New Approach for ESIA-ESMP for Community-based Geothermal Projects along the EARS

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ABSTRACT

Basically, the Environmental and Social Impact Assessment - Environmental and Social Management Plan (ESIA-ESMP) approach is built for a project that is conceived and implemented by an entity (such as private enterprise, public agency, foreign investor, etc) which comes from outside a given geothermal site. That is an “exogenous” or “allogenous” (meaning directed from outside) project, for which local communities, animals and other specific vegetation have to be considered as “impacted”, and therefore “compensated”, eventually with a Resettlement Action Plan (RAP) etc. The investor pays for all this, because he will be the main beneficiary of the project in the long run.

Community-based geothermal projects differ in that they are “endogenous” (meaning conceived and implemented from within the population on whose land the geothermal resource is found). The local population should be, if not the only, at least the first beneficiary of the project. The project should in fact be conceived and implemented as a part of a new, improved, “better” social environment (eventually an obligation in the current situation, due to climate change that negatively impacts natural resources). In the case of indigenous populations, who characteristically are known to live in equilibrium (i.e. in a sustainable way, for centuries) with their natural environment, we could even say that the project is intrinsically “part” of the environmental and social system that promotes it. The project in fact ends up being the only resilient solution to face climate change; (the other option being migration or aid for subsistence needs).

This paper will compare the procedure of a “classical” (exogenous) geothermal project with that which it proposes for a community-based (endogenous) project. It will underline the differences between the two approaches. As a conclusion, the paper will recommend a possible ESIA-ESMP procedure for consideration in the case of community-based geothermal projects. An explanation of how even projects initially conceived and directed from “outside” can become community-based will be provided.
1. Introduction
There are two (2) possible ways to consider the ESIA-ESMP process in geothermal development. The first one, and which is the one employed along the EARS until now, is to consider it from the point of view that the geothermal project will be large scale and eventually involve displacement of the local populations living around the resource. Owing to their recent rapid expansion and far-reaching cumulative impacts, renewable energy projects (including geothermal) have become controversial, particularly when customary title is claimed over the land (Zimmer, 2013). Increasingly therefore, geothermal development is becoming a major cause for involuntary resettlement along the East African Rift System (EARS) owing to the way the projects and consequently their ESIA-ESMP have until now been conceptualised in this region. The irony of this approach that could be described as “fetishism for mega geothermal projects along the EARS” and that disfavours small scale - eventually community-based- initiatives, is that it ignores or downplays the fact that there are numerous geothermal resources in this region that are found close to the surface of the earth and so would be well suited for small scale and community-based geothermal projects (Achieng’ et al., 2014; Onyango and Varet, 2014; Mariita, Onyango and Varet, 2016; Onyango and Varet, 2016; Onyango and Varet, 2018).

The second approach, and which this paper intends to introduce as a new alternative is therefore, to approach the ESIA-ESMP process from the point of view that the project will be community-based and substantially co-exist alongside the local population living around the resource, therefore no need for involuntary resettlement. In proposing this approach, the paper underscores the fact that geothermal resources can be developed through smaller sized units, with shallower, less impacting wells and associated devices, in the direct interest and control of local populations, therefore the people can exist side-by-side with the initiatives without their lives needing to be disrupted by relocation to create room for geothermal projects. Should any such changes be found necessary, the course of action will be at the discretion of the local population.

By their design, endogenous projects (directed from within the local population), are inherently focused on local populations interests, thus their socio-economic needs and so if well managed, they are well placed to promote an ESIA-ESMP approach that reduces the innate risks that negatively impact the sustainability of geothermal projects. On the other

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1 Large footprint projects, by definition, have a considerable need for land (Vanclay, 2017). Most large-scale projects are usually considered to be in the national interest the potential for expropriation to be enacted is typically available, thus the procedures and policies pertaining to involuntary resettlement would normally apply to most projects (Vanclay, 2017).

2 Within the EARS, the local populations living around geothermal sites have tended to be those considered to be Indigenous Peoples (IPs), according to United Nations. These include the Maasai, the Pokot, the Ilichamus all of Kenya and the Afar of Ethiopia. The groups listed here are traditionally either pastoralists or fisher-folks (see also: Onyango, 2018).

3 World Bank has been one of the major funders of mega geothermal projects along the EARS. This includes the Olkaria IV geothermal project that resulted in the resettlement of the local Maasai population that had lived on the land used for the project. Over one million people are affected by forced displacement and involuntary resettlement from active World Bank projects at any given point in time (Cerne, and Mathur, 2008). Looking at only 3 economic sectors way back in 1994, up to 200 million people had been displaced globally by public sector projects over a span of 20 years, with about 41% physically displaced and the remaining 49% facing livelihoods impacts (Cerne and Mathur, 2008). Involuntary resettlement-related problems constitute the 3rd most cited complaints of cases submitted to the bank’s inspection panel. Available evidence also reveals challenges with meeting the policy’s core objective of avoiding or alleviating the adverse impacts of displacement.
hand, from the way they are conceptualised and designed, the first approach to ESIA-ESMP for geothermal initiatives along the EARS as mentioned above has so far been exogenous geothermal projects (directed from outside the local population) which necessitate involuntary resettlement, and consequently compensation, rehabilitation and livelihood restoration of the local populations on whose land such initiatives are undertaken.

