

Kipsigis Community Clans



P.O. Box 763 - 20200 KERICHO, KENYA or

P.O. Box 315 - 40200 BOMET, KENYA

Cellphone: 0101 440056

**The Kipsigis Community Leaders,
KERICHO and BOMET.**

Monday 3/6/2024

RE: KIPSIGIS COMMUNITY FORCEFULLY TAKEN ANCESTRAL LANDS BY THE BRITISH – LIPTON TEAS AND INFUSIONS; & THE BROWNS

We are Kipsigis Community Clans Organization representing the voice of the Kipsigis people in Kericho, Bomet, Nakuru, Narok and Diaspora. Kipsigis Community is made up of 200 clans.

We became united through the Kipsigis Community Clans Organization, 101 Partners and our Kipsigis Local major Co-operatives and Sacco's and gave our bid to buy Lipton Teas and Infusions.

What is the subject matter:

When the British came, they found our people living and occupying these lands and they were chased away by use of force and the removal of native's ordinance.

The British government leased out these lands to the white settlers. When the British left, the mistake of leasing out our Kipsigis lands without our people's knowledge was taken over by the Kenya Government who are doing that up to-date despite our grievances and complaints.

Kipsigis Community Clans was started with the aim of addressing our communal challenges facing us. We have addressed some of them successfully, and some are still to be addressed. And the major one is the historical colonial land injustices which were meted upon our people. This is a matter which remains un-resolved despite our efforts to bring up the matter even during all the previous Kenya Government regimes.

In the year 2014, we gave out our Kipsigis petition to the County Assemblies of Kericho and Bomet. Kericho County Assembly tabled up the matter and gave it to the Executive who supported us by hiring the lawyers to take up the compensation case against the British.

In 2017, we gave out our Kipsigis Community grievances to the National Land Commission. We were invited to give out our evidence presentations which we did successfully in Kisumu, Kericho and Nairobi. Kipsigis Community Clans was done by Joel Kimetto, the one for Talai was done by David N. Twei while the one for Borowo was done by Peter K. Bett.

The NLC ruled in our favor that the lands should have reverted back to us at independence. Then there was the challenge of the multi-national and the county government going to court and forgetting the real owners of the soil on the ground.

We then gave out our petition to the Senate and the Senate took up the matter in March 2023. The Senate Standing Committee visited us so as to appraise itself on these matters. We gave out our Kipsigis presentations to the Senate which was chaired by our Bomet Senator, Wakili Hillary Sigey. A 300 page report was produced in August 2023.

The senate referred back the matter to NLC advising them to include all the stake holders in their fresh investigations.

On 11th March this year, we wrote a letter to the Board of Lipton Teas and Infusions applauding them for their work and bringing to their attention the British Brutalities on the Kipsigis lands which they are operating on, are our Kipsigis forcefully taken ancestral lands.

It came to our attention that they were intending to sell their business, an advertisement which was put on a business daily. We were lucky to find partners from Britain who were willing to help us as Kipsigis Community to acquire back our lands. We had several talks and meetings and we then gave our “Offer to Acquire Lipton’s Kenya Estates”. This was on 29th March 2024.

We wrote another letter on 1st May 2024 which our two Governors of Kericho and Bomet supported us in signing yet another letter to The Board of Lipton Teas and Infusions NV:

We, the undersigned, represent the voice of the local community in Kericho and Bomet counties including the members of the Kipsigis Community Clans, major Local Co-operatives and SACCOs and Local County Government. We strongly believe that “the transfer or use of the land” on which the tea estates are located should follow the **UN Declaration of Human Rights** and should be subject to the “**free, prior and informed consent**” of the local community. In the event that Lipton Teas and Infusions consider a sale of their Kericho tea estate, we firmly support the proposal to acquire the estate under “**community ownership**” as proposed by the community consortium.

It came to our surprise that Lipton/Browns announced their ‘partnership’ and transfer of tea estates on 7th May this year. And there was a very big outcry across the Kipsigis land claiming that our own are selling us!

And the truth of the matter is that the historical land injustices matters is not resolved, if Lipton and Browns exchange hands on our Kipsigis forcefully taken ancestral lands. This will remain a scar and a wound difficult to heal which might also bring future conflicts if it remains un-resolved.

We need a resolution to this matter and there should be a fair treatment in considering our Kipsigis and our partners bid. This will also give us a meaningful share of financial value as a community. And peace, good working relations and environment would also be achieved if Lipton listens to our Kipsigis Community plea.

