

# A battle on the scale of David and Goliath

At this location in the Ewaso Nyiro river, the Crocodile Jaw dam will soon be constructed.

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**The construction of a mega dam in the Ewaso Nyiro river is causing considerable discord in Kenya. It is indispensable for economic development and for regulating the water, its supporters claim. It is a catastrophe for the local population that totally depends on the river for its way of life, the opponents argue. So what's to be done?**

Author: Marc Broere

The older men have weather-beaten faces and their beards are coloured with hemp. They also wear sunglasses, which makes them look extremely cool. The women, who are in the minority, are dressed in an orange fabric. We are sitting in the office of a local NGO in Korbasa, a small settlement downstream near the Ewaso Nyiro river. The United Nation's eight Millennium Development Goals, which determined the agenda of most international donors between 2000 and 2015, hang on the wall. The 17 new Sustainable Development Goals (SDGs) do not yet appear to have reached this remote area. However, the community in Korbasa has other things on its mind than the latest blueprints that are thrust upon the world from the UN headquarters. Their existence is threatened by the possible construction of a dam, with the terrifying name of *Crocodile Jaw*. For many communities it also feels as though they will actually disappear into the crocodile's jaws.

We are talking to a passionate delegation of residents. Once we all introduced ourselves, they tell us about their life and what they think about the dam. They are pastoralists who move around with their cows, sheep and goats, and have been dependent on the Ewaso Nyiro river for generations. The animals are their milk and meat, their economy. They pay the school fees for their children out of the sales at the livestock market in Isiolo. "Everyone is dependent on the river", one of them summarises.

The Ewaso Nyiro is unpredictable and erratic. At the moment the riverbed is dry and they have to get water out of the ground using buckets. The riverbank moved a kilometre last year. "We can deal with that, it's part of a meandering river", explains one of the men.

They are not the only pastoralists, the river is a nomad too. However, all changes implemented by man, such as the construction of a dam, have far greater consequences; you have no control over them. "If there is an intervention upstream it has a direct effect here on people's lives here."

**What's going on here?** The Kenyan authorities compiled ambitious plans in 'Vision 2030', to put the country on the map. Major infrastructural projects are also being developed under the flag of the Lamu Port-South Sudan-Ethiopia Transport (LAPSSET) project, to stimulate economic cooperation between Kenya, South Sudan and Ethiopia. In addition to other controversial projects, such as the construction of a large wind farm at Lake Turkana and the expansion of Lamu Port, the Crocodile Jaw Dam is an initiative that stirs up feelings. The dam is intended to regulate the flow of the Ewaso Nyiro river upstream, mainly to obtain a guaranteed water supply for *Resort City*, which has yet to be built. It will be Isiolo's very own Las Vegas: a city with plenty of entertainment and offering, according to Vision 2030, 'world class living standards and working environment'. In terms of surface area, Isiolo is one of the largest counties in Kenya, but its population is just 200 thousand. Moreover, Isiolo is located in a dry region with limited other water sources. In the county, a six-hour drive to the north of the capital Nairobi, the residents have felt marginalised for years, but due to the discovery of oil and minerals, and as a result of the Vision 2030 plan, it has suddenly caught the eye of the authorities.

In 2013, the National Water Conservation and Pipeline Corporation announced the construction of the dam. It immediately led to a storm of protest from communities that live downstream, because they are afraid the dam's construction will have major consequences

for their water supply. The community we are visiting in Korbasa had to hear about the plans from an NGO operating in the region. "To this very day, nobody from the government has come to talk to us about the dam", one of those present bitterly calls out. A couple of weeks ago, the national government put an end to all uncertainty. The Government of Kenya declared that whatever happens, Crocodile Jaw will be built, regardless of all the local protest. "It's a death sentence", someone exclaims. "Normally the judge reads out a verdict and explains why you are sentenced to death. You are to be hanged, but would understand why. However, we received a verdict, but we do not know why we are going to be hanged."