The involuntary resettlement brought about by the exogenous geothermal projects described above therefore consist of two closely related yet distinct processes: displacing people and rebuilding their livelihoods (Asthana, 1996). Resettlement is considered to be involuntary when it occurs without the genuine consent of the affected persons or in cases where people do not have the power to refuse resettlement, whether or not they approve of being resettled (International Finance Corporation, 2012).

The type of projects involved in involuntary resettlement also call for the implementation of Free, Prior and Informed Consent (FPIC). This is because involuntary resettlement dismantles a previous production system and way of life so its impacts include physical relocation, disruption of livelihoods, destruction of production structures, disruption of kinship groupings and potential breakdown of communities, thus economic and cultural disarrangements, of those affected. It therefore has the potential to cause severe long-term hardships, impoverishment and environmental damage, which unless well managed and thought-through can result in significant negative effects such as psychological costs that are impossible to quantify economically (World Bank, 1988). The disruption to people’s lives and livelihoods by being uprooted also creates harm, sometimes on a long-term basis, especially when there is not adequate restoration of the livelihoods and/or income-earning activities of the resettled people (Vanclay, 2017, p.3). Resettlement is therefore one of the biggest social risks in terms of project sustainability. In spite of all this, unfortunately, too

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4 Involuntary resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood as a result of project-related land acquisition and/or restrictions on land use. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement. This occurs in cases of (i) lawful expropriation or temporary or permanent restrictions on land use and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail. (IFC Performance Standards, 2012, p.31)

The types of development projects that most often cause involuntary resettlement are those that are predicated on a major change in land and water use (World Bank Technical Paper No. 80, 1988, p. 3). For the Olkaria IV geothermal project, the construction of the Project involved land acquisition, removal of buildings, and population resettlement. The total permanent land acquisition involve was about 3610 acres of land required for construction of the Power station and related facilities. About 20% of land to be acquired is occupied by villages

5 Compensation is “money or payment in kind to which affected people are entitled in order to replace a lost asset, resource or income” (AfDB, 2015)

After the preparation of the Olkaria IV ESIA Report it was envisaged that there would be future consultations with one of the objectives being to facilitate negotiation of compensation packages (see: p. 6-12).

6 Re-establishing incomes, livelihoods, livings, and social systems (AfDB, 2015)

7 The term “livelihood” refers to the full range of means that individuals, families, and communities utilize to make a living. Livelihood restoration involves all the activities around restoring people’s livelihoods and income earning activities (IFC Performance Standards, 2012, p.31)

8 While there is some discussion about what FPIC actually means in practice and how it might be obtained (Vanclay, 2017) or how it is often obtained in given cases (a situation which further aggravates the already complicated issue of involuntary resettlement), it is important to note that Article 10 of the UNDRIPs, of which Kenya is a signatory states that Indigenous Peoples (IPs) shall not be forcibly removed from their lands or territories. Indeed, this aspect should not just be limited to IPs, but to all local populations that would be vulnerable to forceful displacement related to natural resources found on their ancestral lands.
much resettlement practice has only been concerned with providing cash compensation or addressing the need for replacement housing, without giving adequate attention to all the other dimensions of life that are affected by being resettled (Vanclay, 2017, p.3). Replacing the traditional manyattas 9 with permanent “modern” houses to the resettled local Maasai population was a major component of the Olkaria IV resettlement project.

The second approach, and which this paper seeks to promote as the new alternative along the EARS, is envisioned to be endogenous geothermal projects (directed from within) which by their nature promote community-based geothermal initiatives.

This paper will use the case of Central Kenya’s Maasai of Olkaria (a traditionally pastoralist local population) to illustrate the traditional exogenous approach of geothermal development ESIA-ESMP along the EARS because of the impact geothermal development has had on them. It will particularly focus on the Olkaria IV project that resulted in the relocation of this community to present its case. At the same time while the Maasai of Olkaria can be said to have been some sort of “victims” of exogenous geothermal projects along the EARS, we have other populations along the same Rift system that have positioned themselves for endogenous geothermal projects that will enable them to have more participation in decision-making processes related to geothermal development on their land and which would consequently result in a different approach to the ESIA-ESMP process. A good example is the Afar of Northern Ethiopia who, as a new player in geothermal development along the EARS, have formed a community-based geothermal company, the Afar Geothermal Alternative Power (AGAP) for the purpose of developing the geothermal resources found on their land, to meet the local population’s socio-economic needs and to supply to the grid (Gardo, Nebro, Onyango and Varet, 2016; Onyango and Varet, 2018; Gardo & Varet, 2018a; ibid, 2018b; ibid, ibid, 2020a; ibid, 2020b). Sustainability forms a key part of AGAP’s principles. The paper will therefore on the other hand, use the example of the Afar to demonstrate the new proposed endogenous approach to the ESIA -ESMP., AGAP is a community-based geothermal initiative among the traditionally pastoralist Afar population of Northern Ethiopia (see: Nebro et al, 2016).

