



6/8/2024

Local Community Challenge the Sale of Lipton Tea Estate in Kericho, Kenya

We are the Kipsigis Community Clans Organization representing the voice of the indigenous 1.5 million Kipsigis people in Kericho and Bomet counties in Kenya. Between 1902 and 1963, our Kipsigis Community Lands were forcefully taken by the British colonial Government and given, or leased, to European White Settlers. The **Lipton Kericho tea estate** is on disputed land seized by force from the local community. There is an ongoing conflict between the local community and the tea estate owners regarding this land. These facts have been fully documented by the **UN Human Rights Special Rapporteurs**ⁱ and the **Kenyan National Land Commission**.ⁱⁱ

We refer to the Corporate Disclosure made by **Browns Investments plc** to the Colombo Stock Exchange on 2nd August 2024 reporting that the acquisition of shares in **Lipton Teas & Infusions Kenya plc** was completed on 30th July 2024. On behalf of the Kipsigis Community Clans Organization, we challenge the validity of this transaction.

Contrary to claims made by the seller **Lipton Teas & Infusions** to the **Business & Human Rights Resource Centre** on 11th July 2024,ⁱⁱⁱ the local community's offer to acquire the tea estate was **not** fairly considered, was **not** given equal access to the sale process and was **not** transparently engaged with throughout.

Under internationally recognised human rights principles, companies are required to fulfil their obligation to secure the **Free, Prior and Informed Consent** (FPIC) of Indigenous Peoples and Local Communities **prior** to a transaction in the event of ongoing land conflict.^{iv} FPIC was **neither** sought **nor** received by either the seller or the buyer in this transaction.

We have engaged legal counsel and will seek to protect our rights with the relevant authorities following the UN Guiding Principles for Business & Human Rights, the UN Declaration on the Rights of Indigenous Peoples and other applicable laws/principles. At the same time, we wish to bring this to the immediate attention of Lipton's customers, consumers and employees.

Kericho is our homeland. The historic injustices need to be addressed. The announcement of the completion of the sale is not the end of this story. It is not even the beginning of the end. We will not back down. We will stand our ground. Equity, truth and justice will prevail.

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

ⁱ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=26395>

ⁱⁱ <http://www.parliament.go.ke/sites/default/files/2023-08/JLAHRC%20-%20Report%20on%20the%20Petition%20by%20the%20Kipsigis%20Community%20Clans%20Organization%20regarding%20Land%20Injustices%20against%20the%20Community.pdf>

ⁱⁱⁱ https://media.business-humanrights.org/media/documents/BHRRRC_regarding_Browns_transaction_11072024.pdf

^{iv} https://accountability-framework.org/fileadmin/uploads/afi/Documents/Operational_Guidance/OG_FPIC-2020-5.pdf