## "The dam's construction is a death sentence for us"

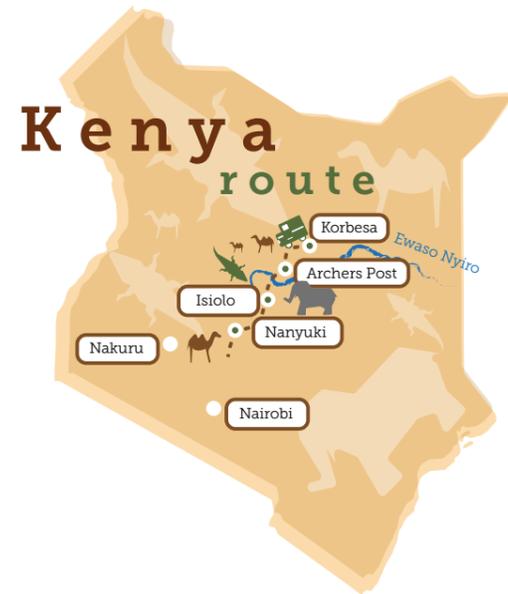
**It was Shandey Abdullahi who** first informed the community in Korbasa about the dam. He is the director of the Merti Integrated Development Programme (MIDP), the only local NGO in the area. Abdullahi is a passionate and committed man whose life was turned upside down when he first heard about the plans for Crocodile Jaw on 12 April 2012. "The subject came up by chance", he recalls. "I immediately sounded the alert, because I realised the impact it would have. I went to visit all the communities that depend on the river to make sure we spoke with one voice."

Since then he has organised matters with fervour. In recent

Members of the community in Korbasa



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**We are driving along the river** in the opposite direction of the flow, from downstream to upstream. It is a difficult road to navigate and you have to travel entire sections at walking speed, even in a four-wheel drive. This is the route to Archers Post along which the Camel Caravan Walk Campaign volunteers also travelled. The Sarova Shaba Lodge, an exclusive tourist destination, lies along the river close to Archers Post. Nearly all guests are European or North American and wear safari outfits. From the terrace there is a stunning view of the river and the adjacent wildlife reserve. Usually NGOs and companies that primarily focus on the *upper class* are not each other's obvious friends, but things are different here. Manager Josphat Ngali talks about the area's unique ecosystem with great passion, where animals and the different population groups generally coexist in peace. He says that it is only the politicians that set people against one another and cause division. Crocodile Jaw is a prime example of this. According to Ngali, the mega dam will disrupt the ecosystem and increase conflict between the different groups of people. What's more, his self-interest is also at risk, the manager admits. If the water supply to the river near the lodge decreases in the future, the amount and diversity of wildlife will also decrease.

Ngali actively works together with NGOs. His lodge serves as an *early warning system* for the communities downstream. "During periods of heavy rainfall we see right away if the river is flowing too powerfully. We then call the NGOs and tell them high water is on the way. This means they can warn local communities to retreat from the riverbed with their livestock." He is full of praise when it comes to the work of the NGOs. "The work they do is understood by the local population. They involve the communities and local leaders in their efforts. In fact, they do what our government fails to do, which is to educate and inform people."

**The plans related to the construction of Crocodile Jaw** cause a great deal of division in the area. This is evident from our discussions in the two county capitals involved. We begin in the county's government building in the capital of the same name, Isiolo. As the governor is absent, we are received by the vice governor, Abdi Issa Ibrahim. The fact that we are speaking with him, and not his boss,

years he organised three Camel Caravan Campaigns to highlight concerns about the dam (see box). They resulted in both national and international publicity and even caused a delay in the dam's construction and led to the commissioning of a new study on the impact of the dam on man and the environment. However, the statements issued by the national government came as a huge blow to Abdullahi. "I am so shocked. People simply remained passive. Everyone was too perplexed to respond angrily."

He is preparing for a new battle and wants to take it to the Environmental Court. "The fishermen in Lamu also did it. They opposed the LAPSSET plans and received serious compensation. Now we have to examine their approach and how they did it. Fortunately, we have a lawyer who is supporting us free of charge. I am now going to try and obtain money from the community for the other costs involved in the court case. It is a battle on the scale of David and Goliath, but we are going to win."