The Olkaria IV ESIA Report (GIBB Africa & KenGen, 2009) was prepared in accordance with World Bank requirements for environmental considerations and for industrial projects (International Finance Corporation & World Bank Group, 2007; World Bank, 2003). World Bank’s heavy influence is indeed seen variously in the ESIA Report for example in use of words like Project Affected Persons (PAPs). To be noted is that other major actors in geothermal development such as African Development Bank (AfDB) also exhibit similar influence from World Bank and have adapted the use of similar terms such as PAPs (see for example: African Development Bank, 2015). In addition, it can be seen from a listing on the report that various regulations and guidelines relevant to the project included numerous environmental and World Bank Environmental Assessment policies and procedures and relevant Safeguard Policies (see: GIBB Africa & KenGen, 2009, p ii). The situation described herein above therefore supports the argument that as has been the tradition until now in geothermal development along the EARS and beyond, a lot of attention, focus and emphasis seems to have been placed by the Olkaria IV ESIA-ESMP on the environmental issues but with a less rigorous approach to the social dimension. The paper will evidence this situation and consequently not discuss in detail the environmental aspect of the Olkaria IV project ESIA-ESMP process but focus more on the social aspect. The environmental issues will

9 A manyatta is a Masai or Samburu settlement, often temporary, established by a family or clan, or as a camp ground of young warriors.
mainly be brought to the fore only to demonstrate the over-emphasis of this aspect vis-à-vis the neglect of the social component in the ESIA-ESMP process.

Thus, by extension, the issues raised in this paper also refer to the ESIA-ESMP guidelines and regulations of major players in geothermal development along the EARS and beyond such as International Finance Corporation (IFC), World Bank and AfDB.

Ultimately, the paper aims to change the current attention so that ESIA-ESMP processes have as strong a social dimension component as is currently the case with the environmental component. It should therefore be seen as a critique of the ESIA-ESMP procedures that have until now existed in geothermal development along the EARS rather than a criticism of the individuals and institutions that have been involved in the said activities.

2. Exogenous ESIA-ESMP in geothermal development: Using critical lenses to look at the current approach through the case of the Olkaria Maasai in the Olkaria IV Project

Focusing on the EARS, the Maasai of Olkaria are an example that stands out in terms of a local population that has been adversely affected by the first approach (exogenous ESIA-ESMP). In addition, while the Olkaria IV project had to deal with a good amount of conflict with the local community, it has also been one that has been presented as a success story and a model for how geothermal projects, particularly those with a resettlement component should be handled. In regards to conflict, we for example observe that situations of antagonism started showing up very early in this project’s ESIA-ESMP process. Among

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10 The troubles began in the 1980s, when the government evicted the first area Maasai families to create Hell's Gate park—cutting them off from grazing land and from sources of the chalk and red ochre they use to decorate their bodies for ceremonies. Geothermal development squeezed the Maasai even further (Rosen & Sobecki, 2018).

During the Olkaria IV ESIA public consultation and social assessment, the total number of people living within the project area and likely to be resettled were found to be 1,737 from the villages known as Narasha, cultural centre, Olo Maiyana, Olo Nongot and Olo Sinyat. The breakdown of this total was given as 418 men, 399 women, 491 boys, 429 women and 1 elderly. Ref: Table 6.2: People living within the Project Area, Olkaria IV ESIA Report, 2009, p. 6-4)

For the Olkaria V Project RAP, the survey in 2012 revealed 56 households (HHs) were required to be resettled for the Project. In the survey, the data of how many people were resettled was not at able to achieve. With assumption of 5 people per 1 HH, 311 people (296 people + 3HHs x 5 people) were resettled by the Project (Rosen and Sobecki, 2018).

In 2014, KenGen itself relocated 150 Maasai families from the vicinity of Olkaria IV, which was then under construction. Today those families live several miles away in Resettlement Action Plan village—a windswept hamlet of cinderblock houses, water tanks, and a primary school. To the outside eye, the dwellings here are an improvement on traditional Maasai huts of sticks and cow dung. But residents feel uprooted. “Most of the land here is too steep for our animals,” Sakayian Kamasiay, a community elder, tells me as our Olkaria tour passes by extension, the issues raised in this paper also refer to the same concerns at around the same time.

The issues raised (World Bank Management raised a counter-argument to some of them) revolved mainly around socio-economic issues. These issues included: land titling, housing in the resettlement, livelihood restoration, grazing land, lack of institutional capacity to deal with the arising complex resettlement issues, lack of recognition of the indigeneity of the resettled local population, project’s negative health impact, fear of future relocation Other issues raised were: lack trust in their community representatives and the Bank as well as complaints about inefficient communication with the local community, inadequate consultation and participation, corruption, nepotism, and discrimination (The Inspection Panel - The World Bank, 2015).

