

14th of April 2017

European Investment Bank

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RE: Intimidation of Local Communities affected by DUALLING OF MOMBASA - MARIAKANI (A109) ROAD project in Kenya

We call on the financiers of the DUALLING OF MOMBASA - MARIAKANI (A109) ROAD project, recognized also as Regional Mombasa Port Access Road Project operated by KeNHA and financed by EIB, KfW and AfDB to take immediate action to prevent the project promoter, the County Authorities or any other governmental institutions from any attempts to intimidate or silence the voices of the project affected persons. We call on all financiers investing in the project to respect the rights of local communities.

We were informed by the project affected persons, that some of them have been summoned by the Deputy County Commissioner of Jomvu Sub County Patrick Meso to a meeting in his office on 10th of April 2017. The project affected persons testified that during the meeting the Deputy County Commissioner claimed, that he was informed that they wrote complaints to donors expressing their dissatisfaction with compensations following the forced evictions in May 2015. The Deputy also claimed that he received all correspondence project affected persons sent to the donors. Additionally, the project affected persons were told that if they will send any new communication addressed to the donors, they will be treated as liars and may be left out of any future compensation.

We consider the aforementioned County action a blatant form of intimidation and an attempt to silence the voices of project affected persons. This is a continuation of an unacceptable approach towards local communities, who have been experiencing this dramatic situation since 2015.

We request your prompt action to urge the promoter and any Kenyan authority concerned to stop any form of intimidation and to send a clear message that intimidation or reprisal against project affected persons who might express criticism of a project financed by your institutions is unacceptable. The information that complaints and other correspondence from PAPs is being forwarded to project promoter is very concerning and we would like to obtain a feedback from you in that regard.

Finally, we wish to emphasize that the situation on the ground is changing fast and that consequently, it requires the immediate attention of the financiers to ensure that every measure is taken to prevent further worsening of the situation of the project affected persons and their safety.

We respectfully ask the banks to respond to these concerns and inform us of the relevant steps taken. We further request you treat this letter as confidential.

Yours faithfully,



Mark Fodor, Executive Director CEE Bankwatch Network