

Keynote address by Raya Famau Ahmed, community representative from Save Lamu Organisation, delivered during the 2018 ACCA General Assembly, held from 10 to 11 October 2018 in Nairobi, Kenya.

I am truly honoured that African Coalition on Corporate Accountability (ACCA) has convened this important gathering on “Free, Prior and Informed Consent”. I am hopeful that the deliberations, capacity-building sessions and opportunities for networking and experience-sharing will help better managing business and human rights challenges faced by communities throughout Kenya. I am immensely grateful to the ACCA for extending an invitation to Save Lamu Organization to attend this event and deliver the keynote address.

About Save Lamu:

For those of you who do not know, Save Lamu is a growing coalition with over 40 community groups in Lamu County. Save Lamu is aimed at engaging communities and stakeholders in decision-making, promoting sustainable and responsible development and preserving the environmental, preserving the social and cultural integrity of Lamu County, especially in light of the Lamu Port Southern Sudan Ethiopia Transport (LAPSSET) corridor and the proposed Lamu Coal Power plant project.

Situation in Lamu:

Lamu town is known as “the oldest and best-preserved Swahili settlement in East Africa”. In 2001, UNESCO officially recognized Lamu Town as a World Heritage Site.

Lamu is a region rich in both ecological and cultural diversity. It is not only endowed with biodiversity on the mainland, but additionally has some of the richest marine ecology on the Kenyan coastline, consisting of several islands rich in biodiversity including valuable coral reefs, sea grass, extensive mangrove forests, and the endangered sea turtles and dugongs.

Marine resources are typically the most important economic asset for the community, as marine resources mainly constitute for their livelihood. However, the spirit and image of a well-conserved environment, and its natural resources, which have, for generations, been conserved by communities is now, sadly, threatened by the development of the Lamu Port Southern Sudan Ethiopian Transport corridor (LAPSSET) and the proposed coal power plant. The GOK has pushed the development of the LAPSSET project despite local communities’ lack of knowledge and information on the proposed plans, and inadequate mitigation measures identified in the environmental impact assessment. The same trend can be found in the proposed coal plant.

Key projects in Lamu:

1. Lamu Port Southern Sudan Ethiopian Transport Corridor;
2. Amu Coal Power Plant;
3. Bahari windmill Project; and

4. Oil and Gas Exploration.

These development projects have led to escalating threats in Lamu, with the government of Kenya interfering with the communities' right to public participation. Community members have been denied their basic right to participate in decisions that critically impact their lives. Powerful actors which include: governments, companies, and banks seek to exclude community voices from "development" projects, predictably leading to serious harm. The risks of speaking out against the interests of powerful project proponents are serious and well documented. Yet, the frequency of these security threats has helped matters, especially when we hear of many cases of violence on the ground.

Communities in Lamu are facing an "existential crisis" – construction of a \$2 billion coal-fired power plant, as well as a massive port and an oil and gas pipeline. The coal project alone poses risks to public health and threatens Lamu's two most important industries: fishing and tourism. Meanwhile, the African Development Bank (AfDB) is considering a partial risk guarantee for the coal plant; a grant seeking to accelerate the development of the port and possible support for the pipeline. Public awareness about the project is low, if not non-existent. Through the DeCOALonize campaign, Save Lamu seeks to prevent the all too often scenario where communities are excluded from development projects.

Problems that we, as community members, encounter on a daily basis include:

- Historical injustices for the past 54 plus years – lack of roads, good schools, health services, etc.;
- Insecurity – terrorist attacks;
- Political interferences - most projects have been labelled as "government projects";
- Intimidation from security organs sometimes even threatening to deregister our organization;
- Lack of access to information on government issues;
- Conflicts between project beneficiaries and Save Lamu organization (compensation for farmers);
- Cultural beliefs / women demos;
- Lack of logistical funds to implement activities;
- Weak management of board / staff; and
- Lack of capacity to compile a call for proposals.

The recent court victory of the Lamu:

You would recall that on 30 April 2018, the High Court of Kenya issued a significant judgment declaring that the planning and construction of the Lamu Port violated the rights of Lamu residents, validating six years of litigation and collaboration by Save Lamu and partners Natural Justice and the Katiba Institute. The 109-page ruling affirmed and upheld the rights of Kenyan citizens to a clean and healthy environment, and meaningful public participation in the planning process of development projects that directly affect them.

Our grievances included: a lack of public participation, a lack of environmental

assessment and management plans, and failure to take into account traditional fishing rights and the right to the protection of our cultural heritage. It is, however, with great sadness that I stand before you today to inform you that in spite of the ruling of the High Court, which was clearly in our favour, the ruling has **not** halted the Lamu Port project, and construction of the project continues – it would appear that it is '*business as usual*' in Kenya...

What the ACCA can do to help address these problems:

Given the ACCA's vast network of African CSOs and its objective to support African communities and individuals whose human rights are adversely impacted daily by the activities of corporations, we would like to call upon the ACCA, its member organisations and partner organisations to help us, Save Lamu Community, with the below listed activities:

- Hosting capacity-building trainings for our board and staff;
- Provide us technical assistance for proposal writing;
- Expertise sharing on proposal writing to our volunteer consultants;
- Exchange visits with other community members across the continent to strengthen our own networks at the community level;
- Media advocacy – through TV stations (local and international); and
- Sharing our story with all forms of a range of media streams, both international and national.

Friends, I have only addressed some of the issues faced in Lamu. In hoping to work together in the spirit of solidarity, together with your continued support, I am hopeful that your support will help us in our critically important mission. I wish this gathering a successful deliberation and look forward to a positive outcome that will help all of us.

I thank you all for your kind attention.