



Petition to Suspend Plans for the Proposed Lamu Port

Since 2009, the Government of Kenya (GOK) has expressed plans to undertake a multipurpose transport and communication corridor known as the 'Lamu Port-South Sudan-Ethiopia Transport (LAPSSET) Corridor. LAPSSET will consist of a standard gauge railway line, a port, a super highway, a regional international airport, an ultra-modern tourist resort, an oil pipeline, and a fibre-optic cable constructed to link Lamu to Juba and Addis Ababa. Through the media, we have found out that about the GOK's push for the launching of the project despite our lack of knowledge of the proposed plans, project feasibility, or environmental impacts.

The plans for the Lamu Port are based on a 1977 feasibility study carried out by the then Ministry of Power & Communications. It is estimated that the Lamu port will cost more than \$5 billion. Late last year, a feasibility study by Japan Port Consultants of Tokyo for the Port was financed by China, which is yet to be shared with the general public. Despite the community's lacking awareness and failing to be consulted, we have learnt from the media that on July 26th, 2011, the President gave the go ahead with the project. Worse yet, the president's go-ahead is prior to carrying out an environmental impact assessment to help determine the mitigation plan needed. Considering the fragility of the local ecosystem on which the Lamu communities are highly dependent on, this would be a great oversight on the part of the GOK and the project financiers.

Lamu is a region rich in both ecological and cultural diversity, which has allowed it to be recognized as a UNESCO World Heritage Site. Lamu is not only endowed with biodiversity on the mainland, but additionally has some of the richest marine ecology on the Kenyan coastline. Unfortunately, many of the wildlife lie close to proposed Lamu Port site, while coral reefs that are a major tourist attraction in the area are in the heart of the Manda Bay site where the ships would have to sail through to get to the proposed port. The shores are lined with mangrove forests, where fish are known to breed in plenty. Considering that the residents of Lamu are highly dependent on fishing and local tourism as the major livelihood strategies, the Lamu Port, and other proposed projects for the transport and communication corridor, will undoubtedly have insurmountable negative effects on the local communities and environs. It therefore comes as a surprise to us that the GOK and financiers are going ahead with this venture before ensuring that a plan is put in place to reduce the impact on the people and environment. It is for this reason that a 2010 report by Global Heritage Fund identified Lamu as being "On the Verge" of irreparable loss and damage following development pressure and insufficient management¹.

Since the plans have been underway for the corridor, the Lamu community have not had any information shared to them to highlight the Lamu port project. Available studies on the project have also not been shared publicly and the GOK has maintained unexplainably high confidentiality. Currently, no environmental and social impact assessment has been carried out to identify potential impacts of the Lamu Port. Plans on the port are being maintained internally whereby individuals to access to the plans are scurrying to obtain land at the proposed development sites. Meanwhile, a large number of the locals remain internally displaced without any title deeds. This will no doubt continue to perpetuate the already highly sensitive nature of land tenure insecurity in the area.

¹ Global Heritage Fund (2010). *Saving Our Vanishing Heritage: Safeguarding Endangered Cultural Heritage Sites in the Developing World*. Retrieved from http://www.robintauck.com/GHFSavingOurVanishingHeritage_v1.0_.pdf

Based on these issues of concern raised by the local community members, we the petitioners believe that following citizen rights' under the new Kenyan Constitution have been threatened and will be violated by the development of the Port by the Kenyan Government:

- the right to a clean and healthy environment and the protection of the environment for future generations
- the right of access to information held by the State to protect personal rights or fundamental freedoms
- right of every person to participate in the cultural life of the person's choice and to enjoy their culture along with other members of the community
- the right of every person has the right, either individually or in association with others, to acquire and own property

We therefore demand that the Kenyan Government, Chinese Government, and all other entities financing the Lamu Port halt any other support of the proposed Lamu Port until:

- **The Government of Kenya publicly shares all information on the proposed project to the local communities;**
- **The Government of Kenya publicly facilitates for a comprehensive environmental impact assessment on the impacts to be carried out by independent experts, and public hearings held in Lamu and nationally on the expected impacts;**
- **A participatory process is undertaken with the local communities involved in the assessment of the impacts and planning of the proposed project, and mitigation;**
- **The land rights violations against the indigenous Lamu communities are adequately investigated and addressed before any further development plans are inaugurated.**

