

**Republic of Kenya**

**STATE PARTY REPORT  
IN RESPONSE TO THE WORLD  
HERITAGE  
COMMITTEE DECISION**

**WHC 35 COM 7B.3**

**FOR SUBMISSION BY 1 FEBRUARY**

**2012**

# **KENYA'S RESPONSE TO THE ISSUES RAISED CONCERNING CONSERVATION OF LAKE TURKANA NATIONAL PARKS DURING THE 35<sup>TH</sup> SESSION OF THE WORLD HERITAGE COMMITTEE**

## **Background**

During the 35<sup>th</sup> session of the World Heritage Committee held at UNESCO headquarters in Paris from 19<sup>th</sup>-29<sup>th</sup> June 2011, the State Party of Kenya was requested to present a report concerning the conservation of Lake Turkana for deliberation during the next WHC meeting at its 36<sup>th</sup> Session. The State Party of Kenya hereby presents the report showing progress towards addressing the concerns raised by the Committee as follows:

## **Brief Overview of the Lake Turkana National Parks**

The site was inscribed on the World Heritage List in 1997 under Criteria (viii) and (x). The inscribed site includes the Sibiloi National Park, Central Island National Park and the South Island National Park.

## **Current conservation issues at the site**

In March 2011, the World Heritage Centre and IUCN received information on a major hydroelectric dam project (GIBE III) on the Omo River in Ethiopia that is likely to affect both Lake Turkana, and the cultural landscape of the Lower Omo Valley in Ethiopia. This information included a letter of concern from International Rivers and Friends of Lake Turkana, and a report entitled 'Assessment of Hydrological Impacts of Ethiopia's Omo Basin on Kenya's Lake Turkana Water Levels' prepared for the African Development Bank.

In a letter dated 11 March 2011 addressed to the State Party of Ethiopia, the World Heritage Centre expressed its concern about this proposed

construction, and requested additional details on the GIBE III dam project as well as a copy of its Environmental Impact Assessment (EIA). The IUCN also reported that the State Party of Kenya was also informed.

On 27 April 2011, the State Party of Ethiopia responded to the World Heritage Centre stating that impact assessments have been conducted taking into account the potential impacts of the project in relation to the World Heritage Convention, and that precautionary measures have been put in place, and will continue to be implemented, to avert potential adverse effects. However, no relevant documents, such as the requested EIA, were provided in conjunction with the State Party letter, and no information on the precautionary measures was provided.

IUCN further received information that the Industrial and Commercial Bank of China (ICBC) and the Exim Bank of China approved in July 2010 the required funding for a major portion of the GIBE III dam's cost.

### **IUCN raised the following concerns about Lake Turkana National Parks**

#### **Likely impacts of the GIBE III dam**

Given that Lake Turkana depends on the Omo River for almost 90% of its water inflow and much of its nutrients, the potential adverse downstream impacts of this dam are significant. It was noted that two EIAs have been prepared for GIBE III proposal including;

- i) The 2006 'Gibe III Hydroelectric Project Environmental Impact Assessment',
- ii) The 2008 'Gibe III Hydroelectric Project: Environmental Impact Assessment - Additional Study on Downstream Impact.'

However neither of the two EIA had been submitted to the World Heritage Committee for review. The African Development Bank (ADB) carried out its own EIAs with the under listed results.

- a) It was noted that the filling of the GIBE III's very large reservoir will require several years and will "...deprive Lake Turkana 85% of its normal annual inflow in one year...", and cause the lake's water level to drop significantly.
- b) The report also noted that the filling of the dam's reservoir is likely to "...dry up Ferguson's Gulf, the most productive fishing area of the lake."
- c) It was also noted that a number of the project's potential impacts have not yet been quantified, including the likely impact of the dam's reservoir, which will capture sediment transported by the river, leading to erosion, changes in water quality, and reduced water tables, and large-scale potential water seepage losses through the reservoir.
- d) The study also stated that even greater hydrological changes could result from plans to exploit the Omo River for irrigation, which could permanently reduce flows into the property by 30% or more.

