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## PRESS RELEASE

### **KENYAN TEA WORKERS CONFRONT UNILEVER'S CEO OVER HUMAN RIGHTS RECORD**

(Monday, 8th October 2018, Nairobi) - On 29 September 2018, a group of Kenyans who worked and/or lived on a tea plantation belonging to the global consumer goods giant Unilever's Kenyan subsidiary in 2007, publically confronted Unilever for the first time over its failure to protect them from ethnic violence following the 2007 elections. The victims have reacted angrily to a statement made by the London-based company and have decided to publish their response.

A victims' committee, consisting of both former and current workers on Unilever's Kenyan tea plantation in Kericho, in Western Kenya, published an unprecedented open letter to Unilever's CEO, Paul Polman, challenging many of the claims made in a statement by Unilever's UK head office on 23 July 2018. In the statement, Unilever rejected allegations that the company had not respected its own human rights policy in relation to attacks on its Kenyan workers.

In a strongly worded letter, the tea workers say they **"were shocked"** by Unilever's statement. **"We do not think you have been told the truth and we want you and the public to know the truth,"** the victims say in a direct appeal to Mr. Polman. They have decided to publish this letter having consulted with their members. The letter details threats made against workers during election campaign meetings on Unilever's plantation in 2007. **"We knew what these words meant and were frightened by them,"** the tea workers say in their letter. **"We raised our fears with local management, but they did not listen to us, they did not help us, and when the attackers came, we were left to fend for ourselves. All they said was that we should go and hide in the tea bushes, and that is where many of us were hunted and attacked. No one came to rescue us."**

Kituo Cha Sheria has worked for years with victims of ethnic violence throughout Kenya. In particular, they have documented crimes which were committed in the 2008 post-election violence and have worked with other local and international organisations to seek redress for the victims.

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Together with REDRESS, an international NGO, they sought legal advice from Leigh Day, a London based law firm as to whether justice could be sought in the English courts with regard to Unilever's alleged failure to protect its workers. As a result, Leigh Day represents 218 tea workers who were victims of the violence that followed, including the families of 7 victims who were brutally killed by clubs and machetes and 56 women who were raped, many by multiple attackers and subjected to appalling physical attacks.

In their letter, the tea workers state: **"It is not right that Unilever has said that it helped us when we know that it is not true...If it is possible, let us come and talk to you about what happened and how we have been treated. We will tell you the truth..."**

They are clear that their wages were deducted for the 6 month period they could not work due to the violence:

**"When we fled the estate, we were running for our lives, we could not take our belongings with us and all we left was lost. It was 6 months until we could go back to the estate. During this time, we did not receive a salary. We relied on family, friends or borrowed."**

The workers say they were given little or no assistance or compensation following the attacks, in direct contradiction to Unilever's statement:

**"Unilever says that after the violence every employee was given "compensation in kind" to offset our lost wages and that we were given replacement items or cash to buy new items to replace our stolen property. But those who were too afraid to return got nothing and only some of those who returned were given KES12,000 (a little more than a month's salary) and a little maize, which was then deducted from our next salary. ... Unilever just wanted us to go back to work as if nothing had happened."**

The workers further contradict Unilever's claim that medical support and counselling were freely available:

**"Most of us who were injured paid for and got our treatment within the 6 months that we were away from the estate. Unilever paid nothing for this treatment... When we returned to the estate we were not encouraged to get help. No, we were told that we must not talk about what happened. We were scared that we would be punished if we spoke about the violence. We are still scared that we will be punished."**

Gertrude Angote, the Executive Director of Kituo Cha Sharia, a Kenyan human rights NGO, said: **“It is impossible to reconcile Unilever’s public statement with the accounts of the tea workers. Unilever has denied any responsibility and fought this case through the UK courts by hiding behind its corporate structure to avoid dealing with the appalling human rights issues in this case. They have done this in the knowledge that it would not be safe for the victims to bring a case in Kenya. Given that Unilever actively endorses the United Nations Guiding Principles on Business and Human Rights, it is high time that it practices what it preaches.”**

In May 2018, the UK Court of Appeal hearing the case brought by Leigh Day on behalf of the tea workers, rejected it on the grounds that there was insufficient evidence (even though this was prior to disclosure) that Unilever PLC was responsible for the alleged crisis management failings of its Kenyan subsidiary. The judges did not address whether the violence had been foreseeable, a key issue raised by the claimants on appeal. On 29 August 2018, the claimants filed an appeal to the UK Supreme Court.

The victims invited Mr. Polman to Kenya to respond to their letter and to discuss their concerns in person. They await his response.

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