

Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on the issue of human rights and transnational corporations and other business enterprises and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Ref.: AL OTH 4/2026
(Please use this reference in your reply)

25 March 2026

Dear Mr. Abass,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Working Group on the issue of human rights and transnational corporations and other business enterprises and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 52/4, 53/3 and 52/9.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are part of the special procedures system of the United Nations, which has 59 thematic and country mandates on a broad range of human rights issues. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to bring to your attention information we have received regarding **alleged intimidation and harassment of, threats to, forced closure of business interests of and destruction of property of Mr. Clement Muiruri Kamau in the context of his monitoring and exposure of alleged human rights violations in Murang'a County, Kenya.**

Clement Muiruri Kamau is chairman of the Kagama Community Action Forum (KCAF), a community-based organisation located in Murang'a County, which documents alleged human rights abuses in the surrounding areas, including on an 22,000-acre pineapple plantation owned by the US-domiciled food production and distribution company Del Monte Foods Inc (Del Monte) in Thika. Public roads run through the plantation. The KCAF has recorded hundreds of alleged human rights

Fresh Del Monte

violations carried out by private security guards at the farm. Mr. Kamau has been a key source of information and visit-facilitator since 2022 for a number of international media organisations reporting on these alleged violations, including the Guardian and the Bureau of Investigative Journalism (TBIJ).

According to the information received:

On various occasions over the past three years, Mr. Kamau has been subjected to threats, harassment, physical attack, closure of his business interests and destruction of his property, in apparent retaliation for his work monitoring alleged human rights violations, supporting victims of alleged violations and collaborating with international media organisations to expose such violations. In particular, his assistance to journalists working with the Guardian and TBIJ on an investigation into deaths at the Del Monte farm appears to have exacerbated the risks he faces. The joint media investigations, the first article of which was published in June 2023, examined four deaths allegedly linked to Del Monte security guards. The four individuals had reportedly gone to the farm to steal pineapples.

A series of follow-up stories examined further alleged human rights violations, including killings, at the farm. In July and August 2023, the KCAF wrote to a number of UK-based supermarkets which stocked Del Monte pineapples sourced from Kenya informing them of the alleged human rights violations at the Del Monte plantation. The following year, several of those supermarkets stopped stocking Del Monte Kenya products. That same year, Del Monte created a new role of ‘human rights manager’ on its Thika plantation, in response to the allegations made in the reporting facilitated by Mr. Kamau. Further human rights abuses linked to Del Monte’s private security guards were alleged and reported on in 2024 and 2025, with Mr. Kamau again playing a key role in guiding and interpreting for journalists and documenting evidence.

On 29 August 2023, during the period in which he was cooperating with the media outlets on their investigation, Mr. Kamau received an anonymous text message warning him to “keep media out of Del Monte farm” and that he should not “blame us in case of anything”. He received a second message from the same number on 9 October 2023, which stated: “We kindly requested you to desist but seem not to. Don’t say you were never warned.” Mr. Kamau reported these messages to Ngoingwa Police Station in Thika. It is not known whether any action was taken.

On 24 and 25 December 2023, Mr. Kamau was part of a search party trying to locate a further four men who had disappeared from the area around the Del Monte plantation in the preceding days. The four had allegedly been on the farm to steal pineapples. Their bodies were found in the Chania River on 24 and 25 December 2023. While assisting family members in retrieving the bodies from the river, Mr. Kamau was allegedly offered a bribe by the-then head of the local Ngati Police Station if he helped “slow down the case”. Ngati Police Station is located within the area of the pineapple fields. When he refused the bribe, Mr. Kamau was warned of “dire consequences” and told that he would soon be added to the “agenda” of the Government.

On the night of 24 February 2024, as Mr. Kamau drove home from a friend's house along the Thika-Kenol Highway, a black SUV which had been following him and flashing its lights swerved in front of him, causing Mr. Kamau to crash into another car. Although Mr. Kamau escaped on foot and hid, physical evidence pertaining to a human rights abuse petition relating to alleged violations at the Del Monte farm, which he would file at the Thika High Court, was stolen by unknown assailants. Mr. Kamau reported this incident to the Thika Police Station and Ndururumo Police Station, Gatanga on 27 February 2024. He has not been informed of any investigation which has taken place nor has he been returned any of his stolen items.

