

Workshop Report

Creating Space for Farmers' Seeds in Seed Regulations – Capitalizing International Learnings and Identifying Options for Tanzania and Beyond



28–30 July 2025

Tiffany Diamond Hotel, Dar es Salaam, Tanzania

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Executive Summary

The regional workshop titled "*Creating Space for Farmers' Seeds in Seed Regulations: Capitalizing International Learnings and Identifying Options for Tanzania*", held from July 28–30, 2025, in Dar es Salaam, brought together 55 participants including Ministry of Agriculture staff, Members of Parliament, regional and continental experts, civil society organizations, researchers, and farmer representatives from 10 African and European countries. Co-convened by SWISSAID and the Tanzania Biodiversity Organization (TABIO), the workshop aimed to create policy space for farmers' seeds in Tanzania's regulatory frameworks, recognizing Farmer-Managed Seed Systems (FMSS) as vital to an inclusive national seed system.

FMSS supply over 80% of seeds used by smallholder farmers in Tanzania and are rooted in traditional knowledge, cultural practices, and ecological adaptation, contributing significantly to food sovereignty, agrobiodiversity, and climate resilience. However, current legal and institutional frameworks prioritize formal seed systems and impose restrictive requirements such as Distinctness, Uniformity, and Stability (DUS) criteria and mandatory certification, limiting the recognition, development, and distribution of farmer-managed seeds.

Over three days, participants engaged in an Innovative Multi-Layered Learning Model (IMLM) combining technical presentations, lived testimonies, policy analysis, and participatory strategy development. Farmers from Tanzania and Kenya shared experiences of seed saving, exchange, and innovation, highlighting the nutritional, medicinal, and cultural value of local seed varieties. The workshop examined international instruments including the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), particularly Articles 5, 6, and 9, and African initiatives such as the African Seed and Biotechnology Programme (ASBP) and the Africa Model Law on Farmers' Rights. Lessons were drawn from Mali's participatory policy-making, Ethiopia's Pluralistic Seed System Development, Uganda's community seed banking, and the European Union's recognition of heterogeneous and conservation varieties.

Key achievements include the development of options and an action plan for creating space for farmers' seeds in Tanzania, focusing on legal reforms, advocacy, and piloting models such as Participatory Guarantee Systems (PGS). A policy brief was produced highlighting FMSS' role, legal gaps, and reform options. Participants prepared and submitted comments on the AU Draft Bill on FMSS, and civil society, coordinated by SSN and TABIO, drafted a joint position paper opposing the EAC Draft Seed and Plant Varieties Bill, supported by webinars and awareness materials.

Lessons learned emphasized that FMSS are indispensable for smallholder farming but lack legal support, while women and indigenous knowledge systems are critical for seed preservation and innovation. Legal frameworks must reflect the diversity of seed systems rather than adopt one-size-fits-all models. The workshop concluded on the urgent need to legitimize FMSS as a core component of national seed strategies, recognizing the efforts of institutions like TOSCI, TARI, NPGRC, and TABIO, while stressing that broader legal reforms and stronger political will are required.

Recommendations include enacting a National Seed Policy that explicitly recognizes FMSS and aligns with international obligations under ITPGRFA, the Convention on Biological Diversity (CBD), and African Model Laws. Amendments to the Seed Act should provide legal space for FMSS through differentiated registration and quality assurance systems (e.g., PGS, Quality Declared Seed), as well as formal recognition of community seed banks and participatory plant breeding to build a resilient, diverse, and inclusive seed system in Tanzania.

Acknowledgements

I don't think there has ever been an acknowledgement note that felt truly complete. Even as I write this, I am aware that many names remain unmentioned i.e. people who stood quietly on the sidelines, their contributions just beyond the edge of the page.

This report took much longer to complete than initially anticipated. I must begin by expressing deep gratitude to **SWISSAID** for coming up with the timely and powerful idea of organizing the workshop *“Creating a Space for Farmers' Seeds in Seed Regulations. – Capitalizing International Learnings and Identifying Options for Tanzania and Beyond”* It was a truly impactful event that created space for dialogue, reflection, and strategic thinking around an issue that deeply affects farmers across the country and globally.

Special thanks also go to **TABIO** for graciously hosting the workshop. With the support of SWISSAID, the event was a resounding success carefully coordinated and thoughtfully executed.

We are particularly grateful to **SWISSAID** for providing the financial resources that made it possible to bring together participants from various parts of the world. The diversity of voices and perspectives enriched the discussions and added depth to the strategies that emerged. Their patience, trust in TABIO, and unwavering belief in the importance of this work made all the difference.

Our heartfelt appreciation also goes to the organizing committee composed of staff from TABIO and SWISSAID—Simon Degelo, Betty Malaki, Gladness Brush, Veronica Masawe, Abdallah Ramadhani, David Manongi, and Stanley Kayombo. Special thanks go to **Simon Degelo**, who led the organizing team with creativity and patience.

We are also grateful to all the participants who took part in the meeting and generously shared their time, experiences, and insights. Without them, the purpose of this workshop would not have been achieved.

We hope that this report will be widely circulated to inspire learning, collaboration, and action towards creating an everlasting space for farmers' seeds in Tanzania and beyond.

1.0 Introduction

Farmer-Managed Seed Systems (FMSS) form the backbone of seed security, agrobiodiversity conservation, and resilient food systems across the globe. Rooted in traditional knowledge, cultural values, and adaptation to local ecosystems, FMSS are responsible for supplying over 80% of seeds used by smallholder farmers worldwide. In Tanzania, these systems are vital for maintaining indigenous crop varieties that are well-suited to the country's diverse agroecological zones and shifting climatic conditions. Despite their critical role, seed related legal and regulatory frameworks have been largely unconducive to supporting and regulating FMSS. Current regulatory requirements such as Distinctness, Uniformity, and Stability (DUS), Value for Cultivation and Use (VCU), and mandatory seed certification present significant legal barriers to the recognition and sale of farmer-managed seeds as they are diverse and constantly evolving. Although impactful initiatives have been undertaken by the government and national multistakeholder platforms, learning from the experiences of other countries is essential to broaden understanding and inform more effective, context-specific actions to address these challenges. In light of these challenges, the Tanzania Biodiversity Organization (TABIO) and SWISSAID convened a regional workshop titled "*Creating Space for Farmers' Seeds in Seed Regulations: Capitalizing International Learnings and Identifying Options for Tanzania*". This workshop brought 55 participants of whom 37 were men and 18 were women (Appendix 1). Held from 28th to 30th July 2025 in Dar es Salaam, the workshop aimed to explore policy options to better integrate FMSS into Tanzania's seed regulatory framework as part of a pluralistic, inclusive national seed system. The event brought together a diverse group of stakeholders, including technical staff from the Ministry of Agriculture, Members of Parliament, representatives of the Seed Working Group (SWG), civil society actors, researchers, and seed experts from Tanzania, Ethiopia, Mali, Senegal, Kenya, Uganda, Zambia, Zimbabwe, Senegal and the African Seed and Biotechnology Programme (ASBP) and the European Union.

The workshop served as a platform for cross-regional exchange, drawing on practical experiences and policy innovations from Africa and the European Union, as well as regional processes at the African Union level through the African Seed and Biotechnology Programme (ASBP). Participants examined how these experiences could compliment and enrich the existing initiatives in Tanzania towards legally recognizing and supporting FMSS.

The event was designed to enhance the capacity of national actors particularly the Seed Working Group and policy stakeholders to advocate for inclusive seed governance. By identifying legal barriers, highlighting best practices, and co-developing policy options, the workshop contributed toward advancing a pluralistic seed system that recognizes the essential role of farmer-managed seeds in achieving food sovereignty, climate resilience, and sustainable agricultural development in Tanzania and beyond.

1.1 General Objective

To contribute to the creation of policy space within Tanzania's seed regulations for the recognition and promotion of Farmer-Managed Seed Systems as a key pillar of a pluralistic national seed system.

1.2 Specific Objectives

1. To deepen understanding among stakeholders on FMSS and their role in food sovereignty, agrobiodiversity, and climate resilience.
2. To identify legal and institutional barriers affecting FMSS in Tanzania.

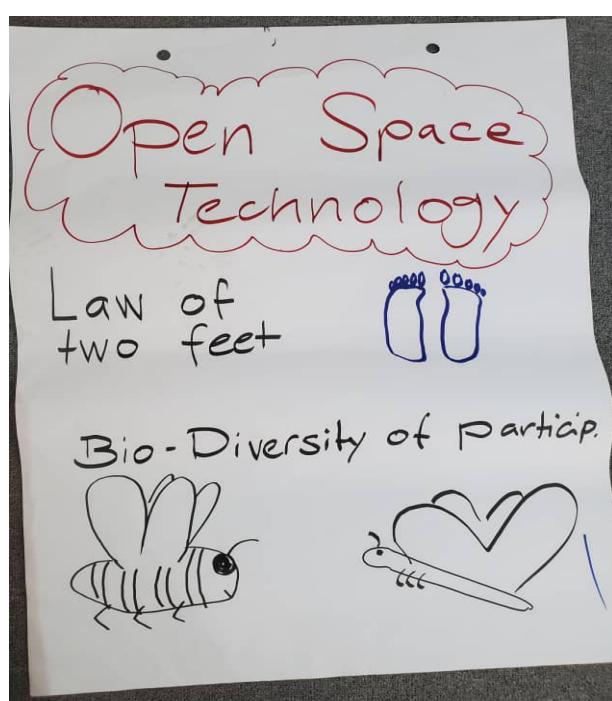
3. To share and reflect on international best practices and policy innovations supporting farmer managed seed systems (FMSS).
4. To develop actionable options and recommendations for integrating FMSS into Tanzania's seed laws and related policies.

2.0 Methodology

To foster dynamic learning, strategic dialogue, and inclusive participation, the workshop adopted an **Innovative Multi-Layered Learning Model (IMLM)**. This approach combined evidence sharing, experiential learning, and participatory policy analysis to create a robust platform for knowledge exchange and joint problem-solving. It was intentionally structured to accommodate the diversity of participants ranging from farmers and community seed custodians to policymakers, researchers, and civil society organizations at national, regional and international level ensuring that a broad range of voices, experiences and lessons were represented in the discussions.

One of the core components of the IMLM was the **testimony-driven sessions**, which featured compelling stories from farmers and community seed custodians from Tanzania and Kenya. These first-hand accounts grounded the discussions in lived realities, underscoring the cultural, ecological, and economic importance of farmer-managed seed systems (FMSS). They highlighted how traditional knowledge and practices continue to shape seed sovereignty, biodiversity, and resilience in local communities.

Another component was on **Policy Learning Labs** which provided a space to review and reflect on regional and international legal frameworks and policy innovations. Case examples from countries such as Ethiopia, Mali, Uganda, and the European Union were examined, along with continental frameworks like those under the African Union. These sessions facilitated critical learning about how successful elements from other contexts might be adapted to Tanzania's policy environment.



strategies for strengthening farmer-managed seed systems in Tanzania and beyond.

