

KFSHG/MOT/LP-KWSI ROAD/18/1

Kwasasi Farmers Self Help Group

P.O. Box 314

Lamu.

31<sup>st</sup> August 2018

The,  
Principal Secretary  
Ministry of Transport  
P.O Box 52692-00200  
Ngong Road,  
Nairobi, Kenya



Dear Sir:

**Re: COMPLAINT ON CROP DESTRUCTION DURING THE IMPLEMENTATION OF THE ROAD CONNECTING LAMU PORT TO KWASASI**

I write to you on behalf of and as members of Kwasasi Farmers Self Help Group in Lamu.

Kwasasi Farmers Self Help Group is made up of persons whose farms were destroyed during the implementation of the road linking Lamu Port to Kwasasi. Kwasasi is on Lamu mainland in Hindi ward, Hindi location, 25km from Mokowe town where, the 1050 mega watts coal fired power plant will sit on. The plant will be the first in East and Central Africa.

The road was implemented in March 2017 by the Ministry of Transport and according to the former Principal Secretary Ministry of Transport Mr. Irungu Nyakera. The 9Km road aims at connecting the shilling 200 billion coal power plant in Kwasasi to Lamu Port (**attached copy of the daily annex 1**). The road was constructed without consulting the farmers, who are also affected persons herein. We have and continue to bear enormous loss since the road traversed our farms destroying crops such as cashew nut, pawpaw, watermelon, cassava, simsim, peas, pumpkins e.t.c which we were dependent on for our livelihood. This has infringed our right to be free from hunger as enshrined in Article 43(1)(C). We have also established from NEMA, following our formal access to information request that, the project does not have Environmental Impact Assessment (EIA). In addition no environmental license was granted to the proponent (Ministry of transport), which we believe could have addressed the issue confronting us. This is a clear breach of Section 58 of Environmental Management and Coordination Act EMCA as the project is categorized as a second schedule project.

Further, the statutory procedure for the acquisition of land was not followed, no notices were issued to us and no inquiry was held for the persons whose land was used for the road construction, a clear violation of provisions enshrined in the Land Act 2012.

It is worth noting that a week after the commencement of the road construction, a team consisting of County Commissioner, Hindi area Chief and staffs from Kenya Port Authority (acting on behalf of the Ministry of transport) visited Kwasasi and assessed the damage caused by the road on the farms. As a result the names of the affected persons were recorded (**See annex 2**) and a pledge to effect that they will be compensated made. To date these affected persons are yet to receive compensation. This is contrary to Article 40(3) of the Constitution of Kenya and Section 111 of the Land Act 2012 which requires just compensation to be paid promptly in full to all persons whose interests in the land have been determined. We therefore request your esteem office to consider our outcry and grant us monetary compensation for the land and crops destroyed.

We look forward to hearing from you within 21 days of receipt of this letter.

Yours sincerely



Mohamad Shee

Chairman Kwasasi Farmers Self Help Group

Cc:

NEMA County Director of Environment

P.O Box 425-80500

Lamu

Email: [lamu@nema.go.ke](mailto:lamu@nema.go.ke)

Prof. Geoffrey Wahungu

The Director General

National Environment Management Authority

Popo Road, South C, Off Mombasa Road

P.O. Box 67839-0020

Nairobi

Chairperson,

National Land Commission

Ardhi House, 1st Ngong Avenue,

Off Ngong Road,

P.O. Box 44417-00100

Nairobi



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## South African State-owned lender to fund Sh60bn Isiolo-Lamu road

WEDNESDAY, MARCH 1, 2017 8:38



President Uhuru Kenyatta with his South African counterpart Jacob Zuma (left) at State House in Nairobi when the latter visited Kenya last October. PHOTO BY INS PABILI / NATION MEDIA GROUP

The Development Bank of Southern Africa (DBSA) is set to fund the construction of the Lamu-Garissa-Isiolo road at a cost of Sh60 billion, the Ministry of Transport has said.

The construction of the 580km road to bitumen standards is part of the Lamu Port South Sudan Ethiopia Transport (Lapsset) project.

Transport PS Irungu Nyakera said in Mombasa that detailed designs of the road had been completed.

“We are glad that the Development Bank of Southern Africa is going to finance the construction of the Lamu-Garissa-Isiolo road to the tune of Sh60 billion. Sh5 billion has already been earmarked for the initial stages of the road construction,” he said.

“The funding is already available, and we expect bush clearing to begin in May to pave the way for the major works.”