## The Camel Caravan Walk

Mariam Halake and Halima Kampicha are members of the Waldegena Women Group in Merti, which is part of the Merti Integrated Development Programme. "Our whole life depends on water", Mariam explains. "You may have food, but without water you cannot do anything with it. A household without water does not exist." Water is currently on short rations in Merti. "The tap in the village is only open two days a week. You have to queue for three hours to collect your supply", Halima adds.

They are worried about the Crocodile Jaw dam. "If the flow of Ewaso Nyiro is reduced because of the dam, the tap will be moved further in the direction of the riverbank. This means we will have to walk an even greater distance to fetch water." Both of them participated in the Camel Caravan Walk Campaign. They proudly tell us about their 240-kilometre hike, which took about one week. It was a tough trip. They were afraid of wild animals that could attack them. Or that they would run into cattle thieves. "There is nobody to hear you when you

run into difficulties", Mariam says. "But the negative impact of the dam is greater than the stress of the hike." They sometimes received a sheep or a goat to slaughter from other communities. There was a musician to play songs. And they were accompanied by ten camels. The hike received a lot of attention, not only from local media, but also from the BBC and CNN. "Our journeys resulted in a considerable increase in awareness and publicity and we are ready to do it again. Shandey (from the NGO MIDP, ed.) just has to give us a nod."



With an annual Camel Caravan Walk Shandey Abdullahi wants to draw attention to the concerns about the dam

also means we hear a completely different story. The governor is an enthusiastic supporter of Crocodile Jaw, but his deputy has a different view. Abdi cannot reveal the current state of affairs, but provides an explanation of the surrounding political sphere of influence. The governor and the national government of Kenya are in favour of the project, but the members of the county assembly, 17 in total, are all against the project, apart from one member. On a personal note, Abdi says that he is not against the construction of a dam as such, but that he believes the wrong choice of location has been made. "It would have been better if a site downstream would have been selected. Then the poorest communities would have profited." When asked why this did not happen, he responds with a meaningful smile. "It was decided by national politics. It is a historical fact that all facilities in this district always focus on the people upstream."

Salad Tutana, *chief officer* of Water and Natural Resources in Isiolo, and therefore the highest water official in the county, is an outspoken opponent of the dam. He even participated in the Camel Caravan Campaign. Tutana is convinced that Crocodile Jaw will be built. "The area to the north of Nairobi is becoming overpopulated. The authorities need living space and that's why they want to develop Isiolo economically. They also found oil and minerals here. Then you know that the rights of minorities, such as pastoralists, will always come second. If the government had really given priority to the interests of the local population, it would have first constructed a proper road between Archers Post and Merti."

The Water Resource Management Authority (WRMA), the county's office of Kenya's national water organisation also occupies the same compound as Tutana.

The contrast between the local and national water organisation could not be greater. The WRMA is not responsible for the construction of the dam itself, but is responsible for the ultimate decision of whether or not the dam will be built there. Crocodile Jaw is a sensitive issue for whom the man we are speaking with is responsible; a man who unexpectedly, at the end of the discussion, says that

he does not want his name to be mentioned in the article. He states that he will take a "well-considered decision" following a new impact study.

Nevertheless, he seems to have already made up his mind. "NGOs express many untruths about the dam. They scare the communities downstream and do not present any permanent solution." However, he is also critical when it comes to the Kenyan government. "The government should have organised a campaign to create awareness, going from door to door and from community to community, to inform the local population about the importance of the dam. They completely failed to do this."

