

# Establish a sui generis regulatory regime for FMSS

This factsheet is the second of five highlighting key advocacy messages addressing gaps in the African Union's draft Farmer Managed Seed Systems Policy 2025. For full context, read it alongside the complete document available [here](#).

**Farmer Managed Seed Systems (FMSS) are community-based seed systems led by smallholder farmers, especially women. They provide more than 80% of Africa's seed and are central to seed and food sovereignty. FMSS are:**

- Rooted in traditional knowledge and cultural practices.
- Biodiverse, resilient and cost-effective.
- Adapted to local agroecological conditions.
- Vital for climate adaptation, food security and ecosystem restoration.

## Core message

**The AU FMSS policy must create a sui generis (tailormade) regulatory regime tailored to FMSS.** Applying commercial standards to FMSS creates legal and practical barriers. FMSS operate through trust-based, local seed networks that require flexible, participatory governance. The policy must:

- Allow voluntary, localised seed registration.
- Promote localised systems for community-based quality assurance.
- Recognise FMSS as distinct systems, not informal exceptions.

## Call to action

- Embed FMSS-specific rules into national frameworks.
- Avoid one-size-fits-all standards that erase farmer innovation.
- Uphold farmers' rights to save, exchange and sell seeds freely.
- Affirm Africa's leadership by designing seed laws that reflect its own realities.

## Link to key frameworks

- **ITPGRFA Article 9** – Farmers' Rights to save, use, exchange and sell seed.
- **UNDROP Articles 19 & 20** – Rights to seeds and biodiversity.
- **CBD Articles 8(j) & 10(c)** – Protection of traditional knowledge.
- **Africa's Model Law** – Community rights and benefit-sharing.
- **Agenda 2063, CAADP** – Seed sovereignty and farmer-led innovation.

## Common objections & responses

- **No formal quality assurance:** FMSS use trusted, community-based systems like PGS.
- **Too complex to regulate:** Adapt national seed policies using flexible clauses.
- **Seen as anti-market:** FMSS expand markets with diverse, local varieties.
- **Too informal:** FMSS are structured, evolving and Indigenous knowledge based.
- **Undermines harmonisation:** Pluralism complements regional integration—it doesn't block it.

## Case studies

Case studies of agroecological FMSS prove the viability and scale of this system. Read the full document [here](#) to find a range of case studies providing the evidence for FMSS based on agroecological principles and practices.