

**INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION**

THE INSPECTION PANEL

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**Werner Kiene
Chairperson**

IPN REQUEST RQ 09/07

August 31, 2009

**MEMORANDUM TO THE EXECUTIVE DIRECTORS OF THE
INTERNATIONAL DEVELOPMENT ASSOCIATION**

Request for Inspection

KENYA: Export Development Project (IDA Credit No. 2197 KE)

Notice of Receipt of a Request for Inspection and Decision Not to Register the Request

In accordance with paragraph 17 of IBRD and IDA Resolutions that established the Inspection Panel (the "*Resolution*"), I hereby inform you that on April 21, 2009, the Inspection Panel (the "*Panel*") received a Request for Inspection (the "*Request*") related to the above-referenced Project.

The Request was submitted by the Friends of Nairobi National Park (FoNNP). The Request states that an export processing zone (EPZ) "*located in Athi River, Nairobi, Kenya, was funded by the World Bank sometime in 1994*" without any stakeholder consultation. It alleges that this EPZ contributed to the creation of environmental and social conflicts, depleted water resources, led to irregular electricity supply and abandoned manufacturing operations. It further claims that "*the EPZ lies waste after crippling and helping to destroy the Kitengela wildlife ecosystem*" and that "*local communities are becoming increasingly hostile over government plans to urbanize marginal lands*". The Request informs the Panel that plans to increase industrial development in the EPZ announced by the Government of Kenya on April 21, 2009, may further harm the pastoralist communities and wildlife of the Nairobi National Park and the surrounding Kitengela Plains. Moreover, the Request states that "*game census records strong numbers of giraffe, lion, buffalo, eland, zebra, dik-dik, warthog, gazelles, and scores of other wildlife*" in the area which has been marked for industrialization due to the "*flawed planning by the World Bank of the EPZ*" which "*block[s] not only the open-ecosystem of Nairobi National Park, but also that of Amboseli National Park, because of its extending encroachment into wildlife areas*". The Request concludes by asking the "*Inspection Panel of the World Bank to urgently investigate this matter*".

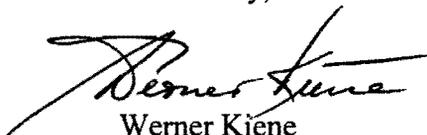
Since the Requester had not specified which World Bank-financed project had allegedly caused the harm documented in the Request, the Panel, in accordance with paragraphs 19, 20, and 21 of its Operating Procedures, wrote the Requesters on April 23, 2009 to request additional information. The Panel and the Requester corresponded between May

and August 2009 in an attempt to clarify the allegations made in the Request and to identify all necessary information.

Based on the information received thus far, the Panel has determined that the Project in question was the Kenya: Export Development Project which had been financed by an International Development Association (IDA) credit in 1990. The Project closed on June 30, 1995.

Under the Panel's eligibility criteria¹, the Panel may not investigate Projects for which the loan has been closed or more than 95% disbursed. Because the Project closed on June 30, 1995, **the Panel is not registering the Request in the Panel's Register, and is advising the Requester of this decision.** In making this determination, the Panel notes the many significant concerns stated by the Requesters and has forwarded the Request to Management for its consideration.

Sincerely,



Werner Kiene
Chairperson

Enclosure:

Copy of the Request for Inspection

cc: Messrs./Mmes. Daboub (MDD), Wheeler (MDW), Okonjo-Iweala (MDO), Ezekwesili (AFRVP), Zutt (AFCE2), Bricknell (AFCCKE)

¹ International Development Association (IDA) Resolution 93-6, dated September 22, 1993 ("the 1993 Resolution"), Paragraph 14(c).