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Evropská investiční banka  
Den Europæiske Investeringsbank  
Europäische Investitionsbank  
Euroopa Investeerimispank  
Ευρωπαϊκή Τράπεζα Επενδύσεων  
European Investment Bank  
Banco Europeo de Inversiones  
Banque européenne d'investissement  
Banca europea per gli investimenti  
Eiropas Investīciju banka  
Europos investicijų bankas  
Európai Beruházási Bank  
Bank Ewropew tal-Investment  
Europese Investeringsbank  
Europejski Bank Inwestycyjny  
Banco Europeu de Investimento  
Banca Europeană de Investiții  
Európska investičná banka  
Evropska investicijska banka  
Euroopan investointipankki  
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Luxembourg, 11 June 2021

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EIB – Corporate Use

Dear Madam,

Thank you for giving the European Investment Bank (EIB) the opportunity to provide its views on a draft of the new report that CEE Bankwatch Network is planning to launch presented as “Highway of Destruction - *an independent assessment of the implementation of the Resettlement Action Plan for the Regional Mombasa Port Access Road as per the recommendations from the European Investment Bank Complaints Mechanism’s Conclusions Report*”.

The EIB welcomes and takes into account the comments and suggestions from all stakeholders regarding its projects and activities. We have therefore taken very seriously the allegations mentioned in your report, and will closely follow them up as part of our ongoing monitoring of the project and in close cooperation with the project promoter and the other financiers.

In this respect, it is unclear to us if your draft report and all of the allegations raised in it have already been brought to the attention of the project promoter or the competent authorities in Kenya, or to the other financiers of the project. We would encourage you to bring your findings and recommendations to KeNHA’s attention and we will nevertheless raise the specific cases mentioned in your report with the promoter once your report has been made public.

We would also like to clarify that the implementation of the project’s Resettlement Action Plan (RAP) is still ongoing. This RAP, produced by KeNHA, should not be confused with the Corrective Action Plan (CAP) as part of the Mediation Process and the Action Plan included in the EIB Complaints Mechanism’s (EIB-CM) Conclusions Report of 25 November 2019. As previously indicated the implementation of the agreed corrective actions and recommendations of the EIB-CM report is also an ongoing process that is largely dependent on the Project’s progress. Many of the actions and recommendations of this Action Plan relate to issues that will become relevant only after construction of Lot 2 starts, which is not yet the case, and no disbursement of EIB funds has taken place yet.

As indicated in your report, the COVID-19 pandemic has made monitoring of the project challenging, not only for the PAPs, activists and human rights CSOs, but also for the Bank and the other lenders. Notwithstanding the above, the EIB remains committed to continue to monitor the projects’ implementation and compliance with its policies and standards, in close cooperation with all the stakeholders involved.

Finally, we would like to thank you again for your continued interest in this complex but much needed project. Your insights regarding the situation on the ground are much appreciated, and should hopefully contribute to improve the situation of the PAPs and the general implementation of the project. As indicated in the EIB-CM report, all parties agree that there are shortcomings in the implementation of the resettlement process, and are putting in place considerable efforts to address these challenges.

Please be reassured that this is also the case for the EIB who is making all the efforts in its hands to address these shortcomings.

We would appreciate if you could publish this letter with your report, and look forward to continuing our dialogue and exchanges on this project as the situation evolves.

Yours sincerely,

EUROPEAN INVESTMENT BANK



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Head of Division



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