On 8 March 2024, the Marang'a Deputy County Commissioner allegedly issued a verbal order to shut down Mr. Kamau's business, the Fine Touch Club, which was located on his family property. The premises also served as KCAF's headquarters. Both operations were forcibly shuttered, resulting in loss of business and loss of office space for KCAF. KCAF had consistently recorded alleged human rights violations by private security guards at the Del Monte farm in the preceding years. On issuing the order at Mr. Kamau's premises, the Commissioner allegedly publicly claimed that Mr. Kamau was a "threat to community peace" and accused him of inciting local youths against Del Monte and encouraging pineapple theft.

On 1 April 2024, Mr. Kamau was one of a number of named petitioners who filed a constitutional petition against Del Monte at Thika High Court. The suit sought to hold Del Monte responsible for alleged killing and violence by security guards at the plantation. The case was dismissed on 6 February 2025 for "lack of jurisdiction".

On 23 October 2024, Mr. Kamau, along with a KCAF lawyer and three staff members of another non-governmental organisation, went to the offices of the Deputy County Commissioner to brief the Commissioner on the petition KCAF, the other non-governmental organization and others had filed against Del Monte at the Thika High Court. The lawyer representing KCAF also urged the Commissioner to permit Mr. Kamau to reopen his Fine Touch Club business and the KCAF offices. Shortly after the meeting concluded, the Commissioner allegedly telephoned Mr. Kamau and reprimanded him for bringing people to the offices, telling him that he would "deal with" him accordingly. He further allegedly said, "We will not allow you to continue ruining the names of multinational corporations here". Mr. Kamau subsequently reported this threat to the Kenol Police Station, who referred him to the Area Officer Commanding Police Division (OCPD), because the allegation referred to a senior official. After calling the Commissioner in Mr. Kamau's presence in relation to the allegation, the OCPD allegedly said to Mr. Kamau, "for your own safety, just let this go. There is no need to create enmity with these powerful people; they will simply finish you".

In 2022 Mr. Kamau invested 5,000,000 Kenyan Shillings (c 38,760 USD) to construct and open a restaurant for police officers within the grounds of Kabati Police Station to run as a business interest. He was also contracted to provide

meals for detainees. In what is believed to be an act of retaliation for his human rights work, the OCPD, based at Kandara Sub County Administrative Office, refused in October 2024 to sign a cheque for services provided in the previous year. On 29 October 2024, Mr. Kamau was informed that the funds had been released for payment. When Mr. Kamau's wife went to the Kandara Sub County Administrative Office to collect the payments, she was refused service. She returned the following day, only to be allegedly told by the OCPD to get paid "by the media". The money was not provided.

Later that same day, 30 October 2024, the OCPD accompanied by five armed police officers, arrived at Kabati Police Canteen and served Mr. Kamau's wife a termination notice for her and her husband's business contract, telling her that she and her husband would "face the music". The order was signed by the OCPD and cited a letter from the Deputy Inspector General of the Kenya Police Service, but evidence of such a letter was not provided, nor was any reason given for the contract termination. The reported presence of five armed police officers along with a high-ranking officer to serve an administrative notice also appeared highly unusual. The business premises were demolished on 17 December 2025, without any prior formal notice, avenue for appeal or administrative hearing. No compensation has been provided to Mr. Kamau.

The closure of this business and the demolition of the property, coupled with the closure of Mr. Kamau's other business, the Fine Touch Club, left him and his wife without an income, which led to a redemption notice for the sale of his family properties, some of which had been provided as collateral for a bank loan.

In December 2024, in response to ongoing intimidation and harassment, Mr. Kamau temporarily relocated to a safe house.

In September 2025, Mr. Kamau was informed by a former police officer that he was under police surveillance and that his network of contacts and sources was being investigated. On 22 September 2025, Mr. Kamau was abducted by a number of men, some of whom claimed to be police officers, while he was at the site of his former business, the Fine Touch Club. He was forced into the boot of a car and driven for approximately two hours before being released on the outskirts of Thika town. On releasing him, his abductors warned him to end his opposition to the levelling of a football pitch and volleyball court, used by local youth but at risk of suspected land-grabbing. Mr. Kamau did not file a police report for fear of further retaliation.

Without wishing to prejudge the accuracy of the above-mentioned allegations, we express grave concern at the alleged intimidation and harassment of, threats to and forced closure of business interests of Mr. Kamau. These measures appear to have been taken in retaliation for his work helping to expose alleged human rights violations, including at the Del Monte pineapple plantation in Thika, as well as for exercising his right to freedom of expression, including expressing his views opposing the levelling of sports facilities and other projects by a private company.

