



United Nations
Educational, Scientific and
Cultural Organization



World
Heritage
Convention



International Council on
Monuments and Sites
Conseil International
des Monuments et des Sites



**REPORT ON THE JOINT WORLD HERITAGE CENTRE / ICOMOS / ICCROM
REACTIVE MONITORING MISSION TO
LAMU OLD TOWN (KENYA) (C 1055)**



29 November – 4 December 2019

TABLE OF CONTENTS

I. ACRONYMS	i
II. ACKNOWLEDGEMENTS.....	ii
III. EXECUTIVE SUMMARY AND LIST OF RECOMMENDATIONS	iii
1. THE PROPERTY	1
1.1. Property and its inscription history.	1
1.2. Summary of the SOUV of Lamu.....	1
1.3. Attributes that contribute to the OUV of the Lamu Old Town World Heritage property.....	2
1.4. Summary of previous SOC decisions and key issues.....	3
2. NATIONAL MANAGEMENT SYSTEM FOR THE PRESERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY	5
2.1. Key National Legislation	5
2.2. Key National Institutional Framework.....	6
2.3. Management system.....	6
2.4. Other relevant international treaties	7
2.5. Other key management actions	8
2.6. The LAPSSET project.....	8
3. THE MISSION.....	10
4. MISSION FINDINGS IN RESPONSE TO ITS TERMS OF REFERENCE	12
4.1. Undertake extensive site visits to:.....	12
4.2. Hold meetings in Nairobi and Lamu with the relevant national and local authorities of the Government of Kenya and other relevant stakeholders including:	14
4.3. Examine the overall state of conservation of the Lamu Old Town property	18
4.4. Report on the revision of the SEA for the entire LAPSSET Development project, which should include a chapter on the impacts on the OUV of Lamu Old Town and Lake Turkana National Parks World Heritage properties;.....	18
4.5. Report on the revised the Management Plan chapter on LAPSSET and the pledge by the State Party to ensure a seat on the LAPSSET board for National Museums of Kenya (NMK) to be included in the Memorandum of Understanding (MoU) between the LAPSSET Corridor Development Authority and NMK;.....	20
4.6. Examine the status of the Lamu Coal Project power plant planned in the vicinity of Lamu Old Town and the additional studies carried out by to determine the impacts of this project on the OUV of the property, including the Environmental and Social Impact Assessment (ESIA) carried out on the Lamu Coal Project and examined by the National Environmental Management Authority in 2015;	21
4.7. Examine any additional works that are foreseen for Manda Island airport and ensure that the necessary Heritage Impact Assessments (HIA) are submitted to the World Heritage Centre for review by the Advisory Bodies;	22

4.8. Examine the efforts on the part of the Government of Kenya and the LAPSSET authorities to enhance its engagement with the local communities and to provide significant long-term funding for conservation activities;.....	23
4.9. Examine the mechanisms in place to safeguard the water security of Lamu Old Town.....	25
4.10. Examine the progress made to date on the recommendation of the 2015 mission calling for strong building controls to be developed for Lamu Old Town; .	27
5. ASSESSMENT OF THE STATE OF CONSERVATION OF THE PROPERTY ...	30
6. CONCLUSIONS AND RECOMMENDATIONS	32
7. ANNEXES.....	38
ANNEX 1: Committee Decision: 43 COM 7B.107	38
ANNEX 2: Terms of Reference of the mission	40
ANNEX 3: Composition of the mission	43
ANNEX 4: Itinerary and programme of the mission as implemented.....	44
ANNEX 5: List and contact details of people met with.....	46
ANNEX 6: Statement of Outstanding Universal Value, as approved in 2011 during the 35 Session (Paris, 11) by decision 35 COM 8E, (WHC-11/35.COM/8E).....	47
ANNEX 7: Maps	49
ANNEX 8: Mission photographs.....	55

I. ACRONYMS

AB	Advisory Body
CGL	County Government of Lamu
DPPLC	District Physical Planning Liaison Committee
DSOCR	Desired State of Conservation Report for the Removal of the Property from the List of World Heritage in Danger
ESIA	Environmental and Social Impact Assessment
HIA	Heritage Impact Assessment
HMP	Heritage Management Plan
HUL	Historic Urban Landscape
ICCROM	International Centre for the Study of the Preservation and Restoration of Cultural Property
ICOMOS	International Council on Monuments and Sites
KAA	Kenya Airport Authority
KPA	Kenya Port Authority
LAPSSET	Lamu Port Southern Sudan Ethiopia Transport
LCDA	LAPSSET Corridor Development Authority
LPC	Local Planning Commission
NMK	National Museum of Kenya
NUA	New Urban Agenda
OUV	Outstanding Universal Value
OWHC	Organisation of the World Heritage Cities
RSOUV	Retrospective Statement of Outstanding Universal Value
SEA	Strategic Environmental Assessment
SEZ	Special Economic Zone
SOC	State of Conservation
ToR	Terms of Reference
WHC	World Heritage Centre

II. ACKNOWLEDGEMENTS

The team members of the joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission would like to express its appreciation to the State Party of Kenya, through its various institutions in particular the Ministry of Sport, Culture and Heritage, National Museums of Kenya (NMK), County Government of Lamu and its various departments, as well as stakeholders and communities, for their support and hospitality provided prior to and during the mission.

The mission team highly appreciated being personally received by Hon. Amb. Dr. Amina Mohamed, Ministry of Sport, Culture and Heritage of Kenya. It also expresses gratitude to Hon. Amina R. Masoud, County Executive Committee Member of County Government of Lamu for her availability and presence during the discussion and visit to Lamu. The team also thanks the leaders of National Museum of Kenya for organising and facilitating the whole Mission and the personnel of Lamu Museum for their availability during the mission.

We express our deep thanks to Mr. Omar M. Famau of Lamu Municipality, Mr. Athman Hussein of NMK; Mr. Hoseah Wanderi of NMK and Mr. Mohammed Mwenje of NMK for their valuable help in organizing this mission, providing continuous traveling assistance and for their cooperation and contribution in helping to meet all the key-people involved in the mission. The mission team also appreciates the presence of Mr. John Morongo Omare from Kenya National Commission for UNESCO during the mission. The LAPSSET Corridor Authority representative, the Director of the Manda International Airport, Mr D. Ngigi, and Kenya Port Authority engineer provided valuable information.

Finally, a special recognition and appreciation is dedicated to the Lamu population and stakeholders for their kind welcome, engagement and open dialogue during the stakeholders meeting and site visit.

The mission team recognizes and values the efforts accomplished for the significance and the conservation of the Lamu Old Town World Heritage property.

III. EXECUTIVE SUMMARY AND LIST OF RECOMMENDATIONS

The UNESCO World Heritage Committee expressed its concern over the likely negative impacts of the Lamu Port – South Sudan – Ethiopia Transport (LAPSSET) corridor development project on the Outstanding Universal Value (OUV) of the Lamu Old Town World Heritage property, which was inscribed in 2001. The Committee in 2014 (38 COM 7B.49) requested the State Party to invite a joint Reactive Monitoring mission to the Lamu Old Town World Heritage property, which was not undertaken due to the security concerns. While the development of LAPSSET was progressing, the Committee in decision 43 COM 7B.107 recommended the State Party to take several measures, in particular to review the Management Plan of the property; to revise the demarcation of the buffer zone around the property (**Decisions 33 COM 7B.44; 34 COM 7B.46; 35 COM 7B.39; 36 COM 7B.43; 37 COM 7B.40; 38 COM 7B.49; 39 COM 7B.40; 43 COM 7B.107**); to develop planning measures and development control; to assess the eventual negative impact of the planned coal fired power plant (**Decision 43 COM 7B.107**); to assess the additional works undertaken for the Manda Island airport through a Heritage Impact Assessment (**Decisions 41 COM 7B.69; 43 COM 7B.107**) to supervise the additional works undertaken for the Manda Island airport; and to enhance the safeguarding of the Shella sand dunes to ensure the water security for the population of the Island of Lamu (**Decisions 28 COM 15B.39; 29 COM 7B.35; 34 COM 7B.46; 36 COM 7B.43**).

Due to security concerns, no mission has been able to be undertaken to the property since 2010. Following the clearance from the United Nations Department of Safety and Security (UNDSS), and the invitation by the State Party, the World Heritage Centre organized a joint Reactive Monitoring mission from 29 November to 5 December 2019 to the Lamu Old Town World Heritage property. The mission aimed to discuss progress of the overall LAPSSET project, to review the progress on the revision of the Management Plan, to examine the effectiveness of the development control, to observe the work at the Manda Airport and the proposed coal fired power plant, and to examine the overall state of conservation of the Lamu Old Town World Heritage property. The full Terms of Reference of the mission are set out in **Annex 1**.

The mission observed the need for urgent conservation measures and the re-enforcement of conservation guidelines to halt the continuing decay of the built fabric of the property and to support the living culture that gave rise to it. The physical decay of the buildings in the property and its buffer zone is worrying, with a growing number of collapsed or seriously dilapidated buildings which is a threat to the authenticity and integrity of the property. The mission observed a great lack of application of building conservation controls in the application of materials and techniques used in building restorations and renovations. This, the mission was informed, was in part due to the expense or unavailability of traditional materials, in part due to nature conservation legislation. Where private investment was made to the built fabric of the property, this very often included inappropriate techniques and materials, or took the form of inappropriate additions. This was especially manifest on the Lamu waterfront.

Overall, the state of conservation of the built fabric of the Lamu Old Town World Heritage property is, generally speaking, poor and requires urgent intervention. The specific culture of the property needs to be nurtured to maintain it. The actions of the NMK are very welcome but may prove to be too little too late to maintain the integrity of the property and safeguard its OUV. Financial resources remain a great challenge in improving the state of conservation of the property.

The mission team has noted a considerable advance in the LAPSSET project since the last mission visited the property, in particular the construction of the three berths in the new deep-water harbour and the construction of the highway from the new port to the hinterland, which was in process at the time of the mission. The development of the Metropolis and Resort City,

with their associated infrastructure; the oil pipeline; and the new International Airport and new railways, all part of the LAPSSET project, have not yet started. The LAPSSET Headquarters Building at the Port is visible from the upper floors of buildings within the property and it is expected that the harbour cranes will likewise be visible and will be highly visible when lit up at night.

The mission team further noted with concern that the revision and extension of the scope of the LAPSSET Strategic Environmental Assessment (SEA), as requested by the World Heritage Committee in 2017, 2018 and 2019 (Decisions 41 COM 7B.69; 42 COM 7B.45; 43 COM 7B.107, respectively), has not been undertaken. This is of great concern seeing as implementation of the LAPSSET project is continuing.

The mission here takes the opportunity to recall that the Operational Guidelines for Implementation of the World Heritage Convention, Paragraph 110, states that “Impact assessments for proposed interventions are essential for all World Heritage properties”; Paragraph 118bis further emphasises the importance of impact assessment: “Notwithstanding Paragraphs 179 and 180 of the Operational Guidelines, States Parties shall ensure that Environmental Impact Assessments, Heritage Impact Assessments, and/or Strategic Environmental Assessments be carried out as a pre-requisite for development projects and activities that are planned for implementation within or around a World Heritage property.”

It should be noted that in 2015 the World Heritage Committee requested that, following an SEA, detailed Heritage Impact Assessments (HIAs) should be undertaken for individual major parts of the overall project (**Decision** 39 COM 7B.40). These should be submitted to the World Heritage Centre for review by the Advisory Bodies, before any irreversible decisions on these projects are made or any execution is undertaken. Unfortunately, components of the LAPSSET project have been implemented without these assessments having been submitted to the World Heritage Centre for review.

The mission further noted that:

- although safeguarding tools around the new development area have been developed, the linkages between Lamu Old Town and LAPSSET are not clearly addressed in these documents;
- there are concerns over spill-over effects from developments related to LAPSSET that will definitely have negative impacts on the World Heritage property if there is no intentional strategy to create spatial, social and cultural differentiation as well as planned linkages between Lamu Old Town and the LAPSSET area (Metropolis);
- the Management Plan is still not finalized, although the process has been ongoing for a long time;
- the new proposed buffer zone for the property is not finalized or validated yet, while new constructions are taking place without clear guidelines;
- the solutions proposed to tackle the sanitation problems are still not adequate;
- the governing system between the newly created Lamu Municipality and the Lamu Museum is unclear;
- there is a lack of proper funding mechanisms and human resources to support the conservation and management of the Lamu Old Town World Heritage property.

All of the above adds up to extensive challenges facing the property that cumulatively, and in some cases individually, have the potential to impact adversely on the integrity and authenticity of the property, and thus on its OUV, to a degree that could put the property in Danger.

The mission advises that the State Party should take serious cognisance of the extent of the challenges it faces in maintaining the integrity and authenticity of the OUV of the Lamu Old Town World Heritage property. It may well wish to look to the international community for assistance and expertise, and perhaps also establish partnerships for harnessing the traditional values of Lamu Old Town in its programme towards achieving its own development goals (Agenda 2030) and the UN Sustainable Development Goals.

Details on each one of these issues are given in this report. The main recommendations from the mission team are as follows:

Recommendation 1 – Consideration to requesting inclusion on the List of World Heritage in Danger

The mission recommends that the State Party give serious consideration to requesting the World Heritage Committee to include Lamu Old Town on the List of World Heritage in Danger as a means to invite the international community, donors and other potential partner organisations to assist the State Party in safeguarding the OUV of the property. Such a request could include a definition of the Desired State of Conservation for the Removal of the property from the List of World Heritage in Danger (DSOCR), and a set of corrective measures including a timeframe for their implementation, defined by the State Party as baseline for the World Heritage Committee to consider.

Recommendation 2 – National High-Level delegation

The mission recommends that the State Party send a high-level delegation to the island to avail itself of the urgency and range of challenges faced at the property (this recommendation being dependent on an assessment of the security situation).

Recommendation 3 – Establishment of a Heritage Task Team

The mission recommends that the National Government, through the Ministry for Sport, Culture and Heritage and NMK, jointly with the Lamu County Government, Lamu Municipality, Local Planning Commission and the LAPSSET Corridor Development Authority (LCDA) under its mandate, build the capacity of LAPSSET Corridor towns to manage urban growth resulting from LAPSSET Corridor investments, with full collaboration of civil society; and, also in collaboration with other ministries including the Ministries for the Environment and Forestry, Labour and Social Protection and Health, amongst others, establish a Heritage Task Team for Lamu Old Town to define ways to address the many challenges faced at the property, including engagement, conservation challenges, governance, youth unemployment, erosion of culture and environmental challenges, as well as the requested buffer zone realignment. Such a National Heritage Task Team should assist the County and Municipal governments and the Lamu Local Planning Commission for a specific period of time to achieve a well-resourced full-functioning management system for Lamu Old Town and its current and future buffer zone, which is essential in addressing challenges that require inter-institutional collaboration.

Recommendation 4 – Financial resources

The mission recommends that the County Government assess and implement the proposal to dedicate 2% of its annual budget to the maintenance of the OUV of the Lamu Old Town World Heritage property.

Recommendation 5 – Property boundaries and buffer zone

The mission recommends that the recommended Heritage Task Team [refer to Recommendation 3], with the utmost urgency, finalize the buffer zone boundary proposals, put forward regulations and development controls to cover this new buffer zone, and submit the minor boundary modification to the World Heritage Committee at its next session, and not later than 2021. The buffer zone should, at the very least, incorporate all of Lamu Island, a significant part of Manda Island including areas directly across from Lamu, the Takwa ruins, and any other parts of Manda where development might have an impact on the OUV of the property. The mangrove belts adjacent to Lamu should also be included. Following the adoption of the minor boundary modification by the World Heritage Committee, the by-laws should be published as required by the provisions of Kenyan law.

Recommendation 6 – MAB Biosphere Reserve KIST-Con project

The mission recommends that the draft Management Plan be amended to accommodate the provisions of the MAB Biosphere Reserve and the values contained in its designation as well as the aims of the KIST-Con project.

Recommendation 7 – Stakeholder partnerships

The mission recommends that a programme of structured community and stakeholder engagement be designed and implemented as part of the Management Plan for the property, currently being compiled, which should include a project for stakeholders and community engagement to inform them of the new administrative and management structure for the property.

Recommendation 8 – LAPSSET

The mission recommends that the State Party, as a priority, revises the draft SEA for the entire LAPSSET project to include consideration of potential and already identified impacts on the OUV of the property that are currently overlooked, to identify appropriate mitigation measures, and not to implement any further phases of the project until the requested revision of the SEA for entire LAPSSET project has been completed and submitted to the World Heritage Centre for review by the Advisory Bodies; failure to give consideration to potential impact on OUV at this stage would indicate unwillingness to find optimal solutions to ensure the future protection of the OUV of the Lamu Old Town World Heritage property, and to safeguard its OUV from cumulative, ascertained and potential dangers.

Recommendation 9 – LAPSSET

The mission recommends that the Memorandum of Understanding (MOU) between the NMK and the LCDA be urgently submitted for review by the World Heritage Centre and the Advisory Bodies, It should only be adopted and implemented by both NMK and the LCDA after

agreement on its contents has been reached with the World Heritage Centre and the Advisory Bodies. The LCDA, in the execution of its mandate, should facilitate the creation of a stakeholder and community forum for Lamu Island specific to the LAPSSET project to serve as continuous vehicle for stakeholder and community engagement.

Recommendation 10 – LAPSSET

The mission recommends that the State Party, the Government of Kenya, as the main shareholder of the LCDA, and concurrently the custodian of the Lamu Old Town World Heritage property, establish as a core corporate social responsibility of the LCDA the provision of significant financial support for the conservation and maintenance of the OUV of the property under its mandate to build the capacity of LAPSSET Corridor towns to manage urban growth resulting from LAPSSET Corridor investments. It should ensure that the LCDA develops significant funding mechanisms for conservation and maintenance work to address physical conservation issues and to support social and cultural issues that relate to the sustenance of traditional livelihoods in the property;

Recommendation 11 – Water security and sanitation

The mission recommends that, as the challenge of water security and sanitation remains critical and requires urgent attention, the State Party engage the various UNESCO programme sectors through its National Commission to explore possibilities for collaboration in water and sanitation challenges, including engaging the World Heritage Centre to explore the opportunities to invite a World Heritage Centre Advisory mission or a mission by another competent authority to update the 2005 Water and Sanitation Assessment and develop overall strategies to address the problem of water security and sanitation in the property and its buffer zone. The LCDA should, as mandated, contribute to the Heritage Task Team to ensure that the water and sanitation capacity of Lamu Island can accommodate the urban growth resulting from the LAPSSET Corridor investments.

Recommendation 12 – Coal fired power station

The mission recommends that the State Party not proceed with the proposed Lamu Coal Fired Power Station (Lamu Coal project) as the project will have negative impacts on the OUV of the Lamu Old Town World Heritage property, including also on the livelihoods and culture of its people. Should alternative proposals, including utilising other energy sources such as gas, solar, or wind, be investigated – and there is any indication that this may have any impact on the OUV of the Lamu Old Town World Heritage property –, such proposals should be assessed through Environmental and Heritage Impact Assessments conformant to Paragraphs 110 and 118bis of the Operational Guidelines for the Implementation of the World Heritage Convention. Such assessments should address, at minimum, direct and indirect, immediate and cumulative impacts on the OUV of the Lamu Old Town World Heritage property and include assessment of impacts on culture and livelihoods, also considering the potential impact on marine environments, taking into account the status of the Kiunga and Kiwaiyu MAB Biosphere Reserves. Such assessments should be submitted to the World Heritage Centre for review by the Advisory Bodies before the assessments are finalised and their recommendations implemented.

Recommendation 13 – Manda Airport

As a Heritage Impact Assessment (HIA) for the recent Manda Airport extension is -no longer required, and as the State Party can continue with its reconstruction of the Manda Airport air-side apron as this activity will not impact the OUV of the property, the mission recommends that the Kenya Airports Authority inform and invite comments from the National Monuments of Kenya of any plans to further expand the airport or its runways before any irreversible decisions are made or any project implemented. Furthermore, any future larger-scale extensions or reconstructions at the Manda Airport should be assessed through an HIA process, and such an HIA should be submitted with details of the proposed project by the State Party to the World Heritage Centre for review by the Advisory Bodies before any irreversible decisions are made or any project is implemented.