Therefore, the World Heritage Centre and IUCN considered that the direct and indirect impacts of the GIBE III dam on the Lake Turkana's hydrology are likely to result in a significant decline in the site's freshwater aquatic species and associated biological systems, which are the basis for its inscription on the List of World Heritage under criterion (x). Lake Turkana – which is a serial property made up of Sibiloi, Central, and South Island National Parks - is a major breeding ground for the Nile crocodile,

hippopotamus, a variety of snake and fish species, and a key stopover point for migrant waterfowl. Changes in the annual flooding influx of the Omo River in particular could affect fish spawning, which would have serious consequences on the Lake's food chain and ecology.

The World Heritage Centre and IUCN also noted that the physical changes described above could also affect the pastoral and agro-pastoral economies throughout the Lake Turkana region that are reliant on lake's waters for drinking water, fishing and grazing. The World Heritage Centre and IUCN further noted that two dams have already been built on the Omo River further upstream from the GIBE III site, GIBE I and GIBE II, and that two additional large dams are planned downstream, GIBE IV and GIBE V.

During the 35<sup>th</sup> Session, Kenya responded to the issues by stating that consultations between the States Parties of Kenya and Ethiopia were ongoing. Kenya however clarified that the EIAs need to be assessed to ascertain that no serious impacts will affect the ecosystem.

### **Progress of consultations between Ethiopia and Kenya**

A visit to Gibe III was undertaken by a joint team comprising senior government officials from Kenya and Ethiopia at the end of the 33<sup>rd</sup> Session of the Kenya-Ethiopia Joint Ministerial Commission that was held from 31<sup>st</sup> May-2<sup>nd</sup> June, 2011. It was confirmed that the Omo River had been diverted from its natural course for dam construction and that the Gibe III dam was over 50% complete. The joint team witnessed environmental degradation in the catchment of the River Omo and the Gibe Dams. It was thus felt that there is need for urgent action to urge the Government of

Ethiopia to mitigate the effects of irrigation and/or dam construction and particularly regulate farming activities on the River Omo.

A proposal was developed for bilateral agreement on joint monitoring of the utilization of the resources of the Omo River and Dawa River basins. The draft cooperative agreement was initiated by Kenya and shared with Ethiopia. Ethiopia undertook to report back in six months (December, 2011). Kenya also contested against an Environmental Impact Assessment (EIA) report which had been conducted by an Italian company.

As a follow up of the issues, an inter-ministerial meeting was convened by the Kenyan Ministry of Foreign Affairs on the 28<sup>th</sup> of July 2011, where participants emphasized that Kenya needs to intensively engage Ethiopia to mitigate the effects of the construction of the dams.

To date, the negotiations between the State Party of Kenya and State Party of Ethiopia have been ongoing and a visit by the Prime Minister of Ethiopia to Kenya has been scheduled for early March 2012 where one of the proposed agenda is bilateral agreements on the Gibe III as concerns the sustainable conservation of the Lake Turkana National Parks.

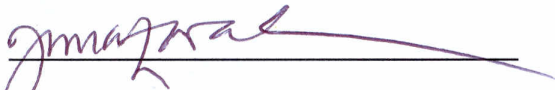
## **Conclusion**

The State Party of Kenya takes the issue of conservation of Lake Turkana National Parks and World Heritage Site very seriously and has always been in the forefront of ensuring the well being of its heritage. The State Party of Kenya is very concerned about the issues raised by the IUCN and the WHC and is still of the opinion that up to now, no adequate scientific

proof have been forwarded by the State Party of Ethiopia regarding probable mitigation measures to counter the likely threats to the World Heritage Site from the Gibe III project. This needs to be addressed urgently if irreversible damage to the world heritage has to be avoided.

The issue at hand is delicate as it is trans-boundary in nature and therefore, the State party of Kenya may not be in a position to singlehandedly make a decisive resolution without first having thorough round table negotiations that are mutually beneficial to both State Parties. It is only after the visit by the Prime Minister of the State party of Ethiopia at the beginning of March 2012 that a conclusive report can be made. It is however hoped that a solution that addresses the issues at hand and that is beneficial to the world heritage and the two friendly nations will be reached.

SIGNATURE ON BEHALF OF THE STATE PARTY:



Dr. Idle Omar Farah  
**Director General**  
**National Museums of Kenya**

Date: 31st January 2012