

The Clerk of the Senate
Parliament Buildings
P.O. Box 41842 – 00100

NAIROBI

Email: cSenate@parliament.go.ke



RE: PETITION TO THE SENATE CONCERNING COMPENSATION AND RESETTLEMENT OF PERSONS AFFECTED BY THE REHABILITATION AND CAPACITY ENHANCEMENT OF JAMES GICHURU ROAD JUNCTION – RIRONI HIGHWAY (A104) PROJECT

We, the undersigned,

Citizens of the Republic of Kenya, and residents of [Kangemi, Mountain View, Uthiru, 87, Kinoo, Muthiga, Zambezi and Kamandura], P.O. Box 4247 – 00100, Nairobi;

DRAW the attention of the Senate to the following:

1. *According to Resettlement Action Plan Implementation Schedule, the activities related to construction of Project were expected to commence in February 2018 by which time the Persons Affected by Project (PAPs) were expected to have moved from the site.*
 - 1.1 THAT, KeNHA started construction within the roads reserve as the contractor CHINA WIYU was already on site before PAPs were compensated and resettled;
 - 1.2 THAT, Most of landlords and landladies are seriously affected by this project because when KeNHA surveyors marked buildings and flats for acquisition since Sept 2017, this triggered mass exodus from tenants. Most of these people had taken huge loans to construct the flats and building and now they are unable to service the same and banks have now sent their auctioneers to them.
 - 1.3 THAT, Most of the businesses report violation of human rights for blocked access to economic livelihoods because of serious road disruptions preventing potential customers from accessing businesses, some businesses are blocked by high elected walls, unmanageable dust affecting both business and PAPs health, all denying owners access to economic resources;
2. *Despite Compensation Delay, the Project Environmental and Social Impact Assessment report, Resettlement action plan, World Bank policy designed to mitigate against impoverishment risks associated with Involuntary Resettlement and the restoration or improvement of income earning capacity of the Project Affected Persons (PAP) are all not been enforced fully.*

~~Petition to the Senate by concerning compensation and resettlement of persons affected~~
by the [rehabilitation and capacity enhancement of James Gichuru road junction – Rironi
highway (A104) Project]

are supposed to be paid within 90 days as per resettlement action plan and “Just “
timeline as per Land Laws Act (2012).

4. **THAT**, we have made the best efforts to have these matters addressed by the relevant authorities all of which have failed to give a satisfactory response.
5. **THAT**, none of these issues raised in this Petition is pending in any court of Law, Constitutional or any other legal body.

WHEREFORE, your humble petitioners pray that the Senate urgently investigates this matter and resolves -

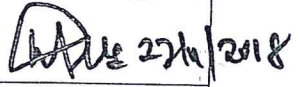
1. That KeNHA and the NLC promptly compensate all the PAPs along James Gichuru road junction – Rironi highway (A104);
2. That the China Wi Yu company carry out the many unattended corrective actions emanating from construction and compensate PAPs where necessary using Contingency vote provided for.
3. That China WiYu disclose what CSR they have put in place for each of the Sub lot sections at James Gichuru Uthiru sub-lot A/ Uthiru Zambezi sub-lot B and Zambezi Kamandura sub-lot C.

In absence of any, the committee propose a Multi Storey Market at each of the three sub-lot sections A, B & C, incubation centre at Kinoo Polytechnic, and or a recreational centres where grounds can be provided for and relocation of borehole at 87 section near Uthiru.

Dated this 27th Day of Nov 2018

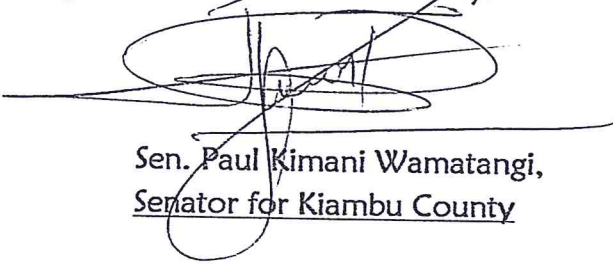
No	NAME	ADDRESS	I.D. No.	SIGNATURE
1	Jackline Njoki Njoroge	Kangemi	1809979	<i>Jackline Njoki Njoroge</i> 27/11/2018
2	Johnson Kairu	Uthiru	11179821	<i>Johnson Kairu</i> ... 27/11/18
3	Grace Wanjiru Nduta	Uthiru	20372228	<i>Grace Wanjiru Nduta</i>
4	Samuel Njoroge	Kinoo	24817941	<i>Samuel Njoroge</i>
5	Charles Kimani Njuki	Kinoo	5363247	<i>Charles Kimani Njuki</i> 27/11/18
6	Peter wamagata	Kinoo	5192598	<i>Peter wamagata</i>

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7	Martin Karanja	Muthiga	11349353	 27/11/2018
8	Hon. Samuel Kimani Wanjiku	Muthiga	24922263	S. Kimani 27/11/18
9	Joseph kiongo Njuguna	Zambezi	13031484	Signature 27/11/18

If presented by a Senator:

Counter signed by Senator Paul Kimani Wamatangi, Senator for Kiambu County.


Sen. Paul Kimani Wamatangi,
Senator for Kiambu County