



a toxics-free future

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February 22, 2017

Mr. Ndegwa Muhoro, Director
Directorate of Criminal Investigations
P.O. Box 30036 - 00100 Nairobi
Mazingira Hse, Kiambu Road.
Opp. Forestry Department Headquarters, Karura
Tel +254 020 3343312; director@cid.go.ke

Dear Mr. Muhoro:

We are writing this public letter today representing IPEN, a global network of more than 500 public interest non-governmental organizations (NGOs) working in 116 countries to strengthen and implement safe chemicals policies and practices that protect health, human rights, and the environment. We are gravely concerned about the safety of our friends and colleagues in Kenya who are members of the Centre for Justice, Governance and Environmental Action (CJGEA).

We are aware that following the legal service notices on the 2nd of February 2017 to Metal Refinery EPZ Ltd. for the Owino Uhuru Class Action Litigation Case, CJGEA members have been ruthlessly threatened and harassed. They are living in fear for their lives. Due to threats to their security, they cannot stay in their homes and have had to relocate.

Ms. Phyllis Omido, an internationally recognized human rights and environmental advocate and a Goldman Environmental Prize Recipient of 2015, as well as her family, and members of CJGEA, have had to flee their homes because their safety is at risk. Mzee Ogola Owino Uhuru, a village elder, barely escaped his life after his home was almost burnt down. He had to flee with his family at night and slept at the police station. Miss Anastacia Nambo has also been threatened and is living in fear. She has not been able to sleep at her house for almost a week. Mr. Kamencu, another member of CJGEA, was attacked and is also living in fear.

Mr. Muhoro, we urge you to do everything in your power to investigate and stop this criminal harassment and to ensure the safety and protection of CJGEA members and people in the village. People should not live in fear in their motherland. According to the 2016 Report of the United Nations Special Rapporteur on the Situation of Environmental Human Rights Defenders: *"Upholding human rights for environmental human rights defenders is essential to the protection of the environment and environmental rights, and is grounded in international human rights standards. Environmental human rights defenders cannot properly defend the environment-related rights, without exercising their own rights to access to information, freedom of expression, of peaceful assembly and association, guarantees of non-discrimination, and participation in decision-making. States have the duty to protect those rights as well as their rights to defending human rights and to life, liberty, and security."*

Mr. Muhoro, you are in the best position to help people redress the injustice in Kenya. The international community is closely watching the situation in Kenya and believes in your ability to protect human rights in your country. We respectfully request that you acknowledge receipt of this letter and inform us about the measures that you and other authorities in Kenya are taking to protect the CJGEA members and their families. Thank you.

Sincerely,

Dr. Olga Speranskaya

IPEN Co-Chair

Pamela Miller

IPEN Co-Chair

cc Mr. Baskut Tuncat, United Nations Special Rapporteur on Human Rights and Toxics
The Goldman Environmental Prize of the Goldman Fund, U.S.A.
Amnesty International

Cecilia Bianco, Coordinator
Taller Ecologista
ARGENTINA

Javier Souza
Pesticide Action Network
Alternatives in Latin America (RAPAL)
ARGENTINA

Elena Manvelyan
Armenian Women for Health and
Healthy Environment
Yerevan, ARMENIA

Dr Mariann Lloyd-Smith, Senior Advisor
National Toxics Network Inc.
AUSTRALIA

Siddika Sultana, Executive Director
Environment and Social Development Organization
Dhaka, BANGLADESH

Adetonah Sounkoura, Executive Director
Group Action for the Promotion and
Protection of Flora and Fauna
BENIN

Ms. Génon K. Jensen, Executive Director
Health & Environment Alliance (HEAL)
Brussels, BELGIUM

Jeffer Castelo Branco
ACPO (Associação de Combate aos Pouentes)
Santos, BRASIL

Zuleica Nycz
APROMAC Environment Protection Assoc.
TOXISPHERA Environmental Health Assoc.
BRASIL

Gilbert KUEPOUO, Executive Director
CREPD
CAMEROON

Karel Ménard, Directeur général
Front commun québécois
pour une gestion écologique des déchets
Montréal, CANADA

Imogen Ingram, Secretary-Treasurer
Island Sustainability Alliance CIS Inc.
COOK ISLANDS

Jindrich Petrlik, Executive Director
Toxics and Waste Programme
Arnika Association
CZECH REPUBLIC

Tadesse Amera, Director
Pesticides Action Network
ETHIOPIA

Joe Bongay, Executive Director
Young Volunteers for the Environment
GAMBIA

Alexandra Caterbow, Co-Director
HeJ!Support
Dachacu, GERMANY

Johanna Hausmann, Project management
Women Engaged for a Common Future
Chemicals and Health
GERMANY

E.Odjam-Akumatey, Executive Director
Ecological Restorations
GHANA

Nityanand Jayaraman, Writer/Researcher
Conservation India, The Other Media
Chennai, INDIA

Jayakumar C., Founder & Trustee
Thanal: People, Planet, Sustainability
Kerala, INDIA

Yuyun Ismawati, Senior Advisor
BaliFokus Foundation
INDONESIA

Aubin Charles Baïmey, Directeur Exécutif
JVE (Young Volunteers for Environment)
IVORY COAST

Saadiyah F.Hassoonm, Head
Together to Protect Human and
Environment Association
IRAQ

Takeshi Yasuma, International Coordinator
Citizens Against Chemicals Pollution (CACP)
JAPAN

Igor Hadjamberdiev, Senior Researcher
Toxic Action Network Central Asia
KYRGYZ REPUBLIC

