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**KENYA BIODIVERSITY COALITION**

**(KBioC)**

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**NAIROBI**

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**PRESS STATEMENT**

**CALL TO RESPOND AND UNCOVER THE APPROVAL FOR IMPORTATION OF  
40,000 METRIC TONNES OF GMO MAIZE FROM SOUTH AFRICA**

**Background of the Coalition;**

**Kenya Biodiversity Coalition (KBioC)** is a Coalition of 65 Farmer organizations, Animal welfare networks, Consumer networks, Faith based organizations, civil society organisation networks, traders and private Kenyan individual citizens whose main objective is to ensure public is **AWARE** and **ALERT** on issues of concern on environment, agriculture and biodiversity.

**Context of the press release;**

2009 was challenging to almost everyone in Kenya, and was characterized by drought and food insecurity among communities. The situation was worsened by a continuous inflation that led to a general increase in commodity prices. At the peak of food insecurity, the government opened a window to allow importation of duty free maize into the country. By so doing it was expected that the prices of maize flour would reduce to a level affordable to Kenyans. However, the prices of maize and its products continued to increase and have remained high until now

Fortunately, by the end of 2009, the meteorological forecasts were pointing to a forth coming Elnino season which finally came and has led to a bumper harvest in most parts of Kenya.

In spite of the great harvest by farmers, we are concerned about the slow speed of the government in taking action to ensure that farmers have proper storage facilities and disposal of the staple grain so as to prevent wastage or farmers selling their grain at throw away prices.

**The importation of 40,000MT GMO maize in January 2010-;**

It has come to our knowledge, that in January 2010, an international grain handling company in Kenya by the name Louis Dreyfus Ltd spent billions to import a consignment of 40,000 MT (500,000 90Kg bags) GMO maize from South Africa., From information received through our network and friends in particular African Centre for Biosafety (ACB) and Agriculture, forestry and fisheries Department website in South Africa we have confirmed that export permit was given to the above Company. We understand that this consignment is lying at the Port of Mombasa. (See attached import approvals from South African

Government). The consignment contains Living Modified Organisms (GMOs) varieties BT11, MON810, NK603, MON810 x, NK603.

## **Concerns;**

### **Why was the consignment imported during a maize glut in Kenya**

It seems paradoxical that the Government would allow and extend importation of GMO maize at a time when our farmers have a **bumper harvest**..

### **Strategy to contaminate our staple food with GMOs**

The import of GE maize even when the country has sufficient supplies of its own is a strategy for multinational dominance. This has been used in Haiti, Mexico, India and Thailand to drive farmers out of business.

### **Health Concern**

BT11, NK603, MON810 x, NK603. are not allowed in the EU markets because of safety concerns on animal, human health and environment. Why are we allowing them in Kenya?

### **Procedure for export/import**

KBioC is questioning whether this purchase was in conformity on rules governing Biosafety in Kenya and internationally. Kenya was the first country in East Africa to sign the Cartagena protocol. The Protocol seeks to protect biological diversity from the potential risks posed by [living modified organisms](#) resulting from modern biotechnology. It establishes an [advance informed agreement \(AIA\)](#) procedure for ensuring that countries are provided with the information necessary to make informed decisions before agreeing to the import of such organisms into their territory.

Article 20 of the Biosafety Act 2009 states that a person shall not import into Kenya GMO without the written approval of the Authority

Was due diligence followed by both the South African and Kenyan Governments to ensure adequate protection to human health and environment?

### **Public Awareness and Engagement**

The Cartagena Protocol and Biosafety Act 2009 obligates the Governments to involve the public in decision making on matters pertaining to Biosafety. What was the level of public engagement in this particular case.

The Biosafety Act 2009 Article 54 obligates the Government through the National Biosafety Authority to promote public awareness and education on matters related to Biosafety including disclosure of approvals in newspapers with national circulation.

## **6. Loss of Kenyan's horticultural export market**

Kenya has a large export market share of the horticultural crops exported in the EU. One of the requirements in the recently negotiated Economic Partnership Agreements (EPAs) is that the country should be GMO free. Therefore with this open handling of GMO produce, we are jeopardizing our EU markets which are a leading foreign exchange earner. In addition, demand for organic products has been growing steadily and embracing GMOs will threaten these potential markets

In view of the above, KBioC have the following **DEMANDS**:

**To the National Biosafety Committee/authority (NBC/A):**

KBioC is seeking clarification on who authorized Louis Dreyfus Commodities (K) Ltd to import the 40,000 MT of GM maize and the guidelines under what the permit was issued.

**Additionally we demand for the display of these permits to the public**

**2. To Kenya Plant and Health Inspectorate Service (KEPHIS)**

- Were the requisite risk assessment and variety trials conducted as per your mandate to protect farmers?
- Did KEPHIS participate in the approval of this mixed consignment of GMO maize?
- What controls has KEPHIS put in place in case the products are placed in market as seed?.

We demand that KEPHIS exercise due diligence and ensure that this consignment is not released into the market to the detriment of the farmers.

**c) To Kenya Bureau of Standard (KEBS)**

KEBS is currently in the process of developing the food, feed and products derived from GM labeling standards. We **therefore demand to know the standard that shall be used in assessing, inspecting and marketing of this consignment for compliance**

In addition, this is a mixed consignment of different varieties of GMOs therefore, how will traceability be ensured in the transfer and handling of the commodity?

