

## Creating Space for Farmers' Seeds in Tanzania's Seed Regulations

### Capitalizing International Learnings and Identifying Options for Inclusive Reform

#### Key Messages

- Farmer-Managed Seed Systems (FMSS) are the backbone of Tanzanian agriculture, providing over 80% of seeds used by farmers and playing a vital role in food security, resilience, and agrobiodiversity, yet remain legally unrecognized and unsupported in the Seed Act of 2003.
- Tanzania's seed laws lack clear provisions on farmer-managed seeds, creating uncertainty around farmers' rights to save, exchange, and sell seed. This hinders alignment with international commitments like ITPGRFA and UNDROF.
- Legal recognition of FMSS within the Seed Act and other relevant laws is essential to protect farmers' rights, enable diversity in seed systems, and promote innovation. Experiences from Ethiopia and India offer proven policy models.
- Inclusive registration systems and alternative quality assurance mechanisms like Participatory Guarantee Systems (PGS) can reduce barriers for farmers and legitimize diverse seed practices while maintaining quality standards tailored to local realities.
- Institutional reforms, including reviving the PGRFA Bill and supporting community seed banks, are critical for long-term, systemic integration of FMSS into national agriculture policy and seed laws hence ensuring Tanzania builds a pluralistic, resilient, and sovereign seed system.

#### Background

Farmer-Managed Seed Systems (FMSS) contribute over 80% of the seed planted in Tanzania, underpinning national food security, local resilience, and biodiversity conservation. Despite their central role, FMSS remain marginalized in Tanzania's Seed Act (2003) that only allows the sale and exchange of seeds that have been certified. Furthermore, only varieties that have been registered in the national seed catalogue after passing tests for Distinctness, Uniformity, and Stability (DUS) can be brought into circulation. As both, certification as well as DUS criteria are not adapted and accessible for farmers' seeds, this makes the sale and exchange of uncertified seeds an illegal act, and therefore violates farmers' rights to save, exchange, and sell their seeds, hinders the conservation and sustainable use of agrobiodiversity.

Several countries within and outside of Africa in recent years have revised their seed laws and regulations or currently are discussing such revisions. Europe being the cradle of formalistic seed regulations, the EU have recently allowed the sale of "Heterogenic Organic Material" without certification or variety testing and currently is discussing further reforms through a new seed regulation.

But also, countries like Ethiopia are formally recognizing farmers seed systems in their seed laws and allow the sale of farmer's seeds without certification, with many other countries drawing insights from Tanzania.

In July 2025, a multi-stakeholder workshop in Dar es Salaam convened policymakers, researchers, farmer organizations, CSOs, and international experts to explore reform pathways. Drawing on experiences from Mali, Ethiopia, Uganda, Zambia, Zimbabwe, Kenya, India, and the European Union, participants identified a set of policy options for creating an inclusive and pluralistic seed system in Tanzania.

#### Policy Problem

Tanzania's regulatory framework recognizes only certified seed as legal for trade, effectively criminalizing the circulation of uncertified seeds of which depending on how the law is interpreted may include traditional farmers seeds which are vital to the agricultural production. This approach undermines the realization of farmers' rights as recognized in international frameworks such as the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the United Nations Declaration on the Rights of Peasants (UNDROF). Without reform, Tanzania risks deepening its reliance on narrow formal seed channels and to lose its heritage of genetically diverse varieties as well as associated knowledge and traditions, what would seriously impair the capacity to build sovereign, just, and ecological food systems, that are resilient to climate change.

#### Policy Options creating more space in Tanzania's seed legislation

##### Legal Recognition of FMSS and farmer's rights to seeds

An important element for creating more space for farmers seeds is the recognition of FMSS on equal footing with the formal system, the protection of the rights of farmers to save, use, and sell seed. Ethiopia and India provide strong precedents, where legislation protects farmers' rights within national seed laws. Tanzania could follow these models by revising its Seed Act (2003) to include provisions that safeguard farmers' rights, expand seed access, and harmonize national law with international obligations. While such recognition would offer legal protection and legitimacy.