## The marginalised district suddenly caught the eye of the authorities because of the discovery of oil and minerals

**In Nanyuki we observe the same division.** The town is a two-hour drive to the south of Isiolo and falls under the county of Laikipia. The exact construction site of the dam is located just within the boundary of this county. Njenga Kahi, Minister for Water, Environment and Natural Resources in Laikipia, is keen to place the subject in a broader perspective. "When you examine the rainfall in recent years, the quantity has remained the same. It's just that what used to fall in half a year

now falls in a week. Rain is almost an event. On the few days that it rains, it comes as a torrential downpour. A solution must be found to store the water and increase the resilience of the communities that are affected. The only strategy is to regulate the water flows. In general, a dam is the best option. Although the question is whether you should use a large dam or a series of smaller ones.”

## “It is a historical fact that all facilities in this district *always focus on the people upstream*”

Nearby, Charles Muitik, director of Public Safety and Disaster Management in the region, speaks plainly. “*We need water like yesterday.* If the NGOs hadn’t protested against the dam, it would have already been completed and the reservoir would have already been filled. The pastoralists are only afraid of one thing, and that is of losing their way of life. They refuse to see that their land could better be used for irrigation and farming. Because of the drought they have to travel ever further with their livestock to find pasture, all the way to the foothills of Mount Kenya. They do not only lose half their herd during the trek, it also leads to conflicts with people from other districts.”

In his office Mauli Ole Kaunga shakes his head. “People like Charles come from the city and are not familiar with the local culture and history. They are one hundred percent against pastoralism, because they believe it is an outdated way of life. However, the way in which administrators view problems related to water is very limited.”

Ole Kaunga is the director of Impact, a local NGO that is extremely concerned about the construction of Crocodile Jaw. The organisation provides people with legal support and collects stories of people who live along the river. His own opinion about Crocodile Jaw is clear. “I am one hundred percent against it. Megaprojects such as these do more harm than good. The construction itself already attracts many people. Local communities will be disrupted as a result. A community of 1,500 will suddenly increase to 3,000 people. You also see it in the construction of the wind farm at Lake Turkana: it has led to a huge increase in prostitution and alcoholism in the communities. What’s more, these kinds of projects always create fewer jobs than they promise.”

**And how will the location where Mr or Mrs Crocodile Jaw will be born look like?** To see it first hand, we continue our route upstream. We soon find ourselves in the romantic Africa as it is promoted in holiday brochures. The road traverses a wildlife park at several points and the panoramas are breathtaking. Just before we reach the construction site, we visit a Masai community. We arrive right in the middle of a *rite of passage*, the ritual in which, after having been isolated for several months as morans, young men officially make the transition to *junior elders*. We get a traditional welcome by women dancing and singing, and take a seat in a boma to speak to Samuel Ntanyaki, president of the Koiya Group Ranch, and a number of wise, old men. Home-made honey wine is served. Our discussion partners lovingly tell us about the culture of the Masai and their life. The 4,000 people who are part of the Koiya Group Ranch live on an area that covers approximately 8,000 hectares. There is plenty of space and their life is good, except during periods of persistent drought. Then they set off in the direction of Mount Kenya and the Aberdares in search of pasture for their herds. Today the area is green because it recently rained. This means that people do not have to leave. “It is the rain that brings our community together”, Ntanyaki explains.

The construction of Crocodile Jaw will have major consequences. Our discussion partners come up with various issues. For example,

the trees alongside the river will be cut down. The trees currently serve as the source for their traditional medicines and they are used for beekeeping, an activity that provides an additional source of income. What’s more, about 70 percent of the land of the Group Ranch will be flooded, the places where the animals graze now. The water will rise to the level of the settlements where people live, and the malaria mosquito will follow as an uninvited guest. Traditional river crossing points used by elephants will disappear, which gives rise to the fear that they will head for the settlements. They also expect that there will be more hippos in the area around the dam, which is dangerous for the women that use the river to wash clothes and fetch water. The small ecolodge on the river, where the community receives tourists now that provide a good income, will be demolished. “The dam is the cause of much confusion in our community”, Ntanyaki summarises their feelings.

**It is just a short drive to the river.** The sun is slowly setting.

People are walking back from the river, where they have washed. We are joined by Peter Leshao, Ward Administrator of Laikipia. At present the place where the dam is to be built still looks peaceful and almost idyllic.

