

LFFU

Leave Fossil Fuels Underground at a Glance

LFFU at a glance - Kenya:

**Resistance against the construction of a coal plant in Lamu
County**

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LFFU in Kenya: Resistance against the construction of a coal plant in Lamu County

The anti-coal movement at a glance:

- Proposed construction of a 1,050 MW coal-fired power plant proposed by the Kenyan government in Lamu County, Kenya
- Lamu coal plant would be Kenya's first-ever coal plant
- Lamu residents and Kenyan activists are concerned about the socio-environmental consequences, both locally and globally
- The project was put to a halt in 2019 until a new environmental impact assessment can be presented with full public participation

• Key actors:

- Civil society and Lamu residents
- Anti-coal activist coalitions such as *DeCOALonize Kenya* and *Save Lamu*
- LAPSSET Corridor Authority and stakeholder countries
- Tourism industry
- Institutions of the Kenyan Government: National Environmental Tribunal, National Environmental Management Authority, Kenyan National Human Rights Tribunal
- Contractors for construction and operation of the plant: Amu Power, Gulf, GE
- International investors such China Road and Bridge Corporation, China Communications Construction Company, South Africa Standard Bank, African Development Bank, Centum
- UNESCO, Heinrich Böll Stiftung, IUCN, 350.org

• Key arguments in favour of the Lamu plant:

- Believed to increase access to cheap and reliable energy for millions of Kenyans
- Could sustain the opening of a coal mining industry in Kenya's Kitui region
- Attract foreign investment as part of the LAPSSET project and power the new 32-berth Lamu port
- Coal could provide Kenya with the time and space it needs to develop its renewables further

• Key arguments against the Lamu plant:

- The project would increase Kenya's carbon emissions by 700%, activists claim
- Plant expected to have detrimental effects on ecosystems and livelihoods
- Incoherencies suggest that coal will not be cheaper than renewable energy
- Project is perceived to put the interest of profit above that of people
- Intensifies local historical struggles over land and recognition in Lamu
- Coal plant and LAPSSET corridor as ways of foreign control over Kenyan resources and politics – activists demand a decolonisation of the politics of energy

• Key dates:

- 1972: first conceptualisation of the LAPSSET corridor and Lamu plant
- 2003: President Kibaki takes project back up as part of the national *Vision 2030*
- 2009: Anti-coal activism forms under *Save Lamu* group, using various platforms
- 2014: Chinese companies decide to fund, build and operate the Lamu plant
- 2015: UN monitoring mission declares irreparable harm to Lamu World Heritage site to be expected due to the coal plant
- November 2015: Kenya signs Paris Agreement and commits to lower emissions
- 2015/16: After major project supporters back out, Kenya commits 16% of its national income to LAPSSET
- 2017 May: KNHRC raises red flag on Lamu project due to human rights concerns
- 2017: South African Standard Bank withdraws funding for the plant
- 2019 June: Lamu project put to a halt by NET due to insufficient EIA and public participation; license being withdrawn
- 2020, January: AfDB withdraws funding for the plant and all coal-related activities across Africa

As part of the country's development *Vision 2030*, the Kenyan government endorses the construction of a 1,050Mw coal plant in Lamu County in Northern Kenya. While project leaders proceeded on contracting out future construction and operation of the coal plant, a strong opposition against the project, as well as coal in general, formed among Lamu residents and the Kenyan public. Roughly since 2009, activist coalitions and groups such as *DeCOALonize Kenya* and *Save Lamu* have actively contested the construction of the coal plant near the world heritage site of Lamu Island. Apart from using various platforms to express their dissent, such as street protests, social media mobilizations, petitions and a conversation with the Chinese ambassador WU Peng in Nairobi, opponents of the coal plant filled a legal complaint against the coal plant. In 2019, the case was put to a halt by the National Environmental Tribunal (NET); a step that was widely celebrated as a victory of activists over the interests of coal, and the logic of profit over environmental protection.

With Kenya being among the countries with the cleanest energy mixes worldwide, to many, the government's proposal for a 1,050 MW coal-fired power plant came as a surprise. The US\$ 2 billion plant is part of the Lamu Port South Sudan Ethiopia Transport corridor (LAPSSET) project, an infrastructure project to connect South Sudan, Ethiopia, Uganda and Kenya spearheaded by the Kenyan government and part of the Chinese Belt and Road Initiative (Rosen 2017). With an estimated cost of \$20bn, the transport corridor is claimed to be the largest and 'most ambitious' infrastructure project in Africa including a railway, port, coal plant, highway and oil pipeline (LAPSSET Corridor Authority 2020). However, the planned construction of Kenya's first-ever coal-fired power plant in Lamu has sparked dissent and widespread protest among the Kenyan public.