##### Exemption of farmers seeds from the obligation to be certified

While the obligation for seeds to be certified might be appropriate for formal seed system it is blocking farmers seeds from sale and exchange and therefore seriously hampers the potential contribution of FMSS for food security and resilient food systems in Tanzania. An exemption of farmers' seeds from the obligation to be certified would effectively remove this barrier without impairing the functioning of the formal seed systems. This could either happen through redefining the scope of the obligation for certification and to limit it to seeds that are sold as certified, as it is the case in Zambia's seed law. Alternatively, an explicit exemption could be introduced as it is the case of EU where seeds can be sold without certification as "Organic Heterogeneous Materials" or in the case of Ethiopia where farmers are allowed to sell their farm-saved seeds without certification but at the same time observing quality control and quality assurance.







### Registration of farmers' varieties

The creation of a separate register for farmers' varieties would give some recognition for farmers varieties as well as some protection from bio-piracy. The registration should be based on criteria different from DUS, that are achievable for farmers' seeds and that can be collected by farmers' groups independently. The introduction of farmers' varieties registers is currently discussed in Uganda and Zimbabwe and already has been introduced in Nepal as well as EU (as "Niche Varieties" register). Furthermore, the SADC Technical Agreements on Harmonisation of Seed Regulations 2008 fosters for the establishment of registers for farmers varieties within the region. Tanzania has already taken an important step by listing 13 farmers' varieties in its national catalogue in 2024 without going through the DUS, using ministerial discretion. Institutionalizing such practices would prevent reversals and secure recognition of farmers' varieties.

### Alternative seed quality assurance

Alternative quality assurance models provide another avenue for integrating FMSS into national seed systems. Tanzania with its Quality Declared Seeds (QDS) has already made a step towards creating an intermediate seed system to bridge the gap between FMSS and formal seed systems. However, the model to date only allows the production of varieties that are registered in the national variety register and is inaccessible for farmers' varieties.

Furthermore, it is highly dependent on external support as the processes, and the external inspections are beyond the capacities and financial means of most smallholder farmers' groups.

As an alternative, Participatory Guarantee Systems (PGS) might be recognized for farmers' seeds, where local communities collectively manage seed quality through decentralized and trust-based mechanisms rooted in biodiversity stewardship. This could be built on the model of PGS for organic produce, that is well established and recognized in Tanzania. An alternative approach is well established in India, where the model of "Truthfully Labelled Seeds" allows the sale of seeds based on a declaration of quality criteria on a truthful label based on producers' own quality control, making it more accessible for farmers compared to external certification.

### Broader policy and institutional measures

Finally, broader institutional reforms are essential to consolidate FMSS within national strategies. Reviving the draft Plant Genetic Resources for Food and Agriculture (PGRFA) Bill would create a legal framework that enshrines farmers' rights and supports conservation of plant genetic resources. At the same time, institutionalizing collaboration with community seed banks as seen in Uganda would strengthen participatory breeding, conservation, and farmer-led innovation. Establishing a multi-stakeholder platform on farmers' seeds, with active government participation, could sustain dialogue and guide reform processes, drawing on Kenya's model of intersectoral forums. The National Ecological Organic Agriculture Strategy (NEOAS, 2023) should be a central document for the further development of Tanzania's agriculture, including in the seed sector where it clearly highlights the need to create more space for farmers' seeds. These measures require political commitment and long-term resource mobilization but would ensure systemic and lasting recognition of FMSS.

### Inclusive process towards pluralistic seed system

A potential process to amend Tanzania's seed regulation should be inclusive and give farmers and likeminded civil society organizations the opportunity for effective and meaningful participation. Furthermore, such amendments should be in line with Tanzania's obligations to realize farmers rights as enshrined in the International Treats for Plant Genetic Resources for Food and Agriculture (ITGRFA) and United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP).

### Conclusion

The creating space for FMSS in Tanzania's seed legislation is not only a matter of social justice but also a strategic imperative for resilience, sovereignty, and biodiversity. International experience demonstrates that legal recognition of farmers' rights, flexible registration, and alternative quality assurance models can coexist with formal seed systems in a pluralistic framework. The development of more inclusive seed legislation should be based on an inclusive process allowing farmers a meaningful participation. It could be based on the vision of pluralistic seed systems that value both farmers' and formal seeds and allows them to co-exist in a mutually supportive way, providing farmers with quality seeds of their own preference to best equip them for their important task.

