

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



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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.
- Access to seed of the appropriate 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 Framework 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 Laws

- Legislation for protection of plant varieties in Kenya is contained in the **Seeds and Plant Varieties Act (1972)**, which became operational in 1975, revised in 1991 and 2012.
- Official regulations to guide the implementation of PVP service were put in place in 1994.
- The office to administer the PVP was established in 1997 and has functioned under KEPHIS since 1998



UPOV Convention

- Kenya acceded to UPOV under the 1978 Convention in **13th May 1999**
- The Seeds and Plant Varieties Act was amended in **2012** to incorporate aspects of the 1991 Act of the UPOV.
- In **May 2016**, Kenya acceded to the 1991 Act of the UPOV Convention.

UPOV



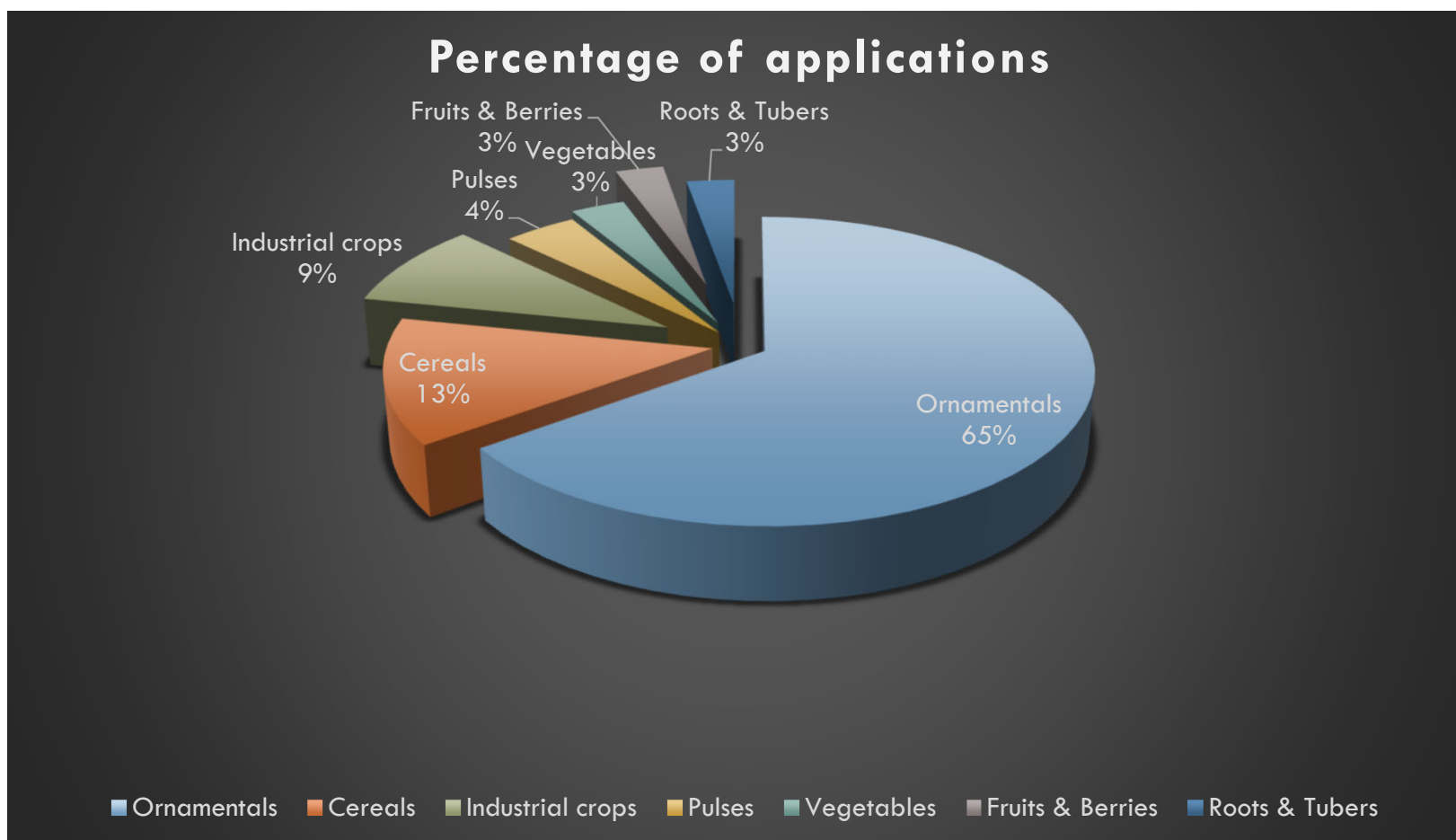
Status of Plant Variety Protection in Kenya

