

KfW, the German bank financing the ammonia plant, must visit Ohuira Bay in Mexico

We need your help calling on KfW to visit Ohuira Bay in Topolobampo and witness what is at stake for the communities threatened by the project it chose to finance.

→ **Learn more about the case and follow these three steps to take action.**

WHAT'S HAPPENING?

The Mayo-Yoreme communities of the ¡Aquí No! movement are calling on KfW-IPEX—the German bank financing Proman's ammonia plant in Topolobampo—to visit Ohuira Bay in Sinaloa and meet directly with the people whose lives and territory are at risk.

If KfW is serious about respecting human rights and Indigenous Peoples' rights, it must go to Ohuira, listen to the affected communities on their own land, and see firsthand the harm its financing could enable.

KfW treats the Indigenous consultation process as a settled matter. What it leaves out is that it approved the loan while the communities were in court challenging the lack of consultation—and before any consultation had taken place. When the process was eventually held, it was marred by serious irregularities and threats against community members. Despite these pressures, the communities surrounding the bay have continued to oppose the project.

KfW also speaks of transparency, an independent consultant, and regular project reviews. Yet it has not made the resulting reports, findings, or recommendations public.

HOW CAN I TAKE ACTION?

Help us fill the inboxes of KfW CEO Stefan Wintels and Sustainability Director Jürgen Kern with invitations to visit Ohuira.

1. OPEN YOUR EMAIL AND ADD THESE RECIPIENTS:

Juergen.Kern@kfw.de

Stefan.Wintels@kfw.de

CC: ballenasogas@gmail.com

2. PLACE THIS SUBJECT LINE:

Visit the Indigenous communities of ¡Aquí No! in Ohuira Bay, Mexico

3. COPY AND PASTE THE MESSAGE BELOW:

Don't forget to add your name and place of residence at the end.

Dear Mr. Wintels and Mr. Kern,

As you are well aware, the “¡Aquí No!” movement in Sinaloa, Mexico, wants the KfW IPEX financed ammonia plant being built by Proman to leave their bay. We are aware that you have added a section to your website that attempts to explain the context. However, that explanation is insufficient. It is clear to the indigenous communities and to us, supporting organizations and concerned citizens, that financing this project is a mistake, and you must visit the communities in Ohuira to speak directly with the communities that defend their bay.

KfW acknowledges contention in the consultation process but avoids explaining that their own timeline states that the loan agreement was signed in 2020, while the consultation process was not completed until September 2022. KfW therefore entered into the financing agreement while Indigenous communities were litigating the absence of consultation and before any consultation process had concluded.

The flawed consultation process that was carried out in 2022 is no evidence that free, prior, and informed consent was obtained. On the contrary, the communities that live and depend on the Ohuira Bay maintained their rejection in the face of a smear campaign and direct threats to their lives. As KfW also admits, several litigation processes have been fighting this project. This is clear evidence of the communities' unwavering opposition for the past 10 years. The outcome of these processes does not release KfW from its independent responsibility to respect human rights under the UN Guiding Principles on Business and Human Rights.

You also state that KfW commissioned an independent environmental and social consultant to review the consultation process and that the project is reviewed every six months. However, KfW has not disclosed the name and qualifications of the consultant; its terms of reference and methodology; the dates and locations of its fieldwork; its reports, findings, and recommendations; any non-compliance identified or corrective measures required from Proman; whether the communities will be allowed to review and respond to its conclusions. Moreover, the consultant has not met directly with opposing communities and human rights defenders.

Finally, KfW also justifies the project in the name of Mexican food security. Yet its own 2020 press release states that Koch Fertilizer LLC, a United States company, will market the plant's entire production and that part of the output will supply the United States. It is unclear how food security will be guaranteed in this agreement; four thousand fisherfolk in the Ohuira Bay are at risk because of this plant. How did KfW assess the limited number of permanent jobs against the livelihoods of Indigenous and fishing communities surrounding the bay?

These and other unresolved issues need to be discussed directly with the affected communities. They have already invited KfW to visit the area. Will you come and listen to the indigenous Mayo-Yoreme community?

Regards,

NAME Y PLACE OF RESIDENCE