

Role of PVP in Promoting Food Security, Employment and Improved Farmers' Livelihoods in Kenya



Simon M. Maina
KEPHIS, KE
(www.kephis.org)

October 2021



Preview

1. Policy and legislative background supporting PVP in Kenya
2. Status of Plant Variety Protection in Kenya
3. Impact of Plant Variety Protection in Kenya



Introduction

- The agricultural sector is the backbone of the economy, contributing approximately **33 percent of Kenya's Gross Domestic Product (GDP)**.
- It employs more than 40 percent of the total population and **70 percent of the rural population**.
- Seed of the right variety is critical to enhancing food security and income generation through increased farm productivity.
- The need for food security and income generation has seen the development of superior varieties with relevant attributes.



Policy and legislative
background supporting Plant
Variety Protection in Kenya

The Constitution of Kenya

- Article 11(2) The state shall:
 - (c) **promote the intellectual property rights of the people of Kenya**
- Article 11(3) Parliament shall enact legislation to:
 - (b) recognise and protect the ownership of indigenous seeds and plant varieties, their genetic and diverse characteristics and their use by the communities of Kenya.
- Article 40(5) The State shall support, promote and protect the intellectual property rights of the people of Kenya.



The Seed Policy

- The Seed Policy (2010) has identified the **need to promote plant variety development in Kenya.**
- Specifically, the policy identified the **need to harmonize Kenyan laws with international systems that promote variety development** and international movement of seeds.
- In response to this, the Seeds and Plant Varieties Act was reviewed in 2012 to incorporate aspects of the UPOV Convention of 1991.



PVP Legislative background

- Legislation for PVP is contained in the Seeds and Plant Varieties Act, 2012 and implementing regulations .
- Kenya is a member of UPOV under the 1991 Convention and grants PBRs for all plant genera and species