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

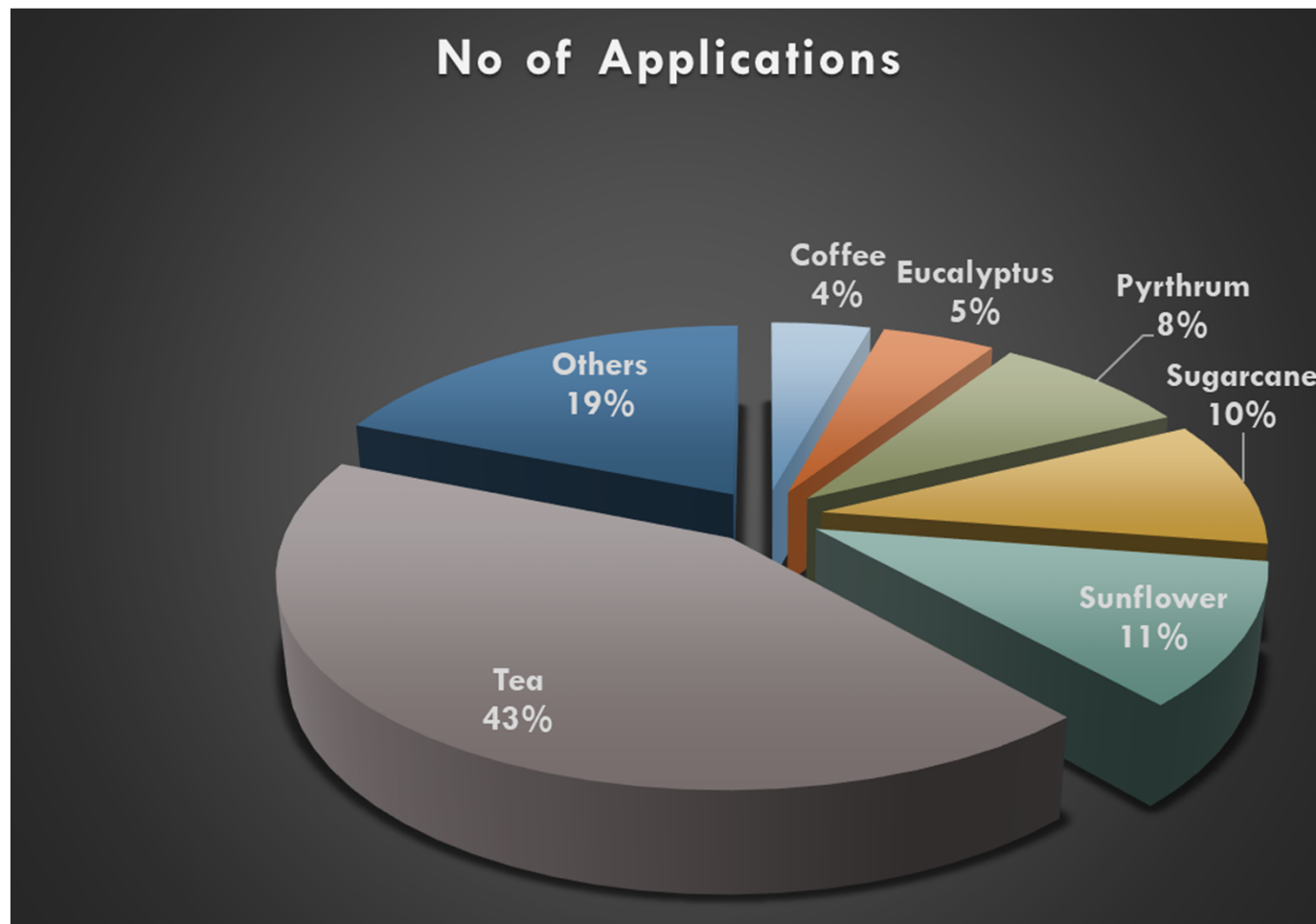


Distribution of PVP Applications in 2020



Distribution of Applications for Industrial Crops in Kenya

