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World Heritage

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**UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION**

**CONVENTION CONCERNING THE PROTECTION OF
THE WORLD CULTURAL AND NATURAL HERITAGE**

WORLD HERITAGE COMMITTEE

Thirty-seventh session

Phnom Penh, Cambodia

16 - 27 June 2013

**Item 7B of the Provisional Agenda: State of conservation of World Heritage
properties inscribed on the World Heritage List**

CORRIGENDUM

Item 4 of Document WHC-13/37.COM/7B.Add, which is missing on page 21 of the English version (page 23 of the French version), is reproduced thereafter.

NATURAL PROPERTIES

AFRICA

4. Lake Turkana National Parks (Kenya) (N 801bis)

Year of inscription on the World Heritage List
1997

Criteria
(viii)(x)

Year(s) of inscription on the List of World Heritage in Danger
N/A

Previous Committee Decisions
See page <http://whc.unesco.org/en/list/801/documents/>

International Assistance
Total amount granted: USD 35,300
For details, see page <http://whc.unesco.org/en/list/801/assistance/>

UNESCO extra-budgetary funds
N/A

Previous monitoring missions
March 2012: Joint reactive monitoring mission World Heritage Centre/IUCN

Factors affecting the property identified in previous reports

- a) Impacts of the Gibe III dam,
- b) Oil exploration,
- c) Wildlife populations and pressure from poaching and livestock grazing
- d) Impacts of the larger development vision for Northern Kenya,
- e) Management capacity of KWS and NMK,
- f) Design of the World Heritage site.

Illustrative material
See pages <http://whc.unesco.org/en/list/801/>
and <http://whc.unesco.org/en/soc>

Current conservation issues

In January 2013, the State Party of Kenya submitted a brief report on the state of conservation of the property. No report was submitted by the State Party of Ethiopia on the actions requested by the World Heritage Committee in its Decision **36 COM 7B.3**. The State Party of Ethiopia also did not invite the joint World Heritage Centre/IUCN reactive monitoring mission requested by the World Heritage Committee at its 35th and 36th sessions to assess the impacts of Gibe III dam on Lake Turkana National Parks World Heritage Site. At the 36th session (Saint-Petersburg, 2012), the World Heritage Committee decided to postpone a decision to inscribe the property on the List of World Heritage in Danger in order to allow for the reactive monitoring mission requested at the 35th session (UNESCO, 2011) to also visit Ethiopia. The World Heritage Centre reminded the State Party of this requests by official letter but has not yet received an answer.

It should also be noted that the State Party of Ethiopia, following the decision by the World Heritage Committee at its 36th session, made a statement noting its concern regarding the decision taken by the Committee and in particular the request to halt construction of the dam,

which it considered going against the spirit of cooperation which the Committee was encouraging to find a solution to the issue.

a) *Impact of the Gibe III dam and related issues*

The World Heritage Centre and IUCN recall the conclusion of the 2012 monitoring mission to Lake Turkana that the potential and ascertained cumulative impacts on Lake Turkana of the Gibe III dam, the related on-going and planned irrigation projects as well as the planned Gibe IV and V dams are highly likely to have a detrimental impact on the Outstanding Universal Value (OUV) of the property and refer to last years report and the mission report (available at <http://whc.unesco.org/en/list/801/documents/>) for the more detailed analysis.

At its 36th session, the World Heritage Committee requested the States Parties of Kenya and Ethiopia to address the issue of the Gibe III dam on a bilateral basis and to conduct a Strategic Environmental Assessment (SEA) to assess the cumulative impacts of all developments impacting on the Lake Turkana basin in order to identify appropriate corrective measures to maintain the OUV of the property. The report by the State Party of Kenya notes that this SEA has not been undertaken and that it has not yet engaged in the bilateral discussions with Ethiopia as the mission has not yet been implemented. No further information has been provided by the State Party of Ethiopia. The World Heritage Centre and IUCN further note that work on the dam and the irrigation projects is continuing in spite of the request of the Committee to the State Party of Ethiopia to halt all construction works on the dam and related irrigation projects until the SEA is completed.

The World Heritage Centre and IUCN note with concern that with support from the World Bank, African Development Bank, and French Development Agency, the Kenyan Government has entered into agreements to construct a power line into Kenya from Sodo, which is planned as the terminus for the Gibe III and Gibe IV power lines.

b) *Oil exploration*

The State Party of Kenya has confirmed that no oil exploration will take place within the property as no licenses have been issued by Kenya Wildlife Service (KWS). It therefore considers that oil exploration is not a risk to the property.

The World Heritage Centre and IUCN welcome the confirmation by the State Party. They note however that only a small part of the lake is included in the property and that seismic exploration is foreseen in other parts of the lake not included in the property. While the seismic exploration in itself will not have direct impacts on the property, they note that if these are followed by exploratory drilling or at later stage oil exploitation, this could represent an important risk to the OUV of the property which would need to be carefully assessed thorough an Environmental Impact Assessment (EIA), in line with paragraph 172 of the *Operational Guidelines*.