Also, was the use of **open space technology** in the workshop which enhanced accessibility, real-time documentation, and the broader dissemination of key insights and outcomes. This methodology enabled participants to co-create the agenda under the central theme: "*Creating Space for Farmers' Seeds in Seed Regulations.*" They led discussions on the topics in a breakout session. The principle of the "**law of two feet**" encouraged participants to move freely between discussions based on interest and contribution potential. OST proved to be a highly effective tool in creating a collaborative and responsive environment. It allowed for spontaneous, cross-sectoral interactions and encouraged shared ownership of the workshop's outcomes. Farmers, policymakers, NGOs, and researchers were able to connect directly, share insights, identify mutual challenges, and co-develop practical



among participants. These included the *Technical Manual Series on Community Seed Banks*, which

provides practical guidance on the establishment and management of seed banks, *Agrobiodiversity on the Plate*, which highlights the link between biodiversity and nutrition, and *Seeds at Risk*, which explores the threats facing farmer-managed seed systems and the urgent need for their protection. Other complementary publications and brochures on ecological agriculture and seed sovereignty were also available, offering participants diverse resources to deepen their understanding and support their initiatives. Last but not least, was the **Panel Discussions** which offered high-level engagement opportunities with experts and institutional representatives. These sessions explored complex technical and legal issues affecting FMSS, such as variety registration requirements, seed certification procedures, and the implementation of farmers' rights under international agreements like the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA). They provided a valuable forum for policy dialogue and strategic thinking.



3.0 Opening the workshop

Introduction and opening ceremony: The workshop on “*Creating Space for Farmer Managed Seed Systems in Tanzania*” opened with participant introductions and a welcoming address by SWISSAID



Tanzania Country Representative, Ms. Betty Malaki. She emphasized the significance of Farmer Managed Seed Systems (FMSS) as more than just an input for food production, but as a foundation of life, culture, knowledge, and sovereignty—especially for smallholder farmers and women. Framing the workshop within the second phase of the CROPS4HD project (2025–2029), she acknowledged the achievements of Phase I, which were built on strong partnerships among government institutions, civil society organizations,

research institutions, and farming communities. She called for the creation of enabling policy

environments that protect farmers' rights and promote the continued use and development of biodiverse, locally adapted seeds.

Key note speech: Mr. Abdallah Ramadhani Mkindi, the Coordinator of TABIO, delivered a keynote speech through a presentation on the importance of farmer-managed seed systems (FMSS) in the global food system.



He highlighted that with over 8 billion people depending on agriculture for their survival, smallholder farmers are increasingly facing challenges brought about by climate change, environmental degradation, and the growing dominance of privatized seed markets. In this context, FMSS provide an essential alternative, as they are deeply rooted in traditional knowledge, local adaptation, and seed exchange practices that collectively enhance agrobiodiversity, strengthen food sovereignty, and build climate resilience.

He further emphasized that in Tanzania, FMSS continue to play a dominant role, covering more than 76% of cultivated land. These systems are supported by community structures such as seed banks in regions including Arusha, Morogoro, and Shinyanga, which safeguard indigenous seed varieties and ensure that farming communities maintain access to quality seeds.

Official opening: The opening speech was delivered by Mr. Twalib Njohole, the Registrar of Plant Breeders' Rights (PBR) from the Ministry of Agriculture, who reinforced the government



's commitment to strengthening farmer-managed seed systems (FMSS) within the national seed framework. He highlighted the role of farmer seeds in achieving food security and advancing the National Ecological Organic Agriculture Strategy (NEOAS). He noted that efforts are underway to allow the sale of farmer-managed seeds through agro-input shops and to increase their recognition in national policies.

He further acknowledged the

importance of both formal and informal seed systems and stressed the need for inclusive legal reforms that support agrobiodiversity, farmer innovation, and resilience. He concluded by calling for collaborative action among stakeholders to co-create policy recommendations that embed FMSS into Tanzania's broader agricultural and ecological strategies.

4.0 Presentations and discussions

The three-day workshop on "Creating Space for Farmers' Seeds in Seed Regulations" provided a comprehensive exploration of Farmer-Managed Seed Systems (FMSS) and strategies for their legal and institutional recognition.

4.1 Day 1: Understanding FMSS and its importance as well as legal barriers, international framework and processes at regional and continental level

The Day 1 focused on building a shared understanding of FMSS, highlighting their critical role in agrobiodiversity, food sovereignty, and climate resilience, while also unpacking the legal and policy barriers that marginalize these systems. A number of presentations were made as per the timetable (Appendix 2).

4.1.1 Situation in regard to seed policies in Tanzania



Dr. Atuganzo Bilalo of the Tanzania Agricultural Research Institute (TARI) Headquarters in Dodoma stated that in Tanzania, the seed sector is governed by the Seed Act of 2003, which was amended in 2013, unlike countries such as Malawi and Ethiopia that have standalone seed policies. He explained that despite this, the Seed Act covers most essential functions typical of seed policies, including seed certification, variety release, and regulation of import and export. He noted that the Act accommodates the Quality

Declared Seed (QDS) system and recognizes the importance of farmer participation, particularly in variety release processes. However, he emphasized that the Act largely focuses on the formal seed system and does not adequately acknowledge or recognize farmer-managed seed systems and local varieties, which remain dominant in practice due to limited access to quality seeds. Dr. Bilalo pointed out that while regulatory provisions around sub-standard seed labeling and transparency exist, access to improved seeds, especially for smallholder farmers, remains limited. He highlighted that recent initiatives signal a progressive shift, with institutions such as TARI, TOSCI, and TABIO under the Seed Working Group (SWG) beginning efforts to register farmer-managed seeds, aiming to bridge the gap between informal and formal systems. He further mentioned that community seed initiatives and purification of traditional varieties are underway, supported by Memoranda of Understanding and collaboration between public institutions. According to him, this represents a promising direction for formalizing traditional seed systems and enhancing local seed availability. He concluded by stressing that more work is still needed, particularly in capacity building, multi-stakeholder collaboration, and adaptive seed development, given the urgent challenges posed by climate change and food security. He noted that the supportive policy environment and growing recognition of farmers' roles offer hope, but timely and sustained action is critical.

4.1.2 Testimonies from Tanzanian and Kenyan farmers and CSOs: Practical implications on current seed regulation for farmers



Farmers from Tanzania, including Ms. Modesta Fante, Mr. Omari Aleka, and Mr. Hazina Elbuda, gave their testimonies on farmer-managed seeds, emphasizing their critical role and highlighting their deep cultural, nutritional, and medicinal value. They shared that local seed varieties such as traditional maize not only serve as a source of food but are also used as medicines and are rich in essential nutrients like iron. They explained that these seeds are deeply woven into the fabric of community life, with practices such as naming seeds during marriage ceremonies underscoring their cultural significance. They stressed that all seeds belong to farmers, passed down through generations by ancestors who preserved both the seeds and the knowledge surrounding them. They also raised concerns about chemical residues in industrially produced food, emphasized the importance of protecting natural seed systems, and called for the repeal of punitive laws that criminalize or restrict farmers' rights to save, exchange, and sell their seeds.

Farmers from Tanzania, including Ms. Modesta Fante, Mr. Omari Aleka, and Mr. Hazina Elbuda, gave their testimonies on farmer-managed seeds, emphasizing their critical role and highlighting their deep cultural, nutritional, and medicinal value. They shared that local seed varieties such as traditional maize not only serve as a source of food but are also used as medicines and are rich in essential nutrients like iron. They explained that these seeds are deeply woven into the fabric of community life, with practices such as naming seeds during marriage ceremonies underscoring their cultural significance. They stressed that all seeds belong to farmers, passed down through generations by ancestors who preserved both the seeds and the knowledge surrounding them. They also raised concerns about chemical residues in industrially produced food, emphasized the importance of protecting natural seed systems, and called for the repeal of punitive laws that criminalize or restrict farmers' rights to save, exchange, and sell their seeds.



In Kenya, Ms. Veronica Kiboino shared her testimony on farmer-managed seeds, stating that the Seed Savers Network (SSN) has supported farmers to take legal action against the government, challenging restrictions that prevent them from selling their own seeds. She said that through organizing and training, SSN has empowered farmers to establish community seed banks, which act as repositories of indigenous knowledge and genetic diversity owned and managed by farmers themselves. She emphasized that these banks are not just storage facilities but also centers of resilience, sovereignty, and innovation. She concluded that farmer-managed seed systems must be recognized as legitimate and integrated into the formal seed sector, calling for policy reforms, legal protection, and investments to ensure farmer seeds and the traditional knowledge they carry are preserved, enhanced, and made widely accessible in the face of climate change and evolving food security challenges.

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4.1.3 Significance and domestication of the ITPGRFA in Tanzania



diversity, in conserving and improving genetic resources. He explained that under Article 9, the treaty enshrines Farmers' Rights, including the right to save, use, exchange, and sell farm-saved seeds, participate in decision-making, and benefit equitably from the use of plant genetic resources. However, he pointed out that these rights are subject to national laws, and their full realization remains uneven across countries, prompting international efforts such as the Ad Hoc Technical Expert Group (AHTEG) to document best practices and guide national implementation strategies. Dr. Hamisy further stated that domestication of the treaty in Tanzania through the drafting of the Plant Genetic Resources Act began some years back but is not yet completed. He emphasized that the promotion of Farmers' Rights in Tanzania requires improved coordination among seed system actors, farmers, gene banks, breeders, and private sector players. He highlighted the urgent need to expand crop diversity to respond to climate change, evolving market demands, and shifting dietary preferences. He outlined key strategies including strengthening linkages between formal and informal systems, building farmer capacity for seed production (especially for QDS), registering farmer varieties, and supporting local seed enterprises. He concluded by noting that national and regional initiatives such as BOLD and BSF-funded programs are already laying the groundwork for more inclusive, resilient, and farmer-centered seed systems.

4.1.4 Farmers rights in ITPGRFA – current discussions and processes



agroecological practices, participatory plant breeding (PPB), and diverse farming systems. He emphasized that these two articles lay the technical and operational foundation for realizing Article 9, which affirms farmers' rights to save, use, exchange, and sell seeds, to protect traditional knowledge, to share benefits equitably, and to participate in decision-making related to PGRFA. According to him, the Treaty integrates conservation, sustainable use, and rights-based approaches to support smallholder farmers globally.