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the thorny issues that came up during the ESIA process was the question of the title for the land occupied by the local population to be resettled to create room for the Olkaria IV project, with Kedong’ Ranch Limited and Ngata Farmers’ Co-operative Society Ltd mentioned as protagonists in the land conflict issue\(^\text{13}\) (GIBB Africa & KenGen, 2009). On the other hand, we also see that despite being considered especially by its implementers as a model project, the community asserted that the resettlement adversely affected them and, instead of restoring or uplifting their livelihoods, it led to impoverishment and social tensions\(^\text{14, 15}\) (The World Bank, 2015).

In regards to methodology, we see that the ESIA-ESMP process for Olkaria IV, the geothermal project that resulted in the construction of permanent “modern” houses as part compensation for the local population to replace the traditional manyattas that they had initially, comprised of the following activities:

- **Preliminary meetings**; • **Data collection and Document review**; • **Site Inspection and discussions with site personnel**; • **Air and Noise Dispersion Modelling**; • **Ecological Assessment**; • **Social Impact Assessment**; • **Community Resources Mapping**; • **Meetings with stakeholders**; • **Public Consultation; Data Analysis**; • **Reporting** (GIBB Africa & KenGen, December 2009, p.ii).

This data collection exercise was shrouded with challenges as well as mistrust between the ESIA-ESMP team and the local population including:

_The respondents insisting that their family members translate for them and the ESIA’s uncertainty whether information was not lost in translation; fear that some local translators coach people on the answers to give; curtailed objectivity due to the possibility or reality of relocation; defensive local community members as a result of being psychologically affected by the possibility that they may lose their homes; need for counselling to help deal with the issue; purpose absence from the interview resulting from fearing it; inflated income and expenditure budgets with the objective of enhancing one’s compensation, suspicion of coached community members towards the end of the exercise resulting in similar responses missing out on some community members who are unavailable for example due to dry season (ibid, p.1-21)._

A look at the schedule of the public meetings conducted reveals that the first external meeting KenGen and GIBB Africa ESIA team held was when a project had already been

\(^{13}\) It was clear that there is conflict of land ownership between the Maasai Community living within the project area and Kedong’ Ranch Ltd. The Land L.R. No.8396 is a large parcel covering some 75,769 acres of land being a leasehold title for a term of 999 years from 181 May 1950 and registered in the name of Kedong’ ranch Ltd.

At the same time, the Maasai community has a claim on this land by virtue of having lived and used the land for a long period of time thereby having an interest in the form of *embamat* - permanent residence. Part of this land would need to be acquired for the purpose of development OlKaria IV power station. There was also conflict of land ownership L.R No.8398/2 between the Maasai community and Ngatta Farmers’ Co-operative Society Ltd. This is part of the land occupied by the Ole Mayana Village presently. (GIBB Africa & KenGen, 2009 p.viii)

\(^{14}\) Evaluations of projects reveal that people are usually made worse off by being resettled (IFC, 2012)

\(^{15}\) The report by World Bank’s Inspection Panel states that in terms of pasture and topography, the quality of the land on which the local Maasai population was resettled was inferior to the land they were displaced from. The Panel also found the absence of investments in RAPland to improve its productive potential, and in livelihood restoration measures, as adversely affecting efforts by the resettled population to bridge the gap in their livelihoods between the time of their relocation and the time of the restoration of the livelihoods (The Inspection Panel – The World Bank, 2015)
conceptualised and designed and the aspect of community consultation was with the District Commissioner and the objective was consultation of how to approach the Project Affected Persons (PAPs) and to start off the ESIA Fieldwork (ibid, p. 1-20). In the second, village elders from manyattas in project area were added and the meeting’s objective was Introduction of ESIA Study with focus on conduct of the PAP Census (ibid, p. 1-20). Seven (7) meetings followed thereafter and variously brought together government administration personnel and the local community with the objectives given as Consultations on the proposed projects (ibid, p. 1-20).

This schedule of public meetings and the corresponding objectives therefore brings out the fact that in the current ESIA-ESMP approach, the participation of the local populations is simply aimed at getting their consent to an already pre-decided project (in this case, like in various other previous cases, also involving involuntary resettlement) and therefore their participation in the decision-making processes comes after the fact has been concluded, with limited, if any, room for negotiation.

This assertion is also proved by the statement in the ESIA Report under the title No Action Alternative that states: The 'no action alternative' is therefore not feasible development option for this project (ibid, p.5-1). It is further confirmed by the statement: Public consultation in the ESIA process is undertaken during the project design, implementation and initial operation (ibid, p.5-6); and User participation at the planning and design stages can minimize negative impacts and maximize positive ones (ibid, p.6-1). This affirmation – the fact that local population was brought into the decision-making process with a pre-set idea already in place is also seen in the statement: The main objectives of community consultations were to:... Disseminate information and collect opinions on the proposed project by ... providing an opportunity for the public to influence project design in a positive manner to facilitate creation of a sense of ownership of the proposal ... (ibid, p.6-2).

