The impact of the Lake Turkana Wind Power Project on Kenya’s indigenous peoples

While renewable energy is essential to reduce global warming, such projects are not always implemented in a socially responsible manner as regards local communities. In northern Kenya, the installation of wind turbines for power generation has negatively affected indigenous peoples due to the occupation of their lands without prior consultation, their forced displacement, and an increase in prostitution, substance abuse, and inter-ethnic conflict.

By Marianne Wiben Jensen - February, 1st 2021

The rights and livelihoods of Africa’s indigenous peoples are impacted by a range of powerful actors, including infrastructure mega-projects, extractive industries, agribusiness and the nature conservation industry. To this, more recently, must be added green energy activities such as biofuel and wind power projects.

The Lake Turkana Wind Power Project (LTWP) is part of an ambitious plan to bring power to all Kenyans while making the transition to 100% renewable energy. The LTWP is situated in the vast Marsabit County, in the northern part of Kenya, where a low-level jet stream from the Indian Ocean creates strong and predictable winds averaging 11.4 m/s. The area is remote, poor and arid, and inhabited by nomadic and semi-nomadic pastoralists.

Ever since colonial times, Marsabit County has been a neglected and marginalized area. Its population has had very limited access to education, infrastructure and security. However, due to the discovery of oil in northern Kenya and its inclusion in Africa’s largest infrastructure project (Lamu Port South Sudan - Ethiopia Transport Corridor), investment in the area has become a key element of Kenya’s overall development plan entitled “Vision 2030”.

Wind power in East Africa

The LTWP consortium leased an area of 607 km², or 150,000 acres, in the Loiyangalani area in 2009. Of this, 40,000 acres have so far been used for the project and the consortium has the
possibility of subleasing the remaining 110,000 acres to other investors. The land has been leased for a period of 33 years, twice renewable.

The idea for the Lake Turkana Wind Power Project was conceived back in 2006, with the first wind turbine being erected in March. Full commercial operation was reached in 2019. The wind farm consists of 365 wind turbines, provided by the Danish company Vestas.

The consortium is made up of the private companies KP&P Africa, British Aldwych International (majority shareholder), Danish Vestas Wind Systems, and Sandpiper Ltd., as well as the Danish Investment Fund for Developing Countries, Finnfund and KLP Norfund Investments A/S. The EUR 678 million needed to finance the project has been provided by the Dutch Development Bank FMO, the European Investment Bank, Norfund, Finnfund and the Danish Climate Investment Fund.

The area in which the Lake Turkana Wind Power Project is located is inhabited by Samburu, Turkana, El Molo and Rendille pastoralists whose livelihoods depend on livestock herding or fishing. These groups all self-identify as indigenous and are recognized as such by the international community.

Year after year, they face numerous challenges, including recurrent droughts and famines, poverty, low levels of education (more than 60% have no formal education), and a lack of access to health care and electricity. The completion of the project and its transmission line does not mean that local communities are connected to the electricity grid. Although it is possible for indigenous people to pay for the service to obtain electricity, most cannot afford it.

The LTWP also has a foundation set up as part of its corporate social responsibility efforts: Winds of Change Foundation (WoC). Its stated aim is to seek to improve the lives of local communities and to finance projects related to health, education, water and road infrastructure. The WoC has received mixed reviews, some believing its activities are aimed more at serving the LTWP than the local communities. The construction of a road and the police station in Loiyangalani, for example, did not reflect community priorities.
No recognition, consultation or compensation

Those responsible for the Wind Power Project do not recognize the affected pastoralist groups as indigenous peoples. In fact, indigenous peoples’ policies and safeguard standards, such as the right to free, prior and informed consent (FPIC), have not been invoked. The consortium did recognize the El Molo people as indigenous but maintains that they live too far from the project to be affected. They therefore concluded that no indigenous communities would suffer the impact and that the Indigenous Peoples’ Policy Framework did not need to be applied. This decision was taken despite the fact that the African Commission on Human and Peoples’ Rights has recognized all four groups as indigenous.

In addition, the LTWP did not conduct a Free, Prior and Informed Consultation of the affected communities with regard to the allocation of the company’s 150,000 acres of land, nor were they sufficiently compensated. This led to frustration among those affected, who subsequently filed a court case.