Dr. William Chrispo Hamisy of the Tanzania Plant Health and Pesticides Authority (TPHPA) stated that the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) is a legally binding international agreement aimed at ensuring the conservation, sustainable use, and equitable sharing of benefits arising from the use of plant genetic resources. He noted that Tanzania ratified the treaty in 2004, and it recognizes the historical and ongoing role of farmers, particularly those in centers of crop

Mr. Riccardo Bocci of Rete Semirurali of Italy stated that the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) plays a vital role in promoting Farmers' Rights, particularly through Articles 5, 6, and 9. He explained that Article 5 focuses on the conservation, exploration, collection, characterization, evaluation, and documentation of plant genetic resources, recognizing the central role of farmers, especially those in centers of crop diversity. He added that Article 6 promotes sustainable use through

Mr. Bocci noted that the Governing Body of the Treaty and associated technical groups such as the Ad Hoc Technical Expert Group (AHTEG) and the Ad Hoc Committee on Conservation and Sustainable Use (ACSU) have been instrumental in advancing Farmers' Rights. He explained that AHTEG, comprising experts, farmer representatives, and stakeholders, has worked to develop inventories of best practices and options for implementing Article 9. However, he pointed out that legal recognition of Farmers' Rights, especially regarding seed laws and benefit-sharing, remains contentious. He said that despite progress, there is still no agreement on binding legal measures, and many countries face challenges such as weak institutional frameworks, inadequate funding, restrictive seed certification systems, and lack of recognition for informal seed systems. He added that community seed banks and biodiversity registers have proven useful but often depend on external support for sustainability.

He further stated that in Africa, including Tanzania, farmer-managed seed systems continue to supply most seed needs, yet they often operate in legal uncertainty. He observed that initiatives led by national programs and civil society have strengthened community-level conservation and seed sharing, but more work is needed to integrate these systems into national legal and policy frameworks. He emphasized that the full realization of Farmers' Rights requires coordinated efforts to strengthen national capacities, adjust legal frameworks to accommodate diversity and local innovation, and ensure that farmers, especially women and marginalized groups, can meaningfully participate in decision-making and benefit-sharing processes. He concluded by stressing that the Treaty emphasizes that realizing Farmers' Rights is not limited to Article 9 but must be supported through effective implementation of Articles 5 and 6, recognizing access to PGRFA as both a development priority and a non-monetary benefit-sharing mechanism.

4.1.5 Legal barriers for FMSS, farmer's rights in seed trade regulations across the world

Mr. Simon Degelo of SWISSAID in Switzerland made a presentation on legal barriers for Farmer-Managed Seed Systems (FMSS) and farmers' rights in seed trade regulations. He highlighted the growing tension globally between formal seed laws and traditional seed practices, noting that in many countries, national seed laws heavily regulate the production, certification, and marketing of seeds, often favoring commercial seed companies and high-value crops. He explained that these laws frequently exclude or restrict the use, exchange, and sale of farmer-saved seed, especially when such seed does not meet formal certification standards. As a result, he said FMSS, which support the majority of smallholder farmers and sustain crop diversity, operate in legal grey areas, exposing farmers to the risk of sanctions for traditional practices such as seed sharing, which are vital for community resilience, local food systems, and cultural heritage.

Mr. Degelo further stated that globally, farmers' rights are unevenly recognized in national legislation. He noted that while the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) affirms farmers' rights to save, use, exchange, and sell seeds, actual implementation varies widely. He explained that in many countries, intellectual property rights, such as plant variety protection laws aligned with UPOV, limit farmers' autonomy over seeds by prioritizing breeders' rights instead. He emphasized the need to reform seed policies and laws to support a more inclusive and equitable seed system that legally recognizes and protects FMSS. He concluded with key recommendations, which included establishing legal frameworks that balance quality control with flexibility for local practices, recognizing community seed banks, and supporting participatory variety selection and registration processes.

4.1.6 African Model Law: The Missed Opportunity for Farmers' Seeds at the Continental Level



Mr. Andrew Mushita of CTDT from Zimbabwe stated that in the 1990s, international trade and intellectual property agreements such as the TRIPS Agreement (1994) and the UPOV 1991 Convention pressured developing countries, including those in Africa, to adopt restrictive seed laws that prioritized commercial breeders and multinational seed companies. He explained that these frameworks marginalized traditional seed systems by limiting farmers' rights to save, reuse, exchange, and sell seeds, while

promoting a shift toward industrial agriculture. He noted that this raised serious concerns in the Global South about the erosion of biodiversity, loss of indigenous knowledge, and infringement on farmers' rights. In response, he said African policymakers and advocates pushed back, emphasizing the continent's reliance on farmer-managed seed systems, which support over 80% of smallholder farmers and preserve agrobiodiversity.

Mr. Mushita further stated that as a direct response to this pressure, the Africa Model Law was developed in 2000 under the leadership of the Organization of African Unity (now the African Union). He described it as a groundbreaking legal instrument that sought to protect community rights, farmers' rights, and national sovereignty over genetic resources, offering a *sui generis* alternative to UPOV. He added that it recognized the importance of customary laws, indigenous knowledge, and collective stewardship of seeds. However, he noted that despite its bold and inclusive foundation, the Model Law faced political and financial resistance. He explained that donor influence, seed policy harmonization through regional blocs such as ECOWAS, COMESA, and SADC, and lack of political will led to its marginalization, leaving it largely symbolic and never widely adopted or implemented at the national level.

He concluded by stating that today, the Africa Model Law remains highly relevant in light of growing calls for agroecology, food sovereignty, and climate-resilient farming systems. He emphasized that farmer-managed seed systems are increasingly seen as key to adapting to climate change, sustaining biodiversity, and ensuring food security. He said reviving the Model Law could provide a strong, Africa-centered legal foundation to protect community seed banks, local breeding practices, and traditional knowledge. He also noted that civil society continues to urge its revitalization, alignment with international frameworks such as the ITPGRFA and UNDROP, and incorporation into regional and national seed policies. According to him, with renewed political will and coordinated action, the Model Law still holds transformative potential for building resilient and equitable agricultural systems across Africa.

4.1.7 Continental Progress on Farmer Managed Seed Systems (FMSS): Insights from the African Union and the African Seed and Biotechnology Programme (ASBP)



Ms. Beatrice Egulu of the African Union (AU) stated that through its African Seed and Biotechnology Programme (ASBP), the AU has made significant strides in recognizing and promoting Farmer-Managed Seed Systems (FMSS) as essential for seed security, agrobiodiversity, and climate resilience. She explained that FMSS are deeply rooted in traditional knowledge and cultural practices, forming the backbone of pluralistic seed systems across the continent. She noted that the ASBP supports a balanced approach that

includes both formal and informal systems, aligning its strategic direction with continental agendas such as CAADP, the Malabo Declaration, and upcoming post-Malabo frameworks. She added that key instruments such as the African Model Law on Plant Variety Protection and Continental Guidelines on Seed Policy Harmonization reinforce farmers' rights and encourage integration of FMSS within broader regional frameworks via Regional Economic Communities (RECs) like ECOWAS, EAC, and SADC.

Ms. Egulu further said that for countries like Tanzania, this continental momentum offers a timely policy window to recognize and integrate local and indigenous seed systems into national frameworks. She noted that Tanzania has already shown openness to differentiated seed standards and community-based approaches. She emphasized that by aligning its laws with AU frameworks and engaging in deeper stakeholder dialogues, particularly with farmers, Tanzania can lead in implementing a truly inclusive and resilient seed system. She concluded by reaffirming that the AU Commission (AUC) remains committed to supporting such efforts, calling for continued collaboration, policy innovation, and dialogue to ensure FMSS are not only preserved but also empowered within national and continental agricultural strategies.

4.1.8 Current discussions on EAC (Seed and Plant Variety Bill) and possibilities for civil society participation



Honorable Ali Machano, a Member of Parliament in Tanzania and a member of the East African Legislative Assembly (EALA), stated that the East African Community (EAC) Seed and Plant Variety Bill is currently under regional discussion, aiming to harmonize seed laws among member states to facilitate cross-border seed trade, improve seed quality standards, and encourage private sector investment. He noted, however, that the draft Bill has raised concerns among civil society organizations due to its strong alignment with UPOV-style

protections, which could restrict farmers' traditional practices such as saving, exchanging, and selling farm-saved seeds, especially for protected varieties. He warned that these provisions risk marginalizing Farmer-Managed Seed Systems (FMSS) and undermining farmers' rights, particularly in countries where the informal sector supplies the majority of seeds. He emphasized the growing

call to ensure the Bill respects local seed systems and biodiversity protection, in line with international commitments such as the ITPGRFA and the UN Declaration on the Rights of Peasants (UNDROP).

Honorable Machano further stated that while the regional legislative process has largely been technocratic, there are emerging opportunities for civil society engagement. He said that organizations and farmer groups across the EAC region are mobilizing to demand transparency, public consultation, and inclusion of farmers' voices in the legislative process. He explained that these groups are advocating for the adoption of differentiated standards that acknowledge the value of both formal and informal seed systems. He stressed that for meaningful participation, civil society needs to be actively engaged in consultations, provide policy alternatives that reflect ground realities, and push for legal safeguards that protect community seed systems and indigenous knowledge. He concluded by emphasizing that ensuring inclusive regional governance of seeds is crucial for achieving food sovereignty and sustainable agriculture in East Africa.

4.2 Day 2: Capitalization of experiences with pluralistic seed systems from Mali, Ethiopia, Uganda, Zambia, Zimbabwe and the European Union

Day 2 showcased practical experiences from countries like Mali, Ethiopia, Uganda, Zambia, Zimbabwe, and the European Union, demonstrating how diverse seed laws and policies can create space for FMSS. The session was divided into two blocks. In **Block 1**, participants examined inclusive legal approaches that recognize farmers' rights and local seed diversity, while **Block 2** delved into intermediate systems such as Participatory Guarantee Systems (PGS) and Quality Declared Seed (QDS) as bridges between informal and formal seed sectors as explained below.

Block 1: Examples of seed regulations bearing space for FMSS

4.2.1 Creating an enabling legal framework to diversity in Europe's seed marketing rules



Mr. Riccardo Bocci of Rete Semirurali stated that Europe's seed marketing laws have developed over more than a century to protect both farmers and consumers by ensuring seed quality, varietal identity, and traceability. He explained that these regulations are largely built around strict criteria such as Distinctness, Uniformity, and Stability (DUS), and in some cases, Value for Cultivation and Use (VCU). He noted that these criteria underpin variety registration and access to the official seed

catalogues, which remain a central part of the EU's seed regulation framework. He added that the legal framework also incorporates plant variety protection, primarily via UPOV, utility patents, and phytosanitary rules, with oversight shared between public authorities and the private sector. He observed that the EU's system has become a global model, influencing seed legislation in other regions through trade agreements and development policy, although its one-size-fits-all nature has often been criticized for limiting diversity and innovation in seed systems.

Mr. Bocci further explained that in response to concerns about genetic erosion and the limitations of the dominant legal framework, the EU has introduced reforms to recognize conservation and organic seed varieties, as well as heterogeneous materials. He said that conservation varieties, first introduced in 1998, are allowed under less stringent DUS and VCU conditions and may rely on non-official data for registration, although they are still subject to seed certification and operator registration. He added that heterogeneous materials, such as genetically diverse seed populations

developed through on-farm practices or participatory breeding, have been legally recognized since 2014 under organic farming regulations. He noted that these materials are expected to adapt dynamically to local conditions and are marketed through simplified notification systems without formal registration or variety protection, although phytosanitary rules still apply.