Recommendation 14 – Future Reactive Monitoring mission

The mission recommends that the World Heritage Committee request the State Party to invite a Reactive Monitoring mission to visit the property in 2023 to report on the state of conservation and management of the property, as well as on the implementation of the recommendations of this 2019 joint UNESCO / ICOMOS / ICCROM Reactive Monitoring mission.

1. THE PROPERTY

1.1. Property and its inscription history.

Lamu Old Town (C1055) is located on Lamu Island, one of the islands within the Lamu Archipelago, the other islands being Pate and Manda. It was inscribed on the World Heritage List in 2001 during the 25th session of the World Heritage Committee (Helsinki, 2001), as a cultural property with Outstanding Universal Value (OUV). Lamu Island is approximately 311 square kilometres in size and home to four historic settlements: Lamu, Matondoni, Kipungani and Shela. With its boundaries encompassing a collection of buildings within 16 ha, Lamu Old Town has maintained its social and cultural integrity, and retained its authentic building fabric, as well as significant natural and cultural heritage values, up to the present day.

For its nomination, the State Party proposed the following brief description of the property: “Lamu Old Town is the oldest and best-preserved Swahili settlement in East Africa, retaining its traditional functions. Built in coral stone and mangrove timber, the town is characterized by the simplicity of structural forms enriched by such features as inner courtyards, verandas, and elaborately carved wooden doors. Lamu has hosted major Muslim religious festivals since the 19th century and has become a significant centre for the study of Islamic and Swahili cultures”.

In addition, “its buildings and the applied architecture are the best preserved and carries a long history that represents the development of Swahili technology. The old town is thus a unique and rare historical living heritage with more than 700 years of continuous settlement. It was once the most important trade centre in East Africa before other towns such as Zanzibar took over. Since the 19th century, Lamu has been regarded as an important religious centre in East and Central Africa due to the tarika activities introduced by Habib Swaleh, a Sharif descendant of Prophet Mohamed (P.B.A.H). There are many descendants of the Prophet in Lamu. Their presence has kept up that tradition, which continue to the present day Lamu in form of annual festivals known as ‘Maulidi’. These festivals are endemic to Lamu and draw the Muslim community from all over East and Central Africa as well as the Gulf. Lamu is an Islamic and Swahili education centre in East Africa”. (Nomination Dossier, 2000)

1.2. Summary of the Statement of OUV of Lamu Old Town

The Retrospective Statement of Outstanding Universal Value (RSOUV) for the property was adopted by the World Heritage Committee by **Decision 35 COM 8E** (Paris, 2011). A summary is provided in this section. The entire RSOUV can be found in **Annex 6** or under: <http://whc.unesco.org/en/list/1055>.

The town is characterized by narrow streets and magnificent stone buildings with impressive curved doors, influenced by unique fusion of Swahili, Arabic, Persian, Indian and European building styles. The buildings on the seafront with their arcades and open verandas provide a unified visual impression of the town when approaching it from the sea. While the vernacular buildings are internally decorated with painted ceilings, large niches (madaka), small niches (zidaka), and pieces of Chinese porcelain. The buildings are well preserved and carry a long history that represents the development of Swahili building technology, based on coral, lime and mangrove poles.

The growth and decline of the seaports on the East African coast and interaction between the Bantu, Arabs, Persians, Indians, and Europeans represents a significant cultural and economic phase in the history of the region which finds its most outstanding expression in Lamu Old Town, its architecture and town planning. Lamu is also defined by spatial organization and narrow winding streets. This labyrinth street pattern has its origins in Arab traditions of land distribution and urban development. It is also defined by clusters of dwellings divided into several small wards (mitaa) each being a group of buildings where a number of

closely related lineages live. Today it is a major reservoir of Swahili culture whose inhabitants have managed to sustain their traditional values as depicted by a sense of social unity and cohesion. Lamu Old Town was inscribed under the following three Criteria:

Criterion (ii): The architecture and urban structure of Lamu graphically demonstrate the cultural influences that have come together there over several hundred years from Europe, Arabia, and India, utilizing traditional Swahili techniques to produce a distinct culture.

Criterion (iv): The growth and decline of the seaports on the East African coast and interaction between the Bantu, Arabs, Persians, Indians, and Europeans represents a significant cultural and economic phase in the history of the region which finds its most outstanding expression in Lamu Old Town.

Criterion (vi): Its paramount trading role and its attraction for scholars and teachers gave Lamu an important religious function (such as the annual Maulidi and Lamu cultural festivals) in East and Central Africa. It continues to be a significant centre for education in Islamic and Swahili culture.

1.3. Attributes of the OUV of the Lamu Old Town World Heritage property

For the nomination dossier, the State Party provided a description of the property which indicates its important attributes. In the nomination, the property is described as follows:

“The Old Town of Lamu is the oldest and best preserved Swahili settlement in East Africa, retaining its traditional functions. Built in coral stone and mangrove timber, the town is characterized by simplicity of structural forms enriched by features such as inner courtyards, verandahs, and elaborately carved wooden doors. Owing to the conservative character of its Muslim community, Lamu has continued important religious celebrations from the 19th century and has become significant for the study of Islamic and Swahili cultures. It is characterized by narrow streets and two to three story buildings, mingled with small gardens. The Swahili houses are marked with simplicity and uniformity in their exteriors, but they have elaborately carved wooden doors particularly characteristic to Lamu. The houses have an entrance porch (daka) and an interior vestibule (tekani) with seats. Inside the house the spaces develop around small courtyards (kiwanda) and open galleries (misana); they are decorated with painted ceilings, large niches (madaka), small niches (zidaka), and pieces of Chinese porcelain.

The town of Lamu is divided into small wards (mitaa), 36 in total, which provide the framework for the social structure. The Lamu Fort was built between 1813 and 1821 in the southern corner of the old stone town, encouraging new development, particularly on the seafront. The buildings on the Seafront with their arcades and open verandas provide a unified visual impression of the town when approaching it from the sea. One of the largest buildings on the seafront (dating from 1892) has been acquired as the Lamu Museum, exemplifying the finest characteristics of the verandah-style construction in the 19th century”.

Although this description provides an overview of the attributes, a much more detailed list is needed to inform management and conservation. To date, no formal detailed list of the attributes has been developed as part of the Management Plan.

1.4. Summary of previous decisions on the State of Conservation (SOC) and key issues

This Reactive Monitoring mission was carried out in response to the World Heritage Committee **Decision 42 COM 7B.45** (Manama, 2016) requesting the State Party of Kenya “to invite a joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission to the property, once the necessary security clearance has been obtained, in order to examine the state of advancement of the LAPSSET project as well as the state of conservation of the property, and to hold discussions with local stakeholder groups”. Due to security concerns, no mission was allowed to travel to the Lamu Old Town until 2019.

In fact, the last joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission to travel to Lamu was undertaken in 2010 to examine similar issues to the current mission. In 2015 and 2018, two missions visited Kenya but were only able to meet with State Party representatives in Nairobi. These missions were able to organise meetings with the national and local authorities, the NMK, leaders of the LAPSSET and representatives of the local communities of Lamu.

From the inscription of the property up to 2010, important issues highlighted in State of Conservation reports (SOCs) were related mainly to two threats: uncontrolled development and transformation of the property. In 2008, for example, the State Party reported in its own state of conservation report that “the Lamu World Heritage Site and Conservation Office is in the forefront in subduing the constant threats of radical changes to these prominent streetscape features by advising potential developers on matters of Restoration of existing buildings; Construction of new infill buildings; and Upgrading of public areas. In its Decision **32 COM 7B.48**, the World Heritage Committee: “reiterates its concern about the ongoing uncontrolled development at the property”.

The third and most important threat, strongly highlighted by the Committee since 2010, is related to the large scale industrial and infrastructural development project referred to as LAPSSET. This project is considered to be the largest such investment on the African continent at present, with a wide range of components: Lamu port, railway line & roads network, highway, crude oil pipeline, oil refinery, resort cities, airports and all the necessary support infrastructure for metropolis development. The parts of this project which will take place in Lamu County would likely lead to population increase, demographic change, and labour migration and consequently put enormous pressure on the World Heritage property. Such developments could certainly intensify the transformation of the property and of its wider setting and, in the absence of appropriate mitigation measures in place, may have negative impact on its social and cultural unity and cohesion, and its relationship with the surrounding landscape and setting, extending to the surrounding islands. It can also be expected to add pressure to the extraction of water from the Shela Sand Dunes water catchment area, subsequently affecting its fresh water supplies. Ultimately, the OUV of the property, and the authenticity and the integrity of the whole island as per criteria (ii) and (vi), could be compromised.

The analysis of the previous SOC reports and decisions of the World Heritage Committee specify the following risks and threats to the property:

- Rapid, extensive urban uncontrolled development (housing, hotels and associated infrastructure, informal settlements);
- Massive influx of additional population significantly enlarging the urban community in Lamu District to 1million;
- Encroachment of the archaeological sites;
- Poor solid waste management; water sanitation and waste disposal;

- Water depletion and overuse of the groundwater;
- Deterioration of dwellings;
- Lack of risk preparedness in relation to risk from fires;
- Poor law enforcement;
- Inadequate financial and human resources to ensure proper management;
- Lack of educational programmes to enhance the property;
- Lack of community involvement in the development and implementation of the planning and mitigation mechanisms;
- Lack of a comprehensive management & conservation plan;
- Lack of a coordinated formalised institutional mechanism for the management of the site;
- Unclear and inadequate buffer zone.

In addition to the recommendations specifically about the LAPSSET development, other World Heritage Committee recommendations that remain to be addressed include:

- Development of a management plan with an action plan and investigation of extending the current limits of the World Heritage property to cover the whole Lamu Town, the town of Shela and her sand dunes, as well as taking into considerations such natural values as the mangroves (Decision **28 COM 15B.39**);
- Extension of the buffer zone to ensure that the entire Lamu and Manda Islands are included (Decisions **34 COM 7B.56** and **39 COM 7B.40**) in particular, as well as the Shela Sand Dunes, the mangroves on Manda Island and all historical buildings in order to address expected impacts on the property resulting from large scale uncontrolled and illegal development;
- Addressing Lamu island's solid and liquid waste management, with particular regard to the sewerage situation (Decision **31 COM 7B.50**);
- Conduct a conditions assessment of the built fabric of the property (Decision **43 COM 7B.107**);
- To revise the demarcation of the buffer zone around the property (Decisions **33 COM 7B.44**; **34 COM 7B.46**; **35 COM 7B.39**; **36 COM 7B.43**; **37 COM 7B.40**; **38 COM 7B.49**; **39 COM 7B.40**; **43 COM 7B.107**) and submit a map for the property clearly demarcating and labelling its boundaries (Decision **39 COM 7B.40**);
- Carry out additional studies to ascertain any effects that the pollution resulting from the coal-fired power plant may have on the fragile coral stone buildings of the Old Town and any other impacts on other attributes that carry the OUV of the property (Decisions **43 COM 7B.107**);
- To assess the additional works undertaken for the Manda Island airport through a Heritage Impact Assessment (Decisions **41 COM 7B.69**; **43 COM 7B.107**);
- To enhance the safeguarding of the Shela sand dunes to ensure water security for the population of the Island of Lamu (Decisions **28 COM 15B.39**; **29 COM 7B.35**; **34 COM 7B.46**; **36 COM 7B.43**).

2. NATIONAL MANAGEMENT SYSTEM FOR THE PRESERVATION AND MANAGEMENT OF THE WORLD HERITAGE PROPERTY

In the framework of the new Constitution of Kenya (2010), it is useful to highlight that the legislative framework under which the property is managed today has been modified compared to 2001, when Lamu Old Town was inscribed on the World Heritage List. The new constitution mandates the County Government of Lamu (CGL) to establish a Lamu Municipality Council, which was only put in place in August 2018, and at the time of the mission was not yet fully operational. These two institutions, the County Government and Lamu Municipality, will become central in the management system of Lamu Old Town. In fact, the tools of management and plans for development of Lamu Old Town are now being generated by two authorities, at the national level through the National Museum of Kenya (NMK), and at county government level, through the Lamu Municipality.

2.1. Key National Legislation

As a gazetted monument since 1986, Lamu Old Town is protected under the National Museums and Heritage Act of 2006 that replaced the previous Antiquities and Monuments Act of 1983 and the National Museums Act of 1983 which gave the National Museums of Kenya powers to adequately manage heritage properties in Kenya, including Lamu Old Town. In addition, in 1991, the then-Lamu County Council (Lamu Old Town Conservation) drafted by-laws which were approved by the Minister for Local Government in 1991. As per these by-laws, all built elements and environmental features in the conservation area ought to be preserved as historical and architectural features.

The following are key national legislations:

- **The 2010 Constitution**, which calls on its people to be “RESPECTFUL of the environment and heritage and sustain it for the benefit of future generations as well as be PROUD of ethnic, cultural and religious diversity.”
- **The County Government Act of 2012**, which guides the development of the county and municipality under the Lamu County Integrated Development Plan 2018–2022; the Lamu County Spatial Plan (2016-2026); the Integrated Lamu Metropolitan Area Structure Plan; and other sector plans such as transport and infrastructure. These plans aim to offer a good quality of life for all its citizens through the prudent use of resources, equitable provision of services and implementation of sustainable development
- **Local Government Act Cap 265**; with which the Lamu Local Planning Commission was established and through which the relevant government regulatory agencies can harmoniously invoke the provisions of their specific rules for the purposes of implementing or solving specific issues pertaining to the World Heritage property. The Commission also advises the County Authority on salient issues pertaining to the protection and preservation of Lamu as a cultural heritage site. The main function of the Commission is to review proposals for the alteration, extension and construction of new buildings within the World Heritage property and its buffer zone.
- **The National Museums and Heritage Act (NMHA) of 2006** through which the National Museums of Kenya (NMK) is enacted to daily manage the property.

- **The Environment Management Coordination Act (EMCA) of 1999** through the National Environmental Management Authority and others. The Environmental Management and Co-ordination Act No.8 of 1999 provides for a legal and institutional framework for the management of the environment – the National Environmental Management Authority (NEMA) is established under Section 7 of this Act
- **The Urban Areas and Cities Act, 2011** which mandates all urban areas to have a spatial development plan that will guide their development, provision of services and investment.

The following statutes cover activities with direct impact on the World Heritage property:

The Land Control Act (Cap 302); the Local Government Act (Cap 268); the Trust Lands Act (Cap 288); the Land Planning Act (Cap 303); the Government Lands Act (Cap 290); the Water Act No.8 of 2002; the Public Health Act (Cap 242); the Physical Planning Act of 1996; and the Registered Land Act (Cap 300).

2.2. Key National Institutional Framework

The National Museum of Kenya is the national custodian of Lamu Old Town as a National Monument. The Curator of Lamu Museum represents the National Museums of Kenya in the town and manages the World Heritage property, in coordination with other government bodies such as the Lamu Municipal Council, the County Government of Lamu (CGL) and representatives of the Ministry of Lands. In order to bring these agencies together and to ensure smooth communication, the local provincial administration has formed the **District Physical Planning Liaison Committee (DPPLC)**. This Committee evaluates all development proposals brought by various developers within the Lamu Municipal area. The objective is to make sure that all developments, especially within the World Heritage property, adhere to planning regulations. To strengthen the role of the Liaison Committee, the government decided also to create a **Local Planning Commission (LPC)**, which comprises experts drawn from various government departments and the local community to make decisions that are legally binding for respective government departments to implement. Whereas the Liaison Committee oversees the development for the entire Lamu District, the Local Planning Commission is solely in charge of the World Heritage property and of reviewing proposals for the alteration, extension and construction of new buildings within the protected area of Lamu Old Town and its buffer zone.

The current complex institutional arrangement is also in transition. The County Government of Lamu was, at the time of the mission, supporting the operations of the newly established Lamu Municipal Council, which was not operational yet. It will be important to observe what will change under the new arrangement. In another words, the County Government needs to forge a new governing system to fully involve all those national institutions such as the NMK to clearly define the role of the Provincial Administration, under the municipal structure, as far as the conservation and management of the property is concerned. The introduction of the Municipality is an important factor to enhance the governance of Lamu Old Town as both a World Heritage property and historic city.

2.3. Management system

The overall responsibility for the management of the property falls under the National Museums of Kenya and is governed at the top management level by the Director General of NMK, guided by the National Museums' Board of Directors and represented at the site level by the Chief Curator, Lamu Museums, who, as Site Manager, is in charge of everyday

preservation and conservation management of the property. Other interested government bodies include the County Government of Lamu (CGL), the Lamu Municipality, and the Provincial Administration, represented by the District Commissioner, who is the chairperson of the District Development Committee. This committee is tasked with the coordination of all development activities between the different parties in Lamu, the Ministry of Lands, and the Ministry of Health.

Today, the property is managed under the following 5 layers (fig. 1). Each one has its own administrative and legal framework at national or local levels.

- i. The management of the site by the Chief Curator, **Lamu Museums**, who oversees, as Site Manager, everyday preservation and conservation management of the property.
- ii. The management of the site by **the Local Planning Commission (LPC)** which comprises experts, drawn from various government departments and the local community, to make decisions that are legally binding for respective government departments to implement.
- iii. The management of the site by the **District Physical Planning Liaison Committee (DPPLC)** which evaluates all development proposals brought by various developers within the District.
- iv. The management of the site by **the County Government Act of 2012** which develops all development and planning tools and enact the Municipal Act.
- v. The management of the site at the national level (**the State Party**), signatory of the 1972 and other international Conventions, entrusted to the **National Museums of Kenya**.

In addition, to formulate development plans, other government bodies such as the Ministry of Lands and the Ministry of Health are also involved through the DPPLC.

2.4. Other relevant international treaties

i. Biosphere Reserve designation

In 1980, a total of 60,000 hectares of the marine part of the northern archipelago north of Lamu Island was designated as a Biosphere Reserve (Kiunga and Kiwaiyu) under UNESCO's Man and the Biosphere (MAB) Programme, in recognition of the international conservation importance of the north-eastern coastal region. The Magogoni Creek mouth flowing into Manda Bay, which is part of the Tana River Delta, an area of international conservation importance, is the proposed site to be developed as Kenya's second port, and sits at the edge of this biosphere reserve at coordinates 2°03' S and 41°00' E. The area is a rich farming area which was until recently traversed by an elephant trail to Manda Island, and the coastal edge is home to mangroves, corals and sea grass beds, and to the endangered dugong (dugong dugon), and is known as a prime shrimp fishing area for the fisherman of the Lamu archipelago. This biosphere is closely connected to two national reserves to the north of the proposed port site: Kiunga Marine National Reserve along the coast, and Dodori National Reserve, in the interior, and close to Boni National Reserve also on the coast. Although outside the context of the 1972 World Heritage Convention, the location of a mega port project at the edge of this biosphere reserve indicates a potential disregard for the values contained in its designation. The project will certainly have large environmental impacts in terms of natural and cultural aspects.¹ Various national and international conservation NGOs are voicing extreme concern regarding the impacts of the port project on the biosphere reserve.

¹ 2010 joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring

ii. World Wildlife Fund Kenya Integrated Sea Turtle Conservation (KIST-Con) Programme

The Lamu Archipelago is one of the most important marine turtle nesting grounds in Kenya. Five of the seven sea turtle species that are found in the Western Indian Ocean are found within the Lamu Seascape. Three among these species - Green Turtle (*Chelonia mydas*), Hawksbill (*Eretmochelys imbricata*) and Olive Ridley (*Lepidochelys olivacea*) nest and the other two -Loggerhead (*Caretta caretta*) and Leatherback (*Dermochelys choriacea*) have been reported to feed within the Lamu Archipelago. The main areas of concentration are Kiunga, Manda Island and Shela – the sea turtles are protected under the international WWF international programme number 623-A-00-08-00004-00 with the Kenya Wildlife Service. It should be noted that the MAB Biosphere Reserve and the KIST-Con programmes are not specifically mentioned in the draft Management Plan for the property, even though there may be potential links between them. This potential synergy should be explored more fully in the draft Management Plan.