All these statements allude to the fact that a project had already been conceived and had moved to design stage by the time public consultation takes place. It should also be underscored that the fact that (as indicated above) facilitating the creation of a sense of ownership of the proposal was one of the objectives of the community consultations was a very positive thing. However, the report neither talks of any options the local population was given to influence the proposal, nor any changes that were introduced to the proposal as a result of these community consultations, leading one to conclude that none of these took place.

Other questions arise from the use of semantics such as providing an opportunity for the public to influence project design in a positive manner ... The question here could be: what is the implied meaning of influence in a positive manner? Positive from whose perspective? What is the qualification of “positive” here? This paper notes that besides the fact that the use of the word positive here is subjective, it also implies that there is the possibility of a pre-established direction the consultations are expected to move towards.

In relation to the meetings themselves and their composition, the ESIA report talks of two types of consultative meetings that took place during the ESIA process: stakeholders’ and community consultative meetings. The stakeholders’ consultative meetings held were reported as discussions with the provincial administration, village elders, KenGen staff, specialists and key informants in the form of direct, personal interviews with informants. Focus Group Meetings with authorities and technical personnel (Districts Heads of Department in Naivasha and local administration right from the DC to the Village Heads),
public Meetings in the project area and a stakeholder’s workshop to present the results of the ESIA Study (see: ibid, p.vii) On the other hand, the composition of the community members who attended the various consultative meetings is broken down variously as village elders from manyattas in project area – in 2 different meetings (without giving an indication of which villages the elders came from), 72 villagers including chief, 72 villagers including chief and area counsellor, 189 villagers including chief, 44 villagers including chief (ibid, p.vii). To be noted is that, the breakdown of these two types of meetings neither gives indications of the villages represented, nor the gender or age bracket representation in these meetings.

Turning to gender, the statement in the Olkaria IV ESIA Report: involvement of women and institutions for gender development should be done from project planning stages to ensure that they are properly represented at all stages of the project (ibid, p.3-47), confirms that the local population did not participate in the conceptualisation and design of the gender component of the process, but participated in it at the planning stage, as an already determined aspect of the procedure. The likely result of this is missing the local population’s input in this vital aspect, and consequently, the omission of very important gender-related considerations from very early in the project cycle.

Moreover, mobilisation for the gender component through registered women and youth groups in Naivasha district also seems to be an approach that would be problematic. This is because the population that was to be resettled was already well known - the Maasai - which is both a minority and marginalised group in Naivasha district, therefore expecting to find them in considerable numbers in registered self-help groups in the district could be problematic. This is also the same case for what the report refers to as vulnerable groups, which in fact, from the data presented is better considered as persons living with disabilities, rather than vulnerable groups (although of course they fit into the wider category of vulnerable groups). Besides, the report does not articulate how it plans to incorporate these social groups and segments of the local population in the ESIA-ESMP process or in the project’s decision-making processes, or even what they will do with any of the social groups and segments of the local population based on the information they give for each of them; for example the fact that Customary and traditional practices in many African countries prevent women from controlling and inheriting land and other resources on an equal footing with men (ibid, p.3-47); thus making it difficult to understand why obtaining this district level information or doing a related literature review was necessary at all in the first place. It is often said that “if it is not planned for or not budgeted for, then it is most likely that it will be forgotten or omitted from the process.”

The weighty leaning on environmental issues at the expense of the social dimension that this paper mentions in the introduction is seen in the ESIA under the topic Justification for preparation of the ESIA Report paragraph that goes ahead to only talk about the need to undertake an environmental impact assessment for the project ... (ibid, p.1-9), with no mention of the social aspect a leaning that has the potential to open up room for important omissions in as far as the social dimension is concerned. What seems to be possible extension of this omission can be seen in the glaring imbalance between the number of environmental and social regulations as well as guidelines discussed under the chapter on Regulatory Policy and Legal Framework (ibid, p.2-2). The chapter which consists of over 17 pages, discusses 25 regulations/guidelines (national and international) on environment and only has 4 that in some way touch on social-related issues. Out of the 4, only 1 can really be said to have something to do with local community issues - in this case the mere mention of the term indigenous peoples (ibid, p.2-13). Out of the remaining 3, 1 other has a mere
mention of resettlement (ibid, p.2-14), 1 is on child rights with issues like education alluded to (ibid, p.2-16), therefore just touches very superficially on a very small aspect of local community issues and the last one is on women and girls, in relation again to a fleeting mention of sexual exploitation and abuse (ibid, p.2-16). - which is in fact a labour-related issue - therefore cannot really be said to be addressing local community issues. We therefore end up with more than 17 pages on Regulatory Policy and Legal Framework, most of which address environmental issues with only a couple of lines or words to be more precise, mentioning anything that can substantially be considered to be community issues.

