



## **PRESS STATEMENT ON THE LAUNCHING CEREMONY OF THE LAMU PORT PROJECT**

March 1, 2012

*President Kibaki and Prime Minister Odinga are publicly launching the Lamu port project on 2<sup>nd</sup> March 2012. Their ceremonial ground-breaking event will be witnessed by the President of Ethiopia and South Sudan as well as countless dignitaries arriving for the occasion. Save Lamu, a coalition of local civil society organizations, laments the fact that the demands for the rights of the people of Lamu has fallen on deaf ears. We have communicated our concerns about the port development to government officials yet they have been unwilling to listen or respond except as status quo. Our demands for building a port in Lamu are not insurmountable. They can be addressed easily if both parties were devoted to finding a solution that included preserving the rights of the people of Lamu and upholding the constitution and environment laws. Yet, our pleas go unattended. We therefore submit the following press statement:*

We the people of Lamu hereby submit an urgent appeal to national leaders, parliamentarians and potential financiers of the Lamu Port-South Sudan-Ethiopia Transport (LAPSSSET) Corridor to reconsider financing the Lamu Port on the basis that the Government of Kenya continues to disregard our community rights and is in violation of several national and international laws including, but not limited to, the Kenyan Constitution, the Environmental Impact Assessment and Audit Regulations 2003 and the Environmental Management and Coordination Act 1999.

Garnering international support from 1,000 international petitioners (and over 1000 local petitioners), the issue of the Lamu Port is now no longer merely a local concern, but a national, regional and global one. As Kenyans, we see the potential of Lamu port as a key to development in the region. However, we are greatly concerned that the lack of transparency, secrecy and poor accountability in the way the project is being implemented is a dismal reflection of our rights governed by the constitution. As citizens of this great nation, we believe that if the following concerns are not addressed, Lamu port will remain but another white elephant, an example for our future generations to learn what not to do. The concerns and the constitutional articles they contradict are:

1. The lack of an environmental impact assessment and mitigation plan (Article 42 and EMCA Act)
2. Lack of community participation and consultation (Article 69 and EMCA Act)
3. Lack of access to information (Article 69)
4. Threats to traditional nature-based livelihoods (Articles 11 and 44)
5. Failure to recognize local individual, community and public ownership of land (Articles 60-63)

In addition to the laws spelled out above, by its irresponsible actions, the GOK clearly violates principle 10 of the Rio Declaration on Environment and Development which recognizes that: *“At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available...”*

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### **Save Lamu**

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To address our concerns, our demands remain consistent with our legal petition that:

1. Full information be made available to Lamu people and all Kenyans;
2. Community consultation must be undertaken with Lamu people;
3. An independent Environmental and Social Impact Assessment must be carried out immediately;
4. A mitigation plan be created to protect the livelihoods, heritage and environment of the affected communities;
6. A mechanism for benefit-sharing between the national government and county government be spelled out upon the installation of our County government;
7. The rights and benefits of the indigenous communities be protected amidst the drastic population increase expected;
8. All historical land rights violations against the indigenous Lamu communities and the on-going illegal land allocations be investigated and addressed;
9. Measures be put in place to ensure the rights of indigenous communities to own land are guaranteed through recognition of individual, community and public land as accorded in the constitution.

In order to achieve our demands, we vow to continue to assert our constitutional right to demonstrate and seek legal recourse against all odds, despite the intimidation we have faced, and barrier the government of Kenya. We aim to peacefully demonstrate and present our petition to public authorities despite having our right challenged by the local security officers upon requesting for a permit. Despite our supporters being pressured by the Provincial Commissioner to pull out support for our demonstration today, we will stand by the affected communities of Lamu and will continue to express our right to have mass action.

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