Variety	%
Coffee	4.20%
Eucalyptus	4.90%
Pyrethrum	8.50%
Sugarcane	9.75%
Sunflower	11%
Tea	42.7%
Others	18.90%



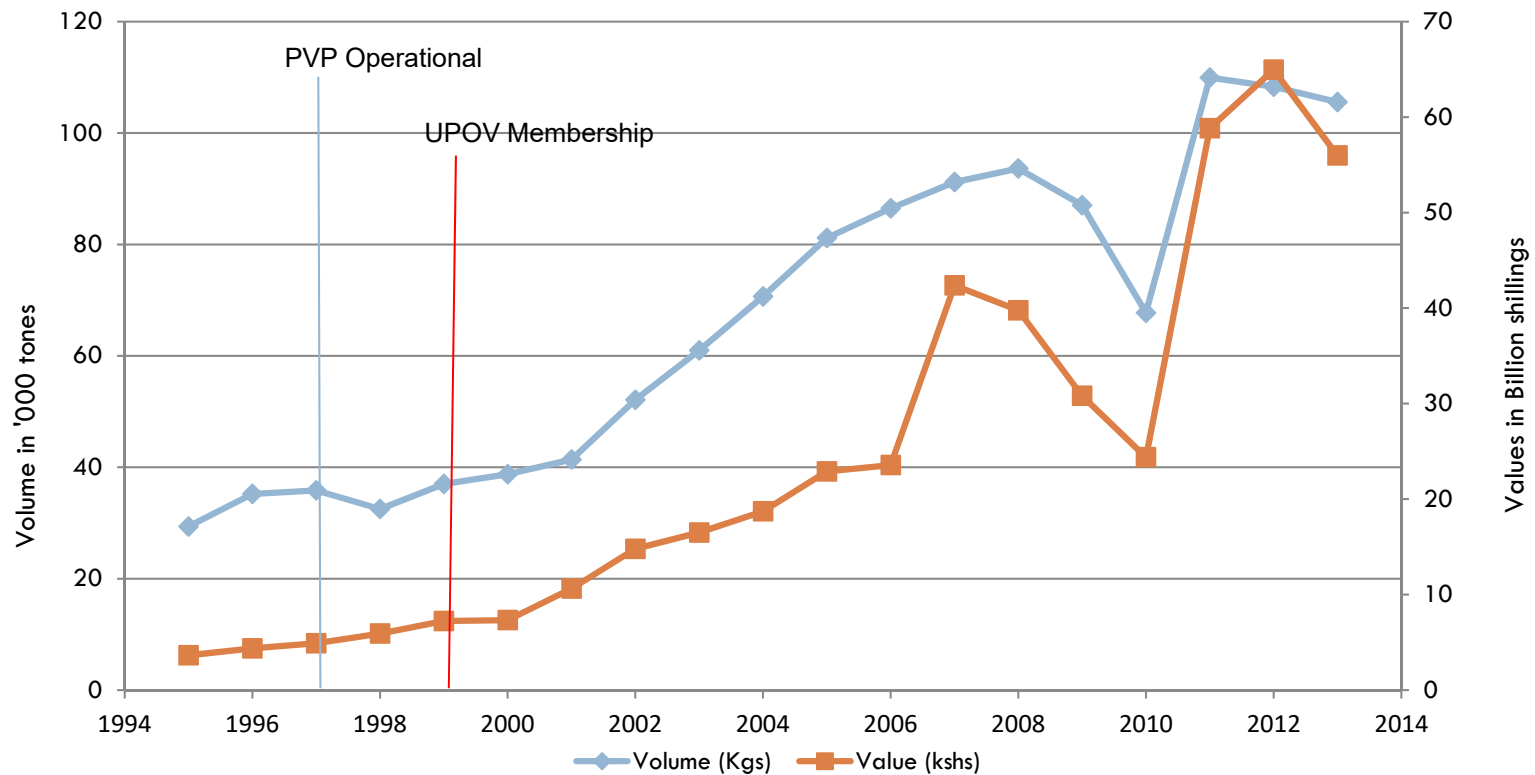
Impact of Plant Variety Protection in Kenya