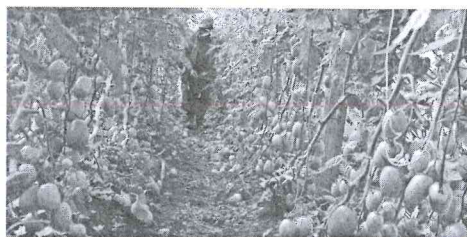
The road construction, he said, would take between three and four years to be completed.



8/31/2018 11:58 AM  
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State House had announced last October during the state visit of South African President Jacob Zuma that a consortium of international investors led by the DBSA was ready to invest \$1.9 billion (Sh196 billion) in the Lapsset project.

READ: [SA-led consortium plans to invest Sh193bn in Lapsset \(https://www.businessdailyafrica.com/corporate/SA-led-consortium-plans-to-invest-Sh193bn-in-Lapsset/539550-3418918-2k3q7u/index.html\)](https://www.businessdailyafrica.com/corporate/SA-led-consortium-plans-to-invest-Sh193bn-in-Lapsset/539550-3418918-2k3q7u/index.html)

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According to a brief by State House spokesperson Manoah Esipisu on October 16, \$1.2 billion (Sh124 billion) would go towards three additional berths at Lamu port and \$700 million (Sh72.5 billion) to the Lamu-Garissa-Isiolo road under the annuity programme.

The DBSA is wholly owned by the Government of South Africa, and has arranged funding for projects in transport, energy, water and ICT sectors across Africa.

Mr Nyakera said the road is key to the Lapsset project since it would connect the proposed Lamu port to Addis Ababa in Ethiopia, boosting trade between the two countries.

"Ethiopia is building a railway line to connect to the country through Moyale, while on our part we are constructing the road from Lamu to Isiolo," he said.

The Lamu corridor project, which was commissioned by former President Mwai Kibaki in 2012, is expected to open up Kenya's northern frontier for more trade and investment, and has been identified as the long term conduit for Kenya's oil exports through a crude pipeline linking Lamu to the oilfields in Turkana.

So far construction of the Lapsset headquarters, which cost Sh866 million, and a police station are complete.

READ: [Grand Kenya port plan faces headwinds despite oil finds \(https://www.businessdailyafrica.com/news/Grand-Kenya-port-plan-faces-headwinds-despite-oil-finds/539546-1973840-1mda3iz/index.html\)](https://www.businessdailyafrica.com/news/Grand-Kenya-port-plan-faces-headwinds-despite-oil-finds/539546-1973840-1mda3iz/index.html)

### Coal-powered plant

Mr Nyakera also said the government had set aside Sh10 billion for the construction of the Lamu-Witu-Garsen road to connect the Lamu port to Mombasa County.

He added that the construction of the 132km road would begin soon since the contractor is already on the site.

The PS said the government is also constructing a nine-kilometre road to connect the Sh200 billion coal powered plant in Kwasasi to the Lamu port.

The government has allocated Sh10 billion to the port project in the next financial year to finance the ongoing construction of the first three berths, with the works now 20 per cent complete.

The government has already paid Sh4.6 billion to the contractor while another Sh2.9 billion is to be paid before the end of this year.



**PEOPLE COMPLAINED TO BE AFFECTED WITH THE PASSING ROAD AT  
KWASASI ROAD 1 FROM MAGOGONI**

1.	ISSA SHAFI	
2.	ATHMAN SHAHIBU	
3.	MOHAMED SHEE	
4.	MALIK SHEE	
5.	ABUDI MOHAMED SHEE	
6.	SHEE OMAR	
7.	ABDALLA OMAR	
8.	ABDALLA SWALEHE	
9.	FATMA ADAM RASHID	9474548
10.	ALI MUHAJI	
11.	BASHO	
12.	MOHAMED HUSSEIN OMAR	9352486
13.	JOSEPHINE MKAISANGA KIRIGHA	25219824
14.	ESTHER KINYA MWITI	
15.	ABDU REHMAN MOHAMED ALAMIN	037699
16.	KUKIYA ABDULREHMA MOHAMED	9988715
17.	TAIBA ABDULREHMAN	
18.	HASSAN ALI SALIM	
19.	ZAINABU FATHILI	23533252
20.	SAID MAHIBU	27518048
21.	FAUZIA SWALEH	
22.	FATUMA ATHANI	
23.	HASHIM SWALEH	
24.	RUGEYA ALI	11140661
25.	FUADI SULEIMAN	22946722
26.	ABDI GURE BILAL	0650072
27.	PEREZ MUNENE RIMIRI	
28.	ABASS SALIM ABDALLA	5355642
29.	SUBAN ALI BINDA	31833642
30.	ATHMAN ABDALLA WAKATI	0654163
31.	MOHAMED AHMED MOH'D	13536942
32.	MUSTAFA ARMI	
33.	ABOUD MIULI BAUSI	8525120
34.	SUSAN WANGUI GICHOB	28314210
35.	MARY NJAMBI NDWIGA	11292419
36.	DAVID NJOROGE KIHU	23952319
37.	HARUSI ATHMAN MOHAMED	34185557
38.	SCHOLASTICA NAMALWA WAMACHALI	12443274
39.	ARAFU LACHO	9353741
40.	JUSTUS H. KAMBI	2157057