Leshao explains why the construction site in itself is a logical choice. Right before this spot another river merges with the Ewaso Nyiro. This is why the river has a powerful current here, which makes it easy to fill a reservoir. Leshao points to two hills that will be linked by a vast reservoir. Some of the water will be allowed through for the people and animals that live downstream, but most of it will be siphoned off by pipes directly after the dam and transported to Resort City.

Our final meeting is with Stephen Lesonkoi, the recently appointed chief of Loiborsoit, the area that will be directly affected by the mega dam’s arrival. He is a tall, 30-year-old man. Lesonkoi invites us to get into his car, and parks in the shadow of a tree. Then he goes to sit on the ground and begins his story. “Not a single information meeting has been organised to tell us about the dam’s construction. I have no idea about the current state of affairs.” He feels uneasy as chief in his own region. “Strange people sometimes turn up in large cars and examine the place where the dam is going to be built. I have no idea what they are doing and what they talking about. Look, you came to visit us here today. However, you first introduced yourselves to our community and explained your mission. But these people simply show up, with no explanation.”

As the new chief his mission is clear. “I want our community to be fully involved in any decision-making and in any discussions about compensation. And I am talking about compensation amounting to billions of shillings. Look, we do not practice individual landownership here. Members of the Group Ranches are collective owners of the land. They have to decide, not me. Under certain conditions I would personally support the dam. But there must first be a round of serious meetings between the Group Ranches and the authorities. I want that everyone is exactly informed. Why exactly does the government want to build a dam right here? Is it true that large areas of our land will be flooded? What alternative do the authorities have to offer us? Where could we go? How much compensation will we get? This is not a decision that I can take with a delegation of fifty people from the community; it is such an important matter that it requires the full participation of the entire population.” ●

## Partners for Resilience

“A complete lack of information. What’s more, everyone has his or her story to tell.” This is what Zeituna Roba (Cordaid) and Titus Wamae (Wetlands International) who cooperate in the Partners for Resilience alliance (PFR) think about the current situation related to the construction of the Crocodile Jaw dam. They emphasise that the information depends on whom you talk to. Kenya is characterised by many administrative layers and organisations, both at a national and local level, and the different contacts follow one another in rapid succession because of dismissals and relocations. It is a tangle that is almost impossible to unravel.

For a long time the construction of Crocodile Jaw appeared to be delayed or even abandoned. An impact study into the effects on the ecosystems that depend on the downstream water supply is still expected. The African Development Bank also withdrew as an investor last year because it did not want to be involved in a project that is facing so much resistance. Now the recent statements by the national government are creating an entirely different playing field.

PFR supports the work of the local NGOs, MIDP in Isiolo County and IMPACT in Laikipia County.

It financed activities to create awareness as well as the Camel Caravan Walk Campaign.

What will the new strategy involve? “If local communities decide now that

they want to look for other opportunities to seek for solutions to their challenges, we can facilitate this dialogue”, Roba reveals. “Public participation itself should lie with the authorities”, Wamae exclaims. “They should take the initiative. If we were to go to the local population to inform people about the impact of the dam, it would give the impression we have our own agenda. But we can help the communities to come to the forums. We can only facilitate the dialogue from two sides. Moreover, the initiative will have to come from the communities.”

Roba continues: “We do not want to support activism but our aim is to open the avenues for dialogue. PFR is neither for or against the dam. We look at the broader objective. What impact will the dam have? Will it make people more vulnerable or more resilient to drought, floods and climate change?” Wamae nods. “We are concerned with the processes behind the decision-making.”

What has been the greatest success so far? That work has not yet begun”, Roba replies. “The local authorities also think that the fact that the African Development Bank withdrew as an investor has something to do with our activities. It is always difficult to claim something as your own success in a lobbying process, but we certainly play a part in it. Without any resistance Crocodile Jaw would have already been built a long time ago.”

During a rite of passage young men make the transition to junior elder



Stephen Lesonkoi, the newly appointed chief of Loiborsoit

