the economy shall not undertake, embark or Authorize projects or activities without prior consideration, at an early state, of their environmental compliance. Where the extent, nature or location of a proposed project or activity is such that is likely significantly to affect the environment, its environmental impact assessment shall be undertaken in accordance with the provisions of this Act. To this end, activities that are likely to have serious or significant environmental effects are neither to

be approved nor undertaken by the private or public sector.³⁸

2.11 National Fertilizer Quality Control Act 2019

The National Fertilizer Quality Control Act 2019 (NFQCA) has twenty-nine (29) sections and three (3) parts. The objective of the NFQCA is to safeguard the interest of farmers against nutrients’ deficiencies, adulteration, misleading claims and short weight; fertilizer enterprise and to contribute to the creation of an enabling environment for private sector investment in the fertilizer value chain.³⁹ The NFQCA of 2019 contains heavy sanctions to deter racketeers from perpetrating illegal dealings⁴⁰

The NFQCA empowers the farm input supply services department of the Federal Ministry Agriculture and Rural Development, to within 30 days, issue license or certificate to qualified applicants, who want to participate in the fertilizer industry.⁴¹ and where such certificates are not to be issued, the reasons must be made clear why such applicants cannot get the certificate.⁴²

Similarly, an application for a permit or certificate of registration under subsection (2) (a) shall be ‘made on such reform and in such manner, and accompanied by non-refundable fee as may be prescribed in regulations made.’

A permit may be cancelled or not registered⁴³ where:

- i. The circumstances under which it was issued no longer exist;⁴⁴
- ii. Any of the conditions under which it was issued was contravened.⁴⁵

The NFQCA explains that a person engaged in the sale, distribution, transportation of fertilizer or who keeps custody of fertilizer shall not, without lawful authority, divert or convert the fertilizer to his use or the use of another, if found wanting shall pay a fine of ₦1 million or be sentenced to a term of imprisonment of at least six months or both.⁴⁶

³¹ ESCITT Act s.1

³² ESCITT Act s.2

³³ The Endangered Species (Control of International Trade and Traffic (Amendment) Act 2016.

³⁴ The Endangered Species (Control of International Trade and Traffic (Amendment), s.1

³⁵ *Ibid*, s. 3.

³⁶ *Ibid*, s. 4.

³⁷ Cap E14 LFN 2004.

³⁸ EIA Act s. 2(2).

³⁹ NFQCA s.1.

⁴⁰ NFQCA s.9.

⁴¹ *Ibid*, s.2(1) (b).

⁴² *Ibid*, s.3.

⁴³ *Ibid*, 4(1).

⁴⁴ NFQCA s. 4(1), (b).

⁴⁵ *Ibid* s. 4(1) (c).

⁴⁶ *Ibid* s.20.

The minimum content of fertilizer can be found in the first schedule of the NFQCA. manufacturing, blending, importing or distributing of unbranded or misbranded fertilizer is a serious offense;⁴⁷ dealing in adulterated fertilizer, offering for sale fertilizer that is underweight⁴⁸, selling condemned fertilizer or diverting or converting fertilizer, or flaunting a 'stop-sale' order.⁴⁹ All of these carry a minimum of seven years imprisonment without an option of fine.⁵⁰ Similarly, obstruction of authorized officers for inspection constitutes a serious violation of the law.⁵¹

Operating without permit or certificate of registration is a violation of the NFQCA. This offence is created in Section 2 and 8 and punished under Section 20 of the NFQCA, and the punishment is a minimum fine of ₦5 million, but not exceeding ₦10 million in the case of a manufacturer, blender or importer. If they are unable to pay the fine, the law will proceed against their assets. Where a director, employee or agent of such company is found to be liable, they can also be prosecuted under this law.⁵² Also, where a distributor or a corporate person is involved, there is a minimum fine of ₦500,000 daily as long as the offence persists.⁵³

The offense of obstructing an authorized officer of the prescribed authority is created by section 11 of the NFQCA and attracts a punishment of a fine of at least ₦200,000 or a term of imprisonment of at least six months or both.⁵⁴ The NFQCA has widened access by extending jurisdiction to all Federal High courts.⁵⁵

2.12 National Environmental Standards and Regulation Enforcement Agency (Establishment) Act 2007

The National Environment Standards and Regulation Enforcement Agency Act of 2007 (NESREA ACT) replaced the Federal Environmental Protection Agency Act (FEPA Act)

It focuses on the protection and sustainable development of the environment and its natural resources. Section 7 provides authority to ensure compliance with environmental laws, local and international, on environmental sanitation and pollution prevention and control through monitoring and regulatory measures.

Section 8 (1)(K) empowers the Agency to make and review regulations on air and water quality, effluent limitations, control of harmful substances and other forms of environmental pollution and sanitation. Section 27 prohibits, without lawful authority, the discharge of hazardous substances into the environment. This offence is punishable under this section, with a fine not exceeding, ₦1,000,000 (One Million Naira) and an imprisonment term of 5 years. In the case of a company, there is an additional fine of ₦50,000 for every day the offence persists.