The strong inclination towards environmental issues over the social dimension continues practically throughout the ESIA-ESMP document and can be noticed in various parts, including under the environmental and social management and monitoring plan where it is indicated that the Environmental Section at Olkaria carries out monitoring activities for the entire geothermal development, with recommendations made for continuation of monitoring of the following: • Precipitation chemistry; • Significant environmental elements; • Meteorology; • Noise levels; • Hydrogen Sulphide (ibid, p.xii). As can be seen, all these are evidently environmental issues, with no mention of the social aspect in either the impact assessment or the management and monitoring plan.

Besides, additional proposals for independent studies are made in the following statement:

Furthermore, a number of independent studies have been proposed to provide baseline information which will prove valuable in later years to assess the impact of the geothermal power plants on the area of influence (ibid, p. xii). It is further outlined that these studies would aim to establish: Impacts on resettled community; • Point sources of pollution affecting water quality in Lake Naivasha; • Vegetation patterns of Hell's Gate National Park; • Long-term impacts of geothermal emissions on flowers, horticultural produce and the natural flora; • Wildlife populations in Hell's Gate National Park and the surrounding areas; • Changes in land use around the Lake Naivasha Basin (ibid, p. xiii).

To be noted, is that even this additional listing is very heavy on environmental issues, with just one social issue (ie. resettled community) listed.

In addition, although the environmental issues are very specific and what is to be studied is clear, the social issue is mentioned in a very broad way with no specification. The use of the broad term “resettled community” in this listing despite the fact that it is an all-Maasai population; the result of which is to make the Maasai population affected by the project nearly invisible, can be interpreted as having little to no regard for the identity of this population that is expected to culturally, be adversely affected by the resettlement. This is aside from the fact that resettlement is not the only way to “treat” the impacted population. Furthermore, although the recommendation for the independent studies so as to provide baseline information for future impact assessment of the resettled community is given (ibid), there is no time-frame allocated or responsible person/entity attached to it, meaning there is likely to eventually be no commitment to ensuring it is done. Indeed, after the mention of this recommendation, the said social issue does not feature again anywhere in the ESIA-ESMP document.

Consistency in this missing aspect of accountability in regards to the social dimension can further be noted in the ESMP part of the report providing a clear list of where responsibility for the implementation of the environmental component lies, who should be involved (see:
ibid, p.8-3) as well as the time-frames for its monitoring (see: ibid, p.8-4). There is however no such listing for the social dimension in this ESMP section.

Another place within the document’s ESMP where this glaring under-emphasis of the social component in comparison to the environmental one clearly prevails is where the issue of land acquisition and resettlement is mentioned (see: ibid, Table 8.1 ESMP Olkaria Dome. Unit I and II during construction, ibid, p.8-1). Firstly, this item is one of the only two (2) issues listed on this table, that correspond directly to the social component - the other one being cultural changes and spread of HIV/AIDS and STDs awareness (see: ibid, p.8-6). Ten (10) environmental issues are listed in this same table. Secondly, it was a matter which, by its essence, should have been expected to come with a myriad of issues (and especially in light of the fact that from the very start of the process, the controversy-laden matter of the question of the title for the land occupied by the local population that was to be resettled to create room for the Olkaria IV project had already surfaced as has been explained on page 6 of this paper). In spite of this, one see that although the Recommended mitigation, monitoring and/or measures aspect of practically all the other eleven (11) issues are extensively discussed in this table, for the Land acquisition and Resettlement part, all that is said is that it will be carried out in accordance with land administration laws of Kenya, World Bank policies and Japanese Charter (see: ibid).

Similarly, within this document’s ESMP under Table 8.2 ESMP Olkaria Dome. Unit I and II during operation phase (ibid, p.8-1), one sees that the Water aspect mentioned in this table is more to do with the water use at the construction site by the project personnel, rather than with the local population (ibid, p.8-1). So is (and surprisingly so) the Socio-economic impacts aspect (ibid, p.8-4), a situation which leaves the Cultural changes and Strengthening cultural aspect out of a total of eleven (11) aspects (two (2) of which fall under Health and Safety with all the other nine (9) falling under Environment) as the only one that in a way addresses a social issue directly related to the local population.

The result of the persistent omission of consideration for the social dimension in relation to the local population as described above, despite the document being referred to and considered as an ESIA-ESMP is that the opportunity for the document to at the very least do some initial introspection around this social aspect issue (even if to be discussed in more detail later on in the Resettlement Action Plan <RAP> Report) is unfortunately lost.

It is also interesting to note that the ESIA Report acknowledged that the Maasai living at the time on the land targeted for Olkaria IV were pastoralists, by stating that:

*The cultural environment of the project site is mainly influenced by the Maasai community living in the project area. They are pastoralists and keep cows, goats and sheep as the main source of their livelihood. The settlers graze the vast terrain as this has provided pasture for their animals from time immemorial. The Maasai have lived on this land for as long as many of them can remember. The Maasai have a unique land tenure system and have permanent residential places known as “embamat” … It is important to note that the community is going to be the most affected by the proposed development … (ibid, p.3-48). Traditional Maasai lifestyle centers on their cattle, which constitutes the primary source of food and that The measure of a man’s wealth is in terms of cattle and children (ibid, p.3-50).*

However, when the report later talks about land use in the project area and surroundings at the time, aspects mentioned state multiple land ecosystem including farming, tourism, wildlife conservation. power generation. human settlement, infrastructure, industrial development
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...and other uses (ibid, p.3-46). Pastoralism, or grazing for that matter has been entirely left out, an indication that the ESIA-ESMP is blind to pastoralism as a form of land use. This is a serious omission, given that as already noted, it is the main economic activity of the local Maasai population that was to be resettled and considering that the ESIA Report was supposed to inform how such a prime issue would be considered in the involuntary resettlement process or at least give preliminary thoughts on the subject.