He also stated that despite some progress, attempts at comprehensive reform, such as the failed 2013 proposal, have highlighted the need for more flexible and inclusive regulatory frameworks. He emphasized that a diversified seed system is increasingly advocated, one that supports conventional breeding alongside farmer-led, participatory, and decentralized approaches. He concluded that such a system would enable a wider range of plant genetic resources to circulate legally, allowing conservation, population, and organic varieties to coexist with protected commercial varieties, and calls for integrating research, agricultural, and seed policies to support sustainability, food sovereignty, and resilience in the face of climate change and market concentration.

4.2.2 Inclusive process to formulate policies for an inclusive seed system in Mali



Mr. Mamadou Goita of IRPAD from Mali said that his country has undertaken an inclusive and participatory process to develop a seed policy that recognizes and protects peasant seed systems, grounded in international legal instruments such as the Seed Treaty (ITPGRFA), the Convention on Biological Diversity (CBD), and Africa's Model Laws on Farmers' Rights. He explained that the process was initiated by farmers' organizations like CNOP and AOPP with technical support from IRPAD and BEDE, aiming to address contradictions in the existing seed law of 2010 and advocate for legal recognition of peasant seeds. He noted that a series of national and local consultations, legal studies, and convergence meetings between 2006 and 2016 culminated in a shared strategy—SNP (Systèmes-Normes-Paysans)—focused on protecting collective farmers' rights and establishing peasant seed systems as distinct but connected to commercial seed systems. He added that the discussions framed peasant seeds as a human rights issue, highlighting farmers' rights to save, use, exchange, and sell seeds, alongside the protection of traditional knowledge and benefit-sharing. Mr. Goitre further stated that the framing and drafting of the new seed policy involved two phases. He explained that the initial effort, led by the Ministry of Agriculture and FAO, was rejected by civil society, while the second, more inclusive effort was led by IRPAD at the request of both the Ministry and COASP. He noted that this second phase included 11 months of dialogue, 14 local workshops, six national workshops involving parliamentarians and stakeholders, and a national validation session. He added that the final policy document was officially handed over to the government in 2020 by a farmer leader. He emphasized that the policy's vision centers on achieving seed sovereignty in Mali through biodiversity and equitable access to quality seeds for family farms, and that its core objective is to ensure that peasants have sustainable access to diverse, reproducible seeds while respecting and protecting their rights.

4.2.3 The Pluralistic Seed Supply System Development Path of Ethiopia: Experiences, challenges and opportunities



Mr. Regassa Feyisa of the Ethiopian Organic Seed Action (EOSA) stated that agriculture in Ethiopia operates within diverse agroecological and socio-cultural systems but has long faced structural challenges such as weak cross-sectoral integration, top-down extension services, erosion of agrobiodiversity, and inconsistent agricultural strategies. He explained that these issues prompted a shift toward a pluralistic rural development model that centers on smallholder farmers, promotes sustainable use of indigenous resources, and

aims to connect agriculture with broader economic development. He added that the new approach focuses on inclusiveness, decentralization, and diversification of input systems, particularly seeds, to boost productivity and resilience.

Mr. Feyisa further stated that the Pluralistic Seed Supply System Development (PSSD) seeks to integrate formal, informal, and intermediate seed systems. He said it supports community-based seed production, enhances regulatory frameworks, encourages private sector involvement, and recognizes the role of smallholder farmers in seed conservation and variety development. He noted that the 2023 Seed Law (Proclamation 1288/2023) provides a strengthened legal foundation by enabling decentralized variety registration, supporting quality assurance mechanisms for both formal and informal systems, and promoting farmers' variety registration with simplified procedures. He added that it also facilitates partnerships, digital documentation, anti-counterfeit measures, and financial access to enhance system efficiency and transparency.

Mr. Feyisa emphasized that the Seed Law, 1288/2023, explicitly does not apply to smallholder farmers or pastoralists with landholdings of 10 hectares or less, who rely on their own and family labor and depend mainly on agriculture for their livelihoods. He explained that it also excludes the use and exchange of farm-saved seed among such farmers and pastoralists, particularly for non-rights-protected varieties, as well as seed used for research and education. He said this exemption preserves traditional seed exchange practices and ensures that smallholders maintain sovereignty over their genetic resources. He concluded by noting that despite these inclusive provisions, the full realization of a functional pluralistic seed system still depends on improved coordination, institutional capacity, and strong stakeholder collaboration across all levels.

Block 2: intermediate seed systems

4.2.4 Enhancing Quality Seed Production Through Participatory Guarantee Systems (PGS)



Mr. David Manongi of TABIO stated that Participatory Guarantee Systems (PGS) are community-based quality assurance mechanisms that empower farmers and stakeholders to co-develop seed quality standards, conduct peer evaluations, and ensure traceability and transparency in seed production. He explained that PGS is particularly valuable for farmer-managed seed systems (FMSS), offering a decentralized and cost-effective alternative to formal certification systems. He added that it bridges informal and

formal seed systems by enabling recognition of local varieties without going through criteria like Distinctness, Uniformity, and Stability (DUS). He noted that PGS empowers smallholder farmers by building technical capacity, promoting transparency, and reinforcing ownership of the seed production process.

Mr. Manongi further stated that case studies from Latin America, Europe, and Africa demonstrate the adaptability and effectiveness of PGS in diverse contexts. He explained that in Colombia, the Red Semillas Libres (RSLC) developed a multi-phase PGS framework involving actors like seed houses, promoters, and approval committees, using structured tools such as farm diagnostic forms, production standards, and report cards to ensure consistent evaluation and documentation. He added that in France, the Réseau Semences Paysannes supports farmers in maintaining seed diversity and quality through farmer-led seed saving and peer-based validation. He also noted that in Tanzania, pilots led by SWISSAID and TABIO utilize community seed banks (CSBs), seed multipliers, and seedbank committees to manage internal controls, document practices, and train 23 farmer groups across seven locations in decentralized seed quality assurance.

Mr. Manongi observed that despite its potential, Tanzania's PGS faces barriers including lack of formal legal recognition, limited technical capacity, and weak farmer networks. However, he said that strong farmer participation, local governance structures, and peer review systems indicate readiness for scale. He concluded by recommending that advancing PGS should involve advocating for its policy integration, piloting with neglected and underutilized species (NUS), strengthening training-of-trainers models, and developing digital tools for traceability. He emphasized that with proper support and recognition, PGS can become a vital tool for improving seed quality, supporting agroecological practices, and enhancing food sovereignty across Tanzania.

4.2.5 Quality Declared Seed (QDS) System



decentralization by involving local farmers in seed production and inspection, reducing dependency on commercial seed companies and imported varieties. He further stated that FAO has actively promoted QDS in Tanzania for crops like beans, cassava, sweet potatoes, and sunflower, with targeted training for women and youth, local production licensing, and integration of good agricultural practices.

Mr. Elly observed that despite the system's benefits in improving seed access, affordability, and resilience to climate shocks, several challenges hinder its scale-up. He highlighted limited financial resources for producers, weak coordination among stakeholders, inadequate infrastructure, and insufficient marketing skills as key constraints. He also noted that some QDS producers face financial pressure that leads them to sell seed as grain, undermining the system's credibility. He concluded by recommending strengthening coordination, linking producers to finance and markets, and supporting youth and women in seed entrepreneurship to enhance local agribusiness

Mr. Nickson Elly of the FAO office in Tanzania stated that the Quality Declared Seed (QDS) system, supported by FAO, offers an alternative seed quality assurance mechanism designed to enhance smallholder farmers' access to improved seeds. He explained that unlike certified seed systems, QDS follows a simplified quality control process while still meeting essential seed standards. He noted that it is particularly suited to crops and areas where formal certification is less practical or accessible. He added that QDS supports

and ensure the sustainability of QDS as a viable seed delivery system for marginalized farming communities.

4.2.6 Practical experience with QDS, Community seed banks, and registration of farmers' seeds in Uganda



Dr. Catherine Kiwuka of NARO-PGRC, Uganda, said that the country's agricultural sector plays a vital role in the economy, engaging 65% of the population and contributing over 24% to GDP. She explained that in line with Vision 2040 and the National Development Plan IV, Uganda prioritizes access to quality and diverse seed as a cornerstone for socio-economic transformation. She noted that Uganda has established an extensive legal and policy framework guiding the seed sector at

international, regional, and national levels, including the CBD, ITPGRFA, the National Seed Policy (2018), the Plant Variety Protection Act (2014), and the Seed and Plant (Quality Declared Seed) Regulations (2020). These frameworks, she added, support pluralistic seed systems, safeguard farmers' rights, and promote seed quality, access, conservation, and innovation.

Dr. Kiwuka reported that Quality Declared Seed (QDS) production has been successfully scaled through Local Seed Businesses (LSBs), with over 250 LSBs across 63 districts producing QDS for more than 14 crops including legumes, cereals, oilseeds, and root crops. She highlighted that these LSBs generated significant farmer income and bridged the gap in seed availability for non-hybrid crops. At the same time, she emphasized that community seed banks (CSBs) have been promoted as key platforms for conserving plant genetic resources, improving seed access, and enhancing resilience through local seed diversity. These CSBs, she said, host diversity fairs, facilitate knowledge exchange, and support farmer-led conservation efforts, aligning with national policy objectives on sustainable use and protection of indigenous crop varieties.

She further pointed out that efforts to register farmers' varieties are underway to safeguard farmers' rights, protect indigenous knowledge, and enable traceability, equitable benefit-sharing, and seed sector integration. However, she acknowledged that challenges persist, including inconsistent law enforcement, regulatory gaps, limited funding, and the need for capacity building. She stressed the urgency of formalizing legal frameworks for farmers' variety registration and embedding community-based seed production mechanisms into district budgets. Finally, Dr. Kiwuka stated that Uganda is actively reviewing its seed laws and strategies to address these gaps, with a focus on scaling sustainable and inclusive seed systems that value farmer innovations and enhance food security.

4.3 Day 3: Development of options for creating space for farmers' seeds and strategies to move towards pluralistic seed systems

Day 3 of the workshop focused on developing practical options for creating space for farmers' seeds and advancing strategies toward pluralistic seed systems as shown in Table 1. Participants made presentation of prioritized options identified earlier in day 2 of the workshop.



Participants then engaged in a structured open space methodology, where each option was assigned a flip chart and a volunteer host to guide the discussion (Appendix 3). Groups moved



between flip charts, discussing the advantages and disadvantages of each option in detail.

After the open space discussions, each host presented a summary of the group's findings to the plenary for broader dialogue and reflection. In the latter part of the day, participants divided into stakeholder groups CSOs (including farmers and media), government actors, regional body and continental-level actors. Each group worked on defining specific next steps relevant to their roles.