The Act which was first enacted in 2007, was amended in November 2018, by the NESREA (Establishment) Amendment Act (Amendment Act) to further empower the NESREA in the protection and development of the environment. The Amendment Act gave the agency discretionary powers and authority to tackle environmental crimes, review the conditions of appointment of some council members, increase penalties and permit the search of premises without warrant.

2.13 National Centre for Agricultural Mechanization Act 1990 (NCAMA)

The National Centre for Agricultural Mechanization Act 1990⁵⁶ has five (5) parts and 22 sections and establishes the National Centre for Agricultural Mechanization.⁵⁷ The NCAMA also established a board to be known as the National Centre for Agricultural Mechanization Management Board (NCAMMB) which, subject to its, shall be charged with the general management and control of the NCAMA.⁵⁸

Similarly, the general objective of the NCAMA⁵⁹ is the accelerating mechanization in the agricultural sector of the economy in order to increase the quantity and quality of agricultural products in Nigeria.⁶⁰

⁴⁷NFQCA s.17(a).

⁴⁸*Ibid*, s.17(d).

⁴⁹*Ibid*, s.17(g).

⁵⁰*Ibid*, s.18(1).

⁵¹*Ibid*, s.10.

⁵²NFQCA, s.19(1).

⁵³*Ibid*, s.19 (2).

⁵⁴*Ibid*, s 21.

⁵⁵ National Fertilizer Control Act s s 22.

⁵⁶ NCAMA, 1990 Cap N13 LFN 2004

⁵⁷*Ibid*, s.1.

⁵⁸*Ibid*, s.3(1).

⁵⁹NCAMA s.2.

⁶⁰*Ibid*, s.2 (1).

In 2017 a bill was proposed to amend this Act in order to provide for private sector participation and promotion of commercial agriculture, expanding the scope of the centre to include ensuring the maintenance of agricultural equipment owned by the federal government. However, it has not been passed into law.

2.14 Climate Change Act 2021(CCA)

The Climate Change Act 2021 (CCA) provides for an all-inclusive and comprehensive regulatory and legal framework for achieving the long-term climate change goals in Nigeria, which encompasses a net-zero carbon emission target, adequate climate financing, environmental and economic accountability, and prioritizing climate change actions into national development priorities. It is structured into eight parts of thirty-six sections and a schedule. It applies to institutions and agencies of government as well as private and public entities,⁶¹ and compulsory mandates them to adhere to all governmental regulations on climate change.⁶² It sets the years 2050-2070 as the target period to achieve net zero carbon emissions. To achieve this aim, the prioritization of climate change adaptation, finance, national climate resilience and focus on other climate change combating policies.⁶³

The CCA establishes the National Climate Change Council headed by the President and other stakeholders. It as a body saddled with the responsibility of implementing Nigeria's climate change action plan.⁶⁴The Act however, focuses more on gas flaring without providing specifically for agricultural emission of greenhouse gases.

III. RECENT AGRICULTURAL POLICIES IN NIGERIA

3.1 Nigeria Agriculture Promotion Policy (2016-2020)

The Nigeria Agriculture Promotion Policy came into force to bridge the gap created by the Agricultural Transformation Agenda from 2011-2015. This Agricultural Promotion Policy (APP) is a strategy that focuses on solving the core issues at the heart of limited food production and delivery of quality standards and the Federal Ministry of Agriculture & Rural Development (FMARD) in consultation with partners has identified an initial pool of crops and related activities that will be

Nigeria's path to tackling the gaps created by the former Policy.

3.2 Nigeria Digital Agriculture Strategy (2020-2030)

Nigeria Digital Agriculture Strategy (NDAS) pushes for a Nigerian agriculture sector that promotes the use and adoption of digital technologies and innovations between 2020 and 2030. Therefore, NDAS is designed to optimize agriculture value chain through the deployment of disruptive digital technologies to improve production, reduce waste, facilitate access to market and thereby put Nigeria on the path of food security and substantial income generation for human and infrastructural development for digital transformation of the agricultural sector.

IV. INSTITUTIONAL FRAMEWORK

4.1 Nigeria Ministry of Agriculture and Rural Development

The Ministry is made up of about 17 departments, 6 Regional Offices, 37 State offices, 11 Agencies, 15 research Institutes and 14 Colleges of Agriculture and a number of Universities of Agriculture.⁶⁵The mandates of the departments and parastatals centre around the Ministry's general functions.

4.2 Food and Agricultural Organisation (FAO)

FAO opened its office in Nigeria in 1978 and works directly with four Ministries - Agriculture and Rural Development; Budget and National Planning; Water Resources which houses Department of Irrigation and; Environment which is responsible for forestry and climate change issues.

