

REQUEST

REALITY TESTED YOUTH PROGRAMME

P. O. BOX 69234-00622, NAIROBI.

Tel. 0722991083 / 0728665603

Email: ryp2004@gmail.com

25.08.2015

Sekou Toure
Director,
Compliance Review and Mediation Unit (CRMU)
African Development Bank (AfDB)
Email: s.toure@afdb.org

Dear Sir,

RE: Complaints; Outer Ring Road Open Air Traders

I write in regard to poor open air traders operating between Mathare River and Kariobangi Market who are project affected persons (PAPS) in the Outer Ring Road Improvement Project financed by the African Development Bank.

In 2014 open air traders realized that they were not factored in or mentioned in the *Outer Ring Road Environment and Social Impact Assessment and Appraisal* reports as PAPs yet it is well

established that the traders have been there for long and that the road project will adversely impact their livelihoods. From the report, it is clear that open air traders were deliberately not recognized in the report by KURA. Yet, they are among the poorest to be affected by the road improvement project. The development of the list of PAPS did not appear to have been done in a transparent way.

In February 2014, we communicated to your office and KURA headquarters and your office was the first to respond to our petition on 22/4/2014 (Ref: CRMU/ST/LTR/2014/04/0006). KURA responded later through phone call and an official invitation email date:8/5/2014 meeting.

The meeting on 9/5/2014 was attended by 10 PAPs representatives, the KURA Project Co-ordinator, KURA Sociologist, and KURA Environmentalist and KURA Legal Officer. After long discussion, both teams, KURA and PAPs (open air traders), agreed to work together and resolve their differences amicably. The meeting resolved that;

- KURA officials would scrutinize and verify the more inclusive list for eligibility for compensation and inform the team
- Open air traders would form a working committee or representatives for future communication
- Reality Tested Youth Programme would provide details about its organization.

Later KURA organized an Outer Ring Road Consultative forum at Kariobangi Catholic Church, but no PAPs from our more inclusive list were ever invited. I and a few PAPs (open air traders) from the list attended the meeting after hearing about it from some of the affected traders whose names had been collected in 2012. After the consultative meeting, the open air traders were confused, and this caused a lot of anxiety. We decided that open air traders also fill Complaint Forms which we presented to KURA.

Since then, I have been nominated into the Grievance Redress Committee (2014), which has only met once at KURA offices with no any progress so far. It does not appear that KURA is taking these procedures seriously.

I, Peter Ndorongo and Maina Nguchu PAPs representatives (open air traders) have made several calls to KURA officials but it seems the issue of PAPs is being taken lightly and no clear information is being shared as no KURA official ever came to the ground to verify the eligibility of the excluded traders.

The open air traders feel cheated since the contractor has started working in their former location while issue of compensation has not been dealt with. This appears both unconstitutional and also a violation of African Development Bank principles on resettlement and compensation.

The open air traders feel that accepting jobs and vocational training skills opportunities before the issue of compensation is sorted out will be like betrayal to other traders since such opportunities are limited to only a few chances and there is no clear criteria for how to select beneficiaries.

We are kindly requesting your office to urgently consider the plight of the PAPs (open air traders) since they peacefully vacated the road corridor in the hope that their issues will be sorted according to AfDB policies when such projects are being undertaken.

I look forward to your response. Thank you.

Simon Kokoyo

RYP Representative: Simon Kokoyo – 0728665603

Paps Representatives: Peter Ndorogo – 0718510508
Maina Nguchu – 0723079917
Grace Mwendia - 0728847675



AFRICAN DEVELOPMENT BANK

INTER-OFFICE MEMORANDUM
Ret. IACD/M/42/04/2014/AB
Date: 14 April 2014

TO : Mr. Seku TOURE
Director, CRMU

FROM : Ms Anna BOSSMAN *Anna Bossman*
Director, IACD

SUBJECT : PETITION BY AFFECTED PERSONS: OUTERING ROAD NAIROBI
UPGRADE - KENYA

We are in receipt of the attached self-explanatory petition from Mr Fancis Irungu, Chairman of the Reality Tested Programme, a community based group which specializes in human rights and social justice issues in wider Mathare Constituency, Kenya.

The petition is forwarded for your necessary action and we thank you for your cooperation.

Cc:
File

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TEL. 0722 99 10 83 / 0728665603

Email; ryp2004@gmail.com

21/2/2014

Director General,
Kenya Urban Road Authority
Nairobi

RE: PETITION BY PROJECT AFFECTED PERSONS, OUTERING ROAD NAIROBI UPGRADE

Reality Tested Youth Programme is a community based group located in Kiamaiko off Outering Road which specialities on human rights and social justice issues in wider Mathare Constituency.

It is against this background that we have been approached by open air small scale traders, jua kali artisan, mama mbonga operating next to Kariobangi Market who have worked in their current space for between 7 yrs to 20 yrs. the above members operate between Mathare River and Kariobangi Market. The group fully supports and acknowledges government efforts in upgrading the Outering Road into a dual carriage.

The main concerns of the above mention traders are;

- It has come to their notice that there is a list of 445 hawkers or project affected persons which they have never seen or consulted in writing it
- Several meetings have taken place and none of their representatives has ever been invited to participate in such meetings

Group leaders have read Environment and Social Impact Assessment and Appraisal reports from the African Development which allows for involvement and participation of the people whose business are located ALONG Outering Road corridor as PROJECT AFFECTED PERSONS.

They are requesting that they be informed on how they can be included as part of PROJECT AFFECTED PERSONS and be enlisted for compensation according to African Development Bank policy whenever this kind project are undertaken.

-Please find attached signed petition.

Thank you In advance for your support on this matter.

Yours sincerely,

Francis Irungu
RYP, Chairman

Traders' representative
Peter Ndorogo
Tel. 0718-510508

cc.
County Director, African Development Bank
Governor, Nairobi City Council.

No.	Name	ID. Number	Contact	Sector	Signature
1	ZAINABU MUTIBILI KIKKAZUJI	24134640	0714811304	Trader	<i>[Signature]</i>
2	HELEN MUMSI WAKATIRO	272741146	0714140899	Trader	<i>[Signature]</i>
3	SIMON KASIRU KINYORO	209917166	0738524146	CHURCH	<i>[Signature]</i>
4	DAVID ITEMO	24951098	0724482897	Trader	<i>[Signature]</i>
5	PETER MURONGO	14420275	0718510508	Open Market	<i>[Signature]</i>
6	SUSAN MUKHAYI WANJIKU	21362076	0723699853	Open Market	<i>[Signature]</i>
7	MARY NDUJA	22791558	0724928643	Open Market	<i>[Signature]</i>
8	MARGARET WANGUI WAKABA	22368278	0721772867	Trader	<i>[Signature]</i>
9	GEOFFREY KIAMERO	12994868	0714669912	Trader	<i>[Signature]</i>
10	GEORGE GIKENYO	11878327	0720722247	Trader	<i>[Signature]</i>
11	PETER SAKALA	21625656	0723360020	Open Market	<i>[Signature]</i>
12	MARGARET KIAMIRO CHEGE	21343489	0726845060	Open Market	<i>[Signature]</i>
13	JOSEPH KING'ANGA	20511539	070011153	Open Market	<i>[Signature]</i>
14	THOMAS MACHARIA	23660421	0719238667	Open Market	<i>[Signature]</i>