The Floriculture Industry

The floriculture industry has recorded growth in volume and value of cut flowers exported every year following implementation of PVP in Kenya.



Impact of PVP - The Floriculture Industry

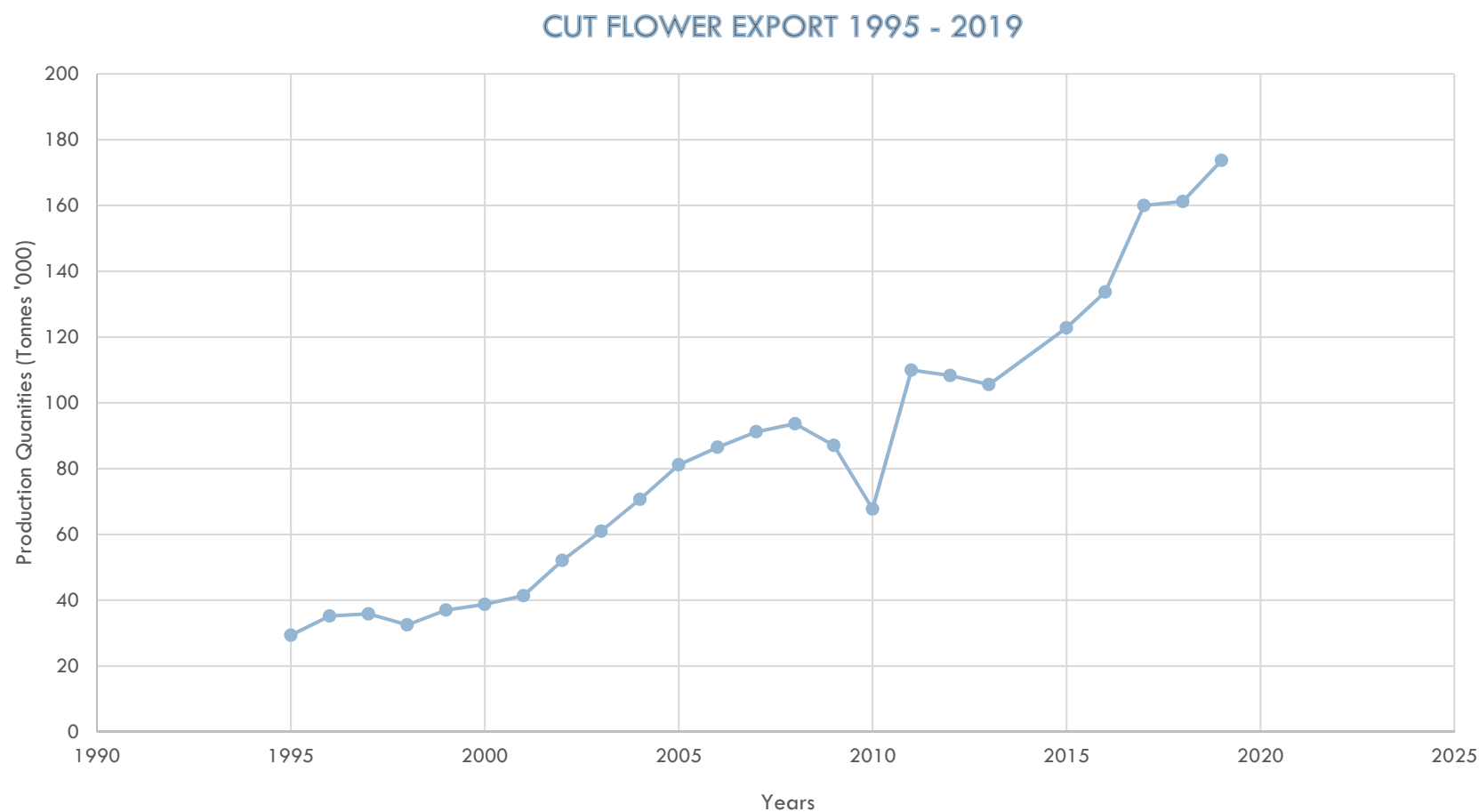


CUT FLOWER EXPORTS 1995 - 2013

Source: HCDA



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



Source : HCDA
