

AFRICAN DEVELOPMENT BANK GROUP



REGIONAL DIRECTOR
EASTERN AFRICA RESOURCE CENTRE

Ref: AfDB/EARC/LTR/2015/12/041
Date: 18th December 2015

Abubaker Mohamed ALI

Chairman
Save Lamu
P.O. Box 314 - 80500
Tel: 0723-205998
Email: info@savelamu.org
Lamu, Kenya

Dear Mr. Ali,

RE: CONCERN REGARDING THE AMU POWER PLANT IN LAMU COUNTY, KENYA

Thank you for your letter dated 25th November 2015 highlighting your major grievances, which we have responded to below. We value input from key stakeholders, including Save Lamu. Having said that, we would like to bring your attention to the fact that the AfDB encourages all stakeholders and affected parties to follow internal mechanisms as prescribed by national legislation. The Kenyan ESIA process allows for issues to be raised by all interested and affected by developments. While the AfDB has noted your concerns, it is Save Lamu's responsibility to ensure that the concerns reach the developer and relevant authorities and that legislative processes are followed in dealing with the concerns.

With regard to the transfer of title of public land for the Project, it must follow national legislative requirements. The Environmental and Social Impact Assessment (ESIA) and Environmental and Social Management Plan (ESMP) are only pre-requisites to development. However, what is critical to the AfDB is the displacement of occupiers of the land. To this effect, the responsible Ministry will be required to provide proof that the affected people have been consulted adequately and compensated as required prior to being moved.

Save Lamu has raised the issue of inadequate community consultation in the previous communication and are therefore advised to clearly list the families or groups that have been omitted in the consultations processes so that records can be verified against the RAP and ESIA signed lists of participants. These lists should be communicated directly to Amu Power Limited and to the MoEP. It is Save Lamu's responsibility to take part in the ESIA and RAP

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process and to ensure that concerns are addressed. Where that fails, legislated processes must be followed up with the Amu Power Limited and the relevant ministry.

The AfDB conducts its appraisal based solely on its requirements and that includes an examination of how community concerns have been addressed. However, we suggest that the first point of recourse is to communicate your future concerns to Amu Power Limited directly. This would allow them the opportunity to engage directly with the concerned communities and families listed by yourselves and will ensure a conflict-free process.

Please be assured that we will maintain our commitment to conduct our operations in a sustainable manner.

Yours Sincerely,



Gabriel NEGATU

Cc.

Richard Muiru, Chief Engineer (Electrical), Ministry of Energy and Petroleum, Kenya

John Omenge, Chief Geologist, Ministry of Energy and Petroleum, Kenya

Francis Njogu, Chief Executive Officer, Amu Power Limited