UPOV



Status of Plant Variety Protection in Kenya

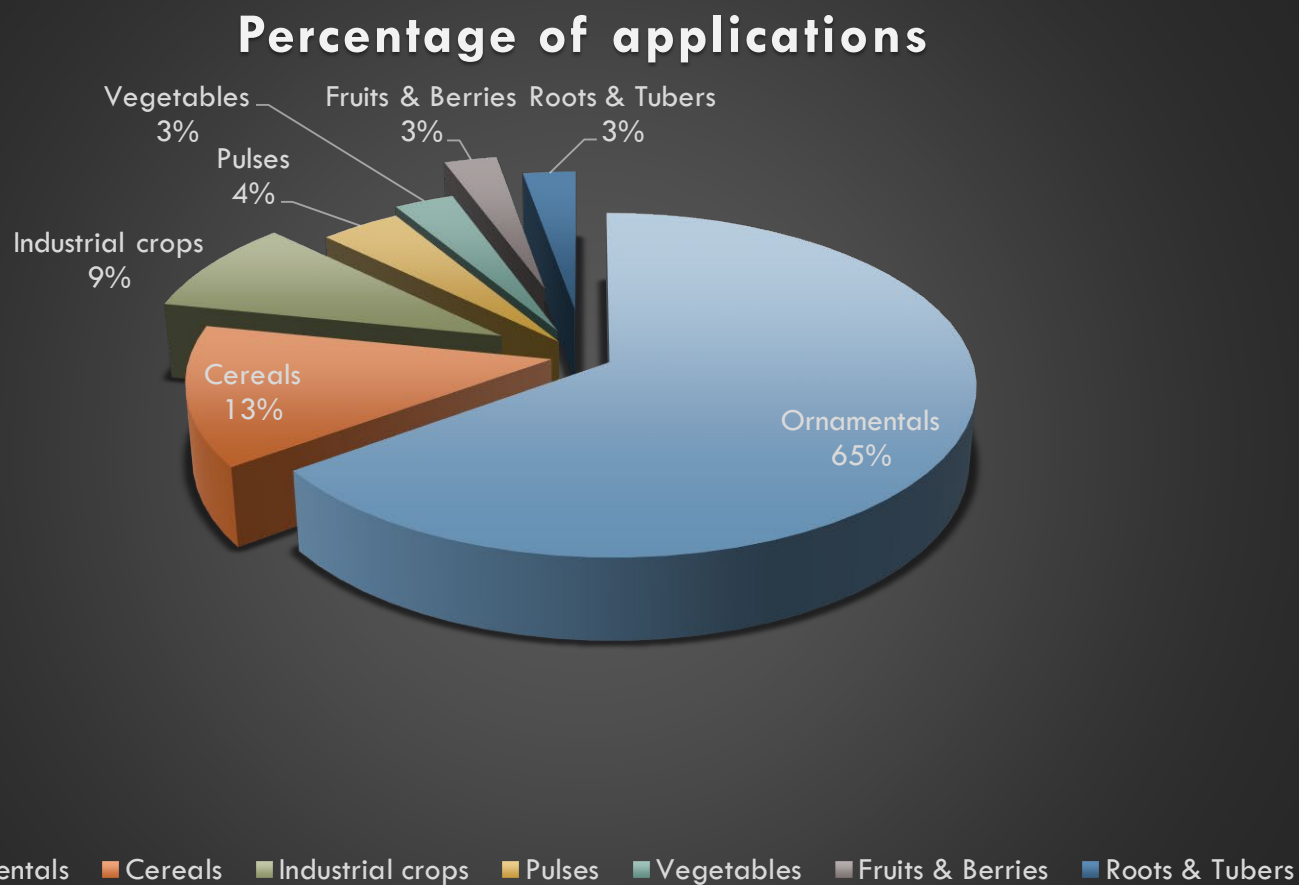
Applications for Plant Breeders' Rights

- A total of 1826 applications for PVP received by March 2021
 - Local (Kenyan) - 29%
 - Foreign - 71%
- Local applicants:
 - Public institutions - 77%
 - Private institutions - 23%
- Food crops - 36%
- Cash crops - 64%