Table 1: Overview of options for creating space for farmers' seeds in Tanzania

Option	Examples	Situation/opportunity in Tanzania	Advantages of option	Limitation of option
1. Revision of seed act	- Mali, EU	There seems to be a process to revise the TZ seed act from 2023. However, draft as well as information on process is not publicly available.	<ul style="list-style-type: none"> - Would allow to include clauses for the recognition of farmers seed system - As there is an ongoing process and political discussions on the revision of seed act, this might make it easier to include aspects for the benefit of farmers 	<ul style="list-style-type: none"> - Political will might be missing - Insufficient lobby power and organization of farmers and CSO
1.1. Recognize FMSS and farmers' rights to save, use, exchange and sell farm saved seeds	<ul style="list-style-type: none"> - Ethiopia's, - India's Plant Breeders and Farmers' Rights act 	2003 Seed Act does not recognize and not even mentions FMSS or farmers' rights to seeds	<ul style="list-style-type: none"> - Explicit mention of farmers' rights gives good protection for farmers - In line with international obligation from 	<ul style="list-style-type: none"> - Political will might be missing - Opposition from seed industry to be expected - Might be in conflict with PVP act

			ITPGRFA and UNDORP	
1.2. Exclude farmers' seed from the obligation to be certified as precondition for sale	- Zambia	Current seed act requires any seed to be certified to be allowed for sale and exchange	- Legalisation of sale and exchange farmers' seeds and farmers' varieties - Can be combined with 1.1. and 2.	- Sale of farm-saved seeds of PVP protected seeds still not allowed
1.3. Introduce an exemption for farm saved seeds / small scale farmers	- Ethiopia		- Can allow the sale of seeds for vast majority of farmers in TZ, without - Can be combined with 1.1. and 2.	
2. Create a separate register for farmers varieties without requirement for DUS	- Ethiopia? - European Union - Zimbabwe, Zambia and Uganda	No provision for the creation of a landrace/farmers' varieties in seed law	- Recognition of farmers' varieties - Certain protection of farmers' varieties from biopiracy - Can be combined with 1.1. and 1.2.	- only accessible for well-organized farmers' groups. As the procedure even without DUS would be still be to complicated for individual farmers who search to sell small quantities of seeds, it should be combined with 1.1 and/or 1.2.
3. Remove restrictions on QDS to only multiply registered varieties and only within district	- Ethiopia	- To date the sale of seeds under QDS is only allowed for registered varieties and within district	- Possibility of selling farmers' varieties more widely for the benefit of access to seeds - Original guideline of FAO suggests the multiplication of formal as well as traditional varieties through QDS	- As QDS is only accessible for well-organized farmers' groups, individual farmers would still face trouble selling farm-saved seeds.
4. Register farmers' varieties as part of the normal national variety register	No other example known	Tanzania recently listed 13 farmers' varieties in national catalogue without fulfillment of DUS criteria, by order of the minister, based on Article 12 of the 2003 Seed Act	- No review of seed act or seed regulation needed	- No security, the registration of farmers varieties can be cancelled easily if the government changes - As farmers' varieties and formal varieties are fundamentally different, it is questionable to put them in the same register
5. Recognize Participatory Guarantee Systems for seeds as an alternative to seed certification	The scheme of "Truthfully Labelled Seeds" in India has some similarity with PGS	- Know recognition of PGS on seeds to date and sale of seeds from PGS not allowed. However, PGS on organic produce well	- Farmers' groups can define quality criteria that are appropriate for their needs and are in charge of the process	- PGS seeds can only be sold if there is a change/exemption to seed act

for farmers seeds		established and recognized in TZ.		
4. Recognize FMSS, farmers' rights and their contribution to the creation and conservation of PGRFA under PGRFA Act		There seems to be a draft PGRFA bill from (year?). However, the legislative process has never been completed. This could be an opportunity to revive the process and	<ul style="list-style-type: none"> - There is already a draft on which can be improved - As the objective of the act is the domestication of ITGRFA, it is obvious to include provisions on farmers' rights and to strengthen farmers' roles for conservation and sustainable use of PGRFA - 	<ul style="list-style-type: none"> - Potential contradiction with existing seed act might create legal uncertainty -> might be a preliminary step to revise the seed act, as well.
Recognition of and collaboration with community seed banks through government	- Uganda	- Existing contacts of Seed Working Group with TARI and national gene bank could be used	<ul style="list-style-type: none"> - Would allow to strengthen capacities of CSB and their access to PGRFA collections of national gene bank - Participatory research and breeding could be very beneficial - Sensitization of researchers for farmers' seeds 	<ul style="list-style-type: none"> - Sale of farmers' seeds still illegal unless combined with other measures
5. Consider legal action against Seed Act	- Court case against Kenya's Seeds and Plant Varieties Act by Farmers, SSN-Kenya and Greenpeace Africa	Legal situation and provisions on farmers' rights in constitution would need to be analysed	<ul style="list-style-type: none"> - Potentially good lever to change seed act 	<ul style="list-style-type: none"> - uncertain if the chances to win a process might be comparable to Kenya - potentially time and resource consuming process - might not be well received by government and other stakeholders
Establish multi-stakeholder platform on Farmers' seeds with ownership of government	Kenya: Intersectoral Forum on Agrobiodiversity and Agroecology	Seed Working Group and TABIO unite many CSO organisations but no government actors	<ul style="list-style-type: none"> - Multistakeholder platform could advise on policy reform on farmers' seeds 	
Use NEOAS as lever for policy process to allow farmers' seeds	EU: Strategy "Farm to Fork" was an important argument to allow the sale of non-homogenous seeds in EU	Government of TZ adopted NEAOS in 2023, including a section that highlights the importance of farmers' seeds and the importance of policy reform		
Elaborate a baseline /			When ownership of government is	<ul style="list-style-type: none"> - Ownership of government needed

scoping study as a base for adjustments of seed regulation			assured, this can assure well targeted adjustments of seed regulation	- Resources needed
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The session concluded with restitution, where all groups presented their proposed workplans and commitments, setting the stage for continued collaboration and action beyond the workshop as shown in Table 2.

Table 2: Draft action plan for civil society

Action	Who	Deadline
Follow-Up on the amendment Seed Act 2003 What is the process? How can we engage? What is in the draft? How improvements for FMSS can be included?		
Revive process for NPGR Act Consultation with relevant authorities (NPGRC, DDP), elaborate strategy to put forward		
Elaborate a draft regulation for FMSS/ suggestion for amendment for the Seed Act 2023		
Sensitization of stakeholders/government actors (technical level, policy makers)		
Establish a multi stakeholder platform on Seeds/FMSS		
Learning and experience sharing on alternative procedure for FMSS registration / space (exchange visit between policy makers)		
Learning on provisions allowing the multiplication of non-DUS varieties in QDS		
Strengthen community seed banks based on experience from other countries		
Mapping, Documentation, Training, Market access		

5.0 Achievements and Lessons Learnt

5.1 Achievements

i) **Options for creating space for farmers' seeds in Tanzania and action plan for the post workshop developed:** During the workshop, participants jointly identified options for creating space for farmers' seeds in Tanzania, focusing on legal recognition, policy reforms, and strengthening community seed initiatives. An action plan was also developed, outlining steps such as policy advocacy, capacity building, stakeholder dialogue, and piloting innovative models like Participatory Guarantee Systems (PGS). This plan provides a clear roadmap for advancing farmers' rights, safeguarding agrobiodiversity, and enhancing seed sovereignty in the post-workshop period.

ii) **Production of a policy brief on Creating Space for Farmers' Seeds in Tanzania's Seed Regulations**

A policy brief was produced which explained that Farmer-Managed Seed Systems (FMSS) provide over 80% of seeds used in Tanzania, yet remain unrecognized in law, leaving farmers' rights to save, exchange, and sell seed vulnerable despite their central role in food security, resilience, and biodiversity. It stated that current regulations which only legitimize certified seed risk criminalizing traditional practices and undermining international commitments like ITPGRFA and UNDROP. The brief noted that, drawing on lessons from countries such as Ethiopia, India, Zambia, and Uganda, Tanzania has options to reform its Seed Act by legally recognizing FMSS, introducing

flexible registration systems, adopting alternative quality assurance models like Participatory Guarantee Systems (PGS), and strengthening institutional frameworks through community seed banks, the PGRFA Bill, and multi-stakeholder platforms. It concluded that such reforms would create a pluralistic seed system that safeguards farmers' rights, supports agro-biodiversity, and ensures resilience and sovereignty in Tanzania's agriculture.

iii) Preparation and submission of the comments on the AU Draft Bill on FMSS

Workshop participants were given an opportunity to provide comments on the AU Draft Bill on FMSS. The concept was first introduced by Madam Egulu during the recent workshop coordinated by TABIO, which provided participants with an important platform to reflect on the draft and explore its implications for farmers, seed systems, and national frameworks.

iv) Preparation of the comments on the EAC draft seed and Plant Variety Bill for submission

During the meeting, one group had time to go through the Draft EAC Seed and Plant Varieties Bill, 2025 so that after the meeting likeminded civil society organizations across East Africa make their input to the Bill to recognize farmer managed seed systems. The coordination of seed Savers Network and TABIO has enabled Civil society organizations, farmer networks, and partners across the EAC to draft a position paper opposing the Bill in its current form (Appendix 4), citing concerns that it undermines farmers' rights, seed sovereignty, and agro-biodiversity by prioritizing corporate control and trade liberalization over food security and social justice. The Bill criminalizes traditional seed practices, excludes farmer-managed seed systems, threatens national sovereignty, and contradicts regional and international obligations such as the ITPGRFA and UNDROP. A number of civil society organizations in East Africa and beyond have also joined in making inputs to the Bill and are actively participating in webinars coordinated by SSN for awareness creation and to inform the position paper. To support this, the team led by SSN has prepared a webinar poster with logos from various organizations in East Africa (Appendix 5).

5.2 Lessons learnt

- 1. Farmer-Managed Seed Systems (FMSS) are Central but Underrecognized**
FMSS supply the vast majority of seeds used by smallholder farmers in Tanzania and are essential for maintaining agrobiodiversity, supporting climate resilience, and safeguarding food sovereignty. However, they remain underrepresented and legally unsupported in national seed laws.
- 2. Legal and Policy Frameworks Need Urgent Reform**
Tanzania's Seed Act (2003, amended in 2013) lacks provisions explicitly recognizing and supporting FMSS. Therefore, legal reforms are necessary to create space for farmer managed seeds.
- 3. Women and Traditional Knowledge Are Pillars of Seed Systems**
The workshop underscored the critical role of women in seed selection, preservation, and exchange, and highlighted the cultural and nutritional importance of farmers' seeds. Recognizing and protecting indigenous knowledge and practices are key to sustaining farmer-led seed innovation.
- 4. International and Regional Frameworks Offer Strong Foundations**
The ITPGRFA, Africa Model Law, and AU's African Seed and Biotechnology Programme provide supportive frameworks for advancing farmers' rights and integrating FMSS into national systems. However, domestication and implementation at the country level remain weak and inconsistent.
- 5. Participatory, Inclusive Approaches Yield Results**
Examples from Ethiopia, Mali, Uganda, and the EU show that when farmers and civil

society are involved in policy and legal reforms, more inclusive and pluralistic seed systems emerge. Participatory Guarantee Systems (PGS), QDS schemes which source their seeds from farmer managed seed system, and community seed banks have proven effective but require sustained support and legal backing.

