



PRESS RELEASE

Alternative Public Hearing to be Held After ERC Chooses Inaccessible and Unsafe Venue for Complainants

Lamu, December 6, 2016

On 28th October 2016, Save Lamu and its partners filed an objection with the Energy Regulatory Commission on its awarding a licence to Amu Power Company Limited for generating power from a proposed 1,050 MW coal fired power station in Lamu. One of the key objections to the proposed power plant was the lack of proper public participation among critical stakeholders for the Environmental and Social Impact Assessment, as well as the lack of information on critical components of the power plant and the out of date cooling system proposed.

The ERC responded to the objections raised by Save Lamu and asked for a public hearing on the 7th November 2016. Save Lamu obliged the ERC by constant and consistent correspondence with the sole aim of holding a free and open session of dialogue where all parties could articulate their issues and a decision could be made. Save Lamu proposed several central and accessible venues where both parties would be safe and comfortable attending.

However, at the 11th hour, just hours before the public hearing is to take place, the ERC has changed the venue and foregone all recommendations given by Save Lamu, the key complainant in this matter. They have instead opted to hold a public hearing at a venue that is not only inaccessible and unsafe for members of Save Lamu, but, ironically, *a location that Save Lamu objected to in their petition to the ERC* (see copy of letter attached).

ERC as a quasi-judicial commission is bound to provide an avenue for objections to be raised in a neutral atmosphere and where parties can be free from intimidation to air their concerns. The choice of venues calls into question the independence of the ERC in making a decision as simple as a venue that will be suitable for all parties involved. The ERC risks its credibility as an independent arbiter and determinant of critical energy issues.

The citizens of Lamu Island are aggrieved by the decision of the ERC to hold a public hearing at a venue inaccessible and unsafe to the community who have raised objections to the licensing of Amu Power to generate electricity. In order to have our voices heard, we are engaging in an “**Alternative Public Hearing**” at the initial selected venue by ERC – Sun Sail Hotel, on the seafront in Lamu Town. We will conduct the public hearing according to the program developed by the ERC.

The Lamu community under the banner of Save Lamu will not be denied the opportunity to be heard on this critical project that will affect lives and the environment for decades to come. We have been unfairly denied and delayed administrative justice and goes contrary to the rights provided in the Constitution of the Republic of Kenya and other relevant legislations. We therefore reserve our right to seek other legal avenues to enforce these rights and air our grievances at the earliest opportunity.

For further information:

Walid Ahmed

Tel: 0726 613 166