4.3 Federal Ministry of Agriculture and Water Resources (FMAWR)

The Federal Ministry of Agriculture and Water Resources (FMAWR) formulate policies aimed at developing the agricultural sector. Its stated goals are to foster an agricultural sector with reduced drudgery, and a small effective workforce ensuring national food security and meeting the industrial raw material and export needs of the nation.

⁶¹ CCA 2021 S. 1 (I).

⁶² *Ibid* s.2.

⁶³ *Ibid* s.1 (a-i).

⁶⁴ CCA 2021, s.3 (1).

⁶⁵ R Hawkins and O Sobukola *Insight into Agricultural Education in Nigeria: A Scoping Study to Identify Potential Areas of NL Support* (Abuja: Ministry of Foreign Affairs, 2020).

4.4 Federal Ministry of Environment (FMOE)

The Federal Ministry of Environment (FMOE) coordinates all aspects of environmental and climate matters in Nigeria, including the protection and sustainability of the biodiversity and ecosystem of the coastal and marine environment.

4.5 National Agricultural Seed Council of Nigeria

The National Agricultural Seeds Council (NASC) is the apex regulatory body for the Nigerian Seed Industry. It was statutorily established as an agency under the supervision of the Federal Ministry of Agriculture and Rural Development and is saddled with the responsibility of developing and regulating Nigeria's agricultural seed space. Its Mission is to transform the Nigerian Seed System into a leading seed industry in Sub-Saharan Africa worthy of generating foreign exchange, key employer of labor and contributing positively to the country's economy while its Vision is to build a market-driven seed industry for the production and distribution of high quality and improved planting materials that are available, accessible and affordable to all farmers.

4.6 National Agricultural Development Fund

The National Agricultural Development Fund is to provide the necessary impetus for the sustainable development of the agricultural sector. It is aimed at supporting both the private and the public sectors in carrying out activities that will boost agricultural and rural development, with emphasis on all round agricultural research, market development, extensive delivery, long term credit, the development of rural institutions and the promotion of enterprise.⁶⁶

4.7 The Youth Initiative for Sustainable Agriculture (YISA)

The Youth Initiative for Sustainable Agriculture (YISA) is an Agro-knowledge based organisation of young graduates of agricultural discipline and other youths between the ages of 15-40 years with genuine interest in Agriculture and Agro-allied businesses. This body educates, corrects, encourage, inspire and motivate young people to take up Agriculture as a pure business for gainful employment creation, food

production and to change the present demography of aged and aging Nigerian Farmers whose best tools are hand hoes and cutlasses.

V. CONCLUSION AND RECOMMENDATION

Successive governments have made various efforts to boost agricultural practice in Nigeria. Operation Feed the Nation of Obasanjo's administration which lasted from 1976-1979, the Green Revolution Programme of Alhaji Shehu Aliyu Usman Shagari which lasted from 1979-1983, the Agricultural Development Project of 1972, the National Accelerated Food Production Project (NAFPP) established in 1973, the Structural Adjustment Programme of General Ibrahim Babangida of 1986 which relied mostly on the agricultural sector to significantly improve the economy and reverse the declining trend of production in agriculture, Directorate of Food, Road and Rural Infrastructures and Productivity established in 1987 by the Babangida administration, Massive Investment in Rural infrastructures from 1985-1992, the National Agricultural Land Development Authority (NALDA) which lasted from 1992 – 2000, the Petroleum (Special) Trust Fund (PTF), the Food Supply Programme of Sani Abacha which lasted from 1993-1998), The Abacha led SAP that introduced the adjustment of tariff structure to encourage local production and to protect agricultural and local industries from unfair international competition, the National Food Security Programme (NFSP) in 2008 which was aimed at attaining food security by ensuring that all Nigerians have access to good-quality food, while making Nigeria a major exporter of foodstuffs, the Agricultural Development Programmes, Nigerian Agricultural Research Projects (NARP), the institution of new millennium agricultural policies by the democratic administration of Obasanjo in 1999 which was aimed at self-sustaining growth in all sub-sectors of agriculture. The Food Security Programme of Olusegun Obasanjo from 1999-2007, the 7 Point Agenda and the National Economic Empowerment Strategy of Umar Musa Yar'Adua from 2007-2011, Agricultural Transformation Agenda of Goodluck Jonathan from 2011 to 2015 and the Administration of Buhari which commenced in 2015. All these programmes and institutions have not lived up to expectations due to inefficient legal and institutional regimes. It is therefore recommended that reforms are imminent to exploit the huge potentials in the area of the country's agricultural productivity for exports.

⁶⁶ I O 'Akinyele, Ensuring Food and Nutrition Security in Rural Nigeria: An Assessment of the Challenges, Information Needs, and Analytical Capacity' [2009]. *Nigeria Strategy Support Program (NSSP)*, 52.