6. Collective advocacy builds a stronger, more legitimate voice and greater impact than isolated efforts as for the case of EAC Seed and Plant Veriaty Bill and the AU Draft Bill on FMSS.

6.0 Conclusion and Recommendations

6.1 Conclusion

The workshop affirmed that farmer-managed seed systems are vital to Tanzania's food security, biodiversity conservation, and climate resilience. Despite supplying the majority of seeds to farmers, these systems remain legally vulnerable and largely unsupported by current legal frameworks. Encouragingly, institutions like TARI, TOSCI, TABIO, and NPGRC are working to bridge formal and informal systems, but their efforts require more political will, legal clarity, and investment. The experiences shared from other countries and regional actors showed that inclusive, participatory approaches can successfully integrate FMSS into national strategies. The workshop generated strong consensus among stakeholders on the need for legal reform, enhanced coordination, and practical support to ensure that FMSS thrive and contribute fully to national development goals.

6.2 Recommendations

1. **Enact a standalone National Seed Policy that Recognizes FMSS**
Develop and adopt a dedicated seed policy that explicitly recognizes and supports farmer-managed seed systems, ensuring alignment with the ITPGRFA, Africa Model Law, and other international commitments.
2. **Amend the Seed Act to Include Legal Space for FMSS**
Revise the Seed Act to incorporate differentiated standards for farmer seeds, legal recognition of community seed banks, and streamlined procedures for registering farmer varieties and participatory breeding outcomes.
3. **Strengthen Participatory Guarantee Systems (PGS) and QDS Frameworks**
Scale up and legally recognize PGS and QDS for farmer seeds as legitimate seed quality assurance systems. Provide technical training, institutional support, and market access for local seed producers, especially youth and women.
4. **Support Community Seed Banks and Local Seed Enterprises**
Invest in the expansion, sustainability, and networking of community seed banks as hubs for conservation, exchange, and farmer innovation. Encourage local seed entrepreneurship through access to finance, training, and supportive infrastructure.
5. **Foster Inclusive Dialogue and Policy Participation**
Ensure active involvement of farmers, CSOs, and marginalized groups (especially women and youth) in all stages of seed policy formulation, implementation, and monitoring at national and regional levels.
6. **Enhance Institutional Coordination and Capacity Building**
Promote stronger coordination among public institutions (e.g., MoA, TOSCI, NPGRC), civil society, and the private sector. Build institutional and farmer capacity to manage pluralistic seed systems effectively.
7. **Safeguard Indigenous Knowledge and Farmers' Rights**
Embed protections for traditional knowledge and practices within legal frameworks.

Ensure farmers' rights to save, use, exchange, and sell seeds—particularly those not protected by plant variety rights are legally upheld.

8. **Monitor Regional Integration Efforts Closely**
 Engage in regional seed harmonization processes (e.g., EAC Seed Bill) to ensure they accommodate FMSS and do not impose UPOV-style restrictions. Advocate for differentiated systems that uphold biodiversity and farmer autonomy.

7.0 Appendices

7.1 Appendix 1: List of Participants

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7.2 Appendix 2: Workshop Program: Creating space for farmers seeds in seed regulations – capitalizing international learnings and identifying options for Tanzania. Date 28th - 30th July 2025

Day 1: Understanding FMSS and its importance as well legal barriers, international framework and processes at regional and continental level

Time	Topic	Who	Method
8:30 – 8:40	Opening ceremony	Betty Malaki - SWISSAID	Speech
8:40 – 9:00	Keynote: Importance of FMSS in Global Food Systems	Abdallah Ramadhani - TABIO	Powerpoint presentation
9:00 – 9:30	Keynote: Significance of Farmer's seeds for the implementation of NEOAS, Objective of the MoA to allow the sale of farmers' seeds in agro inputs markets in Tanzania	Guest of Honour from the Ministry of Agriculture (Mr. Twalib Njohole)	Speech
9:30 – 10:00	Situation in regard to seed related policies in TZ, strengths, limitations and perspectives.	Dr. Atugonza Bilaro - TARI	Presentation
10:00 – 10:30	Testimonies from Tanzanian and Kenyan farmers and CSOs: Practical implications of current seed regulation for farmers	Farmers (TZ and Kenya) Ommary Aleka, Veronika Kibono, Modest Fante, Hazinael Bura with interpretation in Kiswahili and English languages	Oral
10:30 – 11:00	Break	All	Tea Break
11:30 – 12:00	Significance and domestication of the ITPGRFA in Tanzania	Chrispo William Hamisy - TPHPA	Powerpoint presentation
12:00 – 12:30	Farmers' rights in ITPGRFA – current discussions and processes.	Riccardo – ReteSemirurali	Powerpoint presentation
12:30 – 13:00	Legal barriers for FMSS, farmer's rights in seed trade regulations across the world	Simon Degelo - SWISSAID	Powerpoint presentation
14:00 – 14:30	Panel discussion	Chrispo Hamisy (TPHPA), Riccardo (Rete Semirurali), Daniel Wanjama, Farmer (opening)	Identify key issues raised during the presentation for discussion
13:00 – 14:00	Lunch	All	Lunch Break
15:00 – 15:30	African model law	Andrew Mushita - CTDT	Powerpoint presentation
15:30 – 16:00	Process on FMSS at AUC level	Beatrice Ogulu - AUC	Powerpoint presentation
16:00 – 16:30	Current discussions on EAC level (Seeds and Plant Variety Bill) and possibilities for civil society participation	Hon. Machano - EALA	Powerpoint presentation
16:00 – 17:00	Panel discussion on the presentation made and for creating space for farmers' seeds in regional and continental level	Andrew Mushita (CTDT), Beatrice (AUC), Mamadou (IRPAD), Joe Mzinga (ESAFF), Hon. Machano (EALA), Atugonza (TARI/Gov TZ)	Identify key issues raised during the presentation for discussion

17:00 –17:30	Evening tea and Administration	Stanley Kayombo- TABIO	Break
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Day 2: Capitalisation of Experiences with pluralistic seed systems from Mali, Ethiopia, Uganda, Zambia, Zimbabwe and European Union

Time	Topic	Who	Method
	Block 1: Examples of seed regulations bearing space for FMSS		
8:20 – 8:30	Recap on Day One	Rapporteur	Presentation
8:30 – 9:00	Inclusive process to formulate policies for an inclusive seed system in Mali	Mamadou Goïta - IRPAD	Presentation
9:00 – 9:30	Experience with pluralistic seed system in Ethiopia	Regassa (EOSA)	Presentation
9:30 – 10:00	Allowing Heterogeneous Material in EU	Riccardo (Rete Semirurali)	Presentation
10:00-10:30	Panel discussion on creating space	Riccardo (Rete Semirurali), Regassa (EOSA), Mamadou (IRPAD Afrique), Ministry of Agriculture/Plant breeding section	Discussion
10:30 – 11:00	Break	All	Tea Break
	Block 2: Intermediate seed systems		
10:30 – 11:00	Constraints of DUS, farmers' preference and PGS on seeds	David – TABIO	Presentation
11:00 – 11:30	QDS model developed by FAO and implemented by a range of countries in Africa	Julius Sanoko FAO	Presentation
11:30 – 12:00	Practical experience with QDS, community seed banks and registration of farmers' seeds in Uganda	Catherine (NARO))	Presentation
12:30 – 13:00	Panel on intermediate seed systems	FAO, Mushita (CTDT), TOSCI, Catherine (NARO), Erick Kizito (PELUM), Sumini (ZARI)	Discussion
13:00 – 14:00	Lunch	All	Lunch Break
14:00 – 15:00	Break-out Groups from different countries	Resource persons from countries host one group per country – Mali, Ethiopia, EU, Uganda, Kenya, Zambia, Zimbabwe. Based on the example of their country, they capture options for creating space in seed regulation.	Open Space/group work: One flip chart per country prepared. One resource person per country stays on their flip chart while the others can move around freely. The resource person of each group describes particularities of seed legal framework in their country. Together with participants, options are

			identified that could also be used for other countries. The options can be written on colored cards
15:00 – 16:00	Restitution in plenary	Each resource person presents in plenary.	Presentation and discussion
16:00 – 16:30	Discussion and prioritization of options	Plenary	Facilitator sorts of options cards. They are discussed in plenary and complemented if needed. In a second step, the Participants can put sticky points to the options they favorize.
16:30 – 17:00	Evening tea and administration	Stanley - TABIO	Stanley Kayombo

Day 3: Development of options for creating space for farmers' seeds and strategies to move towards pluralistic seed systems

Time	Topic	Who	Method
	Presentation of prioritized options		
8:30 – 8:40	Recap on Day Two	Rapporteur	Presentation
8:40 – 10:00	Further development of options, identification of advantages and disadvantages	Each flip chart has one host. Hosts are selected on volunteer base.	Open space: One flip chart per option is prepared. Group discusses advantages and limitations per option.
10:00 – 10:30	Break	All	Tea Break
10:30 – 13:00	Restitution of options and discussion	Each host presents findings	Presentation
13:00 – 14:00	Lunch	All	Lunch Break
14:00 – 15:00	Next steps /workplan	Group work in the following groups: - CSO (including farmer's and media), - Government - Regional level (EAC, ECOWAS and SADC) - Continental level	Prepared Flip charts. Each Group defines the next steps they want to implement. E.g. the gov. actors will define which of the options they consider and how they could implement them. CSOs define next steps in advocacy
15:00 – 16:00	Restitution of group work. Discussion.	All	Discussion
16:00 – 16:30	Closing ceremony and media brief	MoA representative	Position paper
16:30 – 17:00	Evening Tea and Administration	Stanley -TABIO	Transport reimbursement

7.3: Appendix 3: Photo Protocol

Options for creating space in national seed regulation



Option: Revision of national seed act

Option: Ongoing process of Review Seed Act

What:

Insert clause in seed act which recognise/ give FMSS and call for establishment of separate legal framework

- Recognising
- Protection
- Conserving
- Multiplication & Exchange
- Selling
- Owning

Advantages:

- * Farmers Rights
 - Access
 - Exchange/share (All time)
 - Own their varieties
- * Farmer Sovereignty (seed, Food)
- * Agrobiodiversity Conservation
- * Promote Social Cultural aspects (indigenous knowledge/technology)
- * Nutrition Security

Limitations:

- * Political will
- * External pressure from "Commercial seed actors" - Multinationals
- * Public awareness - "decolonise our mind set"

Opportunities:

- NEDAS is Priority area on Access to EOA inputs - (FMSS)
 - Resource allocation and programs/Project supporting FMSS.