2.5. Other key management actions

The management of the property, since 2004 has been a member of the Organization of World Heritage Cities’ (OWHC) East African Regional network.

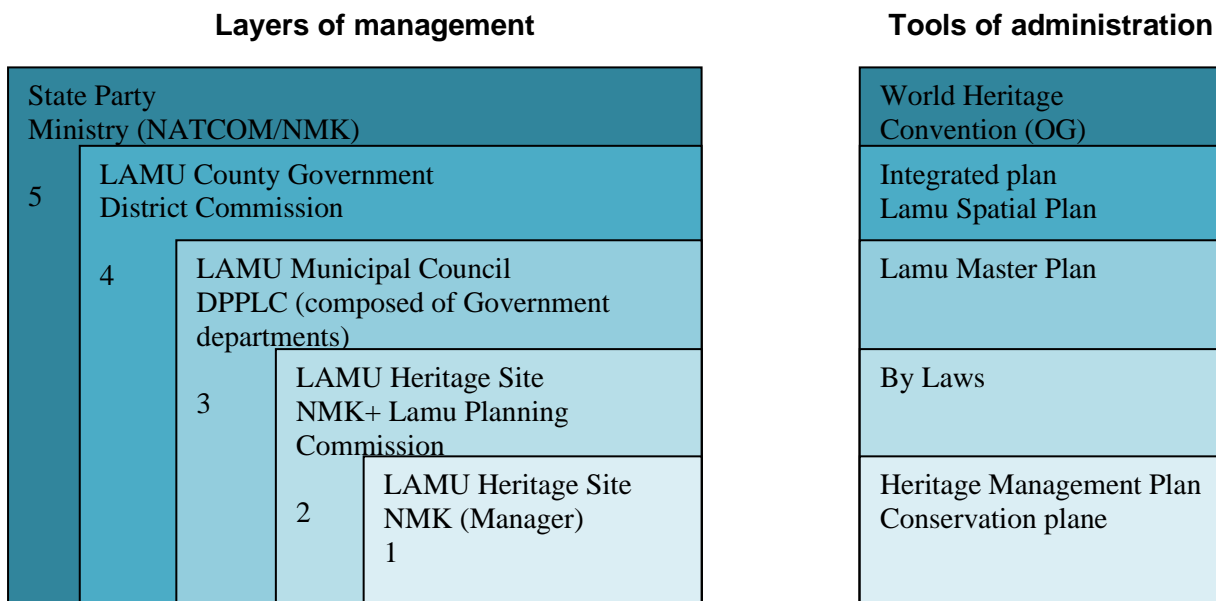


Fig. 1. Layers and tools of governance for the Lamu Old Town World Heritage property

2.6. The LAPSSET project

The Lamu Port-South Sudan-Ethiopia-Transport (LAPSSET) corridor project is the Kenyan transport corridor development project that connects the Lamu archipelago through Isiolo in the centre of the country to the Nakodok on the border of South Sudan and Moyale on the border of Ethiopia. The project is included in the Kenya Vision 2030, launched in 2008.

The project envisages a port at Manda Bay (under construction), a railway line from Lamu Port to Juba (South Sudan) and Addis Ababa (Ethiopia), a new road network, including a new highway connecting Isiolo to Lamu Port (under construction), new oil pipelines from Lamu Port connecting to South Sudan and Ethiopia, and an oil refinery at Bargoni, three airports, of which

one in the vicinity of Lamu, and three resort cities (Lamu, Isiolo and Lake Turkana shores). A new metropolis with industrial areas, is planned on the mainland at Hindi in close vicinity to Lamu Island and the MAD reserves.

The LAPSSET Corridor Development Authority (LCDA) was established in 2013 by Presidential Order, Kenya Gazette Supplement No. 51, Legal Notice No. 58, The LAPSSET Corridor Development Authority Order 2013. The Authority is located in the Presidency of the Republic of Kenya and is headed by a Director General / Chief Executive Officer, assisted by an eleven-member board, led by a chairman. This authority has to:

- i. Plan, coordinate and sequence LAPSSET Corridor projects in collaboration with implementing ministries and agencies;*
- ii. Coordinate implementation of LAPSSET Corridor projects across implementing ministries and agencies;*
- iii. Provide leadership, direction and guidance in operations and implementation of the LAPSSET Corridor;*
- iv. Ensure implementation of all decisions and resolutions of the government;*
- v. Mobilise funds to project components using a variety of resources including budgetary resources from government, donor loans, infrastructure bonds and private finance;*
- vi. In collaboration with National and County government department, build the capacity of LAPSSET Corridor towns to manage urban growth resulting from LAPSSET Corridor investments;*
- vii. Promote the competitiveness and use of the LAPSSET Corridor for the transport of goods and people; and*
- viii. Provide a forum for all stakeholders of the LAPSSET Corridor.²*

Due to its positioning and mandate, the LCDA is a supporter for the development of spatial plans, such as the Integrated Lamu Spatial Plan and the Lamu Master Plan. It also carries responsibility to ensure that impacts of the LAPSSET project on Lamu and the OUV of the Lamu Old Town World Heritage property are avoided (refer to vi, above). It should be also be emphasized that, following the new Constitution, the County Government of Lamu is the institution which has a mandate to develop all planning and development tools for the county area including the island of Lamu.

² http://www.lapsset.go.ke/corporate_profile/

3. THE MISSION

The 2019 Reactive Monitoring mission was carried out in response to the World Heritage Committee Decision **43 COM 7B.107** (Baku, 2019) requesting the State Party of Kenya, “following the security clearance by the United Nations Department of Safety and Security (UNDSS) [...], to invite a joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission to the property to review the process and conclusions of the various environmental and heritage impact assessments, the stakeholder engagement processes and the state of conservation of the property”. The mission was undertaken to Lamu Old Town between 28 November and 5 December 2019 and its team was composed of three members representing the World Heritage Centre, ICOMOS and ICCROM.

The main objective of the mission was to examine the state of advancement of the LAPSSET project, as well as the state of conservation of the property, and to hold discussions with local stakeholder groups.

The mission was tasked with the following Terms of Reference:

- Undertake extensive site visits to:
 - Lamu Old Town,
 - the installations of the LAPSSET project including the headquarters building and the work on the first three berths, the dredging works, etc.
 - the sites of the proposed Lamu Coal Project and the Manda Airport extension
 - the sites of any other works that may have begun regarding the resort city or other aspects of the LAPSSET project.
 - areas of Lamu and Manda Island to be considered regarding the requested extension of the buffer zone.

- Hold meetings in Nairobi and Lamu with the relevant national and local authorities of the Government of Kenya and other relevant stakeholders including:
 - the Ministry of Transport, Infrastructure, Housing and Urban Development;
 - the Ministry of Tourism; the Ministry of Lands and Physical Planning,
 - the Ministry of Water and Irrigation,
 - the National Environmental Management Authority –
 - the National Museums of Kenya (NMK),
 - the LAPSSET Corridor Development Authority (including its CEO and the LAPSSET Steering Committee),
 - the Lamu County government,
 - the Lamu World Heritage property Site Manager and the Lake Turkana World Heritage property Site Manager,
 - Lamu community representatives, and other relevant stakeholders (this is of particular importance).

- Examine the overall state of conservation of the Lamu Old Town property;
- Report on the revision of the Strategic Environmental Assessment (SEA) for the entire LAPSSET Development project, which should include a chapter on the impacts on the OUV of Lamu Old Town and Lake Turkana National Parks World Heritage properties;
- Report on the revised Management Plan chapter on LAPSSET and the pledge by the State Party to ensure a seat on the LAPSSET board for the National Museums of Kenya (NMK) to be included in the Memorandum of Understanding (MoU) between the LAPSSET Corridor Development Authority and NMK;
- Examine the status of the Lamu Coal Project power plant planned in the vicinity of Lamu Old Town and the additional studies carried out to determine the impacts of this project on the OUV of the property, including the Environmental and Social Impact Assessment (ESIA) carried out on the Lamu Coal Project and examined by the National Environmental Management Authority in 2015;
- Examine any additional works that are foreseen for Manda Island airport and ensure that the necessary Heritage Impact Assessments (HIA) are submitted to the World Heritage Centre for review by the Advisory Bodies;
- Examine the efforts on the part of the Government of Kenya and the LAPSSET authorities to enhance its engagement with the local communities and to provide significant long-term funding for conservation activities;
- Examine the mechanisms in place to safeguard the water security of Lamu Old Town;
- Examine the progress made to date on the recommendation of the 2015 mission calling for strong building controls to be developed for Lamu Old Town;

The complete Terms of the Reference of the mission, the composition of the mission team and the programme are provided in Annexes 2, 3, and 4.

4. MISSION FINDINGS IN RESPONSE TO ITS TERMS OF REFERENCE

4.1. Undertake extensive site visits to:

- Lamu Old Town,
- the installations of the LAPSSET project including the headquarters building and the work on the first three berths, the dredging works, etc.
- the sites of the proposed Lamu Coal Project and the Manda Airport extension
- the sites of any other works that may have begun regarding the resort city or other aspects of the LAPSSET project.
- areas of Lamu and Manda Island to be considered regarding the requested extension of the buffer zone.

Introduction

The World Heritage Committee has repeatedly expressed its concern regarding the LAPSSET project since 2012, when it expressed its concern about the likely negative impact of the LAPSSET corridor and the new Lamu Port and Metropolis, including the secondary developments foreseen, on the Outstanding Universal Value of the property (**Decision 36 COM 7B.43**). It has repeated this concern, noting in 2018 that the scope of the LAPSSET project may continue to have significant impacts on the Outstanding Universal Value (OUV) of the property (Decision **42 COM 7B.45**). The World Heritage Committee's 2019 Decision **43 COM 7B.107** referred extensively to the LAPSSET project.

The mission programme provided for visits to Lamu Old Town, the LAPSSET port, the headquarters building, and the sites of the Lamu Coal Project and the Manda Airport extension. The mission was further able to visit the Shela Dunes area, Shela Town, and the town of Matondoni and was able to view developments on Manda Island from the water.

The World Heritage Committee has already recorded decisions on the minimum area required for a buffer zone of the property: in 2010 the Committee requested that the buffer zone "include the whole of the Lamu Archipelago, and at a minimum the whole of Lamu and Manda Islands, and to submit the agreed upon area for examination by the World Heritage Committee as a minor modification" (Decision **34 COM 7B.46**).

Discussion

The state of conservation of Lamu Old Town is discussed in section 5 below.

With regard to the LAPSSET project, the mission reports that:

- The LAPSSET project installations are proceeding apace. The State Party is funding the first phase of the project. Work on the first three berths of the deep-water port is continuing. The three berths, each measuring 400 metres, were nearing completion at the time of the mission, although no cranes were installed yet. The harbour can accommodate ships with a draught of 17.5 metres. The mission was informed that constant environmental monitoring of the construction site is undertaken by the Port Authority and includes water and air quality measurements. At the time of the mission, the deep-water channel connecting the new port with the open sea was complete, the dredging material stockpiled to create new land for the container terminal; the road from Hindi to the port was under construction; and the LAPSSET Headquarters building, already reported as having been

completed by the State Party in its 2016 state of conservation report, is visible from the upper floors of buildings in the property.

- Current estimates are that the harbour will provide 360 permanent jobs when operational.
- Oil and gas exploration continue in the wider district, including at Pate Island, and part of the Lamu Archipelago.
- No work has yet commenced on any of the resort cities or other LAPSSET related infrastructure except for the road construction to serve the port and the headquarters of the LAPSSET itself.
- Further, a new County Government office has been constructed at Makowe which has now replaced Lamu town as centre of the seat of the regional government.
- The site of the AMU Coal Plant remains undeveloped.

The World Heritage Committee has been requesting the State Party to revise the buffer zones of the property for many years now (going back before the LAPSSET project was initiated), but to date, this revision has not taken place. While the Committee at different times has considered different possible configurations for this buffer zone, it is clear to the mission that this work needs to be finalized urgently. The draft proposal of the NMK to include in the buffer zone the Shela water catchment area, sections of Manda Island visible from the property, and the mangrove belt on Lamu and Manda Islands and the adjacent mainland, is not considered by the mission team to be sufficient to adequately protect the OUV of the property.

The mission questioned the proposal by the NMK not to include the whole of Lamu Island and the archaeological sites on Manda Island (Takwa ruins) in the buffer zone of the property. Concerns remain regarding the visual impact of developments on Manda Island, visible from the property. Tall structures beyond the boundary of the proposed buffer zone could still be visible from the property.

The mission team underlines with the utmost importance that the finalization of this buffer zone is necessary and urgent. It strongly recommends that the new buffer zone incorporate, at a minimum, all of Lamu Island, a significant part of Manda Island, including areas directly across from Lamu, the Takwa ruins, and any other parts of Manda where development might have an impact on the OUV of the property. It also agrees that the mangrove belts adjacent to Lamu should also be included.

One of the challenges in this process is the reported local opposition to the use of buffer zones. It was reported that buffer zones of other natural heritage conservation areas have in the past impacted on the livelihoods of residents of the archipelago. For this reason, a clear understanding of the what a buffer zone means in the World Heritage context and the types of regulations it will bring will be needed, and discussions with the local community will be necessary. Lamu County Council and the Lamu Municipality are in the process of appointing consultants to develop a structure plan for Lamu Island, which can be used to control development. It may be possible to link this structure plan to a World Heritage buffer zone in such a way that it does not create opposition from the local community. But if this structure plan only includes Lamu Island and does not cover Manda Island and sections of the mainland, it cannot function fully as a vehicle for the regulatory alignment of the buffer zone. The newly-formed Lamu Municipality does have the legal means to promulgate by-laws. A by-law creating a development control zone could meet the requirements for a buffer zone.

In any event, much work will be required by the authorities to overcome the opposition to a conservation buffer zone amongst the inhabitants of the island. But this work must start

immediately before the spill-over effects of the LAPSSET project begin to manifest themselves in these important areas.

Recommendations

The mission recommends that:

- With the utmost urgency, the National Government, through the Ministry for Sport Culture and Heritage and NMK, jointly with the Lamu *County* Government, Lamu Municipality, Local Planning Commission, and the LAPSSET Corridor Development Authority under its mandate, with full collaboration of civil society; and, also in collaboration with other ministries including the Ministries for the Environment and Forestry, Labour and Social Protection and Health, amongst others, establish a Heritage Task Team for Lamu Old Town to *finalize* the buffer zone boundary proposals, put forward regulations and development controls to cover this new buffer zone, and submit the minor boundary modification to the World Heritage Committee at its next session, and not later than 2021. Development controls should include amongst others, construction guidelines limiting height, bulk and materiality of new structures to ensure that the setting of the Lamu Old Town World Heritage property is not negatively affected in the long term.
- The buffer zone should, at the very least, incorporate all of Lamu Island, a significant part of Manda island including areas directly across from Lamu, the Takwa ruins, and any other parts of Manda where development might have an impact on the OUV of the property. The mangrove belts adjacent to Lamu should also be included.
- The Heritage Task Team should investigate incorporating these provisions in by-laws, including through public engagement as required by Kenyan law.
- Following the adoption of the minor boundary modification by the World Heritage Committee the by-laws should be published as required by the provisions of Kenyan law.

It is a concern to the mission team that the MAB Biosphere Reserve and the KIST-Con project are not specifically outlined in the draft Management Plan and that the area and its needs and potential are not explored more fully.

The mission recommends that:

- the draft Management Plan be amended to accommodate the provisions of the MAB Biosphere Reserve and the values contained in its designation as well as the aims of the KIST-Con project.

4.2. Hold meetings in Nairobi and Lamu with the relevant national and local authorities of the Government of Kenya and other relevant stakeholders including:

- the Ministry of Transport, Infrastructure, Housing and Urban Development;
- the Ministry of Tourism; the Ministry of Lands and Physical Planning,
- the Ministry of Water and Irrigation,
- the National Environmental Management Authority
- the National Museums of Kenya (NMK),
- the LAPSSET Corridor Development Authority (including its CEO and the LAPSSET Steering Committee),
- the Lamu County government,

- the Lamu World Heritage property site manager and the Lake Turkana World Heritage property site manager,
- Lamu community representatives, and other relevant stakeholders (this is of particular importance).

Introduction

The mission programme developed by the State Party provided for only a meeting with the Minister for Sport, Culture and Heritage in Nairobi on the first day of the mission, compared to the list of national authorities proposed in the Terms of Reference. All other engagements were with stakeholders in Lamu and were limited to the National Environmental Management Authority, the National Museums of Kenya (NMK), the Lamu County government and the Lamu County Assembly, representatives from the LCDA, the Ministry of Lands and Physical Planning, the Lamu World Heritage property site manager, and Lamu community representatives.

Disappointingly, the mission did not have the opportunity to meet with the CEO of the LCDA or the LAPSSET Steering Committee, but met with two representatives from the LCDA. The mission also did not have the opportunity to meet with the Lake Turkana World Heritage property site manager.

Community representatives that the mission met with included religious leaders, teachers, village elders, tour boat operators, the Council of Vendors, the Chamber of Commerce, the Lamu Youth Alliance and the Natural Justice.

Discussion

The mission's engagement with the Minister for Sport, Culture and Heritage concluded with the assurance by the Minister of the State Party's commitment to the maintenance of the OUV of the Lamu Old Town World Heritage property, framed in the perspective of sustainable development;

During the engagement meetings with national and local authorities and stakeholders, the complexity of conservation, social, environmental and economic challenges facing Lamu became apparent.

The long transition to the new municipal structure, created by the 2010 constitutional reforms, has led to a period of uncertainty and inactivity in the management of the property. The Lamu Municipality was only constituted in August 2018 and is still in the process of being structured and staffed. A municipal manager has been appointed, but this office also still needs to appoint additional staff. The newly created Lamu County Assembly is also still in the process of identifying its aims, but the representatives of the Assembly gave the mission oral assurances of their commitment to the maintenance of the OUV of the property.

A number of important issues emerged from the consultations. The most important ones are as follows:

- The decentralisation of the role of the NMK has created a vacuum that the newly formed County government and Municipality are not yet able to fill.
- The infrastructural management of the property and the town remains problematic. This includes:
 - A lack of spatial planning tools;
 - Refuse removal and management;
 - Sanitation and water security;

- Management of donkeys;
- Maintenance of stormwater infrastructure leading to incidental flooding;
- Non-enforcement of building conservation guidelines and other regulations;
- Management and control of the Lamu landing site (quayside);
- Creation of suitable transport infrastructure and management of the recently-emerged motorcycle-taxi businesses.
- Social challenges include:
 - A notable recent increase in drug use, especially amongst the youth, which has now become critical;
 - Unemployment, especially amongst the youth.
- Cultural challenges include, but are not limited to:
 - Youth engagement for their benefit and for the promotion of the World Heritage status
 - Cultural education requires a curriculum that deals specifically with the local Swahili culture. This should be developed for the schools on the island;
 - Education of visitors regarding the cultural context of Lamu;
 - Erosion of the local Swahili culture, with the local dialect disappearing.
- Economic challenges include:
 - Spatial management of traders and commercial activity;
 - The fragility of promoting tourism as the most important economic base for the town. Tourism has been greatly reduced due to the security situation, and due to the conditions in Lamu town, tourists now prefer to stay at Shela or on Manda Island.
- Building conservation challenges include:
 - Accessibility and cost of conservation materials, specifically lime and mangrove poles (severely limited by nature conservation regulations);
 - Funding for the conservation of the built fabric of the property is inadequate;
 - Lack of awareness of the conservation by-laws that are in place and a lack of enforcement of those by-laws by the relevant authorities.
- Other general challenges, such as:
 - Public participation in decision-making needs to be improved. This was a sentiment often raised during the stakeholder engagement meeting: there is confusion amongst stakeholders regarding the roles of various authorities in the property, in part due to the recent administrative restructuring of the Kenyan civil service;
 - The property, town and island suffer from the lack of a vision or blue-print for the current management and future development of the island, including spatial planning; this problem will be exacerbated by the changes that will be brought by the LAPSSSET project. There is a clear need for an appropriate spatial plan for the property;
 - A general sense that political will is lacking to address these important issues.

