



**Kipsigis Community Clans**

P.O. Box 763-20200 Kericho, Kenya

P.O. Box 315-40200 Bomet, Kenya

Mr. Ishara Nanayakkara  
Executive Chairman  
Browns Investments plc

6/12/2024

**Kenya – Establishing Community Support for Browns Investments plc**

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 in Kenya were forcefully taken by the British colonial Government and given, or leased, to European White Settlers. This is disputed land. A portion of this land is currently operating as tea estates acquired by your company in 2023 and 2024 (previously operating as James Finlay Kenya Ltd and Lipton Kenya plc).

We have noted the announcement of Browns Investments plc acquisition of Lipton Kenya plc. However, we wish to express our concern that this transaction took place without following the UN guiding principle of “free, prior and informed consent” from the local community prior to the transaction. In addition, we have reason to believe that Browns Investment plc failed to conduct mandatory human rights due diligence prior to the acquisition which is in breach of the United Nations Guiding Principles of Business and Human Rights. Furthermore, on 8th May 2024, Lipton and Browns issued a press release stating that:

- “Communities (are) to be offered 15% stake at discounted price with annual dividend”
- “Endowment of 1 billion Kenyan shillings into new Community Welfare Trust”
- “Browns will pay an above-market premium to Kenyan smallholders to produce superior quality tea.... offering double what farmers would previously have received...”

However, more than six months have now passed and no information on these ‘community’ initiatives has been published.

We understand that Browns Investments plc has an ambition to become one of the world’s leading tea producers. No doubt you will be aware that all major international brand-owners and retailers (and their international investors) require their suppliers to comply with the United Nations Guiding Principles on Business and Human Rights. Failure to comply exposes brand-owners, retailers and investors to the risk of consumer social media pressure and potential litigation. Furthermore, in some specific markets such as the EU, new legislation requires that companies meet legally enforceable standards for corporate sustainability (EU CSDDD) with enforcement via civil liability of Company Directors.

We wish to formally raise our grave concern that the recent actions of Browns Investments plc in acquiring the disputed land belonging to our community are incompatible with the stated ambition of your company to become one of the world’s leading tea producers. The actions are also incompatible with the United Nations Guiding Principles on Business and

Human Rights required by your customers. This will require an effective remedy with the local community in Kericho/Bomet to resolve these risks and establish community support for your business.

We politely request that we schedule a meeting in Kericho with your designated representative at the soonest opportunity to start the process of remediation.

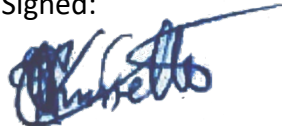
Yours Faithfully,

Signed:

A handwritten signature in blue ink, appearing to read 'John K. Rop', written over a horizontal line.


John K. Rop  
Chairman

Signed:

A handwritten signature in blue ink, appearing to read 'Joel K. Kimetto', written over a horizontal line.

Joel K. Kimetto  
Secretary General

Signed:

A handwritten signature in blue ink, appearing to read 'Joseph K. Towett', written over a horizontal line.

Joseph K. Towett  
Treasurer

FOR AND ON BEHALF OF KIPSIGIS COMMUNITY CLANS ORGANIZATION