: Floral Daily

The Floriculture Industry

Cut Flower Industry

- The Kenyan floriculture market was valued at **USD 861.6 million** in 2018.
- In the year 2020, 142,478 MT of fresh flowers valued at **USD 1.1 billion** was produced in Kenya.



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.



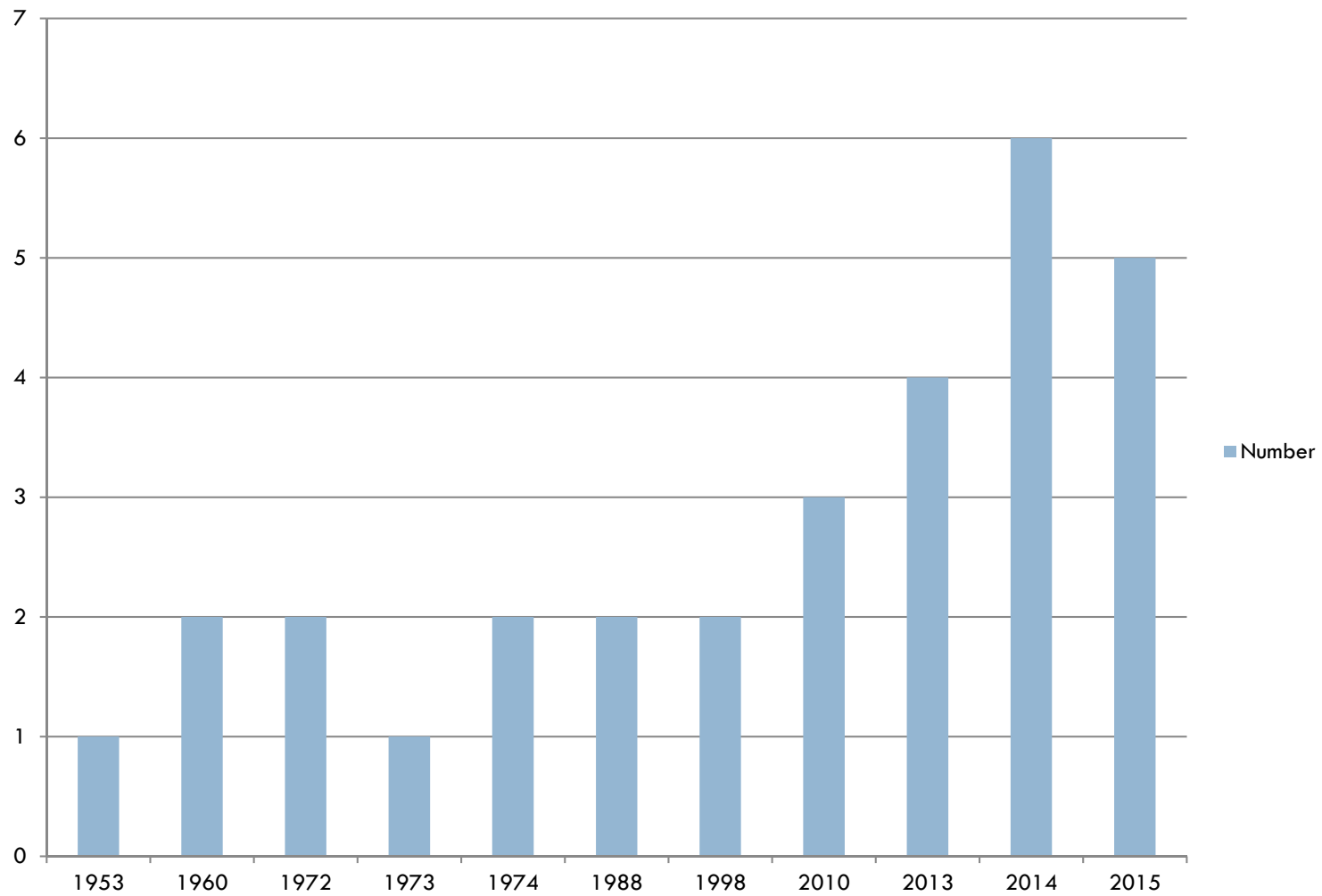
Increased Introduction of Crop Varieties