In May 2017, the Kenyan National Human Rights Commission raised a red flag on the proposed coal plant due to human right concerns and insufficient public participation in the project in response to the activists' complaint. In June 2019, eventually, the project was put to a halt by the National Environmental Tribunal (NET) due to ongoing pressures from activists and UNESCO findings of insufficient assessment of environmental and health impacts as the National Environmental Management Authority (NEMA) had been found to have breached the law by approving construction before conducting thorough assessments in 2017 (NS Energy 2019). The court mandated NEMA to conduct a new environmental impact assessment and ensure public participation (NS Energy 2019). However, since major investors have withdrawn their funds, the coal plant's future is uncertain. The activists' victory was named to be among three 'landmark climate cases' by 350.org, as both the construction and its inhibition could inspire similar trajectories across East Africa (Boulle 2019: 8, 350.org 2019).

In order to sustain and further expand its economic development, the Kenyan government regards the construction of the Lamu coal plant and LAPSSET project as essential. The LAPSSET project had been first conceptualised in 1972, however, was shelved due to the exorbitant cost of \$25bn and a lack of interest on behalf of international investors. Nonetheless, this did not seem to negatively impact the project's attractiveness among politicians and Kenyan officials as it was taken back up in 2003 by then-president Kibaki as part of the national *Vision 2030* development program.

After a period of planning of the Lamu plant, the construction and operation of the coal plant was contracted out to the Chinese corporation Amu Power. Funding for the plant was secured from Centum Energy and the China Communications Constructions Company committing

\$1.2bn to the project. Other investors included South African Standard Bank and the African Development Bank which committed \$100 million to the Lamu coal plant. Once contracts were given out and funding secured, the construction of the coal plant was supposed to take place in 2015, sparking a wave of protest and dissent on behalf of local residents, pastoralists, conservationists and environmental activists in Kenya and abroad. Disregarding these first signs of backlash, the Kenyan government committed 16% of its national budget to LAPSSSET, including the Lamu coal plant. In November 2015, first reports support activist claims regarding the plant's negative effects, as the UN Monitoring Mission Africa declares that irreparable harm will be done to the Lamu island World Heritage Site if the coal plant was built. Meanwhile, the legal fight at the Kenyan National Environmental Tribunal continued, until a decision was reached in June 2019 and NET decided to withdraw the project license until a new impact assessment is presented.

Low levels of access to electricity and the uneven distribution of the same have been used to justify the construction of the Lamu coal-fired power plant. Besides stressing the need for increasing electricity levels across the country, coal supporters use arguments of national self-sufficiency and energy independence in order to defend the project for domestic power generation, soon to be supplemented with the mining of Kenyan coal in the Mui Basin. As Richard Muiru, advisor to the Kenyan Ministry of Energy and Petroleum phrases it: "Coal will give us some breathing space; we see it as a shot in the arm as we continue to develop our renewables" (in Rosen 2017). Further, the coal deposits discovered in the Kenyan Kitui Mui Basin are assumed to contribute to Kenyan energy independence as once mining starts, the coal-based energy generation in Lamu will be independent of coal imports from South Africa. Building a national coal industry is seen to generate jobs and contribute positively to national income. However, critics reject this claim by stating that coal mined in Kitui will be too low in quality to be useful for the Lamu coal plant (DeCOALonize 2017). Another reason for supporters to hold on to the project is the idea that the completion of the LAPSSSET corridor, for which the generation of extra energy in Lamu may be essential, will foster international trade and allow Kenya to further expand its status among leading economies in East Africa.

On the other hand, environmental and social concerns play a major role in the opposition against the coal plant. Coalitions against the coal plant such as *Save Lamu* and *DeCOALonize Kenya* have set a focus on the destructive power that the plant is expected to have over pristine marine ecosystems, land and national carbon emissions should the coal plant be built. Building a coal plant with emissions as high as two million cars hitting the road, will, according to Mark Chenaik from Environmental Law Alliance Worldwide, "would put in serious jeopardy Kenya's ability to meet the 2030 emissions target it set out" (DeCOALonize 2017).