- 127 grants were issued between 2019 - 2020

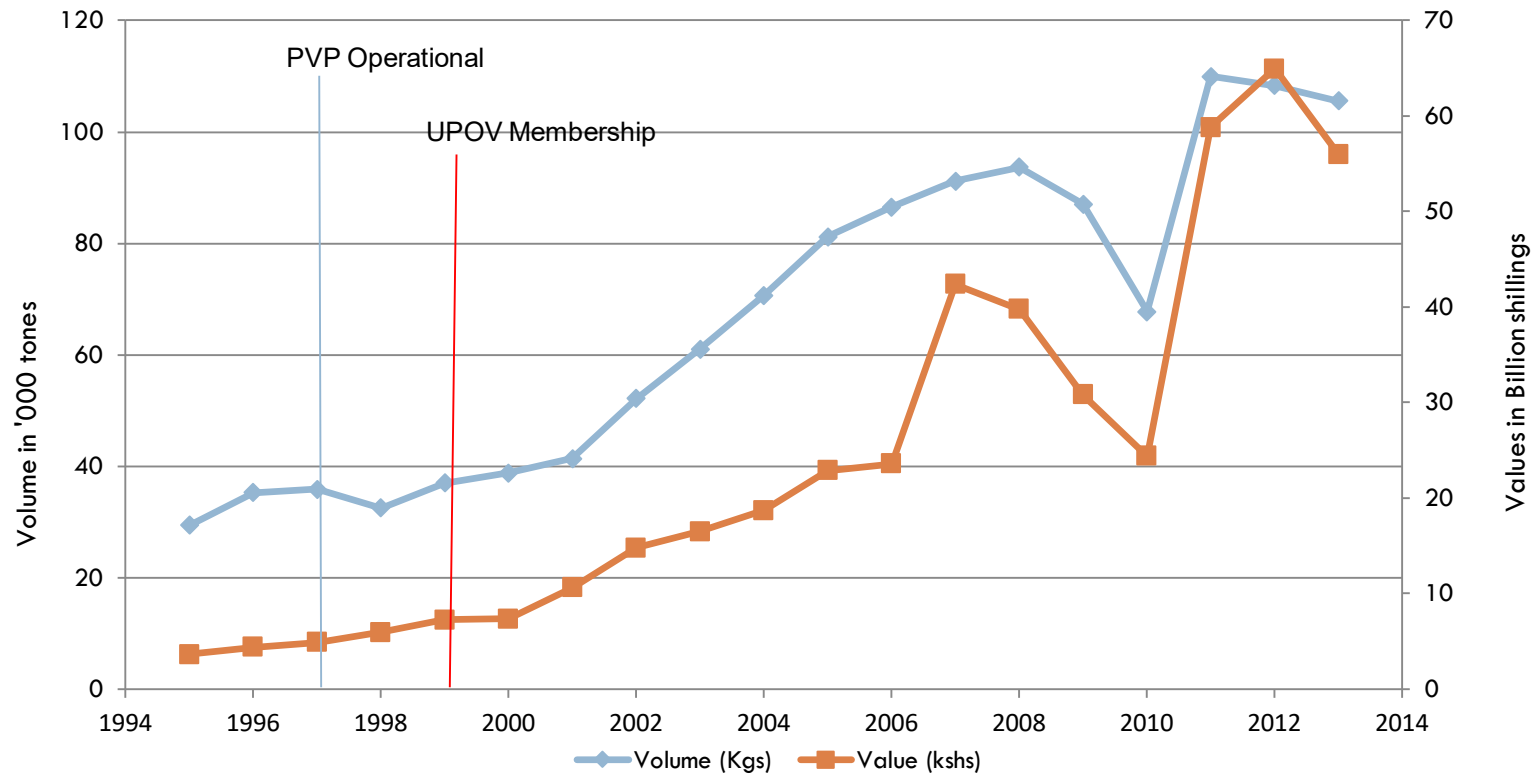


Distribution of PVP Applications in 2020



Impact of Plant Variety Protection in Kenya

Impact of PVP - The Floriculture Industry



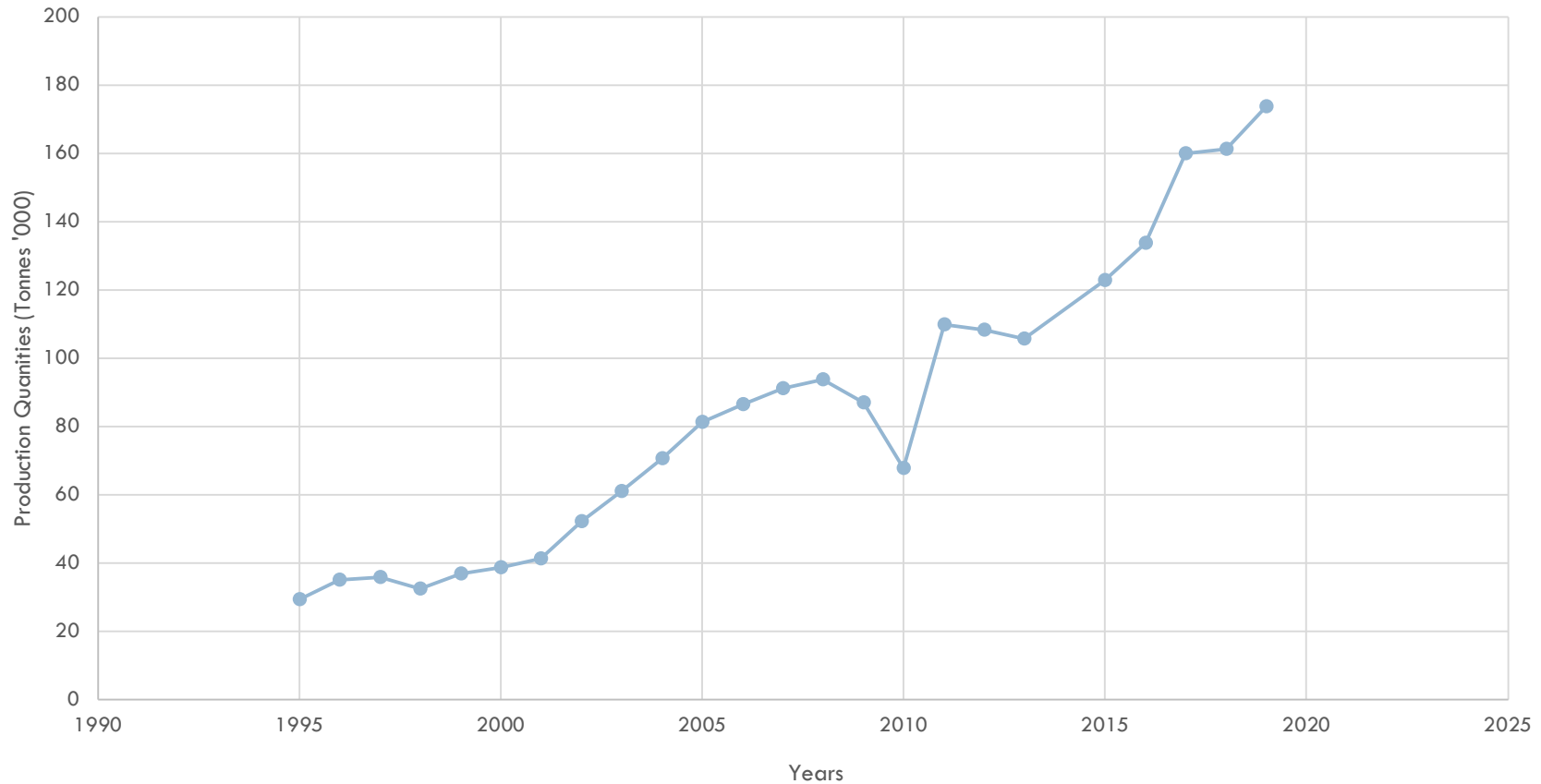
CUT FLOWER EXPORTS 1995 - 2013