**d) Ministry of Public Health and Sanitation**

Maize is the most important staple crop in Kenya. The maize varieties imported contains a mixture of GMO varieties some of which have been banned from other markets such as the EU.

We therefore request reports of risk assessment and management, environmental impact assessment done by a competent Authority or institution taking into account local conditions..

**e) Ministry of Trade**

We demand that Ministry of Trade safeguard our market against infiltration of GMOs which may compromise our fresh produce trade especially with the EU

**f) Parliamentary Committee on Agriculture and Environment**

Further to our communication to the Chairman, we are petitioning for an urgent investigation and public disclosure on this matter of national concern.

In conclusion, we demand NBC/A, KEBS, KEPHIS, Ministries of Health and Trade to avail the requested information to KBioC and the public as soon as possible. In addition, we calling upon the media to partner with us in unearthing this violation of Kenyan farmers and consumers until this matter reaches its logical conclusion which is ensuring that Kenyans are protected from these unholy alliances.

**SIGNED FOR AND ON BEHALF OF THE UNDERSIGNED STAKEHOLDERS:**

### Kenya Biodiversity Coalition (KBioC) Members

| No  | Organization                                                                       |
|-----|------------------------------------------------------------------------------------|
| 1.  | African Biodiversity Network (ABN)                                                 |
| 2.  | African Network for Animal Welfare (ANAW)                                          |
| 3.  | Akamba Council of Elders                                                           |
| 4.  | Action Aid International Kenya                                                     |
| 5.  | Alliances for Voluntary Initiatives and Development                                |
| 6.  | Anglican Church of Kenya- Development Office for Social Services                   |
| 7.  | Baraka Agricultural Training Centre                                                |
| 8.  | Bridge Africa                                                                      |
| 9.  | Busia Environmental Management Program                                             |
| 10. | Butere Focused Women in Development                                                |
| 11. | Central Organic Farmers and Consumers Organization (COFCO)                         |
| 12. | Consumer Information Network (CIN)                                                 |
| 13. | Community Rehabilitation and Environment Protection Program (CREPP)                |
| 14. | Daughters of Mumbi                                                                 |
| 15. | Development Education Services for Community Empowerment                           |
| 16. | Institute for Economic and Social Development (INADES Formation)                   |
| 17. | Gakaru Farmers Self Help Group (GESHP)                                             |
| 18. | Indigenous Knowledge writers Association(IKWA)                                     |
| 19. | Institute for Culture and Ecology (ICE)                                            |
| 20. | Kenya Food Security Policy Advocacy Network (KEFOSPAN)                             |
| 21. | Kenya National Federation of Agricultural Producers (KENFAP)                       |
| 22. | Kenya Organic Agriculture Network (KOAN)                                           |
| 23. | Kenya Wildlife Conservation and Management Network                                 |
| 24. | Kenya Organic Farmers Association (KOFA)                                           |
| 25. | Kenya Small Scale Farmers Forum                                                    |
| 26. | KubuKubu Agro Organic Products                                                     |
| 27. | Manor House Agricultural Centre                                                    |
| 28. | Mau Forest Conservation Association (MACOFA)                                       |
| 29. | Meru Central Herbal and Naturopathic Doctors Association (MECHANDA)                |
| 30. | Nairobi Friends Club International (NFCI)                                          |
| 31. | NARC Youth Congress                                                                |
| 32. | National Alliance of Community Forest Association                                  |
| 33. | Networking for Eco-farming in Africa (NECOFA)                                      |
| 34. | OXFAM Internal Youth Parliament (OIYP-CWF)                                         |
| 35. | Participatory Ecological Land Use Management Association (PELUM –Kenya)            |
| 36. | Porini Association                                                                 |
| 37. | Resource Oriented Development Initiative (RODI) Kenya                              |
| 38. | Sustainable Livelihood Initiative Development and Empowerment (SLIDE-Kenya)        |
| 39. | Sustainable Mobilization of Agricultural Resource Technologies (SMART Initiatives) |
| 40. | Squatters Social Movement and Peasant Farmers (SSMPF)                              |

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| 41. | Sustainable Agricultural Community Development Program (SACDEP Kenya) |
| 42. | Tusaidiane Rehabilitation Centre                                      |
| 43. | Ugunja Community Resource Centre                                      |
| 44. | Green Dreams Limited                                                  |
| 45. | BIOVISION                                                             |
| 46. | BEACON                                                                |
| 47. | Youth for conservation (YFC)                                          |
| 48. | ACCORD                                                                |
| 49. | Dagoreti Youth Network (DAYNET)                                       |
| 50. | Africa Nature Streams                                                 |
| 51. | NGOMA Campaign (Ng'ombe & Mahindi)                                    |
| 52. | JESUIT HAKIMANI (Catholic-Justice                                     |
| 53. | Practical Action                                                      |
| 54. | Benecolent institute of development initiative-BIDII                  |
| 55. | Mazingira development project                                         |
| 56. | NG'EISOEN SHG                                                         |
| 57. | NAAIP                                                                 |
| 58. | NEHCIP                                                                |
| 59. | ACK Western Region                                                    |
| 60. | ACK Eldoret Region CCS                                                |
| 61. | KESSES Farmers Marketing Federation                                   |
| 62. | National Independent church                                           |
| 63. | Elreco                                                                |
| 64. | SARI-molo                                                             |
| 65. | Subukia CBHC                                                          |