The above list summarises the main issues that the mission was presented with during the stakeholder engagement meeting.

There are positive developments, as follows:

- Lamu people agree that Lamu Old Town deserves more of their attention in order to safeguard and promote their common identity and their unique heritage for the future generations;
- Community organisations are creating collaborative structures;
- The work of the Save Lamu organisation has had a direct and, in the perspective of the mission, positive influence in the property;
- The Lamu Youth Alliance, a relatively new group, aims to develop future perspectives for the youth of the island and the property. This initiative should be further supported by government;
- The local community and stakeholders are planning to create the Lamu World Heritage Site Organisation, a community group which hopes to initiate conservation programmes.

The mission's engagement at the ministerial level showed that the National Government is broadly aware of the challenges faced by the property. Stakeholder engagement with the local community highlighted that the range of challenges is much wider and urgent than suggested by engagement at national level. The recent restructuring of the governance structure, decentralisation of the tasks of the National Museums of Kenya and slow pace of installing new county and municipal structures has led to a backlog of issues that will be difficult to address structurally, unless a focussed multilateral Heritage Task Team is set up to address them. At the same time, local stakeholders feel themselves side-lined. Engagement is key, support for local initiatives crucial.

Recommendations

The mission recommends that:

- The State Party send a high-level delegation, including at the very least representatives of the Ministry of Sport, Culture and Heritage and the National Museums of Kenya, to the island to better understand the urgency and range of challenges faced at the property (this recommendation being dependent on an assessment of the security situation).
- A programme of structured community and stakeholder engagement be designed and implemented as part of the Management Plan for the property, currently being compiled, which should include a project for stakeholders and community engagement to inform them of the new administrative and management structure for the property.
- The State Party develop through a Heritage Task Team for Lamu Island (see below) a new strategy to reconsider the current trend of relocation of institutions, business and services, etc. out of Lamu Old Town, to ensure that the envisaged development of Makowe will not be accomplished at the expense of the social and economic growth of Lamu Old Town, its OUV and setting.

The mission concludes that the social, economic, environmental, developmental infrastructural and conservation challenges facing the property have the potential to severely endanger the OUV of the property. These problems are also of such a complexity that none of the governance structures can address them successfully on its own. These problems call for an integrated approach, transcending Municipal and County mandates, and can only be successful if majority of local stakeholders are included as partners.

The mission therefore recommends that:

- The National Government, through the Ministry for Sport, Culture and Heritage and NMK, jointly with Lamu County Government, Lamu Municipality, Local Planning Commission and the LAPSSET Corridor Development Authority (LCDA) under its mandate, with full collaboration of the civil society, and also in collaboration with other ministries including for the Environment and Forestry, Labour and Social Protection and Health, amongst others, establish a Heritage Task Team for Lamu Old Town to:
 - Engage with the LCDA as a task team member under its mandate to build the capacity of LAPSSET Corridor towns to manage urban growth resulting from LAPSSET Corridor investments;
 - Address the many challenges faced at the property, including engagement, conservation challenges, governance, youth unemployment, erosion of culture and environmental challenges. Such a National Heritage Task Team should assist the County and Municipal governments and the Lamu Local Planning Commission for a specific period of time to achieve a well-resourced full-functioning management system for Lamu Old Town and its current and future buffer zone which is essential in addressing challenges that require inter-institutional collaboration.
 - Develop a structured and sustainable community and stakeholder engagement mechanism, and identify community initiatives that aim to sustain the OUV of the property and support them institutionally and financially.
 - Develop or identify mechanisms for the sustainable funding of conservation activities in the property.

4.3. Examine the overall state of conservation of the Lamu Old Town property

Refer to Section 5, below, for the mission's assessment of the overall state of conservation of the property.

4.4. Report on the revision of the SEA for the entire LAPSSET Development project, which should include a chapter on the impacts on the OUV of Lamu Old Town and Lake Turkana National Parks World Heritage properties;

Introduction

The World Heritage Committee, in its 2018 Decision (**42 COM 7B.45**), requested the State Party to revise the draft *Strategic Environmental Assessment (SEA) of the entire LAPSSET project to include a chapter on the impacts and proposed mitigation measures for cultural and natural heritage, and specifically the impacts on the OUV of Lamu Old Town;*

Discussion

The LAPSSET project component in Kenya is currently fully sponsored by the Government of Kenya. The mission made enquiries as to the status of the revision of the LAPSSET SEA. The mission was informed by the representative of LAPSSET at a stakeholder meeting on 4 December 2019 that there was no update available yet on the status of the requested revision.

The history of the LAPSSET project and the concerns about it expressed by the World Heritage Committee over time are well known and do not need to be restated here. In the past, most of the concerns have focused on the “future” development of the project and its potential impact on the OUV of the property. Requests were addressed to the State Party to try to develop mitigation measures before the project got underway or advanced in a significant way. The visit of the mission to the ongoing work at the first three berths of the project make it clear that the project has moved forward without concern for the impacts on the OUV of the Lamu Old Town. The project has reached a point at which, if serious mitigation measures for any potential impacts on OUV are not developed and put in place in the very short term, it will be too late to guarantee the safeguarding of the OUV.

Recommendations

The mission concludes that the LAPSSET project continues to pose a high risk to the maintenance of the OUV of the Lamu Old Town World Heritage property. The mission also notes that elements of the project are being implemented despite the SEA not yet having been revised to encompass potential impact on the OUV of the property, and more importantly without any necessary measures being developed to mitigate adverse impact on OUV.

The revision of the draft SEA and a set of concrete mitigation measures are both essential and urgent for a more sustainable development of the LAPSSET project that does not impact on the OUV of the property.

Aspects of the LAPSSET project that will have a direct or indirect impact on the integrity and authenticity of the Lamu Old Town World heritage property, include, but are not necessarily limited to:

- The LAPSSET Lamu Port at Manda Bay and its associated infrastructure, accommodation, shipping and vehicular movement, pollutions and impact on marine and terrestrial life as well as on land use patterns;
- The Lamu Special Economic Zone;
- The LAPSSET oil pipeline and its associated infrastructure, accommodation, shipping and vehicular movement, pollutions and impact on marine and terrestrial life as well as on land use patterns;
- The LAPSSET railway linking to the LAPSSET Port;
- New road and highway construction linking to the LAPSSET Port;
- The projected new Metropolis;
- The projected Resort Town with its associated satellite areas;
- The projected LAPSSET International airport or potential further upgrade of the existing Manda Airport.

The mission recommends that:

- The State Party, as a priority, revise the draft SEA for the entire LAPSSET project to include consideration of potential and already identified impacts on the OUV of the property that are currently overlooked, to identify appropriate mitigation measures, and not to implement any further phases of the project until the requested revision of the SEA for the entire LAPSSET project has been completed and submitted to the World Heritage Centre for review by the Advisory Bodies; failure to give consideration to potential impact on OUV at this stage would indicate unwillingness to find optimal solutions to ensure the future protection of the OUV of the Lamu Old Town World Heritage property, and to safeguard its OUV from cumulative, ascertained and potential dangers.
- The State Party develop a concrete action plan with mitigation measures developed from the SEA and the already completed HIA, and fully fund the actions contained within this plan.

4.5. Report on the revised the Management Plan chapter on LAPSSET and the pledge by the State Party to ensure a seat on the LAPSSET board for National Museums of Kenya (NMK) to be included in the Memorandum of Understanding (MoU) between the LAPSSET Corridor Development Authority and NMK;

Introduction

During the 2015 Reactive Monitoring mission to Lamu Old Town, the State Party pledged to the mission that the National Museums of Kenya would have a seat on the LAPSSET Board.³

The World Heritage Committee has since 2015 (Decision **39 COM 7B.40**) requested that a Memorandum of Understanding (MOU) be signed between the NMK and the LAPSSET Corridor Development Authority that includes giving the NMK a position on the LAPSSET Board. This request has been repeatedly reiterated (Decisions **39 COM 7B.40**, **40 COM 7B.12**, **42 COM 7B.45** and **43 COM 7B.107**; 2015, 2016, 2018 and 2019 respectively). The State Party, in its 2017 state of conservation report, communicated to the World Heritage Centre that the MOU had been signed by the NMK and the LAPSSET Corridor Development Authority.⁴ This was welcomed by the World Heritage Committee in its 2017 Decision on the property (**41 COM 7B.69**). However, in its 2018 state of conservation report, the State Party reported that *the NMK and the LAPSSET Authority have established a technical team to finalize the articulate the principles [sic] of an MOU that will pave way for future collaborations between the two agencies.*⁵

The NMK reported to the mission that the draft text of the MOU was submitted to the LCDA in the first half of 2019, but at the time of the mission, they had not yet received any response.

Discussion

The mission was informed that MOU between the NMK and the LCDA has been drafted, but has not yet been signed and therefore has not been implemented. Consequently, the NMK

³ Report on the 2015 Reactive Monitoring Mission to Lamu Old Town, (Kenya) from 9 To 11 February 2015. p.31. Available from <https://whc.unesco.org/en/list/1055/documents/>

⁴ National Museums of Kenya, 2017. Re: State of Conservation Reports for Lake Turkana National Parks (N 801 bis) and Lamu Old Town (C 1055) World Heritage Sites. p. 14. Available from <https://whc.unesco.org/en/list/1055/documents/>

⁵ National Museums of Kenya, 2018. Re: Soc Report for 41 Com 7b.69 Lamu Old Town World Heritage Site (Kenya) (1055). p. 2. Available from <https://whc.unesco.org/en/list/1055/documents/>

still does not have a seat on the LAPSSET Board. The mission has not seen the text of the MOU.

This is an urgent matter, especially given that the State Party is continuing with the implementation of the Lamu deep sea port component of the LAPSSET project with its associated infrastructure. Five years after the State Party's pledge and the subsequent first request of the Committee for such an MOU on heritage matters, the State Party has still not completed the process to ensure that the NKM has a seat on the LAPSSET Board.

The NKM has done what it can to address the request of the World Heritage Committee. The matter now needs to be escalated to higher administrative levels to ensure that the MOU is signed and implemented.

Recommendations

Due to the magnitude of the LAPSSET project, the potential for accumulative negative impacts on cultural heritage in the region, including the Lamu Old Town World Heritage property, is large. It is essential that the National Museums of Kenya, as national custodian of cultural heritage, has a guiding role in the planning decisions made by the LAPSSET Board.

- The mission recommends that the Memorandum of Understanding (MOU) between the NKM and the LCDA be urgently submitted for review by the World Heritage Centre and the Advisory Bodies
- Once the agreement has been reached with the World Heritage Centre on the content of the MOU, the MOU needs to be implemented with speed.
- The mission strongly recommends that the Minister for Sport, Culture and Heritage facilitate the speedy adoption and enforcement of the MOU.

4.6. Examine the status of the Lamu Coal Project power plant planned in the vicinity of Lamu Old Town and the additional studies carried out to determine the impacts of this project on the OUV of the property, including the Environmental and Social Impact Assessment (ESIA) carried out on the Lamu Coal Project and examined by the National Environmental Management Authority in 2015;

Introduction

The proposed Lamu Coal Project proposes the development of a 981.5 megawatt coal-fired power station. AMU Coal, a private consortium, was awarded the tender for this, East Africa's first coal-fired power plant.

The project is currently on hold following a 2019 National Environment Tribunal decision that the Environmental Impact Assessment licensed by the National Environment Management Authority was invalid.

The World Heritage Committee has repeatedly recorded decisions regarding the proposed project, which is proposed in the vicinity of the Lamu Old Town World Heritage property, requesting that scientific studies be conducted to assess the impact of the expected air pollution from the planned power plant on the fragile coral stone constructions of the building of Lamu Old Town *and any other impacts on other attributes that carry the OUV of the property* (Decision **42 COM 7B.45**; refer also to Decision **43 COM 7B.107**, 2019).

Discussion

The mission visited the site of the proposed Lamu Coal Project and confirms that no construction was taking place at that time. The mission also concludes that there is a real potential impact of the proposed plans on the OUV of the property, were it to be eventually constructed.

The mission did not receive the Environmental and Social Impact Assessment (ESIA) or any of the other studies requested to determine the precise impacts of this project on the OUV of the property for review. The mission was informed that the project is on hold because one of the main funders, the African Development Bank, has withdrawn its support for the project. The other funder, the Commercial Bank of China, remains the only part-funder.⁶

Recommendations

The mission concludes that the concerns regarding the proposed coal-fired power plant aired in previous World Heritage Committee decisions remain valid. The proposed infrastructure could have a direct visual impact, while the pollution caused by the plant could also negatively affect the property directly, but also impact livelihoods, and therefore the living culture of the property through potential negative environmental impacts, especially on maritime environments. The mission recommends that:

- The State Party should not proceed with the proposed Lamu Coal Fired Power Station (Lamu Coal project) as the project will have negative impacts on the OUV of the Lamu Old Town World Heritage property, including also on the livelihoods and culture of its people.
- Should alternative proposals, including utilising other energy sources such as gas, solar, or wind be investigated – and there is any indication that this may have any impact on the OUV of the Lamu Old Town World Heritage property –, such proposals should be assessed through Environmental and Heritage Impact Assessments conformant to Paragraphs 110 and 118bis of the Operational Guidelines for the Implementation of the World Heritage Convention. Such assessments should address, at minimum, direct and indirect, immediate and cumulative impacts on the OUV of the Lamu Old Town World Heritage property and include an assessment of impacts on culture and livelihoods, also considering the potential impact on marine environments, taking into account the status of the Kiunga and Kiwaiyu MAB Biosphere Reserves. Such assessments should be submitted to the World Heritage Centre for review by the Advisory Bodies before the assessments are finalised and their recommendations implemented.

4.7. Examine any additional works that are foreseen for Manda Island airport and ensure that the necessary Heritage Impact Assessments (HIA) are submitted to the World Heritage Centre for review by the Advisory Bodies;

Introduction

The 2015 Reactive Monitoring Mission reported that the State Party intended to extend the Manda Airport landing strip as an interim measure while a new airport on the mainland was being planned. That mission recommended that the State Party submit plans for the extension of the airport on Manda Island, for review by the World Heritage Centre and the Advisory Bodies, a recommendation adopted by the World Heritage Committee in its 2015 Decision on

⁶ Refer to <https://ieefa.org/kenya-activists-praise-african-development-bank-for-exiting-lamu-coal-project/> [Accessed 2020 03 08].

the property (**39 COM 7B.40**). Following the failure by the State Party to address this request, the Committee, in the following year, requested the State Party to undertake a Heritage Impact Assessment on the proposed runway extension (Decision **40 COM 7B.12**). Since then, and in light of the lack of information being submitted by the State Party, the Committee has repeatedly requested additional information and the submission of an HIA.

Discussion

The mission visited the Manda Airport and was escorted onto the runway for an inspection of the extension and an explanation of the planned work. During discussions, the mission was informed that the airport runway length at 2km can accommodate most mid-sized commercial aircraft. The airport currently processes 110 000 passengers per annum, but has a capacity of 150 000 per year.

In terms of legislation, the CAP 394 mandates the Kenya Airports Authority (KAA) with the operation of all commercial airports in Kenya. The manager of the Manda Island Airport informed the mission that the KAA was not directly involved with the LAPSSET plans for a new mainland airport.

The mission was further informed that the KAA is also intending to undertake reconstruction work to the airside apron, which the mission observed is deteriorating.

Recommendations

The mission concludes that undertaking an HIA on the runway extension now would not have value, as the OUV of the property has not been affected by the extension of the airport. It was, however, noted that the airstrip was extended into the buffer zone of the property. It should, nevertheless, be pointed out that it would have been helpful if an HIA had been carried out in time before the work was implemented to clarify the matter and to remove the issue from the list of concerns of the World Heritage Committee. The mission also agrees with the need to reconstruct the airside apron of the airstrip. This will not affect the OUV of the property.

The mission recommends that:

-
- The State Party can continue with its reconstruction of the Manda Airport air-side apron. This activity will not impact the OUV of the property.
- The Kenya Airports Authority inform and invite comments from the National Monuments of Kenya on any plans to further expand the airport or its runways before any irreversible decisions are made or any project implemented.
- Any future larger-scale extensions or reconstructions at the Manda Airport be assessed through an HIA process, and that such an HIA be submitted with details of the proposed project by the State Party for review by the World Heritage Centre and the Advisory Bodies before any irreversible decisions are made or any project implemented.

4.8. Examine the efforts on the part of the Government of Kenya and the LAPSSET authorities to enhance its engagement with the local communities and to provide significant long-term funding for conservation activities;

Introduction

The LAPSSET LCDA mandate includes the project to “8. Provide a forum for all stakeholders in the LAPSSET Corridor.” The 2015 Reactive Monitoring mission reported that “discussions with representatives of the local communities during the mission revealed that they still feel that there is not adequate community involvement and engagement with the State Party although UNESCO has continuously facilitated such engagement in its past missions.”⁷

The 2015 Reactive Monitoring mission also recommended that “[t]he LAPSSET development project should provide significant funding for conservation activities [...]”⁸. This recommendation resonates with the mandate of the LCDA that it “6. In collaboration with the relevant National and County Government department, build the capacity of LAPSSET Corridor towns to manage the urban growth resulting from LAPSSET Corridor investments.”

Discussion

The mission, through its engagements, came to the conclusion that currently no coordination exists between the LAPSSET project, its Board, the NMK and the site manager of the Lamu Old Town World Heritage property, despite the mandate of the LCDA to “2. Co-ordinate implementation of LAPSSET Corridor projects across implementing ministries and agencies.” The lack of engagement with local stakeholders and communities also remains problematic. The mission has to conclude that very little effective action has been undertaken in this regard. The mission, through engagement with representatives from LAPSSET, understands that the LCDA still has not acknowledged the potential of the project to have long-term cumulative negative impacts on the OUV of the property, nor its responsibility in being a part of the solution to mitigate those impacts and maintain the OUV of the Lamu Old Town World Heritage property. The mission recommends that the requested position for the NMK on the LAPSSET Board would assist in addressing this void.

Recommendations

The mission recommends that:

- The State Party, the Government of Kenya, as main shareholder of the LCDA, and concurrently the custodian of the Lamu Old Town World Heritage property, position the maintenance of the OUV of the Lamu Old Town World Heritage property as a core component of the responsibility of the LCDA’s mandate to build the capacity of LAPSSET Corridor towns to manage urban growth resulting from LAPSSET Corridor investments, and establish as a core corporate social responsibility of the LCDA the provision of significant financial support for the conservation and maintenance of the OUV of the property.. It must ensure that the LCDA develops significant funding mechanisms for conservation efforts. This significant funding mechanism should address physical conservation issues to Lamu including building conservation and maintenance, urban issues, and social and cultural issues including the sustenance of traditional livelihoods in the property.
- The State Party, the Government of Kenya as, as main shareholder of the LCDA, and concurrently the custodian of the Lamu Old Town World Heritage property, ensure that the LAPSSET project provide support, financially and logistically, to the NMK and stakeholder and community organizations who aim to safeguard the OUV of the Lamu

⁷ Report on the 2015 Reactive Monitoring Mission to Lamu Old Town, (Kenya) from 9 To 11 February 2015. p.7. Available from <https://whc.unesco.org/en/list/1055/documents/>

⁸ Report on the 2015 Reactive Monitoring Mission to Lamu Old Town, (Kenya) from 9 To 11 February 2015. p.4. Available from <https://whc.unesco.org/en/list/1055/documents/>

Old Town World Heritage property, including through supporting community engagement initiatives.

- The LCDA, in the execution of its mandate, facilitate the creation of a stakeholder and community forum for Lamu Island specific to the LAPSSET project to serve as continuous vehicle for stakeholder and community engagement.
- The LAPSSET Corridor Development Authority with due speed, adopt the MOU with the NMK to ensure the NMK has a permanent seat on the LAPSSET Board.
- The World Heritage Committee request the State Party to include in its next State of Conservation report, a detailed update of progress and activities undertaken to implement the above recommendations.

4.9. Examine the mechanisms in place to safeguard the water security of Lamu Old Town

Introduction

The Lamu World Heritage property and Lamu town depend on the ground aquifers of the Shela Dunes for their potable water. This source also serves the town of Shela and the various tourism developments on Manda Island.