Option: revise existing seed act

What:

Include exception for farmers from obligation to be certified

- protect farmers' right

Advantages:

- * Legal status of fmss clarified

Limitations:

- * difficult to achieve, might be very political
- Lobbying by seed industry?
- * Too little lobby power from farmers as less organized than West Africa

Option: Use PGRFA for protecting farmers rights

Option

What:

- ① PGRFA not limited to registered seeds
- ② Protect and recognize FMSS under PGRFA Act
- ③ Possibility of legal action to seed act
- ④ The draft PGRFA Act has taken so long to accomplish.

Advantages:

- It will allow farmers seeds be recognized
- Allow Tanzania benefit from PGR from other countries
- Domestication of ITPGRFA a reality.

Limitations:

- It will contradict with the Seed Act if it remained unchanged
- No recognition of farmers seed in the Seed Act
- Political will

Option: Protect fmss in PGRFA Act

Advantage:

- registering and influencing policy process for PGRFA Act
- Protection of farmers' rights to sell seeds
- Support of FMSS role of farmers to conserve PGRFA

Disadvantage:

- Contradiction with existing Seed act → disadvantage of FARMER

Option: Consider legal action against national seed act

OPTION 1: Possibility of legal action to secure farmers rights

WHAT: In seed act.

Food & seed is a constitutional rights.

- Develop a positional paper analyzing the act against the constitutional.

WHO TO LEAD: SEED WORKING GROUP.

ADVANTAGE:

- FMSS will be recognized & protected.
- The results maybe realized earlier.
- Build the basis for revamping the PGRFA

LIMITATION

- Financial resources.
- Negative perception from stakeholders

Option: Allow QDS for non-DUS seeds, Option: register farmers varieties through an alternative system

OPTION 2: QDS not limited to registration seeds

WHAT: Seed Act allows the use of only registered varieties in the QDS production
- Farmers' seeds to be revised regulation that will allow farmers' varieties registration as per the FAO guidelines to be used in QDS production

- Advantage source of available for QPs
- Increase Seeds access for QPs
producers and farmers.
- Improve livelihood of farmer.

- Limitation
- Political will
- Limited information

What we need is an alternative framework is legal is not

✓ framework \rightarrow legal
How \rightarrow Creating a policy framework that facilitates farmers' conservation and sustainable use (Sale, exchange & sharing; multiply) of farmers' varieties.

Why *Recognise protect & support
FNSS

What	Why	How
<p>Alternative policy of legal framework for conservation and sustainable recognition of Farmers varieties</p> <p>=</p>	<ul style="list-style-type: none"> * Protect * Support * Sale, exchange * Share, * Multiply * 	<p>NC D G P A S</p> <p>CAS:</p> <p>C - Consistency A - Accessibility S - Sustainability</p> <p>or any other alternative</p> <p>PGS:</p> <p>* Establish a map Submit a statement at the Seet Ad (Revision process).</p>

Option: Recognize Community Seed Banks

CSK -
→ IS ABOUT OF SYSTEM
→ Element of National Seed
Supply System
A Advantage of CSB.
→ Important tool of

- Food Sovereignty of the nation
- Soil sovereignty of the National Nation
- Soil security, Conservation, improvement and Farmers Learning Center, etc.
- Organize market for farmers producer
- Economic development
- Job Creation for youth, women ...
- Promoting Participatory Research (Availability of material, Collaboration, etc. Partnership b/w Farmers and Research Institute)
- Create Social and Cultural Connection,
- For increasing diversity on farm.
- Climate Change Adaptations
- Realizing farmers Right ...

- * **Limitations**
 - ① Awkwardness
 - ② Perception
 - ③ Infrastructures

Option: CREATING SPACE FOR FARMERS TO ADVANCE FARMER SEEDS

What: Strategic engagements (Meaningful & Respectful & timely)
To demonstrate importance, empirical evidence, participation -
researchers, public participation, awareness

Advantages:

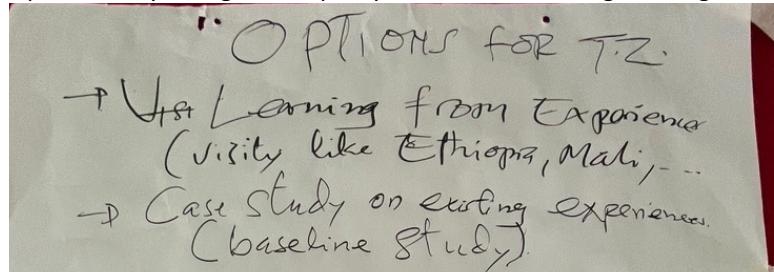
Advantages:

- Practical good will
- Farmers Views/Concerns Accommodated
- All political laws and Public resources Institutions

- ⇒ Better policies
- ⇒ Sustainability

- ↳ sustainability
- ↳ Food diversity, Sovereignty, Culture
- Limitations:
- ↳ Opposition forces
- ↳ Resistance
- ↳ Priority
- ↳ funding
- ↳ mindset
- ↳ Ignorance

Option: Policy dialogue with policy makers and Learning exchange visit, option: Baseline study



Option: revision of Seed Act

<p><u>Option: Ongoing process of Review Seed Act</u></p> <p><u>What:</u> Insert clause in seed act which recognize/ give FMSS and call for establishment of separate legal framework</p> <ul style="list-style-type: none">- Recognizing- Protection- Conserving- Multiplication & Exchange- Selling- Owning <p><u>Advantages:</u> Clause will open the window for separate regulation given FMSS</p> <ul style="list-style-type: none">* Farmers Rights- Access- Exchange/share (All time)- Own their varieties* Farmer Sovereignty (seed food)* Agro biodiversity Conservation* Promote Social Cultural aspects (indigenous knowledge/technology)* Nutrition security <p><u>Limitations:</u></p> <ul style="list-style-type: none">* Political will* External pressure from "Commercial seed actors" - Multinationals* Public awareness - "decorative our mind set" <p><u>Opportunities:</u> NEDAS: Priority area on Access to EOA inputs - (FMSS) - Resource allocation and programs/Project supporting FMSS.</p>	<p><u>Option: revise existing seed act</u></p> <p><u>What:</u> Include exception for farmers from obligation to be certified</p> <ul style="list-style-type: none">• protect farmers' right <p><u>Advantages:</u></p> <ul style="list-style-type: none">• Setting legal status of fmss clarified <p><u>Limitations:</u></p> <ul style="list-style-type: none">• difficult to achieve, might be very political• Lobbying by seed industry?• Too little lobby power from farmers as less organized than West Africa
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Regional group EAC Seed bill

The following is the Regional group General Observations.

1. EAC- Seed Bill

- Biasness of the bill
- Lack of recognition of farmer seed systems in the EAC

Recommendations:

- Conserve, and preserve biodiversity (as per Article 106 of the treaty)
- Recognize protection and supporting FMSS
- Ensuring seed and food sovereignty of the community
- Preamble to be revised based on the recommendations.

Section 2 - Interpretation - to include FMSS aspects:

1. Farmers Varieties
2. Gene bank (East Africa)

Process Administrative arrangements

Section 3: Seed and Plant committee

- Establishment of the EA gene bank committee which involve multi stakeholders

Part 3 Plant Variety Evaluation, Release and Seed certification

- Include prohibition on release of GMOf Gene edited across the region

ACTION PLAN: CSA

1. Follow-up of the Seed Act 2003 Review
 - To what extent it has incorporated Stakeholders comments on FMSS
2. Strengthen of the Community Seed Banks based on experience from other countries (Ethiopia, Uganda, Kenya etc)
 - Mapping → Multiplication
 - Dissemination, distribution
 - Documentation
 - Training (coordination)
3. Draft Regulations on FMSS
4. Sensitization of stakeholders (technical team technocrats, policy & decision makers etc)
5. Revive the process of NPGR Act completion
 - ^{consultation} meeting with ~~NPGR~~ relevant authorities (NPGRc, DPP)
 - Strategy to put it forward
6. Learning and Experience sharing on alternative procedures for FMSS registration
7. Learning for alternative procedures for sources of QDS based on FAO guideline
8. To prepare a platform for Seed stakeholders

7.4 Appendix 4: Joint Civil Society Position on the Draft EAC Seed and Plant Varieties Bill, 2025

To: The Speaker and Members of the East African Legislative Assembly (EALA)
From: Civil society organizations, farmer networks, and development partners across the EAC
Date:

1. Introduction

Seed is the fundamental basis of East Africa's agriculture. About 70-80% of the seeds planted by small holder farmers in East Africa are either saved on farm or obtained through the informal seed systems known as Farmer Managed Seed System (FMSS). Cognisant of this, We, the undersigned organizations from across the East African Community (EAC), under Article 127(3) of the EAC Treaty, present this joint position on the Draft EAC Seed and Plant Varieties Bill, 2025.

Our collective concern is that while the Bill aims to harmonize seed laws, if passed in the current form, it undermines **farmers' rights, seed sovereignty, and puts the rich agro-biodiversity** of the region at risk, which forms the foundation of food security and climate resilience in the region. The Bill in its current form further is in contravention of Article 6(d) of the EAC Treaty on the principles of the EAC Treaty specifically on social justice, equal opportunities and the promotion and protection of human and peoples rights in accordance with the provisions of the African Charter on Human and Peoples' Rights.

The Bill contravenes Article 103(1)(c) on the encouragement of the use and development of indigenous science and technologies as well as Article 105 on food security.

The Bill seeks to harmonize seed laws across member states. While it aims to improve seed quality and facilitate private sector involvement, it risks entrenching corporate control over seeds, limiting smallholder farmers' rights, and threatening agro-biodiversity.

This paper analyzes the Bill's implications, highlights its potential risks to farmers, biodiversity, and human rights, and proposes actionable recommendations to align the law with **farmers' rights, agroecology, and sustainable development priorities** in East Africa.

Smallholder farming accounts for about 75 percent of agricultural production and over 75 percent of employment in East Africa, and up to **70-80% of seed planted originates from farmer-managed seed systems**. Yet, these systems are in no way recognized in the draft Bill and the provisions of the bill would install new barriers for farmers' seed systems and prohibit the saving, reuse, exchange, selling and sharing in the seed system.

Restricting the sale, exchange and sharing of seeds worsens the food insecurity situation in the EAC region. The United Nations estimates that in 2022, in East Africa specifically, the number of severely food-insecure individuals rose by 25% from 87 million to 132 million people within the same period, underscoring the region's acute vulnerability. East Africa emerges as the most vulnerable region, with 29% of export earnings allocated to food imports. This translates to a significant reliance on international trade for food security. In the recent past, Kenya, Uganda, and Tanzania have spent substantial amounts on food imports. In 2023, Kenya's import bill rose to sh. 201 billion with importation of 84% of the locally consumed rice and more than 90% of edible oils and in Uganda, food importation represented 10.66% in 2023 of the total merchandise. Furthermore, the Bill restricts the sovereignty of the EAC Partner States to define and adjust laws regarding seeds, based on their national needs and priorities, and under the participation of relevant stakeholders, including farmers. It is in contradiction with the National Agroecology Strategies, recently adopted or under preparation by EAC Partner States, such as

Tanzania, Kenya, and Uganda as well as EAC's own resolution to promote Agroecology, adopted by EALA, on 21/07/2025.