- 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



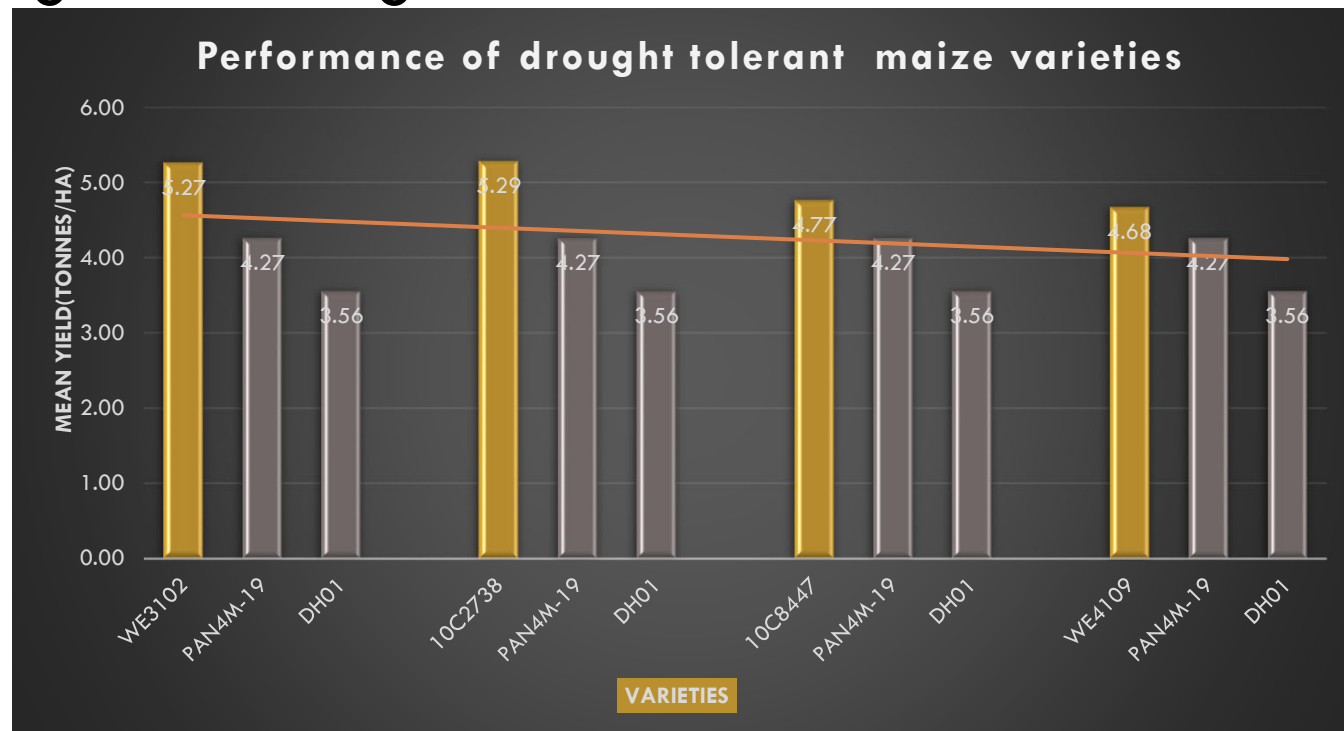
Breeding Activities by Farmers

- Promotion of breeding activities by farmers:
 1. Bird of paradise variety (already granted);
 2. Milkweed (application pending);
 3. Apple



Development of Climate Smart Varieties

Increased production through breeding of better yielding and drought tolerant varieties