As far back as 2004, the World Heritage Committee requested the State Party to gradually extend the boundaries of the property to include the Shela sand dunes and other aspects with natural values, such as the mangroves of the island (Decision **28 COM 15B.39**). A 2005 UNESCO World Heritage Centre *Water and Sanitation Assessment Mission to Lamu* concluded that the dune area could deliver 750m³ per day (representing 22% of the total exploitable water resources of the island) and that overexploitation would lead to the intrusion of sea water (saline water). The 1986 Study 'Planning Lamu, Conservation of an East Africa Seaport' estimated that then the extraction stood at already 800m³ per day⁹ – which means that the maximum capacity was already being exceeded more than 30 years ago.

The 2010 joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission noted the construction of new buildings in the Shela Dunes area, prompting a request by the World Heritage Committee to the State Party to protect the area and safeguard the water security of the town of Lamu (Decision **34 COM 7B.46**); a request repeated in 2012 (Decision **36 COM 7B.43**).

The State Party in response gazetted the Shela Dunes area as a protected Nature Reserve already before 2014.

Discussion

The action on behalf of the State Party to protect the Shela Dunes is commendable. The mission had the opportunity to investigate the Shela Dunes area and can confirm that no further development has taken place on the dunes since the gazettment in 2014.

However, the mission observed that the water delivered from the Shela dune wells has become saline. The population of Lamu has increased since the 2005 study and the

⁹ Siravo, F and Pulver, A. 1986. *Planning Lamu. Conservation of an East Africa Seaport*. Nairobi: National Museums of Kenya. p. 73.

development of tourism infrastructure on Manda Island has continued. Water requirements have increased. This has probably already led to an over-exploitation. This mission was unable to ascertain what the extraction rate per day of the Shela Dune wells are at this point in time, but was informed by inhabitants of the island that the tap water in Lamu Town has become markedly more saline than in, for instance, Makotoni, which is from a different source, indicating over-extraction.

The large expansion of Lamu Town, with the informal settlements continually increasing to the south-west of the town, has added to the volume of water required. Residents reported that they experienced water shortages in Lamu Old Town.

The newly formed Lamu District Council and Lamu Municipality will need to urgently address this problem. The 2005 UNESCO World Heritage Centre *Water and Sanitation Assessment Mission to Lamu* report forms a good starting point to reassess the water security on the island and develop strategies to safeguard a healthy water supply.

The sanitation situation in the property and Lamu Town remains cause for concern and has been for some time. As far back as 2007 the World Heritage Committee urged [...] *the State Party to ensure that the State funds can be provided through the current Lamu Development Plan to address the sewage and water supply objectives as a matter of urgency [...]* (Decision **31 COM 7B.50**). The property is still serviced by open sewers that empty directly into the ocean: an untenable situation.

Installing a new water reticulation system and a functioning sewerage system in the property and its buffer zone presents a sizeable challenge: not only is space very limited; the urban morphology also presents a distinct challenge to the installation of pipe-runs. Extensive archaeological investigations will be required before planning these new networks.

Recommendations

Water security remains a key consideration for the maintenance of the distinct culture of Lamu Old Town (criteria (ii) and (vi)). Population growth due to the LAPSET project will further impact on water needs and sanitation problems on Lamu Island. The protection of the Shela Dunes area is an important step towards safeguarding this essential resource, but seeing the increase in the water needs on the island and the reported decrease in quality, more needs to be done to ensure long-term sustainable water security.

The mission recommends that:

- The challenge of water security and sanitation remain critical and require urgent attention. The State Party is advised to engage the various UNESCO Programmes or Programme sectors through its National Commission to explore possibilities for collaboration in water and sanitation challenges.
- The Lamu District Council, Lamu Municipality, Lamu Local Planning Commission, LCDA and NMK, through the proposed Heritage Task Team, review the recommendations of the 2005 UNESCO World Heritage Centre *Water and Sanitation Assessment Mission to Lamu* report, including its recommendations regarding the improvement of sanitation on the island.
- The LCDA, as mandated, collaborate with the Heritage Task Team to ensure that the water and sanitation capacity of Lamu Island can accommodate urban growth resulting from the LAPSET Corridor investments.
- The State Party engage the World Heritage Centre to explore the opportunities to invite a World Heritage Centre Advisory mission or a mission by another competent authority to update the 2005 Water and Sanitation Assessment and develop overall strategies

to address the problem of water security and sanitation in the property and its buffer zone.

- The NMK collate all known information on the archaeology of the property and its buffer zone and create an archaeological map of the property, also indicating areas that require further archaeological investigation as base-information for any further infrastructural planning.
- Any plans for infrastructure upgrades in the property and its buffer zone be submitted to the World Heritage Centre for review by the Advisory Bodies before any irreversible decisions on their implementation are made, and before the plans are implemented.

4.10. Examination of the progress made to date on the recommendation of the 2015 mission calling for strong building controls to be developed for Lamu Old Town

Introduction

The 2015 joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission was unable to visit Lamu Old Town and therefore unable to assess the implementation or success of the conservation guidelines and the building controls in the property and its buffer zone. That mission did, however, conclude that: *Due to the potential for impact on the physical fabric of the World Heritage property due to development pressures, there is an urgent need for strong building controls to be developed for the Lamu Old Town.*¹⁰ This recommendation was endorsed by the World Heritage Committee in 2016 (Decision **40 COM 7B.12**)

Discussion

During the mission, the team observed many changes to buildings within the World Heritage property that did not conform to the by-laws and building controls set up for the conservation area. The mission has to conclude that, while Lamu Old Town has been declared a conservation area, the development control tools, and control mechanisms involving political will to implement conservation-directed building controls is currently inadequate. At the same time, the existing building by-laws need to be reviewed to ensure their conformity with the new legislation. The NMK reported to the mission that it has requested funding from the African World Heritage Fund for financial support to undertake this juridical review.

The draft Management Plan, in the draft format to which the mission has had access, also does not include any provisions in its action plan for strengthening the building controls above making provisions to reassess the by-laws governing development in the property (or conservation area). The impact of development, especially uncontrolled and inappropriate development in the buffer zone and the wider setting can do as much harm to the property as inappropriate development in the property itself. But at present, the boundaries of the buffer zone are insufficient to safeguard the OUV of the property and the State Party still needs to address the various World Heritage Committee decisions calling for the submission of a minor boundary modification, including its 2015 request to include all of Lamu and Manda islands in the buffer zone of the property (Decision **39 COM 7B.40**).

Addressing both the urgent enforcement of building conservations guidelines, while providing incentives for restoration projects, and developing building controls for the property and its current and future buffer zone, are issues of great urgency.

¹⁰ Report on the 2015 Reactive Monitoring Mission to Lamu Old Town, (Kenya) from 9 to 11 February 2015. p.4. Available from <https://whc.unesco.org/en/list/1055/documents/>

Recommendations

The boundaries of the buffer zone are insufficient to safeguard the OUV of the property. The State Party will need to urgently address the need to strengthen building controls in the property and its buffer zone. This includes not just better building by-laws, but better enforcement of the existing rules. The Lamu Local Planning Commission is the organisation that needs to take the lead in this. It is advisable to ensure that development controls include the whole of Lamu Island and Manda Island. At the same time, better enforcement of building conservation guidelines is essential. In order to ensure that these processes are streamlined, it is essential for a collaboration on policy and implementation between the County Government, the Municipality and the NMK. The mission was further presented with a proposal that the County Government dedicate 2% of its annual budget to the maintenance of the OUV of the Lamu World Heritage property – a proposal that the mission endorses.

The mission recommends that:

- The NMK, County Government, Lamu Local Planning Commission and the Lamu Municipality enter into a partnership agreement, through a memorandum of understanding or cooperation, on the conservation and development of the Lamu Old Town World Heritage property, establishing a formalised and well-resourced Heritage Task Team for Lamu Old Town (mentioned in section 7.2 above) with its tasks including, but not limited to:
 - engaging the LAPSSET Corridor Development Authority,
 - creating a vision for the future of the Lamu Old Town World Heritage property and its current and future buffer zone;
 - steering the creation of a Local Area Master Plan for Lamu Island and Manda Island so as to facilitate the implementation of the County Integrated Development Plan, with as its aim the maintenance of the OUV of the Lamu Old Town World Heritage property, and including its current and future buffer zone;
 - planning, steering and overseeing the implementation of infrastructural development;
 - undertaking the juridical review of existing by-laws to align them with the new legislative context and develop new controls and development guidelines,
 - coordinating commercial activity; stimulating and undertaking building conservation and developing conservation incentives in the property and its current and future buffer zone;
 - ensuring that building conservation guidelines in support of the OUV of the property are fully implemented;
 - establishing and maintain a stakeholder engagement mechanism to inform its actions and decisions;
 - supporting in terms of policy, infrastructure and resources those community initiatives that support the continued integrity of the property and maintenance of its OUV, including with regard to the social sustainability of the community of the property;

- The County Government assess and implement the proposal to dedicate 2% of its annual budget to the maintenance of the OUV of the Lamu Old Town World Heritage property.

5. ASSESSMENT OF THE STATE OF CONSERVATION OF THE PROPERTY

Introduction

Because of concerns regarding the state of conservation of the property, the World Heritage Committee in 2019 requested that the State Party [...] *submit an assessment of the condition of the built fabric of Lamu Old Town, including, as far as possible, an overview of how this has developed since inscription of the property on the World Heritage List.* (Decision **43 COM 7B.107**)

The mission was able to inspect a reasonably representative part of the property and its immediate buffer zone, but could not undertake a structured survey of the state of conservation of the listed and unlisted buildings in the property.

The NMK has initiated a conditions survey of the property and is engaging an international partner, the University of Osaka, to develop a mobile-technology based platform to showcase and monitor the built fabric of the property. The NMK site manager also reported to the mission that he has applied for Lamu to join the UNESCO Creative Cities Network to support the social fabric and cultural traditions of the property.

The State Party has, through the Kenyan Urban Support Programme, provided funding to reconstruct the Lamu market building, located in the property, adjacent to the Fort. While the mission noted that the design of the reconstructed market could be improved, this initiative will maintain the historical commercial function of this area and ensure that Lamu Old Town remains the commercial centre for the island. The Lamu Municipality is also planning to implement projects to improve the public space infrastructure of the property and its buffer zone.

Discussion

The mission observed the need for urgent conservation measures and the re-enforcement of conservation guidelines to halt the continuing decay of the built fabric of the property and support the living culture that gave rise to it. The mission observed a great lack of application of building conservation controls in the application of materials and techniques used in building restorations and renovations. This, the mission was informed, was in part due to the expense or unavailability of traditional materials, in part due to consequences of nature conservation legislation. Where private investment was made to the built fabric of the property, this very often included inappropriate techniques and materials, or took the form of inappropriate additions. This was especially manifest on the Lamu waterfront. The state of conservation of the built fabric of the Lamu Old Town World Heritage property is, generally speaking, poor and requires urgent intervention. The specific culture of the property needs to be nurtured to maintain it. The actions of the NMK are very welcome, but may prove to be too little too late to maintain the integrity of the property and safeguard its OUV. Financial resources remain a great challenge in improving the state of conservation of the property.

Despite positive steps, in the recent past the authorities have not been able to come to grips with improving the water security, improving the management of solid and liquid waste, addressing urban development control, enforcing by-laws, or, at the very least, halting the physical decay and controlling the quality of interventions in the built fabric of the property. The State Party may well wish to look towards the International Community for assistance in addressing the state of conservation of the property, which, if it is not addressed urgently, will mandate a recommendation for the inclusion of the property on the List of World Heritage in Danger due to both Ascertained and Potential Danger. It is the opinion of the mission that the decayed physical state of conservation of the property alone could lead to consideration of danger listing, but when coupled with the potential impacts of the LAPSSET project, the Lamu

Coal Power Plant project (if it were to restart), and other management failures, the possibility of danger listing becomes even stronger.

Recommendations

The state of conservation of the property is poor, and the OUV of the property is fragile and deteriorating. If the deterioration remains unchecked, the OUV of the property will be rapidly eroded in the short term.

The mission recommends that:

- The State Party complete with urgency the conditions survey of the property and submit this to the World Heritage Centre for review by the Advisory Bodies. This survey should also include reference to historical baseline material, where possible, of individual buildings and historical survey maps, specifically referencing the documentation prepared both for the original conservation plan in the 1980s, and in the process towards the nomination of the Lamu Old Town for inscription on the World Heritage List.
- The Heritage Task Team for Lamu Old Town, which this mission has recommended, be established, and it should take as one of its main tasks to ensure that the state of conservation of the property is stabilised and improved.
- Detailed designs for the improvement of the public space of the property and any other large-scale developments or infrastructure upgrade projects should be submitted to the World Heritage Centre for review by the Advisory Bodies before any decision on the implementation thereof is made.
- The State Party should consider requesting financial assistance, if necessary, from development partners or by submitting an International Assistance Request from the World Heritage Fund to initiate the Heritage Task Team for Lamu Old Town to be able to implement the Decisions of the World Heritage Committee and recommendations of all Reactive Monitoring missions.

6. CONCLUSIONS AND RECOMMENDATIONS

This 2019 joint UNESCO / WHC / ICOMOS / ICCROM Reactive Monitoring mission was the first mission within the framework of the World Heritage Convention to visit the property in nearly a decade: a decade in which the national administrative structure of the State Party was realigned with its new constitution, leading to a period of administrative uncertainty, and with decentralization and the process of establishing a new administrative structure still underway. The same decade saw political instability in the region, leading to an increase in the population of Lamu Town. Now, the LAPSET project will bring further significant change to the socio-economic and environmental context of the property and its inhabitants, thereby potentially threatening to further erode the Swahili culture specific to Lamu and an essential component of the OUV of the property.

The OUV of the Lamu Old Town has, in the past, proven to be very resilient, but the mission concludes that this is not the case anymore. Urgent action is required to safeguard the integrity and authenticity of the property. Of great concern is the need for urgent conservation measures and the re-enforcement of conservation guidelines to halt the continuing decay of the built fabric of the property and support the living culture that gave rise to it. This requires enforcement of building conservation controls and conservation guidelines and by-laws. These are, however, not effective if materials and techniques used in building restorations and renovations are not available and affordable. Financial resources need to be mobilized to improve the state of conservation of the property and safeguard its OUV.

A new governance model needs to be established to ensure strategic inter-institutional collaboration on national, county and local level. Such a new model should also facilitate the participation of private institutions, such as NGOs, in the governance. Lamu has a rich group of NGOs, such as the Association of Hotel Operators and the Lamu Cultural Week Committee, and also religious associations who are very active in the town. These are important partners of the management of Lamu Old Town because to a large extent they cover the non-tangible part of the town which is not adequately addressed by government institutions.

Another important group that is equally taken for granted, despite its continued contribution to Lamu as a town and as cultural heritage, is the general public. There is a need for a strong Public Relations Office within the new Lamu Municipality as well as the Museum that will make the work of reaching out to the public to cultivate their awareness and solicit their consolidated cooperation a routine undertaking. The general public is the most significant source of funding for the town's rehabilitation while also the main source of the County Council's income generation. Yet, the experience of this mission shows that the community is not very well informed of important decisions related to the development or conservation of their town.

The mission therefore recommends that:

- The National Government send a high-level delegation, including at the very least representatives of the Ministry of Sport, Culture and Heritage and the National Museums of Kenya, to the island to better understand the urgency and range of challenges faced at the property (this recommendation being dependent on an assessment of the security situation).
- A programme of structured community and stakeholder engagement be designed and implemented as part of the Management Plan for the property, currently being compiled, which should include a project of stakeholders and community engagement to inform them of the new administrative and management structure for the property.
- The State Party complete with urgency the conditions survey of the property and submit this to the World Heritage Centre for review by the Advisory Bodies. This survey should also include reference to historical baseline material, where possible, of

individual buildings and historical survey maps, specifically referencing the documentation prepared in the process towards the nomination of the Lamu Old Town for inclusion on the World Heritage List.

- The draft Management Plan be amended to accommodate the provisions of the MAB Biosphere Reserve and the values contained in its designation as well as the aims of the KIST-Con project.
- Detailed designs for the improvement of the public space of the property and any other large-scale developments or infrastructure upgrade projects in the property or its current or future buffer zone be submitted to the World Heritage Centre for review by the Advisory Bodies before any decision on the implementation thereof is made.

Because of the extent of the challenges faced by the property, the mission recommends that:

- The National Government, through the Ministry for Sport, Culture and Heritage jointly with the Lamu County Government and NMK, and with the LCDA in collaboration with other ministries including for the Environment and Forestry, Labour and Social Protection and Health, amongst others, and also with full collaboration of the civil society, create a Heritage Task Team for Lamu Old Town to:
 - address the many challenges faced at the property, including governance, youth unemployment, erosion of culture, environmental challenges and conservation challenges faced at the property. Such a Heritage Task Team should assist the County and Municipal governments and the Lamu Local Planning Commission for a specific period of time to achieve well-resourced full-functioning management system for Lamu Old Town and its current and future buffer zone which is essential in addressing challenges that require inter-institutional collaboration.
 - develop a structured and sustainable community and stakeholder engagement mechanism, identify community initiatives that aim to sustain the OUV of the property and support them institutionally and financially.
 - develop or identify mechanisms for sustainable funding of conservation activities in the property.
 - Facilitate the fast agreement of a memorandum of cooperation between the County Government, Lamu Local Planning Commission, the Lamu Municipality and the NMK, to adequately resource the Task Team and monitor its continuous functioning.

The future liveability of the Lamu Old Town World Heritage property depends on the water security of the town. The mission recommends that:

- As the challenge of water security and sanitation remain critical and require urgent attention, the State Party engage the various UNESCO Programme Sectors through its National Commission to explore possibilities for collaboration in water and sanitation challenges.
- The LCDA should, as mandated, contribute to the Heritage Task Team to ensure that water and sanitation capacity of Lamu Island can accommodate urban growth resulting from the LAPSSSET Corridor investments.
- The State Party engage the World Heritage Centre to explore the opportunities to invite a World Heritage Advisory Mission or a mission by another competent authority to

update the 2005 Water and Sanitation Assessment and develop overall strategies to address the problem of water security and sanitation on Lamu Island.

The management system of Lamu Old Town has been disrupted by the national governmental reorganization following the adoption of the 2010 Constitution. Local management structures and capacities are not yet fully functioning, and responsibilities have not been clearly delineated yet. Communication between governance structures is a challenge.

The mission recommends that:

- The Ministry for Sport Culture and Heritage and NMK, jointly with Lamu County Government, Lamu Municipality, Local Planning Commission and the LAPSSET Corridor Development Authority, with full collaboration of the civil society, and also in collaboration with other ministries including for the Environment and Forestry, Labour and Social Protection and Health, amongst others, establish a Heritage Task-Team for Lamu Old Town to:
 - Create a vision for the future of the Lamu Old Town World Heritage property and its current and future buffer zone;
 - Steer the creation of a Local Area Master Plan for Lamu Island and Manda Island so as to facilitate the implementation of the County Integrated Development Plan, with the aim to maintain the OUV of the Lamu Old Town World Heritage property and include its current and future buffer zone;
 - Plan, steer and oversee the implementation of infrastructural development;
 - Undertake the juridical review of exiting by-laws to align them with the new legislative context and develop new controls and development guidelines,
 - Coordinate commercial activity in the property;
 - Stimulate and undertake building conservation and develop conservation incentives in the property and its current and future buffer zone;
 - Ensure that building conservation guidelines in support of the OUV of the property are fully implemented;
 - Establish and maintain a periodic stakeholder engagement mechanism to inform its actions and decisions;
 - Support in terms of policy, infrastructurally and in terms of resources those community initiatives that support the continued integrity of the property and maintenance of its OUV, including with regards to the social sustainability of the community of the property;
 - Finalise the buffer zone boundary proposals and develop construction guidelines limiting height, bulk and materiality of new structures in this development control zone ensure that the setting of the Lamu Old Town World Heritage property is not negatively affected in the long term.
 - Investigate incorporating these provisions in by-law, including through public engagement as required by Kenyan law.
 - Following the adoption of the minor boundary modification by the World Heritage Committee, the by-laws should be published as required by the provisions of Kenyan law.