The World Heritage Centre in October 2012 wrote a letter to the Tullow Oil company to transmit the Decision of the World Heritage Committee which called upon Tullow Oil to subscribe to the “No-go” commitment not to explore or exploit oil or minerals inside World Heritage properties. So far no reply was received to this letter.

c) *Wildlife populations and pressure from poaching and livestock grazing*

The State Party of Kenya has stated that management planning to address the impacts on the property through poaching, fishing and livestock grazing is on-going. The State Party refers to increased levels of ecological monitoring, but has not yet presented a wildlife census with which to establish the baseline and basis for recovery of the wildlife populations. It further notes efforts to engage the local communities more intensely on livestock management issues. The State Party does not comment specifically on strengthening law enforcement and on the feasibility of reintroducing flagship species such as giraffe and Grevy's zebra. No timeline is provided for fulfilling the recommendations of the reactive monitoring mission concerning pressures from poaching and livestock grazing.

d) *Impacts of the larger development vision for Northern Kenya*

The State Party report provides no information on the SEA which was recommended by the 2012 reactive monitoring mission with regards to potential cumulative impacts of the Lamu Port initiative, the planned Lamu Port Sudan Ethiopia Transport Corridor (LAPSET) and related projects (roads, railway, pipeline, power lines, wind farms, resorts, etc.).

d) *Management capacity of KWS and NMK*

The State Party does not mention whether KWS has established a permanent presence in the northern part of Sibiloi National Park, as well as on Central and South Islands. It notes that the process of developing a new management plan is on-going and could be finalized by mid 2013.

Conclusion

The World Heritage Centre and IUCN recommend that the World Heritage Committee express its regret about the fact the State Party of Ethiopia has not invited the mission nor submitted a report and has not halted the construction works on the dam and related irrigation projects as requested at its 36th session. They recall that the World Heritage Committee decided not to inscribe the property on the List of World Heritage in Danger to allow for the reactive monitoring mission to take place and to consider its findings. The World Heritage Centre and IUCN further note that the State Parties of Kenya and Ethiopia did not provide any information on the Committee's request to have them engaged in a bilateral dialogue to conduct a SEA to review the cumulative impacts on the property of the Gibe III Dam and related irrigation projects in Lower Omo valley. They reiterate their conclusion that these impacts are highly likely to be detrimental to the OUV of the property and therefore renew their recommendation that the World Heritage Committee inscribe the property on the List of World Heritage in Danger.

Draft Decision: 37 COM 7B.4

The World Heritage Committee,

1. *Having examined Document WHC-13/37.COM/7B.Add.Corr,*
2. *Recalling Decision **36 COM 7B.3** adopted at its 36th session (Saint-Petersburg, 2012),*
3. *Noting the statement made by the State Party of Ethiopia during the 36th session of the Committee (Saint-Petersburg, 2012) to express its concern regarding the decision by the Committee requesting Ethiopia to halt construction of the dam,*
4. *Regrets that the State Party of Ethiopia has not submitted a progress report on the implementation of the actions requested in its Decision **36 COM 7B.3**, including inviting a joint reactive monitoring mission to Ethiopia;*
5. *Also regrets that construction of Gibe III and associated projects have continued without ensuring that a Strategic Environmental Assessment (SEA) has been accomplished and reiterates its utmost concern about the potential and ascertained cumulative impacts of the Gibe III dam on Lake Turkana, and the related on-going and planned irrigation projects in the Lower Omo valley and the planned Gibe IV and Gibe V project, which present a clear threat to the Outstanding Universal Value (OUV) of the property, in accordance with Paragraph 180 (b) of the Operational Guidelines;*
6. *Reiterates its request to the States Parties of Kenya and Ethiopia to address this issue on a bilateral basis and conduct a SEA to assess the cumulative impacts of all*

developments impacting on the Lake Turkana basin in order to identify appropriate corrective measures to ensure that the water level in Lake Turkana, as well as a level of seasonal variation be maintained, which is sufficient to maintain the OUV of the property;

7. Welcomes the confirmation by the State Party of Kenya that no oil exploration will take place within the property but notes that oil exploration or exploitation in the immediate vicinity of the property, in particular in the areas of the lake not included within its boundaries, could represent an important risk to its OUV and would need to be carefully assessed through an Environmental Impact Assessment (EIA), in line with Paragraph 172 of the Operational Guidelines;
8. Reiterates its call upon Tullow Oil to subscribe to the “No-go” commitment already supported by the International Council on Mining and Metals (ICMM) and Shell not to explore or exploit oil or minerals inside World Heritage properties;
9. Requests the State Party of Kenya to implement the recommendations of the 2012 World Heritage Centre/IUCN monitoring mission to address the significant impacts of poaching, fishing and livestock grazing on the property;
10. Also reiterates its request to the State Party of Ethiopia to invite a joint World Heritage Centre/IUCN reactive monitoring mission to review the impacts of the Gibe III dam and other hydro-electric developments and associated large-scale irrigation in the Omo region on the OUV of Lake Turkana;
11. Also requests the State Party of Kenya, in consultation with the State Party of Ethiopia, to submit to the World Heritage Centre, by **1 February 2014**, a report on the state of conservation of the property and on progress with the implementation of the above-mentioned actions for consideration by the World Heritage Committee at its 38th session in 2014;
12. **Decides to inscribe Lake Turkana National Parks (Kenya) on the List of World Heritage in Danger.**