Legend

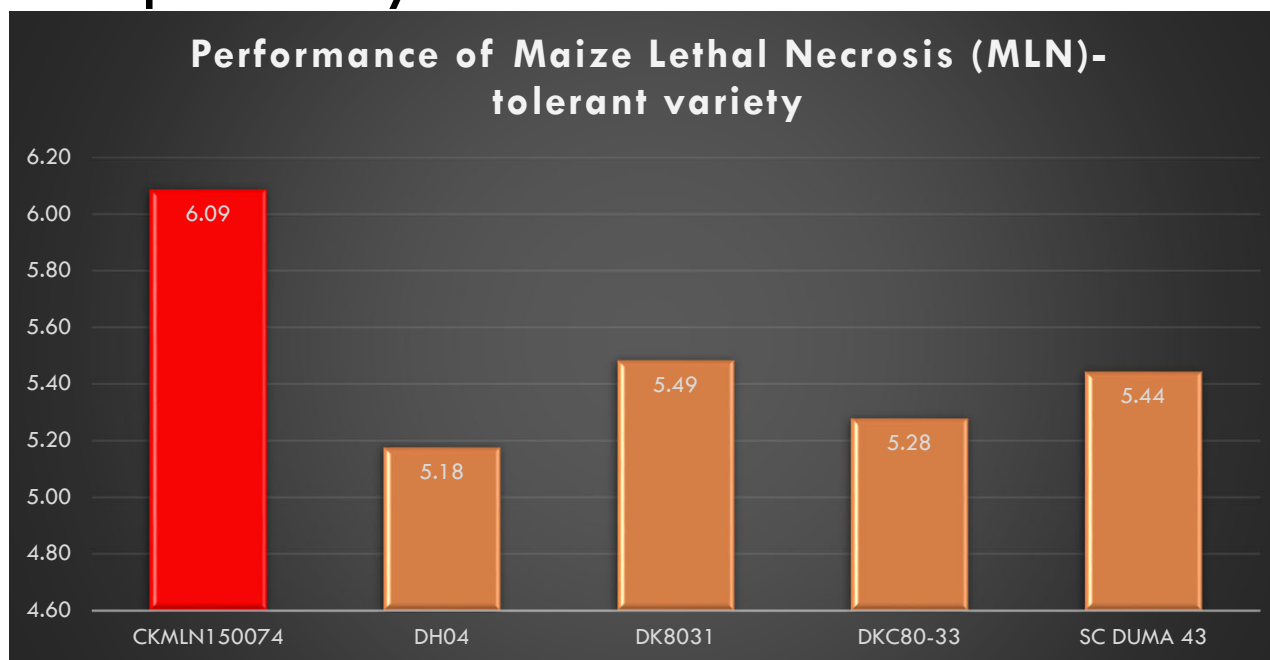
	New drought tolerant varieties
	Check Varieties

Source: KEPHIS VCU Data - 2017



Development of Disease Tolerant Varieties

- Development and release of MLN tolerant varieties thus improved yields



Legend:



New MLN tolerant variety

Check (control) varieties

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.