In 2015, members of the Marsabit County government filed a case regarding the 2009 lease of 150,000 acres of land. The land was originally Trust Land, communally-owned land held in trust by the local County Council. It was this County Council that approved the lease. The plaintiffs argue that the lease was approved without proper consultation and without compensation. They further argue that the lease did not comply with the Trust Land Act, in effect in 2009, nor with the Community Land Act that replaced it in 2016.

Whereas the old Marsabit County Council was operating against the interests of the local communities, the current authority fully supports the claim and its lawyers are working alongside the people. Through this case, the community wants to establish that the lands were wrongfully allocated, obtain the return of the 110,000 acres of land not being used by the project, and finally, receive compensation for the 40,000 acres of land already being used.

The company claims that it followed due process in terms of how the land was acquired. Although the court case has faced several challenges, including key witnesses not showing up and the high costs of the process, the case is still ongoing. The COVID-19 pandemic has, however, further delayed the process.
Impact of the LTWP project

An initial Environmental and Social Impact Assessment of the Lake Turkana Wind Power Project was conducted in 2009. An updated version was published by the African Development Bank in 2011. It concluded that the social benefits of the project would far outweigh the expected and limited negative social and environmental impacts of the project. Although the LTWP emphasized how the wind farm would further the development of the region, it has not been so clear as to who the beneficiaries would be.

As for sources of employment, many of the jobs during the construction phase were short-term and unskilled. Since completion of construction, one of the few jobs available to local pastoralists is as a security guard. Most of the high-skilled jobs such as engineers have gone to outsiders.

Meanwhile, one of the major impacts of the project has been the involuntary relocation of the local village of Sarima in order to build the road to the wind farm. In 2015, local activists formed the Sarima Indigenous Peoples’ Land Forum, a group protesting the land acquisition and impact of the project. According to LTWP, they expected that the village would be only temporarily disturbed, and they state that they tried to recreate it as similar to the original as possible albeit with some changes such as better water and sanitation facilities.

However, after relocation, the village grew significantly: from a small village of some 150 Turkana inhabitants in 2005 to 1,500 people during the construction phase when people from various parts of Kenya moved to the village in search of jobs. During this stage, the village were renting out huts (manyattas) to the workers from outside, resulting in an influx of substance abuse, prostitution and increased conflict over scarce resources.

Another problem was the waste the newcomers brought to Sarima. In 2016, the Danish investigative journalism centre Danwatch reported on the social impacts of the LTWP and pointed out that the arrival of substance abuse and prostitution had formed some of the most negative impacts. Over 30 huts in Sarima village were turned into nightclubs, bars and hotels, and the rate of gender-based violence increased.

In addition, between April and May 2015, conflicts and violence erupted in the project area. First, a Rendille camp was attacked, resulting in the deaths of three children. Then, Sarima village was
attacked: three Turkana inhabitants died and several more were injured. In response, the Turkana killed 10 members of the Rendille, including women and children, and took over 4,000 head of cattle. It is not clear if this was the result of the arrival of the LTWP or a continuation of already existing ethnic conflicts.

There are indicators that show that these conflicts are about who has access to and control over the benefits of the wind farm, as well as ownership and control of the land. While inter-ethnic conflict and violent cattle rustling have existed for a long time, the concept that “this land is ours” has only been introduced by the LTWP as communities saw that they could only claim benefits if they could lay claim to the land. As a result, there is now less negotiated use of and access to the land than before.

Need for improved practices

There is no doubt that the transition to green renewable energy is of vital importance for the future of the planet, and that projects such as the LTWP contribute to such transition. However, it is important that the rights of indigenous peoples are fully recognized and protected when such renewable energy projects take place on their lands. Obtaining the free prior and informed consent of indigenous peoples is essential in this regard.

As demonstrated in several studies, this was not properly done in the case of the LTWP. This points to a need to be aware of the possible negative impacts of renewable energy projects on local communities in order to avoid resettlement wherever possible and to adhere to FPIC.

The renewable energy companies, funders and authorities involved must improve their practices and ensure that their operations respect the rights of indigenous peoples, in line with international law.

Marianne Wiben Jensen is senior adviser on land rights in Africa and team coordinator of IWGIA’s programme on land rights.