Mageswari Sangaralingamm, Research Officer
Sahabat Alam (Friends of the Earth)
MALAYSIA

Dr. Okeyo Benards, Director
Eco Ethics - Kenya
Mombasa, KENYA

Griffins Ochieng, Programmes Coordinator
Centre for Environment Justice & Development
Nairobi, KENYA

Marie Therese Seif, President
Human Environmental Association for Development
LEBANON

Dr. Naji Kodeih, President
IndyACT Lebanon
The League of Independent Activists
LEBANON

Sarojeni V. Rengam, Executive Director
Pesticide Action Network Asia and the Pacific
MALAYSIA

S.M. Mohamed Idris, President
Consumers' Association of Penang
MALAYSIA

Fernando Bejarano, Director
Red de Acción sobre Plaguicidas y
sus Alternativas en México (RAPAM), and
CAATA (Centro de Análisis y Acción sobre
Toxicos y sus Alternativas)
MÉXICO

Sofia C. Chávez Arce, General Director
Vias Verdes A.C.
Zapopan Area, MÉXICO

Dr. Mahmood A. Khwaja, President
International Society of Doctors
for the Environment
PAKISTAN

Sonia S. Mendoza, Chairman
Mother Earth Foundation
PHILIPPINES

Romeo F. Quijano, President
Pesticide Action Network Philippines
Professor, College of Medicine
University of the Philippines Manila
PHILIPPINES

Dr. Abel Arkenbout, CEO
Toxicowatch Foundation
NETHERLANDS

Sascha Gabizon, International Director
Women Engaged for a Common Future
NETHERLANDS

Dr. Rye Senjen, Scientific Adviser
Environmental & Human Health Aotearoa
Dunedin, NEW ZEALAND

Dr. Meriel Watts, Coordinator
Pesticide Action Network
Aotearoa, NEW ZEALAND

Leslie Adogame, Executive Director
Sustainable Research and Action for
Environmental Development (SRADev Nigeria)
Lagos, NIGERIA

Abou Thiam, Regional Coordinator
Pesticide Action Network Africa
Dakar, SENEGAL

David Azoulay, Environmental Health Program Director
CIEL (Center for International Environmental Law)
Geneva, SWITZERLAND

Ibrahima Sory Sylla, President
Carbone Guinée
REPUBLIC OF GUINEA

Desmond D'Sa
South Durban Community Environmental Alliance
Durban, SOUTH AFRICA

Inja Choi
Wonjin Institutes for Occupational and
Environmental Health,
Action for Carcinogen-free Korea
SOUTH KOREA

Jeong-ok Kong, M.D., MPH.
Supporters of Health and Rights of People in
Semiconductor Industry (SHARPS)
SOUTH KOREA

Dolores Romano, Responsable de políticas de
sustancias químicas- Ecologistas en Acción
SPAIN

YingShih Hsieh, Chairman
Environmental Quality Protection Foundation
Taipei, TAIWAN

Xavier Sun, Research Associate
Wild at Heart Legal Defense Association
Taipei, TAIWAN

Silvani Mng'anya, Principal Programme Officer
Agenda for Environment and
Responsible Development (AGENDA)
TANZANIA

Mwadhini O. Myanza, Executive Director
Irrigation Training and Economic Empowerment
Morogoro, TANZANIA

Penchom Saetang, Director
Ecological Alert and Recovery - Thailand (EARTH)
THAILAND

Sena Alouka, Director
Jeunes Volontaires pour l'Environnement,
International, Lomé, TOGO

Yahya Msangi, Technical Advisor
Welfare Togo
TOGO

Semia Gharbi
AEEFG, Tunisie
Hub regional IPEN-Middle East North Africa
Enseignante/ Environnementaliste-Consultante
TUNISIA

Juliette Williams, Director
Environmental Justice Foundation
UK

Keith Tyrell, Director
Pesticide Action Network
UK

Dr A. Michael Warhurst, Executive Director
CHEM Trust
London, England, UK

Jim Puckett, Executive Director
Basel Action Network
Seattle, Washington, USA

Arlene Blum, PhD, Executive Director
Green Science Policy Institute
Berkeley, California USA

Robin Schneider, Executive Director
Texas Campaign for the Environment
USA

Judy Hatcher, Executive Director
Pesticide Action Network North America
USA

Josh Karliner, International Director, Program and
Strategy
Health Care Without Harm
Santa Cruz, California, USA

Tom BK Goldtooth, Executive Director
Indigenous Environmental Network
Bemidji, Minnesota, USA

Peter Orris, MD, MPH
Professor and Chief of Service
Occupational and Environmental Medicine
University of Illinois Hospital and Health Sciences
Chicago, Illinois, USA

Perry Gottesfeld, Executive Director
Occupational Knowledge International
San Francisco, California, USA

Ann Blake, Ph.D.
Environmental & Public Health Consulting
Alameda, California, USA

Vi Waghiyi, Program Director
Alaska Community Action on Toxics
Anchorage, Alaska, USA

Ellady Muyambi, Secretary General,
Uganda Network on Toxic Free Malaria Control
Kampala, UGANDA

Kamese N. Geoffrey, Senior Programme Officer
National Association of Professional Environmentalists
UGANDA

Mari Carcamo, Coordinator
Pesticide Action Network
Alternatives in Latin America (RAPAL)
URUGUAY

Maria Eugenia Gil Beroes, Director
Fundación Aguaclara
Caracas, VENEZUELA

Mr. Michael Musenga, Coordinator
Children's Environmental Health Foundation (CEHF)
ZAMBIA