- Review the recommendations of the 2005 UNESCO World Heritage Centre Water and Sanitation Assessment Mission to Lamu report, including its recommendations regarding the improvement of sanitation on the island.
- Collate all known information on the archaeology of the property and its buffer zone and create an archaeological map of the property, also indicating areas that require further archaeological investigation as base-information for any further infrastructural planning, noting that any plans for infrastructure upgrades in the property and its buffer zone be submitted to the World Heritage Centre for review by the Advisory Bodies before any irreversible decisions on their implementation are made, or the plans are implemented.
- A final proposal of the composition and structure of the recommended Heritage Task Team should be developed and submitted to the World Heritage Centre by 1 February 2021.

Financial resources for conservation development remain lacking. The mission recommends that:

- The County Government assess and implement the proposal to dedicate 2% of its annual budget to the maintenance of the OUV of the Lamu Old Town World Heritage property.

The mission recommends that greater and more action is required from the State Party to avoid or mitigate future negative impacts from the LAPSSET project. Due to the magnitude of the LAPSSET project, the potential for negative impacts on cultural heritage in the region, including the Lamu Old Town World Heritage property, is large. It is essential that the National Museums of Kenya as national custodian of cultural heritage, has a guiding role in the planning decisions made by the LAPSSET Board.

The mission recommends that:

- State Party, the Government of Kenya, as the main shareholder of the LAPSSET Corridor Development Authority, and concurrently the custodian of the Lamu Old Town World Heritage property, establish as core corporate social responsibility of the LAPSSET Corridor Development Authority to provide financial support for the conservation and maintenance of the OUV of the Lamu Old Town World Heritage property under its mandate to build the capacity of LAPSSET Corridor towns to manage urban growth resulting from LAPSSET Corridor investments. It should ensure that the LAPSSET Corridor Development Authority develops significant funding mechanisms for conservation and maintenance work to address both physical conservation issues, and also to support social and cultural issues that relate to the sustenance of traditional livelihoods in the property.
- The State Party, the Government of Kenya as, as main shareholder of the LAPSSET Corridor Development Authority, and concurrently the custodian of the Lamu Old Town World Heritage property, ensure that the LAPSSET project provide support, financially and logistically, to the NMK and stakeholder and community organizations who aim to safeguard the OUV of the Lamu Old Town World Heritage property, including through supporting community engagement initiatives. The LAPSSET Corridor Development Authority, in the execution of its mandate, should facilitate the creation of a stakeholder and community forum for Lamu Island specific to the LAPSSET project to serve as continuous vehicle for stakeholder and community engagement.

- The State Party as a priority revise the requested SEA for the entire LAPSSET project and not implement any further phases of the project until the requested revisions of the SEA for the entire LAPSSET project has been completed, failure of which would indicate unwillingness to find optimal solutions to ensure the future protection of the OUV of the Lamu Old Town World Heritage property, and to safeguard its OUV from cumulative, ascertained and potential dangers.
- The State Party develop a concrete action plan with mitigation measures developed from the SEA and the already completed HIA and to fully fund the actions contained within this plan.
- The Memorandum of Understanding (MOU) between the NMK and the LCDA be urgently submitted for review by the World Heritage Centre and the Advisory Bodies.
- Once the agreement has been reached with the World Heritage Centre on the content of the MOU, the LCDA with due speed, adopt the MOU with the NMK to ensure the NMK has a permanent seat on the LAPSSET Board.
- The Minister for Sport, Culture and Heritage facilitate the speedy adoption and enforcement of the MOU.
- The World Heritage Committee request the State Party to include in its next state of conservation report, a detailed update of progress and activities undertaken to implement the above recommendations.

With regard to the planned Lamu Coal Power Station project, the mission concludes that the concerns regarding the proposed coal-fired power plant aired in previous World Heritage Committee decisions remain both valid and urgent, despite the project being temporarily halted. The proposed infrastructure could have a direct visual impact, while the pollution caused by the plan could also negatively affect the property directly, but also impact livelihoods, and therefore the living culture of the property through potential negative environmental impacts, especially on maritime environments. The mission advises that:

- The State Party should not proceed with the proposed Lamu Coal Fired Power Station (Lamu Coal project) as the project will have negative impacts on the OUV of the Lamu Old Town World Heritage property, including also on the livelihoods and culture of its people.
- Should alternative proposals, including utilising other energy sources such as gas, solar, or wind be investigated – and there is any indication that this may have any impact on the OUV of the Lamu Old Town World Heritage property –, such proposals should be assessed through Environmental and Heritage Impact Assessments conformant to Paragraphs 110 and 118bis of the Operational Guidelines for the Implementation of the World Heritage Convention. Such assessments should address, at minimum, direct and indirect, immediate and cumulative impacts on the OUV of the Lamu Old Town World Heritage property and include an assessment of impacts on culture and livelihoods, also considering the potential impact on marine environments, taking into account the status of the Kiunga and Kiwaiyu MAB Biosphere Reserves. Such assessments should be submitted to the World Heritage Centre for review by the Advisory Bodies before the assessments are finalised and their recommendations implemented.

Regarding the Manda Airport extension, the mission recommends that:

- The State Party continue with its reconstruction of the Manda Airport air-side apron. This activity will not impact the OUV of the property.
- The Kenya Airports Authority inform and invite comments from National Monuments of Kenya of any plans to further expand the airport or its runways before any irreversible decisions are made or any project implemented.
- Any future larger-scale extensions or reconstructions at the Manda Airport be assessed through an HIA process and such an HIA be submitted with details of the proposed project by the State Party for review by the World Heritage Centre and the Advisory Bodies before any irreversible decisions are made or any project implemented.

The mission advises that the State Party take serious cognisance of the extent of the challenges it faces in maintaining the integrity and authenticity of the OUV of the Lamu Old Town World Heritage property. It may well wish to look to the international community for assistance and expertise, also in establishing partnerships for activating the values of Lamu Old Town in its programme towards achieving its own development goals and the UN Sustainable Development Goals (Agenda 2030).

Seen in the light of the above, as well as in the light of the fact that the List of World Heritage in Danger is a mechanism through which the State Party could activate international interest and assistance for the actions that will need to be undertaken to safeguard the OUV of the Lamu Old Town World heritage property, **the mission recommends that the State Party give serious consideration to requesting the World Heritage Committee to include Lamu Old Town on the List of World Heritage in Danger as a means to invite the international community, funders and other potential partner organisations to assist the State Party in safeguarding the OUV of the property. Such a request should include a definition of the Desired State of Conservation for the Removal of the property from the List of World Heritage in Danger (DSOCR), and a set of corrective measures including a timeframe for their implementation, defined by the State Party as baseline for the World Heritage Committee to consider.**

7. ANNEXES

ANNEX 1: Committee Decision: 43 COM 7B.107

Adopted during the 43rd Session (Baku 2019)

The World Heritage Committee,

1. *Having examined* Document WHC/19/43.COM/7B.Add,
2. *Recalling* Decision **27 COM 7B.31, 33 COM 7B.44, 34 COM 7B.46, 40 COM 7B.12, 41 COM 7B.69, and 42 COM 7B.45**, adopted at its 27th (UNESCO, 2003), 33rd (Seville, 2009), 34th (Brasilia, 2010), 40th (Istanbul/UNESCO, 2016), 41st (Krakow, 2017) and 42nd (Manama, 2018) sessions respectively,
3. *Regrets* that the State Party provides only limited information on the state of conservation of the property, and *reiterates its requests* to the State Party, as a matter of urgency, to submit to the World Heritage Centre for review by the Advisory Bodies:
 - a) *An updated clearly delineated map of the property and its enlarged buffer zone, which should be formalized through a request for minor boundary modification in line with Paragraph 164 of the Operational Guidelines,*
 - b) *Full details of the overall scope of the Lamu Port–South Sudan–Ethiopia Transport (LAPSSET) project, including the Lamu resort city, and clarification of fishing plans, mangrove planting, and surveys of coastal morphology,*
 - c) *The requested Heritage Impact Assessment (HIA) for the Manda airport extension,*
 - d) *The LAPSSET Planning and Investment Framework,*
 - e) *The Action Plan for the Lamu Old Town Cultural Heritage Committee with strict deadlines for all components defined therein,*
 - f) *The revised Management Plan for Lamu Island;*
4. *Requests* the State Party to submit an assessment of the condition of the built fabric of Lamu Old Town, including, as far as possible, an overview of how this has developed since inscription of the property on the World Heritage List;
5. *Urges* the State Party to complete the Memorandum of Understanding (MOU) between the National Museums of Kenya (NMK) and the LAPSSET Agency, to ensure this MOU grants the NMK a seat in the LAPSSET Agency Board and to submit the MOU to the World Heritage Centre once completed;
6. *Also requests* the State Party to undertake a review of all government and independent environmental and heritage impact assessments of the LAPSSET project and the Lamu Coal Plan, and submit it to the World Heritage Centre as soon as possible, and by **1 February 2020**;
7. *Further requests* the State Party to revise the draft Strategic Environmental Assessment (SEA) of the LAPSSET project by:
 - g) *Assessing the individual and cumulative impacts of the project on cultural and natural heritage, including the impacts on the Outstanding Universal Value (OUV) of Lamu Old Town and the ecological services that support the wider community of the property, and by proposing mitigation measures,*

- h) *Urgently implementing the decisions of the National Environmental Tribunal of 26 June 2019, No. NET 196¹¹ of 2016, in respect to the development of Lamu Coal Project, that requires the State Party to conduct a fresh Environmental Impact Assessment,*
 - i) *Aligning, as appropriate, the SEA for the LAPSSET project and the SEA for the developments in the Lake Turkana Basin, with a view to assessing all potential direct, indirect and cumulative impacts of the development projects on the OUV of all affected World Heritage properties;*
8. *Requests furthermore that the State Party submit a revised LAPSSET SEA, a Heritage Impact Assessment and Environmental Impact Assessment of the proposal for the Lamu Coal Project that considers the impacts on the OUV of Lamu Old Town, and other requested documents above, to the World Heritage Centre for review, before proceeding with the Lamu Coal Project;*
 9. *Following the security clearance by the United Nations Department of Safety and Security (UNDSS), requests moreover the State Party to invite a joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission to the property to review the process and conclusions of the various environmental and heritage impact assessments, the stakeholder engagement processes and the state of conservation of the property;*
 10. *Encourages the State Party, as needed, to request technical and/or financial support from the World Heritage Fund, other States Parties to the World Heritage Convention or other potential donors or partners in finalizing the Management Plan, the delineation of the boundaries of the property and its buffer zone, and assessing the state of conservation of the built fabric of the property;*
 11. *Finally requests the State Party to submit to the World Heritage Centre, by **1 February 2020**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 44th session in 2020, **with a view to considering, in the case of confirmation of the ascertained or potential danger to OUV, and in line with Paragraph 179 of the Operational Guidelines, the possible inscription of the property on the List of World Heritage in Danger.***

¹¹ See <http://kenyalaw.org/caselaw/cases/view/176697/>

ANNEX 2: Terms of Reference of the mission

TERMS OF REFERENCE

Joint WORLD HERITAGE CENTRE/ICOMOS/ICCROM Reactive Monitoring Mission

to Lamu Old Town World Heritage property

29 November – 3 December 2019

Length of mission: 4.5 days (1/2 day in Nairobi; 4 days in Lamu and environs)

The World Heritage Committee at its 41st session in Krakow (July 2017) requested the State Party of Kenya to invite a joint World Heritage/ICOMOS/ICCROM Reactive Monitoring mission to the Lamu Old Town to “clarify the current scope of the LAPSSET project in relation to its actual and potential impacts on the Lamu Old Town property, to examine work already carried out for the LAPSSET project and on the Manda airport developments, and to examine the overall state of conservation of the Lamu Old Town property” (Decision 41 COM 7B.69).

As the local security situation did not allow a mission to travel to Lamu, the State Party of Kenya requested the World Heritage Centre to organize an Advisory mission to Nairobi. Accordingly, from 24 to 26 January 2018, a World Heritage Centre/ICOMOS/ICCROM Advisory mission was dispatched to discuss progress with the overall LAPSSET project and to “consider its potential impacts, to review progress with the SEA, the Management Plan, and with the HIA for Manda Airport, and to clarify the details of the proposed coal plant”. It is to be noted that the 2015 Reactive Monitoring mission was also unable to visit the property owing to the security situation. The last Reactive Monitoring mission to the property took place in 2010.

In Decision 42 COM 7B.45, the World Heritage Committee requested the State Party to “invite a joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission to the property, once the necessary security clearance has been obtained, in order to examine the state of advancement of the LAPSSET project as well as the state of conservation of the property, and to hold discussions with local stakeholder groups”.

In Decision **43 COM 7B.107**, the World Heritage Committee requested the State Party to “invite a joint World Heritage Centre/ICOMOS/ICCROM Reactive Monitoring mission to the property, following the security clearance by the United Nations Department of Safety and Security (UNDSS), to review the process and conclusions of the various environmental and heritage impact assessments, the stakeholder engagement processes and the state of conservation of the property.

Following the receipt of the necessary clearance via email on 26 September 2019, from the United Nations Department of Safety and Security (UNDSS) to allow a Reactive Monitoring mission to travel to Lamu Old Town, and in response to the letter of invitation by the State Party dated 19 June 2019, the World Heritage Centre organizes a Reactive Monitoring mission to Nairobi and to the property as requested by the Committee to be carried out from 29 November to 3 December 2019.

The Reactive Monitoring mission will carry out the following tasks:

Undertake extensive site visits to:

- Lamu Old Town,
- the installations of the LAPSSET project including the headquarters building and the work on the first three berths, the dredging works, etc.

- site of the proposed the Lamu Coal Project
- the Manda Airport extension
- the sites of any other works that may have begun regarding the resort city or other aspects of the LAPSSET project.
- areas of Lamu and Manda Island to be considered regarding the requested extension of the buffer zone.

The purpose of these visits will be to carry out a visual inspection and examine the overall state of conservation of the World Heritage property and its overall setting in close collaboration with the site manager, LAPSSET authorities, representatives of National Museums of Kenya (NMK), other relevant Kenyan officials and stakeholders.

Hold meetings in Nairobi and Lamu with the relevant national and local authorities of the Government of Kenya and other relevant stakeholders including:

- the Ministry of Transport, Infrastructure, Housing and Urban Development;
- the Ministry of Tourism; the Ministry of Lands and Physical Planning,
- the Ministry of Water and Irrigation,
- the National Environmental Management Authority –
- the National Museums of Kenya (NMK),
- the LAPSSET Corridor Development Authority (including its CEO and the LAPSSET Steering Committee),
- the Lamu County government,
- the Lamu World Heritage property site manager and the Lake Turkana World Heritage property site manager,
- Lamu community representatives, and other relevant stakeholders (this is of particular importance).

These meeting will have the objective of discussing the state of conservation of Lamu Old Town as well as the potential impacts on property's OUV of the LAPSSET project and the proposed Lamu Coal Project. The mission will also meet with representatives of the UNESCO National Commission and the UNESCO Regional Office for Eastern Africa (Nairobi) as necessary.

On the basis of discussions, documents received and site visits, the experts will examine the progress made on the implementation of the recommendations of previous Committee decisions (39 COM 7B.40, 40 COM 7B.12, 41 COM 7B.69, 42 COM 7B.45, 43COM7B.107) as well as those made by the 2015 Reactive Monitoring mission and the 2018 Advisory mission, and particularly concerning:

- examining the overall state of conservation of the Lamu Old Town property;
- the revision of the SEA for the entire LAPSSET Development project, which should include a chapter on the impacts on the OUV of Lamu Old Town and Lake Turkana National Parks World Heritage properties;
- the revision of the Management Plan chapter on LAPSSET;
- the pledge by the State Party to ensure a seat on the LAPSSET board for National Museums of Kenya (NMK) to be included in the Memorandum of Understanding (MoU) between the LAPSSET Corridor Development Authority and NMK;
- clarification from the LAPSSET authorities regarding the extent to which mitigation measures identified in the various impact assessments are being implemented and

monitored and its commitment not to extend the LAPSSET project beyond the limits shown to the 2015 mission (see Figure 6.10 in the 2018 Advisory mission report);

- the status of adequate planning measures to protect against indirect spill-over development from LAPSSET and other projects that could potentially create negative impacts on the property;
- the Resort City proposal for Lamu to ensure that it does not have negative impacts on the property and on the Swahili culture which is an important attribute of its OUV;
- the status of the Lamu Coal Project power plant planned in the vicinity of Lamu Old Town and the additional studies carried out by to determine the impacts of this project on the OUV of the property, including the Environmental and Social Impact Assessment (ESIA) carried out on the Lamu Coal Project and examined by the National Environmental Management Authority in 2015;
- any additional works that are foreseen for Manda Island airport and ensure that the necessary Heritage Impact Assessments (HIA) are submitted to the World Heritage Centre for review by the Advisory Bodies;
- the proposal for a Minor Boundary Modification to the World Heritage Centre with attention to the need for an extended buffer zone as requested in several previous Committee decisions;
- efforts on the part of the Government of Kenya and the LAPSSET authorities to enhance its engagement with the local communities and to provide significant long-term funding for conservation activities;
- the status of the Lamu masterplans and LAPSSET Corridor masterplan currently under preparation;
- the mechanisms in place to safeguard the water security of Lamu Old Town;
- progress made to date on the recommendation of the 2015 mission calling for strong building controls to be developed for Lamu Old Town;

It should be noted that recommendations are made in the framework of the mission report (see below), and not during the mission.

The mission will prepare a joint mission report on its findings and recommendations, following the attached format, in English, no later than 6 weeks after the completion of the mission, for examination by the World Heritage Centre and the Advisory Bodies.

The State Party should facilitate and organize the above-mentioned site visits and the meetings with the relevant government institutions and ministries, the CEO and relevant LAPSSET staff, the local community representatives from Lamu, including pertinent members of the Lamu county government, as well as representatives of the National Museums of Kenya, especially those involved in the management of the World Heritage property. The State Party should also ensure that all relevant maps and documents are provided to the World Heritage Centre for transmission to the mission team well in advance of the mission.

