

Brussels, 27 FEB. 2018
A(2018) 628165 720920

Ms Ana Gomes MEP
European Parliament
1047 Brussels

Dear Ana,

I would like to thank you for your letter dated 1 February 2018, regarding the Sengwer community in Kenya. I would first express my deep sadness about the reported killing of a member of the Sengwer community by Kenya Forest Service guards in Embobut Forest.

As you are referring to the Water Towers programme, which covers the Mount Elgon and Cherangany ecosystems with an implementation period from 2014 to 2020, I would recall that the programme has four components:

- A 5 M€ grant to the Kenya Forestry Research Institute (KEFRI) aiming at characterising degradation of Water Towers of Mt. Elgon and Cherangani ecosystems by applying science based approaches.
- A 4 M€ grant to the Kenya Forest Service (KFS) aiming at formulating and implementing integrated management plans to mitigate climate change mitigation and boost adaptation in the landscape (e.g. bamboo planting, etc).
- Grants to 11 counties for a total of 16 M€ in support of Environmental Action Plans to be developed by each of the counties.
- Technical Assistance (3.75 M€) to the whole programme.

To clarify, the Water Towers programme was not meant to entail any eviction of the Sengwer people and by no means the use of violence.

Following reports of evictions immediately after the Christmas period, the EU engaged in intense dialogue with the Ministry of Natural Resources. One concrete result of these efforts was the organisation of a meeting between the Ministry and representatives from the county and the communities to consult communities on ongoing operations in Cherangani Hills and Water Towers more generally, which took place on 10 January 2018. The meeting was seen as very inclusive by all parties but did not yield concrete results to stem confrontations between KFS and the Sengwer community members.

As reports about evictions continued, the EU Delegation sent a written warning to the Ministry of Natural Resources, threatening the suspension of the programme in case of further reports of excessive use of force by KFS rangers. Following subsequent reports of the fatal shooting of a Sengwer community member, the programme was indeed suspended.

At the end of last year, the EU Delegation in Kenya commissioned a mid-term evaluation of the programme to look into the latest developments, to advise on the continued relevance and appropriateness of the programme, and provide input to discuss the way forward.

Separately, as an outcome of the above mentioned stakeholder meeting, it was agreed to dispatch an independent fact-finding mission, to be led by the Kenya National Commission for Human Rights, to shed further light on ongoing challenges.

On behalf of the European Union, I reiterate our commitment that any actions undertaken in our cooperation with Kenya must fully respect international human rights obligations. International law, backed by the recent ruling by the African Court for Human and People's rights, stipulates that indigenous peoples have a right to the lands, territories, and resources which they have traditionally owned, occupied or otherwise used or acquired. The EU firmly stands by these values.

Yours sincerely,



Federica Mogherini