This omission also comes in the backdrop of the ESIA Report acknowledging that: Changing land-use patterns are common causes of problems. Small plots, communal land-use rights and conflicting traditional and legal land rights all create difficulties when land is taken over by the project. Land tenure ownership patterns are almost certain to be disrupted by this project (ibid, p.6-1).

Thus, although through this assertion, the ESIA Report confirms how delicate land-related issues in geothermal development can be, especially where resettlement is involved, it does little in terms of raising it up as a conflict-prone social issue that should be deliberated in the ESIA-ESMP process.

The ESIA-ESMP document also proposes that: Kenya Electricity Generating Company (KenGen) enhances its capacity of the Environment Section both during the construction and operation phases of the project to be able to cope with additional challenges emanating from this project (ibid, p.xiii; ibid, p.8-1). Although, the focus here is obviously only on environmental issues and not the social dimension, the reason given for this recommendation is that it will ensure that all the targets are achieved and ... (ibid, p. xiii; ibid, p.8-1), a statement that further exposes the process’ blindside to the social dimension. It is as though addressing the environmental issues will be an automatic assurance for achieving all the targets (environmental and social) even if the social issues are excluded. The aspect of training and capacity-building is addressed later in the report in the ESMP part, and, consistent with the earlier recommendations, it only addresses the environmental aspect and has nothing on the social dimension (see: ibid, p.8-7).

The length of time it takes to conclude and share the findings of the ESIA Report is also one that should be highlighted. The first meeting that brings in a segment of the local community is held on 14/09/2009 and the last such meeting is about two (2) weeks later – with a few other meetings in between these dates (see: Table on Schedule of meetings, ibid, p.vii)16 and within three (3) weeks from the date of the last such meeting, the team has a report ready for presentation, so that there is Stakeholder’s workshop held on 21 October 2009 to present the results of the ESIA Study (ibid, p.vii). Given that in social sciences research, it is common practice for a researcher to go back to the field one last time after collating data collected from the field so as to fill in information gaps, validate data, etc, one would have expected at least one such meeting for the social issues component after the last community meeting before a forum to share the ESIA findings was held.

Besides, three (3) weeks sound a rather rushed timing to adequately analyse information of a social nature and be sure to have taken into account all necessary considerations. This is more so as the ESIA was for an involuntary resettlement project – thus an initiative with deep, far-
reaching and life-altering consequences that would affect something as valuable as a local population’s cultural lifestyle into generations to come.

3. Endogenous ESIA-ESMP in geothermal development: For a new approach that combines AGAP’s experience with other recommendations reflected upon by this paper

In the case of endogenous geothermal projects such as the AGAP, it is envisioned that the ESIA-ESMP process would occur under a different scenario. Although we cannot entirely rule out conflict in these kinds of initiatives given the fact that in any given population there are different interests, we do not expect them to be of the kind that the Olkaria project for example experienced in relation to the complex issue of land-dispossession. This is because, with this new approach, it is expected that by the time the local population consider themselves ready to engage in developing geothermal resources on their land, they would have already resolved among themselves any external or internal potential land-related conflicts. As an example, the land AGAP targets for geothermal development is communally owned, and they have themselves followed up on the issue of the licence for geothermal development. The methodology would equally be different from the one that was employed in the Olkaria IV project, because the local population are the first shareholders of the geothermal company. The community engagement (public and consultative meetings) would be internally-driven and so most of the information would be indigenous knowledge, known amongst and readily available within the local population; to be provided by them for internal use (within the community) by the community members themselves for their own development and so is likely to come with a fair share of goodwill. Thus, it is not expected that the nature of mistrust and other challenges experienced in the Olkaria project between the ESIA team and the local population, primarily resulting from the project’s exogenous design, would prevail. AGAP has used its community structures to organise, call for and manage community meetings when needed. This is what the new ESIA-ESMP approach would promote.