**PEOPLE COMPLAINED TO BE AFFECTED WITH THE PASSING ROAD AT KWASASI ROAD 2 FROM MAGOGONI.**

NO.	NAMES	ID NO.
1.	ESTHER M. NJAMBUYA	13429130
2.	RONALD S. W. BUYA	3919587
3.	GATA BODA GATA	12727216
4.	RIZIKI KASSIM KITENDO	14695451
5.	ABUBAKAR MOHAMED	21255026
6.	SAFIA IBRAHIM HUSSEIN	31163261
7.	IBRAHIM HASSAN SORA	10176439
8.	NANA MOHAMED MOTE	14537122
9.	ZEINABU CHINGWAMBWI	23083388
10.	SHUHAIB BUNU HURU	3441992
11.	BUNU HURI SHALI	0665104
12.	FARID BUNU HURU	30524130
13.	SALIM SHEKUWE AFHMAN	9353921
14.	HAMIS SHALI	
15.	SHEHA KASSIM	
16.	ARUMI SHEOBO ARUMI	22523799
17.	SHEOBO ARUMI SHEE	0655151
18.	YAYE SHEOBO SHEE	28339921
19.	SHEE AHMED MOHAMED	0651950
20.	JAPHET SHINDA DERI	13732686
21.	DEUANCY BIRYA FONDO	21787282
22.	DOMINIC KIMWELE KATHAMBULA	5332133
23.	ROBERT KIRIMI	13176143
24.	JOSPHE M. KIRIGHA	25219824
25.	SHEE MOHAMED SHEE	0160863
26.	FATUMA ADAM RASHID	9474548
27.	ABDALLAH FARIS ABDALLAH	20067243
28.	SCOLASTICA NAMALWA WAMACHALI	12443274
29.	MOHAMED HUSSEIN OMAR	9352486
30.	HUSNA ALI ABOUD	5356303
31.	YAHYA SHEE ATHMAN	24344894
32.	SHEE ATHMAN SHAKUE	240953540
33.	NURU MANSWAB BIN ALI MOHAMED	0164810
34.	SHEKALE SHEE TAUZI	5356147
35.	RUKIA RUMI SHEE	3164982
36.	AHMED HUSSEIN SADIA	11140019
37.	ALI HAMIDI TITI	34447535
38.	ASHRAF ATHMAN ABDALLA	32673436
39.	MOHAMED BWANA SHAKUE	8524737
40.	UMU OMAR DIKI	2082853
41.	SOMBWANA BWANA SHEKALE	8520473
42.	ZUBEIN ARUMI HE	8455053
43.	JAMAL KHALIFA ABDALLA	23965516
44.	TIRO KHALIFA ABDALLA	11625263
45.	ALI SHEE BWANAKWELI	2234332
46.	HAMIS SHELI ATHMANI	13018489



47.	SHEHU KASSIM YUSUFU	13018698
48.	MOHAMED ATWAI SHEKUWE	31833642
49.	ABDURAHAMAN WALAD	10391986
50.	SULAFSA SAID ABUBAKAR	10577912
51.	BWANA SAID ABUBAKAR	8453911
52.	TRAVELLAN KATANA	6720934
53.	ATHMAN MOHAMED BAKAR	8525170
54.	BAKARI MOHAMED ATHMAN	8454787
55.	KIFLI	
56.	MOHAMED ABDILLAH ABDI	12432853
57.	WINFRED KATHURE	316545543
58.	ESTHER KINYA	3279371
59.	JUMAA MWANAMKUU NUSRA	8525624
60.	ARAFSA LACHO	9353741
61.	ABDALLA AHMED MOHAMED	28146346
62.	JUSTUS H. KAMBI	2157057
62.	FRIDAUS HAMID AHMED	23003236
63.	QUAIS ABUBAKAR	11141698
64.	AISHA ATHMANI	32673813
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69.	JAMAL A. MAU	12771194