

NATURAL JUSTICE LAND ACQUISITION MAP FREQUENTLY ASKED QUESTIONS

ABOUT THE MAP

What does the map show?

The map shows the parcels of land which the Government intends to compulsorily acquire for various LAPSSET Corridor Project components in the following counties: Turkana, Samburu, Meru, Isiolo, Garissa, and Lamu.

What is LAPSSET and what are the components of the LAPSSET corridor project?

LAPSSET stands for Lamu Port South Sudan-Ethiopia-Transport. It is an infrastructure development programme with various components located in a number of counties in the coastal and northern regions of Kenya. The project includes pipelines, roads, railways, airports, resort cities, special economic zones and a coal plant. This corridor aims to link the Lamu Port to South Sudan and Ethiopia.

How has the map been prepared?

The map is primarily based on the National Land Commission's (NLC) Notices of Intention to Compulsorily acquire land which was published in the Kenya Gazette on 21st October, 2016 and 15th February, 2019.

These coordinates have been plotted on Google's basemap satellite image dated 2019.

You can get more information on the data sources by clicking on the menu icon at the top left of the map and then clicking on the first drop down arrow in the menu.

How can this map help me?

By identifying the areas that are likely to be compulsorily acquired for the project, you will be able to know whether your parcel of land will be affected by the acquisition process and thereby lodge a claim for compensation or an objection to the acquisition with the NLC in time.

NAVIGATING THE MAP

What do the different colours mean?

The parcels to be acquired are indicated in two different colours on the map. The parcels affected by the project according to the notice from 2016 are coloured purple, the ones affected according to the notice from 2019 are coloured red.

How is the legend organised?

The legend (the list with information about the map) on the left side of the map explains all the different LAPSSET components. They are organized by county and by type of project (e.g. airport, resort city, station).

By using the legend you can choose either:

- the projects or counties you want to be shown on the map by clicking on the name in the legend; or
- you can directly click on the parcels in the map to get information about the type of project.

How do I see the parcels to be acquired in my county?

In the legend on the left side of the map you see “KG 2016: LAPSET” or “KG 2019: LAPSET (by County)” you can click directly on the county you would like to see.

How do I identify the different LAPSET project components?

In the legend on the left side of the map you see a list of all the LAPSET project components. Click on one and it will show you directly on the map where the affected parcels are. You can also search for the parcels according to the notice of either 2016 or 2019.

How can I search for a specific word/name?

In the red bar at the top of the legend on the right side you can click on the search button and enter the word you are searching for.

How do I share the map?

You can share the map by copying the link of the website.

<https://naturaljustice.org/natural-justice-lapsset-land-acquisition-map/>

Can I plot the coordinates over a different base map?

You can plot the coordinates over a different base map by downloading the KML files and importing them over your base map.

THE LAND ACQUISITION PROCESS

How does *Petition No. 3 of 2019* relate to the land earmarked for compulsory acquisition in these maps?

On 11 March 2019 Jackson Ekaru Nakusa and 32 individuals filed a Petition in the Environment and Land Court at Kitale challenging the intended compulsory acquisition of land named in Gazette Notice Number 1157 published on 8th February 2019. They obtained orders from the Court halting the acquisition process until the Petition is decided.

Because that Petition relates to a separate Gazette Notice, it does not stop the NLC from proceeding with the intended acquisition of the parcels of land in these maps.

What comes after the Notices published by the NLC?

After publication of the notice, the government should undertake the following eight (8) additional steps:-

1. The law requires the NLC to serve a notice on everyone who appears to have an interest in the land to be acquired.
2. **Inspection and Assessment:** at this stage, the survey authority at the national and county government level undertakes a physical inspection of the land. The land should also be geo-referenced and authenticated.
3. **Notice of Inquiry:** at least 30 days after the gazettelement of the Notice of Intention to Acquire Land, and at least 15 days before the conduct of the Inquiry Hearing, the government must publish a Notice of Inquiry in the Kenya Gazette. This notice must also be served on every person whose interest in the land is likely to be affected. The purpose of this notice is to allow the affected individuals to lodge claims to the NLC prior to the inquiry.
4. **Hearing:** this is the stage where the actual hearing of claims takes place. NLC is granted powers equal to that of a court and they may summon persons and call for evidence.

5. **Award of Compensation:** upon establishing that an individual has a valid claim, the NLC grants written awards which may take the form of monetary compensation or alternative land instead of the monetary compensation.

6. **Compensation:** the government has an obligation to make prompt compensation once the award is accepted. In case of dispute, the amount to be compensated is deposited in a special interest-earning compensation account held by NLC.

7. **Possession:** this is where the acquiring government entity takes actual possession of the land. This is done upon the payment of the amount of the first offer. It is NLC's obligation to serve a notice specifying the effective date of possession. However, for uncultivated arable or pasture land, the NLC may take possession 15 days after the notice of intention to acquire where there is an urgency.

8. **Surrender of Title Documents:** the person whose land is acquired should surrender to the title documents to the Registrar of Lands. The Registrar will cancel the title or issue new titles where the parcels result from partial acquisition of land.

Who can lodge a claim for compensation with the NLC?

According to the law, any person with an interest in the land being acquired has a right to lodge a claim for compensation. The law defines an 'interested person' to include:-

- a. A person whose interest in the land is registered in the land registry.
- b. Spouses of a person whose interest in the land is registered in the land registry.
- c. Any person actually occupying the land.
- d. Spouses of persons in occupation of the land.

How do I lodge my claim in the land it may be affected by the process?

All claims regarding land to be acquired should be lodged with the NCL.

In case you need assistance, please get in touch with Natural Justice's representatives in Isiolo, Garissa, Marsabit and Lamu by e-mailing Maryama Farah: [maryama\(at\)naturaljustice.org](mailto:maryama(at)naturaljustice.org)

Where can I get more information about the intended land acquisition?

For further enquiries about the intended land acquisition process, please visit the office of the National Land Commission, Ardhi House, 3rd Floor, Room 305, 1st Ngong Avenue, Nairobi. Consider also visiting the county offices of the Department of Survey and/or the County Executive Committee member for lands for assistance, in case you are unable to reach out to the Nairobi.