ANNEX 3: Composition of the mission

The mission team was composed of:

Nicholas Clarke	ICOMOS
Joe King	ICCROM
Muhammad Juma	UNESCO

ANNEX 4: Itinerary and programme of the mission as implemented

PROGRAM FOR WORLD HERITAGE CENTRE /ICOMOS/ICCROM REACTIVE MONITORING

TIME	ACTIVITY	LOCATION	RESPONSIBILITY
Day 1: Friday 29 November 2019			
9:00 – 10:00	Arrival at the Hotel (Golden Tulip Hotel)		NMK Mission
10:00 – 12:00	Briefing with the National Museum of Kenya (NMK)	Hotel (Golden Tulip Hotel)	NMK Mission
12:00 – 13:00	Courtesy call to the Cabinet Secretary, Minister of Sport, Culture and the Art in Kenya, HE. AMB. (Dr.) Amina C. Mohamed	Ministry of Sport, Culture and the Art in Kenya,	NMK
14:00 – 15:30	LUNCH BREAK	Golden Tulip	All
15:30 – 16:30	Working on the program Finalizing documentation of the Mission with NMK	Golden Tulip	NMK / Mission
Day 2: Saturday 30 December 2019			
8:30 – 9:30	Briefing with NMK	Golden Tulip	NMK / Mission
9:30 – 10:30	Transfer to the local Airport	Wilson Airport, Nairobi	NMK / Mission
12:00 – 12:30	LUNCH BREAK		All
13:30 – 15:30	Travel to Lamu with local flight		NMK / Mission
16:30 – 18:00	Briefing with NMK (site Manager) at Lamu on the program of the visits	Lamu – Site Manager	NMK / Mission Lamu site Manager Local authorities
Day 3: Sunday 1 December 2019			
9:30 – 14:30	Visit to <ul style="list-style-type: none"> • Lamu Port, • Coal Plan • Metropolis • Hindi Town • County Head-Quarter • Makoe Jetty 	LAMU (LAPSSET)	NMK / Mission Lamu County authorities Lamu Local authorities Site Manager
14:00 – 15:30	LUNCH BREAK		All
15:30 – 17:30	Visit to Lamu old town <ul style="list-style-type: none"> • Dune • Shela 	Lamu Old Town	NMK / Mission Lamu County authorities Lamu Local authorities Site Manager
Day 4: Monday 2 December 2019			
9:30 – 14:30	Stakeholders Consultation meeting: <ul style="list-style-type: none"> • Lamu County authorities • Local authorities • Site Manager • Stakeholders • Communities 	Lamu Old Town	NMK / Mission Lamu County authorities Lamu Local authorities Site Manager
14:30 – 15:30	LUNCH BREAK		All
15:30 – 18:00	Visit to Lamu old town	Lamu Old Town	NMK / Mission Lamu County authorities Lamu Local authorities

			Site Manager
Day 5: Tuesday 3 December 2019			
9:30 – 12:30	Visit to Manda Airport	Manda Airport	NMK / Mission Lamu County authorities Lamu Local authorities Site Manager
12:30 – 13:30	LUNCH BREAK		
13:30 – 17:00	Visit to Lamu Old Town	Lamu Old Town	NMK / Mission Lamu County authorities Lamu Local authorities Site Manager
Day 56 Wednesday 4 December 2019			
9:30 – 13:30	Briefing with NMK, Site manager and local authorities	Lamu	NMK / Mission Lamu County authorities Lamu Local authorities Site Manager
13:30 – 14:30	LUNCH BREAK		
15:30 – 17:30	Transfer to Wilson Airport Nairobi. Return Travel		NMK / Mission

ANNEX 5: The List of people met with

Name	Function
Hon. Amb. Dr. Amina Mohamed	Ministry of Sport, Culture and Heritage of Kenya
Hon. Amina R. Masoud,	County Executive Committee Member
Athman Hussein	NMK- Coastal Region
Hoseah Wanderi	NMK-HQ
Dennis Milewa	NMK-HQ
Mohamed M. Ali	NMK-Lamu
Salim Buni	Manager LAPSSET -Lamu
Jimbi Katana	NMK- Research
Omar M. Famau	Lamu Municipal
John Omare	Kenian National Commission to UNESCO
Engineer Amadi	Kenya Port Authority
Abdi Shukuur	Kenya Port Authority
Makin Hussein	County Government
Shakila Ahmed	LAPSSET-Lamu
Fatma A Omar	Lamu Municipal
Adam Kolia	Lamu Municipal
Saudi Kassim	Lamu Museum
Mohammed Ali	NMK-Lamu
Umulkheir Bakar	Lamu World Heritage Site
Municah N Sairo	NMK
Dominic Naini	Manda Airport-KAA
Muhammad Juma	UNESCO
Joseph King	ICCROM
Nicholas Clarke	ICOMOS

ANNEX 6: Statement of Outstanding Universal Value, as approved in 2011 during the 35 Session (Paris, 11) by decision 35 COM 8E, ([WHC-11/35.COM/8E](#))

Brief synthesis

Lamu Old Town, located on an island known by the same name on the coast of East Africa some 350km north of Mombasa, is the oldest and best-preserved example of Swahili settlement in East Africa. With a core comprising a collection of buildings on 16 ha, Lamu has maintained its social and cultural integrity, as well as retaining its authentic building fabric up to the present day. Once the most important trade centre in East Africa, Lamu has exercised an important influence in the entire region in religious, cultural as well as in technological expertise. A conservative and close-knit society, Lamu has retained its important status as a significant centre for education in Islamic and Swahili culture as illustrated by the annual Maulidi and cultural festivals.

Unlike other Swahili settlements which have been abandoned along the East African coast, Lamu has continuously been inhabited for over 700 years. The growth and decline of the seaports on the East African coast and interaction between the Bantu, Arabs, Persians, Indians, and Europeans represents a significant cultural and economic phase in the history of the region which finds its most outstanding expression in Lamu Old Town, its architecture and town planning.

The town is characterized by narrow streets and magnificent stone buildings with impressive curved doors, influenced by unique fusion of Swahili, Arabic, Persian, Indian and European building styles. The buildings on the seafront with their arcades and open verandas provide a unified visual impression of the town when approaching it from the sea. While the vernacular buildings are internally decorated with painted ceilings, large niches (madaka), small niches (zidaka), and pieces of Chinese porcelain. The buildings are well preserved and carry a long history that represents the development of Swahili building technology, based on coral, lime and mangrove poles.

The architecture and urban structure of Lamu graphically demonstrate the cultural influences that have come together over 700 hundred years from Europe, Arabia, and India, utilizing traditional Swahili techniques that produced a distinct culture. The property is characterized by its unique Swahili architecture that is defined by spatial organization and narrow winding streets. This labyrinth street pattern has its origins in Arab traditions of land distribution and urban development. It is also defined by clusters of dwellings divided into several small wards (mitaa) each being a group of buildings where a number of closely related lineages live.

Attributed by eminent Swahili researchers as the cradle of Swahili civilization, Lamu became an important religious centre in East and Central Africa since the 19th century, attracting scholars of Islamic religion and Swahili culture. Today it is a major reservoir of Swahili culture whose inhabitants have managed to sustain their traditional values as depicted by a sense of social unity and cohesion.

Criterion (ii): The architecture and urban structure of Lamu graphically demonstrate the cultural influences that have come together there over several hundred years from Europe, Arabia, and India, utilizing traditional Swahili techniques to produce a distinct culture.

Criterion (iv): The growth and decline of the seaports on the East African coast and interaction between the Bantu, Arabs, Persians, Indians, and Europeans represents a significant cultural and economic phase in the history of the region which finds its most outstanding expression in Lamu Old Town.

Criterion (vi): Its paramount trading role and its attraction for scholars and teachers gave Lamu an important religious function (such as the annual Maulidi and Lamu cultural festivals) in East and Central Africa. It continues to be a significant centre for education in Islamic and Swahili culture.

Integrity (2010)

The property, covering 16 hectares, adequately incorporates all the tangible and intangible attributes that convey its outstanding universal value. A high percentage (65%) of the physical structures is in good condition with only 20 % needing minor refurbishment. The remaining 15 % may need total restoration. The majority of the town's buildings are still in use.

The town needs to maintain its relationship with the surrounding landscape. The setting of the Old Town is vulnerable to encroachment and illegal development on the Shela dunes that are a fundamental part of its setting. Development is a threat to its visual integrity as an island town closely connected to the sea and sand-dunes, and to its ultimate survival in terms of the fresh water that the dunes supply. The setting extends to the surrounding islands, all of which need to be protected from informal settlements, and to the mangroves that shelter the port.

Authenticity (2010)

The architecture of Lamu has employed locally available materials and techniques which are still applied to date. The people of Lamu have managed to maintain age-old traditions reinforcing a sense of belonging and social unity. This is expressed by the layout of the town which includes social spaces such as porches (Daka), town squares and sea front barazas. The town continues to be a significant centre for education in Islamic and Swahili culture.

The authenticity of the Old Town is vulnerable to development and to a lack of adequate infrastructure, that could overwhelm the sensitive and comparatively fragile buildings and urban spaces that together make up the distinctive urban grain of the town.

Protection and management requirements (2010)

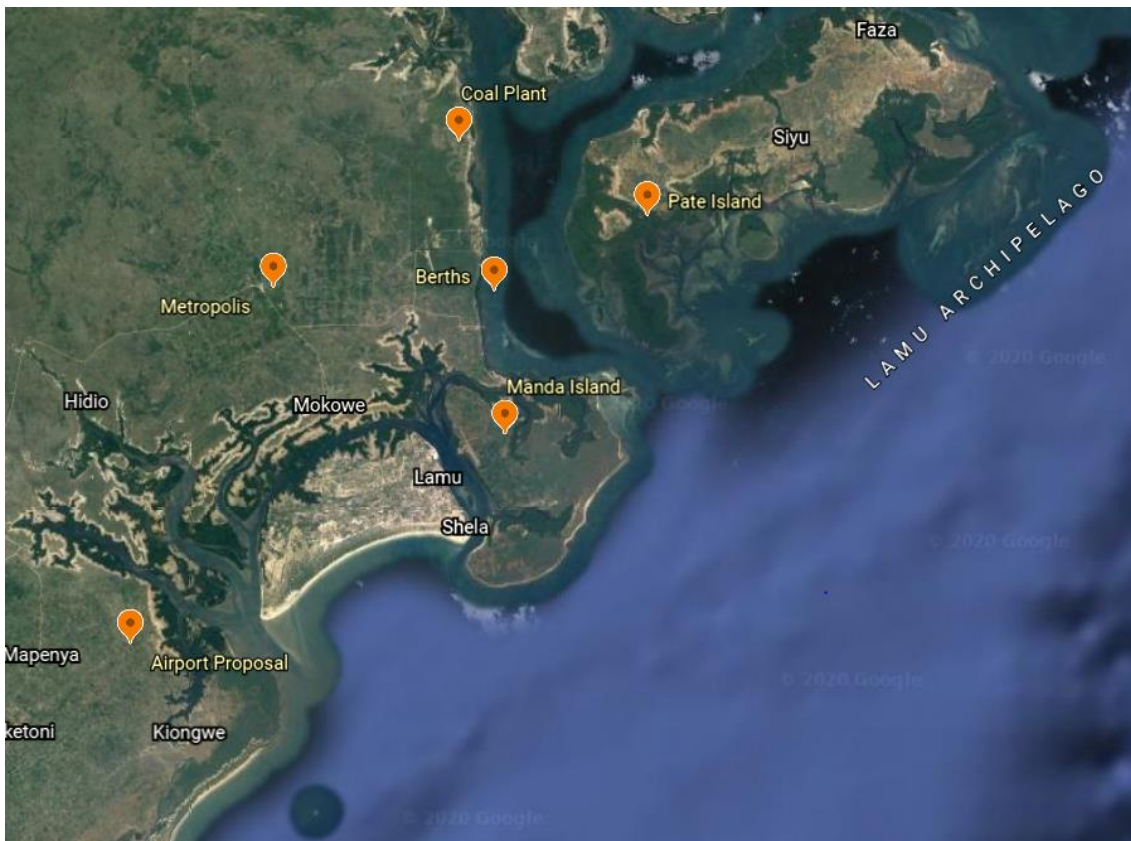
Lamu Old Town is managed by the National Museums and Heritage Act 2006 (that replaced the 1983 National Museums Act CAP 216 and Antiquities and Monuments Act CAP 215) and the Local Governments Act (and the associated by laws). Physical construction is also subjected to the EMCA Act and the 2006 Planning Act, which recognize that archaeology is material for consideration. The Old Town has a gazetted buffer zone that includes the Manda and Ras Kitau mangrove skyline and the Shela sand dunes, also protected by the Forest Act and Water Act respectively (although the buffer zone has not been formally approved by the World Heritage Committee). All the components are legally protected.

The Lamu Stone Town Conservation Office, now renamed the Lamu World Heritage Site and Conservation Office was established by the National Museums of Kenya and has been in operation since 1986. A conservation officer is seconded to Lamu County Council to advise on conservation matters. A planning commission exists since 1991 to play a supervisory role and address emerging issues in the conservation area.

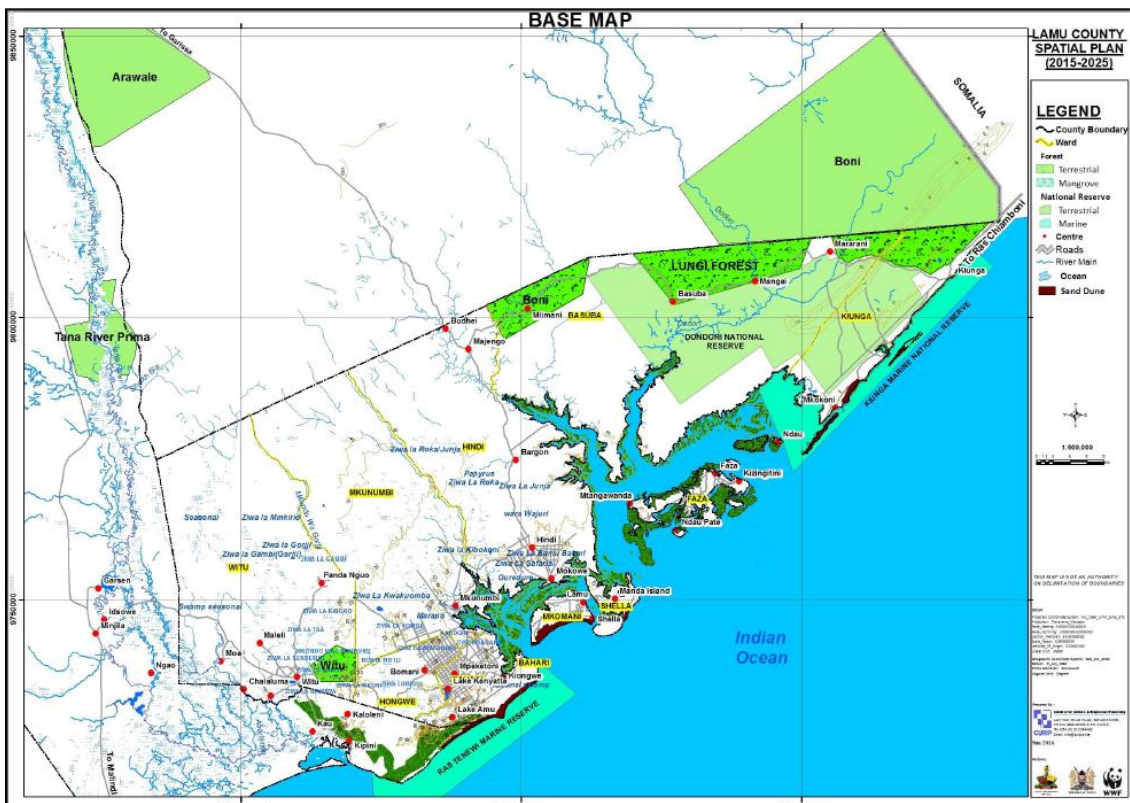
There exists a conservation plan for Lamu Old Town which is used as a guide in balancing the community needs for development and sustaining the architectural values of the town. The property is in a satisfactory state of conservation. Locally embedded institutions ensure the continued importance of Lamu as a centre of Islamic and Swahili cultural learning and practices.

A draft management plan has been developed that will address issues such as the mushrooming of informal settlements in the setting of the property, encroachment and illegal development on the sand dunes water catchment area, the proposed port and cruise ship berth, and oil exploration. The plan will also strengthen the inter-ministerial relationships to enhance an integrated management approach, including the establishment of a conservation fund, for sustainable conservation and management of the property.

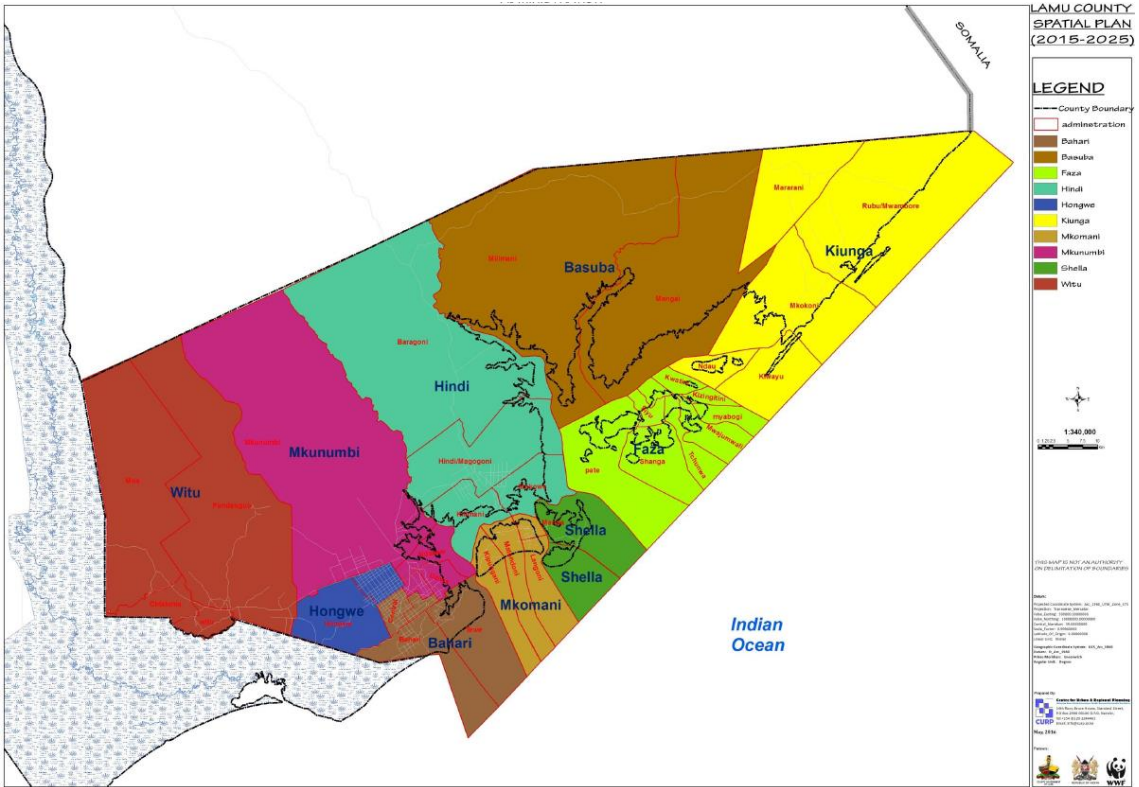
ANNEX 7: Maps



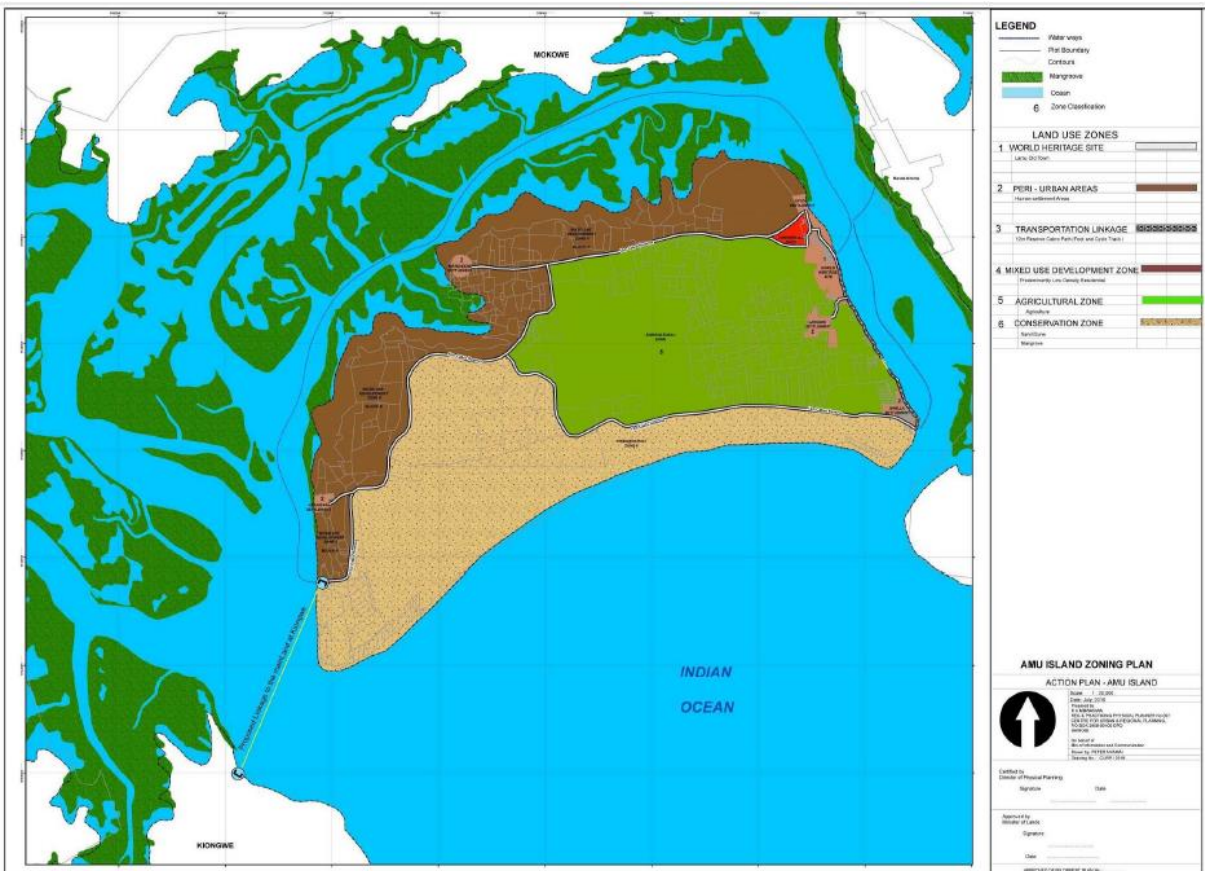
Map 1: Lamu Island in relation with new developments