We should sit as Kipsigis Community and get what is best for the Kipsigis people and not to be influenced by other factors against our community will. Think as Kipsigis, act as Kipsigis and fight for the rights of the Kipsigis people as a Kipsigis.

Facts:

1. Land leases were between the British government and the white settlers. What we want to know now is, who is leasing out our lands. When are those land leases expiring?
2. That we know that Brooke Bond/Lipton Teas and Infusions land is 12,000 Has,
3. James Finlay now Browns is also 12,000 Has.

4. Other small companies are each 4,000 Has.
5. We have our Kipsigis Community Clans proposals on the projects to be done so as to raise our living standards and that of our future generations. We should be involved as community representatives in any meaningful negotiations. NOT a few.
6. The lands will become Kipsigis Community group of Tea Estates.
7. What is needed now is to form a Kipsigis Community Charitable Trust. This way, we will get support even from all over the world.
8. We had discussed something with the British High Commission. They are ready to help us. We only need to be organized as a community and speak with one language and voice.

Our Partners and we have a model. No Kipsigis will be asked to pay any amount. Our negotiations wanted to include every Kipsigis person, whether rich or poor. And we will all be the proud owners of our Kipsigis stolen ancestral lands. This model will see to it that the good working environment and working relations is achieved, and the historical injustices matters become a closed chapter.

Let us wisely look at what is at hand.

1. The 100% acquisition of Lipton Teas and Infusions business by the Kipsigis Community – negotiated by Kipsigis Community Clans Organization /Partners /Co-operatives and Sacco's.
2. Accept the Exchange of hands by Lipton Teas and Infusions & the Browns Shri-Lanka – the 15% and Shs.1bn offer. **And we are asking, who negotiated this?** Is the problem resolved?
3. **Or can we negotiate for better terms and conditions**, and the benefits should include every Kipsigis person, whether rich or poor.
4. Or the Partnership of Lipton and Browns should come down and discuss with us and should include all the stake holders and interested parties.

Lipton Teas and Infusions who has teamed up with Browns should not celebrate their partnership and forgetting Kipsigis people who are the real owners of the soil. Why don't we come to the table and discuss these matters in a sober mature way?

We have 101 partners with very reputable management skills, who will help the Kipsigis people to go through this journey of transitions smoothly.

And we want to state here clearly that during all these transitions, no employee will lose his or her job. They will continue working the way they have been doing without interference. Let them be assured.

It is only our Kipsigis unity that should bring everyone on board so that we can realize that what is best for us as a community. Let us unite and be wise.

Kipsigis Community needs a new beginning: Banda ne Lel:

1. **History**
Between 1902-1063, community land in Kericho and Bomet counties was forcibly seized and leased to foreign settlers. This was an act of human rights injustice that needs to be acknowledged and resolved.
2. **Principles**

Under the principles of human rights adopted by the UN, ILO, leading brand-owners, leading financial investors and the NGO community, the use and/or transfer of community land must adhere to the principles of “free, prior and informed consent” from the local community.

3. **Land**

The land on which the tea estates are based is community land with an unresolved dispute. To resolve the historical issue of injustice, all land titles for both Lipton and Finlays tea estates need to be changed and transferred to “community land” and managed by a Community Charitable Trust (with trustees from the Local Government and the Local Community).

4. **Community Equity**

The Local Community needs to have meaningful ownership in the business “to create communal equity and mutually aligned economic participation” in the real meanings of the words. The community needs to have majority equity ownership (>50%). The community proposes 55% of the combined Lipton + Finlays business.

5. **Management contract**

The community is willing for outside investor(s) to hold the remaining 45% of equity and to hold a management contract to run the business for the mutual benefit of all shareholders. The identity of the outside investor should be selected by mutual consent of both seller and the local community to ensure that the partner has sufficient credibility, capability and scale.

Let us embark on a ‘new journey’ to create a better future together as Kipsigis and our Partners for prosperity so as to benefit the future generations and us.

Thank you.


Yours Faithfully,

Signed:




John K. Rop
Chairman

Signed:



Joel K. Kimetto
Secretary General

Signed:



Joseph K. Towett
Treasurer

FOR AND ON BEHALF OF KIPSIGIS COMMUNITY CLANS ORGANIZATION / PARTNERS