



Andrew Charles Odete

Born in 1978, is a human rights lawyer and coordinates trade, industry and human rights at the Kenya Human Rights Commission (KHRC), a Kenyan non-governmental organisation. «Agriculture is the backbone of the Kenyan economy,» says Odete, who has already represented many communities defending their land rights against large landowners. «Owning a piece of land that can be utilised for agricultural production is an important route out of poverty,» he explains. But if a free trade agreement allows cheap imports from the EU to come in, farmers will have great difficulties to sell the crops produced on this land. «Local production would collapse, and our food supply would become to a great extent dependent on imports,» fears the lawyer, whose organisation published a preliminary assessment of the impacts of the EPA in 2010. Thanks to protests by farming organisations and the KHRC, negotiations on concluding the EPA are currently on hold.

No trade agreements without a previous assessment of the consequences for human rights.

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ECOFAIR TRADE DIALOGUE

AGRICULTURAL TRADE POLICY JEOPARDISES HUMAN RIGHTS IN KENYA

«We ask the citizens of the European Union this: do you want this unjust trade agreement, which will plunge people here into poverty and misery?»

Helen Yego, farmer



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Agriculture is at the heart of Kenya’s economy. Many farmers and livestock producers produce mainly for their own consumption and live on what they harvest. At the end of the 1990s flowers and fruit became important export industries alongside coffee, requiring more and more water and cropland. Land is a scarce resource in Kenya; in total only twenty percent of the land is usable for growing crops. Due to a lack of public support for domestic agriculture, wheat and maize have to be imported even though these staple foods thrive here as well. Kenya’s susceptibility to crises became apparent in the summer of 2011; as a result of a drought and higher international commodity prices three and a half million people were dependent on food aid.

Through an Economic Partnership Agreement (EPA) the EU officially wants to make a contribution to Kenya’s sustainable development. However, a preliminary assessment of the impacts of this agreement, compiled by the Kenya Human Rights Commission (KHRC), warns of the negative impacts of opening up the market as the EPA envisages. In particular, wheat and maize growing, dairy farming and poultry and meat production in Kenya could be severely damaged by cheap imports from the EU. On the other hand, the path for Kenyan products may be blocked; in an agreement first signed in 2009 the EU is keeping open the option of imposing tariffs and quotas on cut flowers, sugar, fruit and vegetables from Kenya and other states in the East African Community (EAC).

Civil society organisations fear the undermining of Kenya’s food sovereignty and with it the right to food. “Governments should be allowed to consider human rights aspects without risking trade sanctions as a result,” says the study by the Kenya Human Rights Commission. Kenyan non-governmental organisations were excluded from the negotiations.

FACTS & FIGURES

Population	38.5 million
Number working in the agricultural sector	26 million
Agricultural exports	1.8 billion dollars (tea, fruit, coffee)
Agricultural imports	1.1 billion dollars (palm oil, wheat, rice, maize)
Percentage of population undernourished	30%
Average life expectancy	55 years



HELLEN YEGO

Born in 1956, is a farmer and works with NGOMA, the producers’ union. She was involved in starting the farming organisation’s campaigns against the Economic Partnership Agreement between the EU and the ACP states (including Kenya). Since the early 1990s she has been active in her opposition to the impacts of the trade policy on Kenya’s small-scale farmers. In 1993 the farmers were unable to sell their crop. The government agency for cereal trade would no longer buy it up – as it always had before – at a guaranteed minimum price. «Instead the government told the farmers to sell their crop elsewhere; after all, they said, the market must be liberalised,» Yego explains. «The farmers were desperate and didn’t know what to do». After that cereal production in Kenya fell sharply, leading to food shortages. Helen Yego is apprehensive: «The EPA in its present form will aggravate the situation further and eventually destroy the fragile economic structure of East African countries».