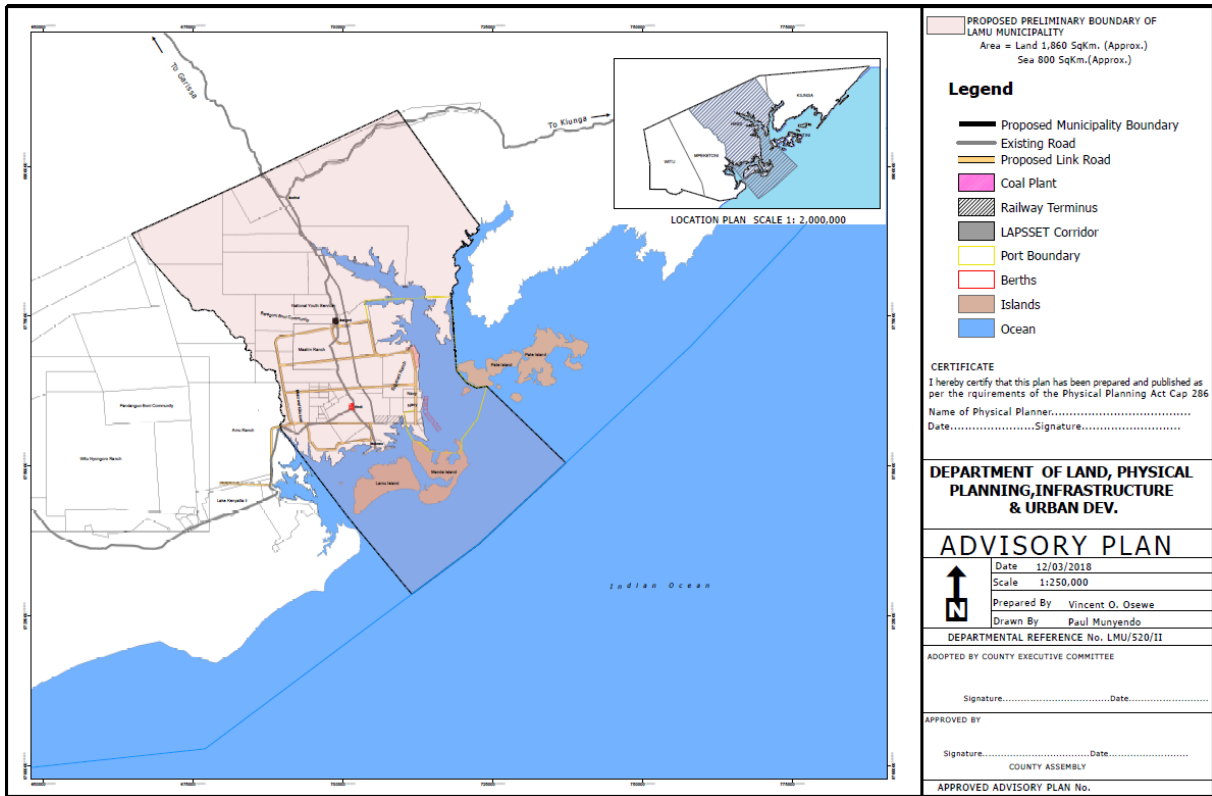
Map 2: Base Map of Country Government of Lamu (Lamu Island)



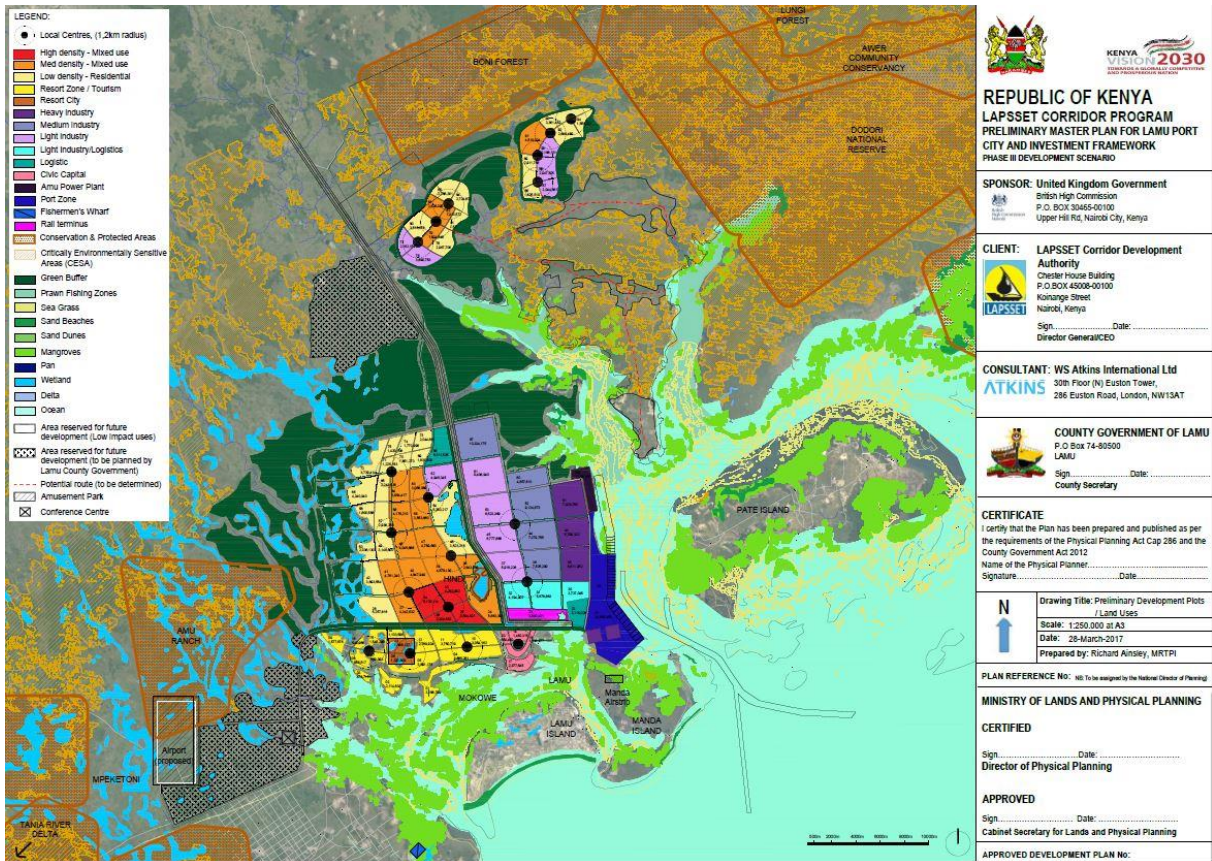
Map 3: Lamu County Administration boundary



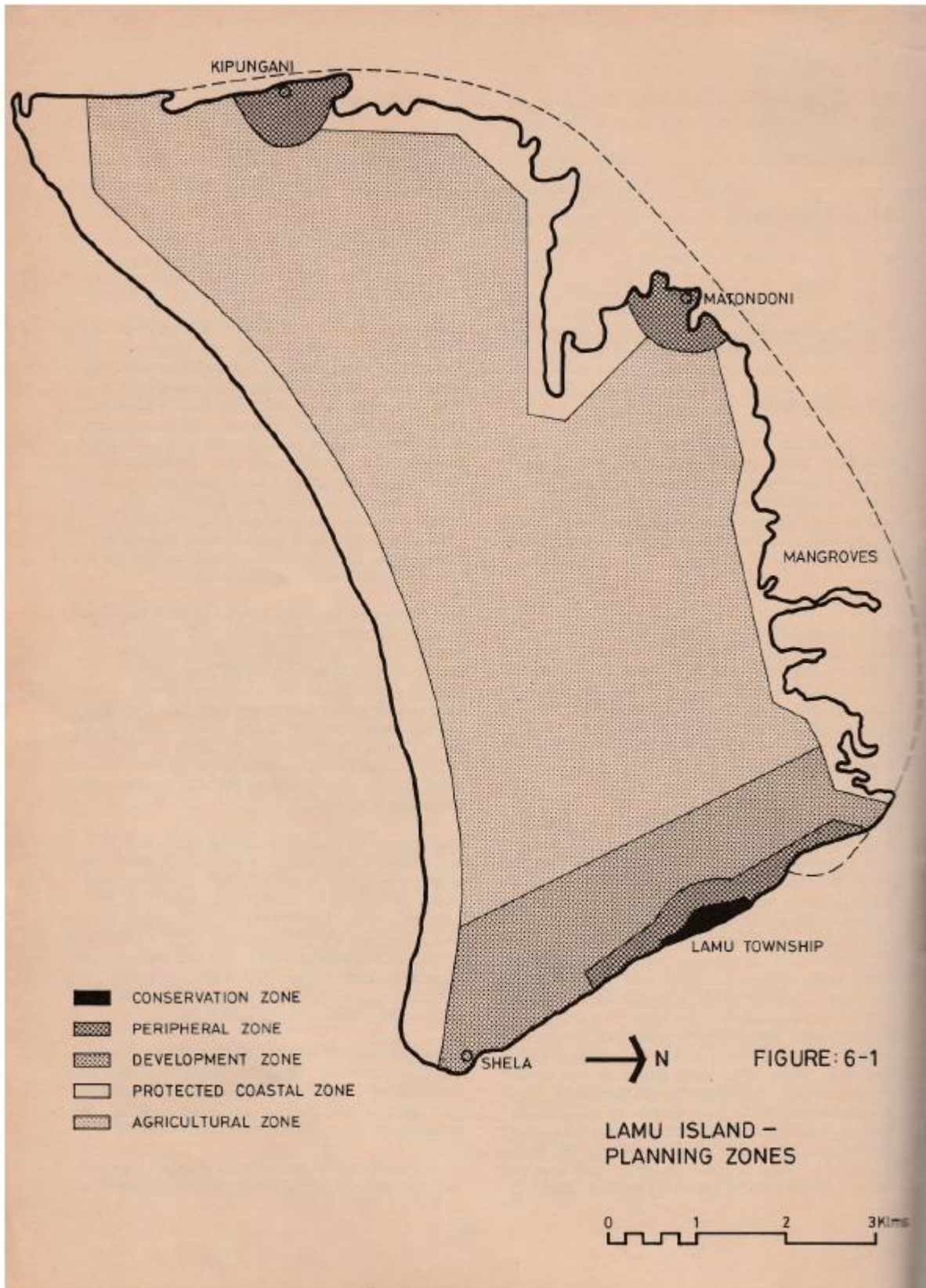
Map 4: Zoning Action Plan in Lamu



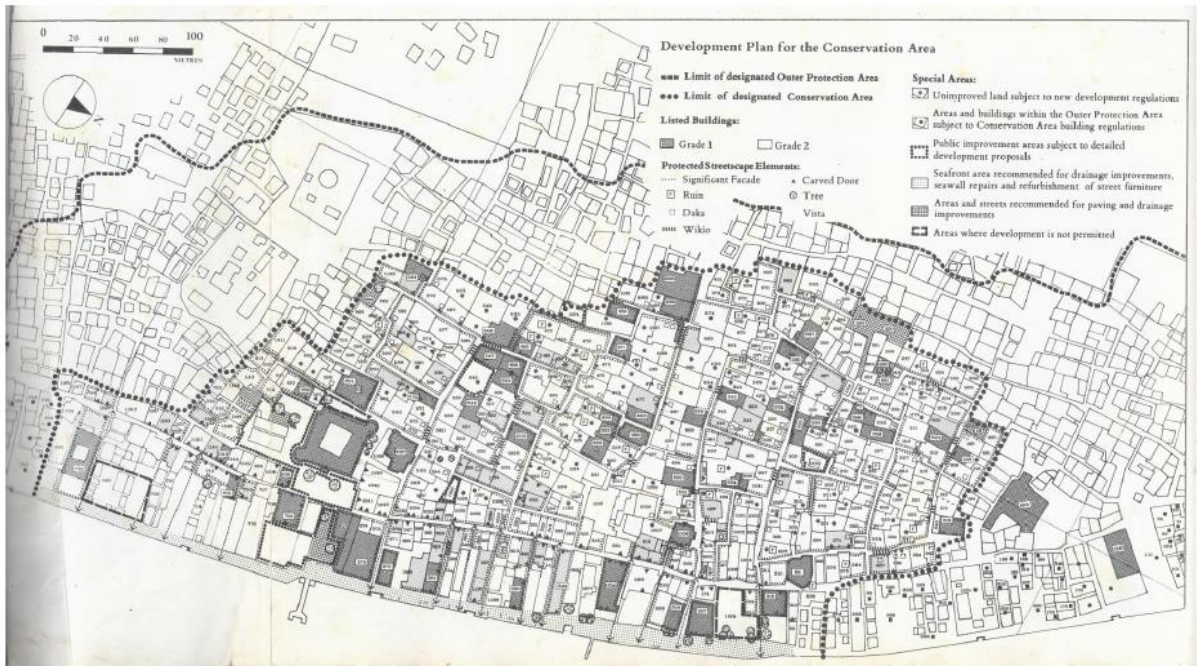
Map 5: Boundaries of the Lamu Municipal



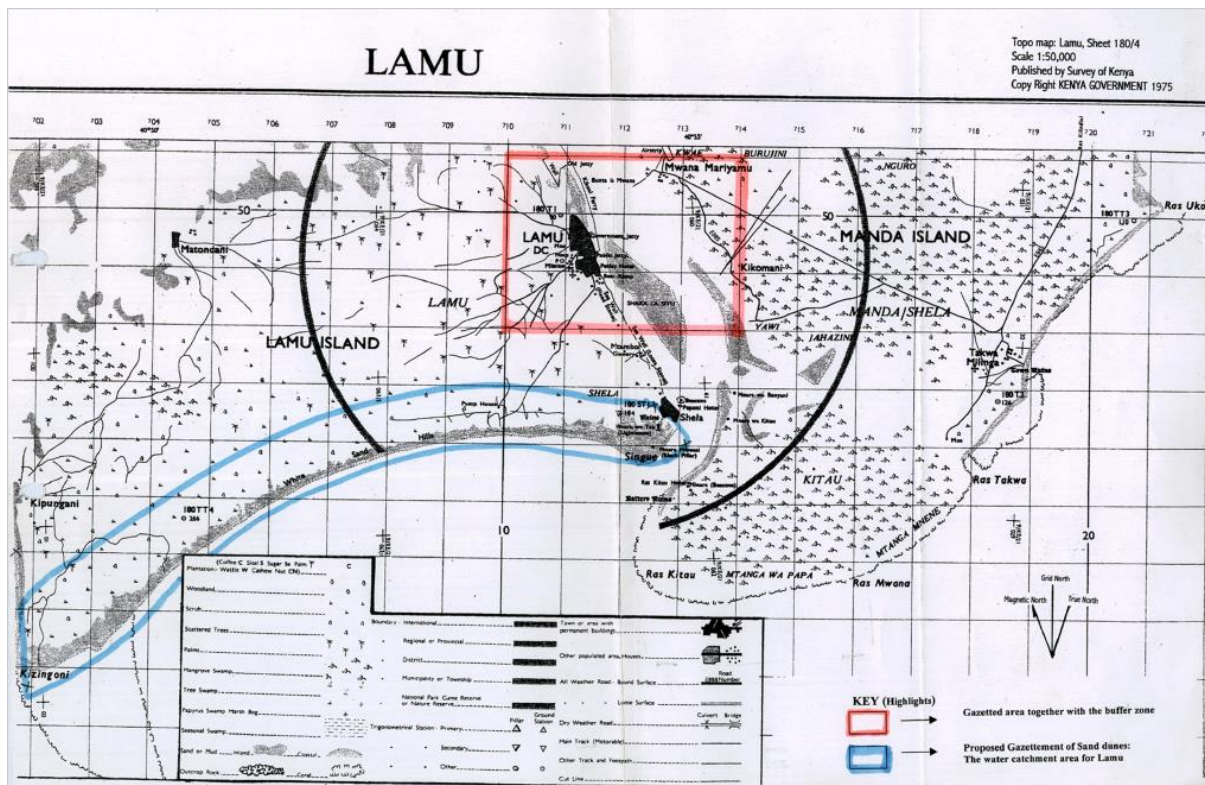
Map 6: Lamu Municipal Master Plan



Map 7: Land Use in Lamu (1976)



Map 8: Proposed Plan for conservation area (1986)



Map 9: Proposed protected area (2001)

ANNEX 8: References

1. Atkins-Acuity (2017). LAPSSET, Corridor Investment Framework. Nairobi
2. Draft Lamu Old Town, World Heritage Management Plan (2013-2020). Lamu.
3. LAPSSET CORRIDOR DEVELOPEMENT AUTHORITY (2017). LAPSSET Corridor Program-Status. Nairobi.
4. REPCON ASSOCIATES (2017). Draft SEA for the LAPSSET Infrastructure Corridor, Vol 1. Nairobi
5. ALANetglobal (2017). Intergrated Transport Infrastructure Master Plan for LAPSSET project Componets Located in Lamu County. Nairobi.
6. AMU POWER COMPANY LIMITE (2016). ESIA Study for the Proposed 1,050MW Cpals Fire Power Plan Project, Kenya. Nairobi.
7. LAMU COUNTY (2018). LAMU COUNTRY INTERGRATED DEVELOPMENT PLAN 2018-2022. LUMU.
8. LAMU COUNTY (2016). LAMU COUNTY SPATIAL PLAN. LAMU
9. LAMU COUNTY (2016). DRAFT LAMU PORT METROPOLITAN AREA STRUCTURE PLAN. LAMU.
10. Usam Ghidam (1976). LAMU, a study in Conservation. Nairobi.
11. Fracesco, S. and Ann P. (1986). Planning Lamu, Conservation of East Africa Seaport. Nairobi.
12. Fonseca, P. J., and Teixeira Duarte R. (2017), *Contribuição para a proteção integrada e sustentabilidade do recife da Ilha de Moçambique*. Lisbon and Maputo: University of Lisbon and University Eduardo Mondlane.
13. Gabinete de Conservação da Ilha de Moçambique (GACIM) (March 2018), *Breve informe sobre o progresso do estado de conservação do patrimonio da Ilha de Moçambique*. Ilha de Moçambique: Ministry of Culture and Tourism of Mozambique.
14. ICOMOS (2001). Evaluation, Lamu Old Town. Paris.
15. ICOMOS (2010). Reactive Monitoring Mission Report, 22-28 April 2010. Paris.
16. UNESCO World Heritage Centre and ICOMOS (2004). *Mission to Lamu old Town, 22-17 March 2004*. Paris
17. UNESCO (2005). Water and Sanitation Assessment Mission *to Lamu, 12-22 February 2004*. Paris
18. UNESCO World Heritage Centre, ICOMOS and ICCROM (2010). *Reactive Monitoring Mission Report, 6-9 May 2010*. Paris.
19. UNESCO World Heritage Centre, ICOMOS and ICCROM (2010). *Reactive Monitoring Mission Report, 6-9 May 2010*. Paris.
20. UNESCO World Heritage Centre, ICOMOS and ICCROM (2015). Reactive Monitoring Mission (Nairobi) Report, 9-11 February 2015.
21. UNESCO World Heritage Centre, ICOMOS and ICCROM (2010). *Advisory Mission Report (Nairobi), 24-26 January 2018*. Paris.

ANNEX 8: Mission photographs