



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT (SECOND SESSION)

Approved
SNA
27/6/23

Hon Speaker
Hon. Mr. Ojwang
Hon. Mr. Kariuki
22.6.23

PUBLIC PETITION

(No. 33 of 2023)

**REGARDING COMPENSATION OF PERSONS AFFECTED BY
MOMBASA – MARIAKANI ROAD DUALLING PROJECT**

I, the UNDERSIGNED, on behalf of Mombasa West Community Project Affected Persons of Jomvu Constituency;

DRAW the attention of the House to the following:

- 1. THAT**, the Kenya National Highway Authority (KeNHA) undertook rehabilitation and expansion of a 41.3km Regional Mombasa Port Access Road from Mombasa Town heading to Mariakani as part of a 2,000km-long corridor directly connecting the Port of Mombasa to several neighbouring countries, but whose construction has stopped in Jomvu Madafuni where the said road is in a pathetic state despite being the gateway to Mombasa;
- 2. THAT**, whereas the construction part of the project was financed by the African Development Bank, German KfW, European Investment Bank and the EU-Africa Infrastructure Trust Fund, the Government of Kenya was to oversee compensation of all Project Affected Persons on the project corridor;
- 3. THAT**, pursuant to this arrangement, in 2014 KeNHA prepared a faulty Resettlement Action Plan that excluded use of Geographic Information System on asset inventory tabulation, but later claimed that the project was allegedly on public land;
- 4. THAT**, on its part, the National Land Commission conducted an unclear valuation that led to grave injustice being meted out on Project Affected Persons;

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5. **THAT**, contrary to expectations and agreement, KeNHA proceeded to brutally evict residents of Jomvu Constituency from their houses without notice in May 2017, whilst the National Land Commission omitted many residents and property-owners from the Final Compensation List;
6. **THAT**, efforts by the Project Affected Persons to secure the collaboration and cooperation of KeNHA and the National Lands Commission have been futile;
7. **AND THAT** , the issues in respect of which this Petition is raised are not pending before any court of Law, or any constitutional or legal body .

THEREFORE, your humble petitioners pray that the National Assembly through the Public Petitions Committee;

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- a) urgently intervenes to compel the National Lands Commission to compensate Project Affected Persons fairly and in accordance with actual value of their assets; and to disclose the Valuation Report Feedback;
 - b) directs KeNHA to implement that Corrective Action Plan agreed with Project Affected Persons and to additionally embrace use of Geographic Information System in Asset Inventory, and
 - c) makes any other recommendation or action it deems fit in addressing the plight of the Petitioners.

And your **PETITIONER** will ever pray.

PRESENTED BY:



THE HON. BADY TWALIB BADY, MP
MEMBER FOR JOMVU CONSTITUENCY

DATE: 21/6/2023