The coastal regions of Lamu are home to endangered species such as sea turtles and mangroves, serving as a main source of income for thousands of fishermen and their families along the coast. This environment would be particularly put at risk because of the use of a controversial once-through cooling system for the Lamu coal plant, where sea water is used to cool the system and then flushed back into the ocean (DeCOALonize 2017, *Save Lamu* 2019). Experts assert that ocean temperatures could rise by 9°C if construction plans were realised, with tremendous effects for marine life and ecosystems. Additionally, construction would entail the removal of large forest areas, including 70% of Kenya's mangrove forests, as well as the release of toxic waste and coal ash (ibid.). Northern Kenya is also home to 75% of Kenyan wildlife which the LAPSSSET corridor will cut across and likely damage irrevocably (Enns 2019: 371).

Putting at risk the livelihoods of communities in Lamu county may prove particularly problematic due to the region's historical conflicts and disagreements over land rights (DeCOALonize 2017, Browne 2015: 51). Browne further suggests that 'confused and sometimes contradictory announcements have fuelled public anxiety over land grabbing and the wider impact of the project, which has both exacerbated existing inter- and intra-communal tensions and created new ones' (2015: 6). In fact, Save Lamu first contested the licence on the grounds of the lack of an adequate resettlement plan, insufficient consideration of the impacts on marine life, and insufficient exploration of alternative energy options (Boulle 2019: 5). Another important factor for resistance against the coal plant is the damage expected to be experienced at the Lamu Island World Heritage Site, the oldest and best-preserved Swahili settlement in East Africa (Latif Dahir 2019). Despite this being a reason in itself to inhibit construction of the plant, Lamu Island also represents one of Kenya's most important tourist attractions and sources of income, with ever increasing popularity and a considerable rise in luxurious resorts and holiday reserves for domestic and international tourists. If this was lost, local unemployment is expected to increase considerably, and national income affected negatively (DeCOALonize 2017).

Apart from these environmental and social concerns, another component of anti-coal activism in Kenya is the feeling of exclusion and disempowerment of local communities in face of a foreign-backed mega-project. Central to activist demands is the idea that Kenyan energy politics ought to be 'decolonised' and reconnected to local needs and Kenyan demand, rather than that of international corporations. Activist groups understand China's interest in building a coal industry in Kenya as a way to 'outsource' dirty emissions while retaining profits (Ullman 2019). Walid Ahmed, a member of *Save Lamu*, phrases it this way: "So many states are now withdrawing coal because of its emissions—because of its environmental destruction; so we don't see why they should bring it here." (in Rosen 2017), stressing that Kenya is not willing to become the world's emissions scapegoat. An extensive analysis of these decolonial demands in Kenya can be found in a working paper published as part of the LFFU project, titled 'Fossil fuels, environmental activism and decolonisation in Kenya: The Lamu coal-fired power plant'.

Activism in Lamu has further influenced a number of far-reaching decisions. Being major investors for the project in its initial phase, both the South African Standard bank and the African Development Bank pulled out of the project. Standard Bank took this step in 2017, when resistance against the project persisted and the bank feared to face 'stranded assets' when not divesting from the increasingly problematic project (350.org 2019a). Omar Elawi from *DeCOALonize Kenya* commented on the bank's decision by saying "The fact that a major African bank refuses to fund this deadly plant sends a strong anti-coal message amidst financiers increasing unease when funding coal globally. Any investment in coal is a disaster for the planet" (ibid.) In November 2019, the African Development Bank also decided to withdraw its promised funding for the Lamu project (Winning 2019). AfDB decided to stop funding all coal-related projects in Kenya, including Lamu and coal mining in Kitui due to rising resistance, and the risk of coal-related investments turning into stranded assets in the near future (ibid.). The bank's director Akinwumi Adesina added that AfDB 'has no plans to invest in coal power plants in the future' (Adesina 2019). This may indeed have far-reaching effects on the project's feasibility and that of future fossil-fuel-based projects across Africa, demonstrating the importance of the Lamu controversy for international energy politics. Due to the new financial situation and ongoing pressures from environmental and political activists, the project's future is uncertain, even if a new, satisfactory ESIA was presented soon.

Questions for further research

- What insights can the Lamu controversy offer on the role of the postcolonial democratic state in Kenya, or Eastern Africa more generally?
- What are possible points of divergence or similarity between environmental and anti-coal activism in middle- or low-income countries such as Kenya and activism in high-income countries? How could these be merged to increase global outreach of such initiatives?

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