Source: HCDA



Production Trend in Cut-Flower Export (1995 – 2019)

CUT FLOWER EXPORT 1995 - 2019



Source : HCDA
: Floral Daily

The Floriculture Industry

Wealth Creation

- The Kenyan floriculture market was valued at **USD 861.6 million** in 2018, and;
- **USD 1.1 billion** in 2020



The Floriculture Industry

Employment creation

- It is estimated that the floriculture industry employs over **500,000** people and impacts more than **2 million** livelihoods indirectly.



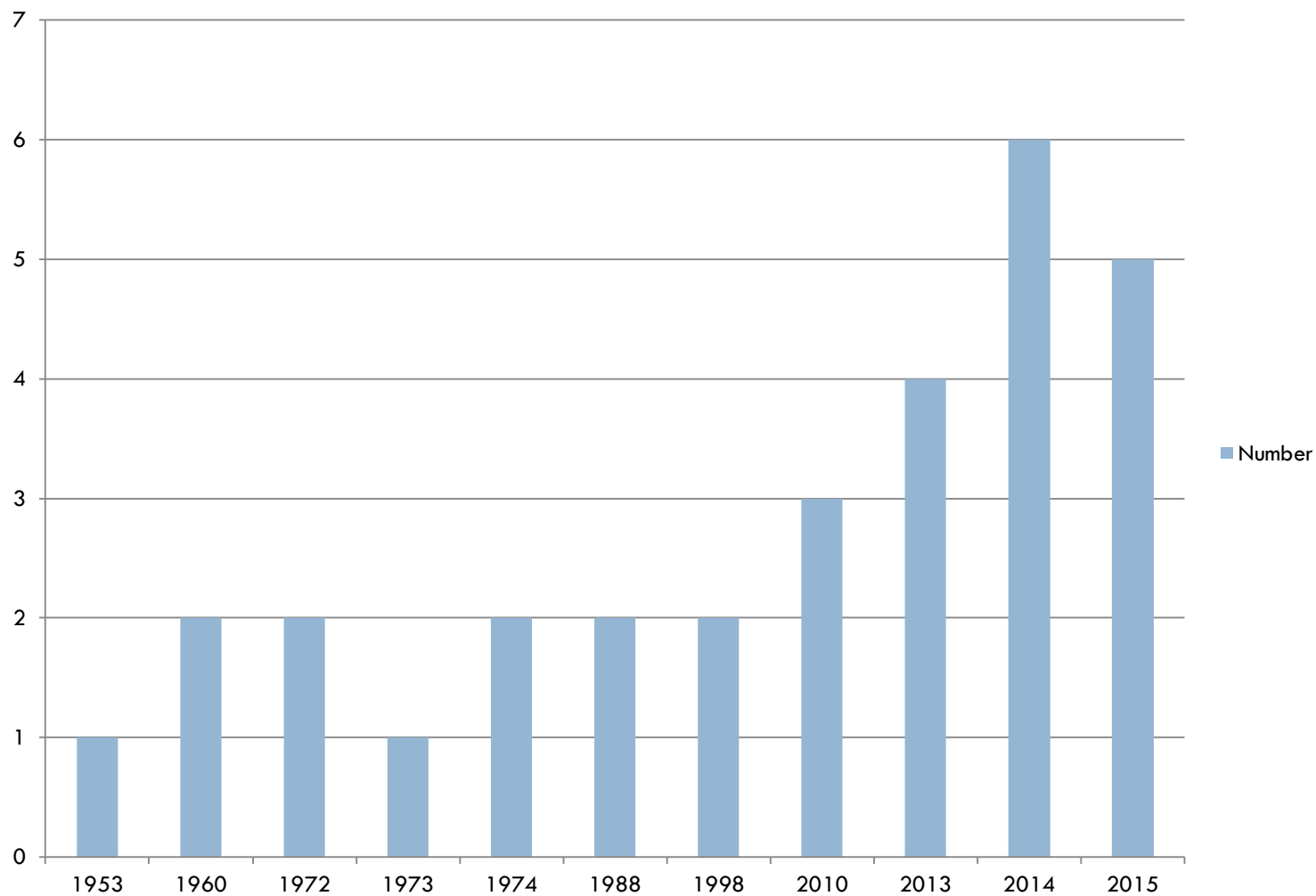
Increased Introduction of Crop Varieties: Food Security

