

Our Ref: SAF-4/008/24-D2-N

Your Ref: TBA

Monday, 20th January, 2025

**The Co-Head, Civic Freedoms & Human Rights Defenders Programme
Business & Human Rights Resource Centre.**

Attn: Christen Dobson, dobson@business-humanrights.org

Response to abduction allegations levelled against Safaricom PLC.

We act for Safaricom PLC ("Our Client") and have instructions to respond to your email dated 15 January 2025 asking our client to respond to abductions allegations contained in the following articles.

1. "Kenya's Safaricom faces abductions backlash,"
<https://www.semafor.com/article/01/07/2025/kenyas-safaricom-faces-abductions-backlash>
2. "Safaricom under fire as Senators demand answers on alleged data breaches,"
<https://eastleighvoice.co.ke/national/88668/safaricom-under-fire-as-senators-demand-answers-on-alleged-data-breaches>
3. "Open Letter to Safaricom PLC on alleged breaches of customers' data privacy,"
<https://khrc.or.ke/news/open-letter-to-safaricom-plc-on-alleged-breaches-of-customers-data-privacy/>

We have noted that the third allegation is an "Open letter to Safaricom" by Kenya Human Rights Commission and MUHURI to which we, on behalf of our Client, responded by our letter dated 18th November 2024. (copy enclosed). Once you read the response, you will agree with us that the letter has satisfactorily answered all allegations by, not only Kenya Human Rights Commission and MUHURI, but also the other two articles. There is therefore no need to duplicate effort by responding again.

The bottom line is that the allegations are not only false but also malicious or out of ignorance of how our client's system works. False because there is no single case of the alleged abductions which have been linked to our client. In other words, the alleged involvement of Safaricom is no more than conjecture.

You will also note that our Client has also formally filed a complaint against Nation Media Group with the Media Council Complaints Commission. Nation Media Group is the proprietor of the Daily Nation, Kenya's foremost newspaper, and NTV, a television station owned by the same

media house. The basis of the complaint is that the publication violated the Code of Conduct for the Practice of Journalism in Kenya for being misleading, inaccurate, inflammatory, biased and generally lacking in accountability. It is the Daily Nation and NTV which first published the allegations and then other organisations, like Kenya Human Rights Commission and MUHURI, and other media houses, picked it up. In other words, the truthfulness of the allegation's is still pending resolution before a tribunal of competent jurisdiction.

In the circumstances, we request that you do not make any adverse publication until the matter is fully investigated and adjudicated. Premature conclusions could potentially harm the reputation of our Client and undermine the due process of law.

Thank you for your understanding and cooperation.

Yours faithfully,



Daniel Musyoka

Senior Partner

MMC ASAFO.

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CC: Client