The bill would install precise and strict provisions for seed regulation and plant variety protection on a regional level. Almost all EAC members have their own national legislation on seeds and plant variety protection, adapted to their national needs and priorities. The bill would install new parallel and potentially conflicting law on regional level for subjects already regulated on national level. This would curtail national sovereignty and create legal uncertainty. Rather than defining precise provisions that become effective on a national level, it should give guidance for the Partner States how to create more space for farmers' seed systems, how to realize and protect farmers rights and how to balance breeders rights with the tradition to use farm-saved seeds.

The bill is written along the lines of standards dictated by actors outside of Africa - like UPOV, OECD and World Bank. It ignores African Standards, such as the African Model Legislation for the Protection of the Rights of Local Communities, Farmers, and Breeders, and for the Regulation of Access to Biological Resources, as well as the AU Policy on Farmer-Managed Seed Systems, which is currently being developed. Even the AfCFTA Protocol on Intellectual Property Rights and its Annex on Plant Variety Protection (still under discussion) prescribes that plant breeders' rights need to be balanced with farmers's rights, in line with the international obligations of the member states.

2. Key Concerns

1. Restrictions on Traditional Seed Practices

1. The Bill risks criminalizing or limiting age-old practices of traditional breeding, saving, sharing, exchanging, and selling farm-saved seeds, threatening the very basis of farming in the region.

2. Violation of Farmers' Rights

1. The Bill promotes breeders' rights as opposed to farmers' rights. Farmers' rights, as recognized under the **International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)** and national constitutions, are not safeguarded.

3. Marginalization of Agro-Biodiversity

1. Heavy emphasis on commercial and certified seed will erode diverse, locally adapted varieties that underpin resilience to climate change, pests, and diseases.

4. Exclusion of Farmer-Managed Seed Systems

1. The draft largely ignores the contribution of farmer-managed seed systems, despite their centrality to rural livelihoods and food sovereignty.

5. Food Sovereignty vs. Trade Liberalization

- The Bill frames seeds as a commodity for trade, not as a human right linked to food sovereignty.
- Farmers' right to fully and meaningfully participate in all decisions that affect their lands, livelihoods, and lives, is undermined.

6. Seed Prices & Affordability

- No safeguards against monopolistic pricing.
- Certified seeds are often unaffordable for smallholder farmers, worsening inequality in access to food production.

7. Corporate Capture of Seed Systems

- Opens the door for multinational seed companies to dominate, marginalizing smallholder seed enterprises and to illegitimate appropriation of genetic resources

that belong to local farmer communities and to the Partner States of East African Community.

- Farmers could become dependent on costly inputs (seed and chemicals), undermining sovereignty.

8. Violation of international obligations and human rights

- The Bill is in contradiction with international obligations of EAC member states like the International Treaty for Plant Genetic Resources for Food and Agriculture to which all EAC Partner State (except Somalia) are members and to the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas with has been adopted by UN General Assembly, whereby all EAC Partner states voted in favor.

3. Recommendations

We urge EALA to:

- Protect and promote farmers' rights**, including the rights to breed, save, use, exchange, and sell farm-saved seed.
- Explicitly recognize farmer-managed seed systems** as complementary to the formal seed sector.
- Safeguard agro-biodiversity** by ensuring policies support diverse seed varieties, including traditional and indigenous crops.
- Align the Bill** with regional and international obligations, including the ITPGRFA, UNDROP, African Union seed frameworks, and constitutional provisions of Member States.
- Guarantee inclusive participation** of farmers, civil society, and indigenous peoples in both the elaboration and implementation of the Act.
- Frame the right to seed as a fundamental **human right and a public good**, not just a commodity.
- Align the Bill with **food sovereignty principles** to ensure farmers define their own agricultural systems.
- Establish **affordability safeguards** (price caps, subsidies, or support to local seed multipliers).
- Cap market concentration by **reserving space for smallholder seed enterprises** in national and regional seed trade.

This position reflects the collective voice of civil society organizations, farmer networks, and partners across the EAC who are committed to resilient, sovereign, and farmer-led seed systems.

We hereby call upon the Members of EALA to incorporate these recommendations to ensure that the revised Seed and Plant Varieties Act strengthens food security, protects farmers' rights, and advances regional integration in a just and sustainable way.

Suggested Changes of Text

Section	Suggested changes	Reasoning
Art 2	“breeder” means— (a) a person who discovers and develops a plant variety; (b) a person who employs or commissions the	The mere discovery (as well as discovery and homogenisation) cannot be considered breeding. The recognition of discovery as a breeding activity might facilitate biopiracy through the “discovery” and homogenisation of farmers' varieties

	<p>person who discovers and develops a plant variety; or</p> <p>(c) a successor in title of the person referred to in paragraph (a) or (b); -> replace “discover” with “breeds”</p>	
Art 2	<p>(new)</p> <p>“Farmers’ or traditional variety” means variety which is:</p> <p>a) traditionally cultivated and developed by farmers</p> <p>b) predominantly bred or selected by farmers</p>	As over 80% of seeds in EAC are farmer’s seeds this needs to be included in the Bill.
Art 6	<p>(1) A national plant variety release committee shall not release a plant variety <u>for sale as certified seeds</u> unless that plant variety has successfully undergone two seasons of the following tests—</p> <p>(a) Distinctness, Uniformity, Stability test carried out in accordance with regulations issued under this Act; and</p> <p>(b) Value for Cultivation and Use or National Performance Trials.</p>	It is important to indicate that the DUS criteria only apply to the formal seed system, not to farmers’ seeds
Art 7 bis	<p>(new)</p> <p>(1) Each partner state shall establish and maintain a National Register for Farmers’ Varieties. The varieties shall be registered on request by farmers or local communities who act as custodians for the variety, based on criteria that are relevant for farmers and can be assessed by farmers on their fields</p>	To recognize farmers’ variety, a separate register shall be established, based on criteria that are better adapted to farmers’ needs (compared to DUS9)
Art 8	<p>(1) Subject to subsection (2), seed for a plant variety in the Community catalogue shall be produced, imported or exported within the Community <u>as certified seed</u> if the seed is certified by a national seed authority.</p>	Needs to be specified that this only applies to seed that is sold as certified. Else it might be understood to allow the production (including saving on farmers field) only for registered varieties
Art 12	<p>Delete (4) (a) through (g) and replace with the suggestion below.</p>	<p>The provisions for PVP are contradictory: While (1) and (2) indicate that application for plant variety protections still are to be handled on national level based on national law, (4) provides for pvp conditions and scope to be prescribed on community level based on regulations. This is problematic as regulations are not legitimized by a parliamentary decision and potentially overrule national law based on parliamentary decisions. We therefore suggest that PVP should still be defined on national level, but that EAC gives some guidance to assure that national PVP legislation is in line with African strategies and with international obligations of EAC countries.</p>
Art 12	<p>New:</p> <p>(4) The definition of requirements and conditions for plant variety protection shall remain under national authority. The Partner States shall align their seed laws with the priorities of EAC, African Union, AfCFTA and international obligations from ITPGRFA and UNDROP. Particularly, their laws shall follow the provision below:</p>	<p>PVP constitutes a potential threat for farmers rights. EAC Partner States are obliged to realize and protect farmers rights due to the following obligations:</p> <ul style="list-style-type: none"> <input type="checkbox"/> AfCFTA protocol on Intellectual property rights, Article 8.1 (Farmer’s rights) and Article 20 (Genetic Resources) <input type="checkbox"/> ITPGRFA Article 9 (Farmers’ Rights) <input type="checkbox"/> UNDROP Article 19

	<p>1) Farmers' Rights shall be granted by Partner States in their national law and nothing in this Act shall be interpreted to limit any rights that farmers rights to:</p> <ul style="list-style-type: none"> a) the protection of their traditional knowledge relevant to plant and animal genetic resources; b) obtain an equitable share of benefits arising from the use of plant and animal genetic resources; c) participate in making decisions, including at the national level, on matters related to the conservation and sustainable use of plant and animal genetic resources; d) save, use, exchange and sell farm-saved seed/propagating material of farmers' varieties; e) use a new breeders' variety protected under this law to develop farmers' varieties, including material obtained from genebanks or plant genetic resource centres; and f) collectively save, use, multiply and process farm-saved seed of protected varieties. <p>2) Notwithstanding sub-paragraphs c) and d), the farmer shall not sell farm-saved seed/propagating material of a breeders' protected variety in the seed industry on a commercial scale.</p> <p>3) Breeders' Rights on a new variety shall be subject to restriction with the objective of protecting food security, health, biological diversity and any other requirements of the farming community for propagation material of a particular variety</p> <p>4) Partner States shall require that an applicant for variety protection provide the following information:</p> <ul style="list-style-type: none"> a. source of the genetic resources utilised for breeding the new variety ; b. proof that the resource has been rightfully acquired and that prior informed consent from the farming communities from which the resource has been obtained; and c. proof of fair and equitable benefit sharing 	<p>Further documents give guidance on how to implement farmer rights in PVP:</p> <ul style="list-style-type: none"> <input type="checkbox"/> OAU MODEL LAW , ALGERIA , 2000 — Rights of Communities, Farmers, Breeders, and Access to Biological Resources
Article 12 and 13	<ul style="list-style-type: none"> a. Include explicit safeguards for farmers' rights to save, exchange, and sell seeds; establish a dual register system for commercial and farmer-managed varieties. b. Create a publicly accessible farmer seed register, ensuring transparency and recognition of traditional varieties. 	<p>Criminalization of traditional seed saving and exchange.</p> <p>Corporate monopolization of seed markets.</p> <p>Reduced access to indigenous and climate-resilient seeds.</p>

Appendix 5: Webinar poster

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

WHAT'S AT STAKE FOR SMALLHOLDER FARMERS?

Join us in shaping a united regional voice on farmers' seeds - together we can protect farmers' rights and build resilient food systems.

Join us:

[Zoom Registration Link](#)

Speakers:

Dr. Peter Munyi- Advocate
Mariam Mayet- Executive Director, African Center for Biodiversity
Famara Diédhieu- Program Officer, AFSA
Daniel Wanjama- Coordinator, Seed Savers Network
Medius Bihunirwa- Head of Programs, PELUM Regional
Joe Mzinga- Regional Coordinator , ESAFF
Dr.Kabanda David- Executive Director (CEFROHT)



Date: Thursday, 11th September 2025

Time: 3.00- 5.00 PM EAT



Slow Food Kenya