We are concerned by the reported lack of effective investigations into incidents of harassment, intimidation, verbal abuse, and other violations, allegedly experienced by Mr. Kamau, as well as the persistent failure to hold perpetrators accountable. We are further concerned by the apparent failure of the police force to provide protective measures for Mr. Kamau.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate whether your company has taken measures to investigate any involvement your company, its security guards or individuals associated with it may have regarding the reported threats and harassment against Mr. Clement Kamau. If no investigation has been undertaken, please explain why.
3. Please indicate what measures your company has taken to ensure its full respect for the right of individuals, including human rights defenders, to freedom of expression, including exposing abuse and voice concerns about your company's activities, without fear of threats or acts of intimidation and harassment of any sort.
4. Please provide information on the human rights due diligence policies and processes established by your company to identify, prevent, mitigate and account for how they address their human rights impacts, including environmental human rights and the rights of human rights defenders, in accordance with the UN Guiding Principles on Business and Human Rights.
5. Please provide information on policies your company has taken or is considering taking to ensure the protection of human rights defenders.
6. Please provide information regarding the measures that your company has taken, or is considering taking, to ensure that the individuals affected by its activities have access to effective non-State-based non judicial remedies in line with the UNGPs. As part of this response, please indicate the steps that your company has taken, or is considering taking, to provide effective operational-level grievance mechanisms, or cooperate with legitimate remedial processes in line with the UNGPs, to address human rights impacts that it may have caused, contributed to, or be linked with.

This communication and any response received from you will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please note that similar letters addressing these issues are sent to the Governments of Kenya and of the United States of America.

Please accept, Mr. Abass, the assurances of our highest consideration.

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Damilola S. Olawuyi
Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Annex

Reference to international human rights law

We would like to highlight the UN Guiding Principles on Business and Human Rights (A/HRC/17/31), which were unanimously endorsed by the Human Rights Council in June 2011, are relevant to the impact of business activities on human rights. These Guiding Principles are grounded in recognition of:

- a. “States’ existing obligations to respect, protect and fulfil human rights and fundamental freedoms;
- b. The role of business enterprises as specialized organs or society performing specialized functions, required to comply with all applicable laws and to respect human rights;
- c. The need for rights and obligations to be matched to appropriate and effective remedies when breached.”

According to the Guiding Principles, States have a duty to protect against human rights abuses within their territory and/or jurisdiction by third parties, including business enterprises. States may be considered to have breached their international human law obligations where they fail to take appropriate steps to prevent, investigate and redress human rights violations committed by private actors. While States generally have discretion in deciding upon these steps, they should consider the full range of permissible preventative and remedial measures.

Furthermore, we would like to note that as set forth in the United Nations Guiding Principles on Business and Human Rights, all business enterprises have a responsibility to respect human rights, which requires them to avoid infringing on the human rights of others to address adverse human rights impacts with which they are involved. The responsibility to respect human rights is a global standard of expected conduct for all business enterprises wherever they operate. It exists independently of States’ abilities and/or willingness to fulfil their own human rights obligations, and does not diminish those obligations. Furthermore, it exists over and above compliance with national laws and regulations protecting human rights.

Principles 11 to 24 and principles 29 to 31 provide guidance to business enterprises on how to meet their responsibility to respect human rights and to provide for remedies when they have cause or contributed to adverse impacts. Moreover, the commentary of principle 11 states that “business enterprises should not undermine States’ abilities to meet their own human rights obligations, including by actions that might weaken the integrity of judicial processes”. The commentary of Guiding Principle 13 notes that business enterprises may be involved with adverse human rights impacts either through their own activities or as a result of their business relationships with other parties. [...] Business enterprise’s “activities” are understood to include both actions and omissions; and its “business relationships” are understood to include relationships with business partners, entities in its value chain, and any other non-State or State entity directly linked to its business operations, products or services”.

The Guiding Principles have identified two main components to the business responsibility to respect human rights, which require that “business enterprises: (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; [and] (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts” (guiding principle 13).

Principles 17-21 lays down the four-step human rights due diligence process that all business enterprises should take to identify, prevent, mitigate and account for how they address their adverse human rights impacts. Principle 22 further provides that when “business enterprises identify that they have caused or contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes”.

Furthermore, business enterprises should remedy any actual adverse impact that they cause or to which they contribute. Remedies can take a variety of forms and may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. Procedures for the provision of remedy should be impartial, protected from corruption and free from political or other attempts to influence the outcome (commentary to guiding principle 25).