- Increase in introduction of crop varieties due to enhanced variety description and protection:-
 - ▣ Readily available UPOV test guidelines for most of the Agricultural crops
 - ▣ Trained personnel by UPOV on development of national test guidelines
 - ▣ **Cooperation in DUS testing and Exchange of DUS test reports**

This has facilitated accelerated access to superior varieties

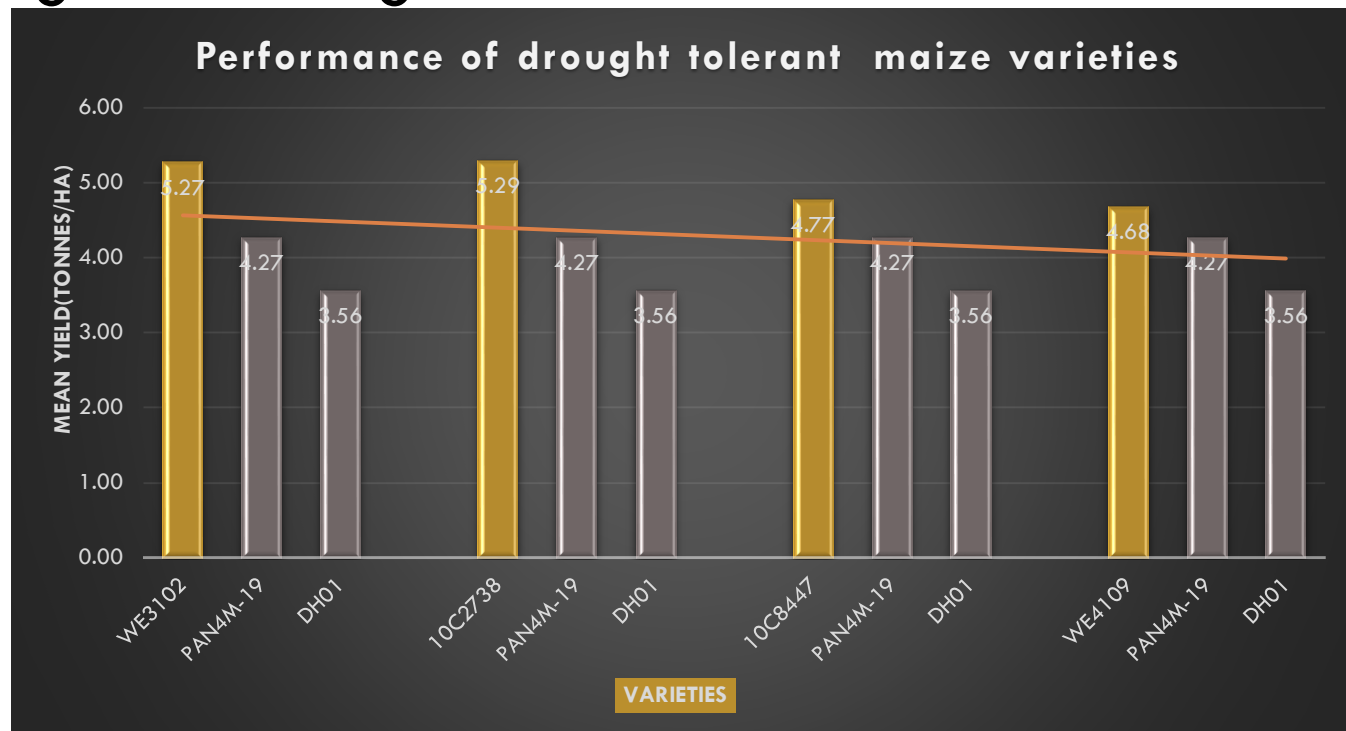


Introduction of Potato varieties



Development of Climate Smart Varieties: Food Security

Increased production through breeding of better yielding and drought tolerant varieties



Legend

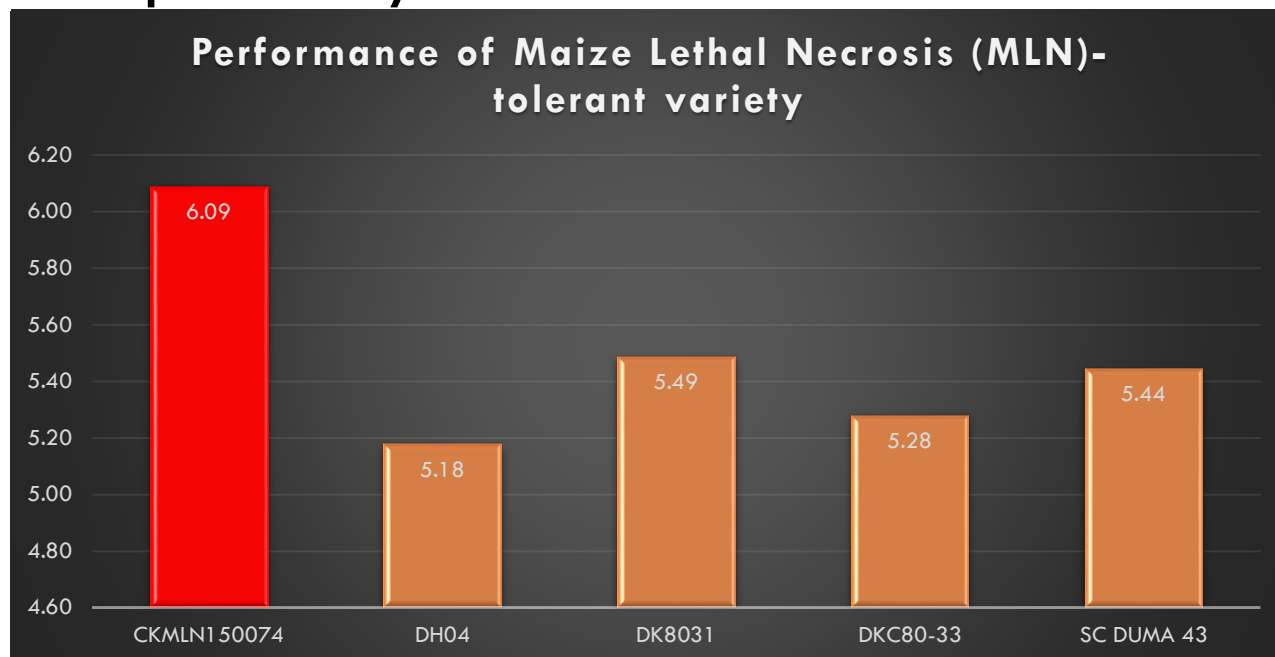


Source: KEPHIS VCU Data - 2017



Development of Disease Tolerant Varieties: Food Security

- Development and release of MLN tolerant varieties thus improved yields



Legend:



Source: KEPHIS VCU Data;2015



Conclusion

Plant Variety Protection in Kenya has enhanced food security, employment creation and improved farmers' livelihoods by encouraging:

- Development of high yielding climate smart varieties of diverse crops.
- Access to elite internationally bred crop varieties.
- Breeding activities among farmers.



END

Thank You