The objective of the very initial of such fora would be, not to consult on how to approach the local population or how to start an ESIA process (see: GIBB Africa & KenGen, 2009, p. 1-20), but to have internal discussions of the local population’s readiness for community-based geothermal initiatives. If the assessment would reveal that the local population’s readiness for geothermal development cannot be assured, the idea would be that any idea for geothermal development be put on hold at this stage until such a time that the assessment for this readiness would reveal otherwise. The idea would equally be that the geothermal initiatives that may result from such meetings would be community-driven. It would also mean that the project conceptualisation is done by and with the local community members, rather than going to them with a pre-planned project on which they would be coerced to accept and consent to if push comes to shove. The local community’s participation in the rest of the project cycle – ESIA-ESMP process, design, planning, implementation, monitoring and evaluation as well as related decision-making processes would be underscored.17

In the case of the new ESIA-ESMP that this paper proposes, it is the local population that will conceptualise the geothermal project they want to be implemented on their land. They may

17 This concept of community-driven consultative processes proposed in the new ESIA-ESMP approach corresponds to Article 3 of the UNDRIPs that states: “Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development” (UNDRIPs, 2007, p.8).
seek external expertise for technical advice where that does not exist internally, but the final decision they settle on regarding how the project is conceived will be theirs. This means the community participation in the decision-making process will start right from the conceptualisation stage and not at the planning or design stage as was the case with the Olkaria IV project (see: (ibid, p.6-1). They will be the ones in charge of the community consultations, so that the objective of these meetings will equally be endogenous (with the local populations’ interests taking priority) rather than exogenous. Therefore, rather than the main objective of the community consultation meetings being to influence project design and facilitating the creation of a sense of ownership (see: (ibid, p.6-2), it will be to formulate the project concept and to enhance an already existing sense of project ownership among the local population members. As a result, it would additionally not be the proposal but the project that the local population should have a sense of ownership over. Thus, the qualification for a positive influence of the project design will not be that the “exogenous project design script” has been adapted, as seems to be the case of the current approach, going by the Olkaria IV ESIA Report (see: ibid, p.6-2). Rather, it will be that the socio-economic interests of the local population have taken precedence.

Consequently, although the Olkaria IV ESIA Report asserts that: The participation of different social groups directly affected by a project is a prerequisite of resettlement planning. The involvement of the Project Affected Persons (PAP) in the design of the mitigation and/or resettlement plan increases the probability of success (ibid, p. 6-1), this paper on its side, in promoting the new ESIA-ESMP approach argues that the local population needs to be involved, not from the design stage, but from the conceptualisation stage, thereby clearly underscoring the point from when community involvement should start, rather than being ambiguous about it as can be said to be the case in GIBB & Africa & KenGen, (2009). This then means that in the event of an exogenous project like in the case of Olkaria IV, the ESIA-ESMP and any ensuing project will, right from the conceptualisation stage, be informed by and built on socio-economic information obtained from the local population with any ensuing gaps to be filled, based on input from the implementer and not the other way round as was the case with Olkaria IV project and is also the current way ESIA-ESMP and geothermal project cycles are approached. That is, that the initial concept is from the implementer, filled up with input from the local community, such that if the community disagrees with a given pre-determined idea, it is the implementer’s thinking that takes precedence.

Additionally, contrary to the current ESIA-ESMP approach, a ‘no action alternative’ (see: (ibid, p.5-1) will therefore indeed be a feasible development option, as the approach is based on the principle of the right to self-determination. This new ESIA-ESMP being proposed views statements like ‘the no action alternative is therefore not feasible development option for this project (see ibid, p.5-1) as both condescending and a clear sign of domination of local populations by given systems and one that is at the centre of the geothermal-related conflicts between local populations and project developers that have characterised geothermal

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18 This has been the case with AGAP, where any community meeting that has been held has been organised, planned and called for by the community members themselves.

19 The right to self-determination is the right of a people to determine its own destiny. The principle allows a people to choose its own political status and to determine its own form of economic, cultural and social development (Unrepresented Nations & People’s Organisation, 2017). Article 1 of the two international covenants (on civil, political, economic, social and cultural development states that All peoples have the right to self-determination. By virtue of that right, they may freely determine their political status and freely pursue their economic, social and cultural development (Australian Human Rights Commission, 2004).
development initiatives along the EARS ever since their first implementation many decades ago.

In regards to gender and related factors, the proposed new approach would have a stronger gender component than what the Olkaria IV ESIA-ESMP process had. Gender lenses would be incorporated in the ESIA-ESMP process right from the project conceptualisation stage all the way to the management, monitoring and documentation of the process. First and foremost, the local population will be encouraged to mobilise for meetings on the basis of representation across aspects such as gender, general social age bracket, social groups, segments of the population, villages, etc with written records of this listing kept for future reference. Unless, there is good reason for reconsideration, mobilising from higher administrative levels such as district level through institutions such as registered groups as was the case with Olkaria IV will be discouraged. Instead, mobilising from grass-root level, directly through the members of the population, which is how AGAP has approached this aspect is what will be advanced. This is because it is anticipated that members of the local population know each other better at this lower level that is closer to household level, than at the higher administrative levels. If need be, the information obtained from this lower level will be complemented with the ones obtained from other sources such as registered groups and higher administrative or even national level.

The related issue of lack of participation of certain segments of the population, common among most African populations especially pastoralists will be addressed on a case-by-case basis if and when it will be seen to have occurred. This is because in most of these populations, women (regardless of the age) and to a lesser extent, young men are culturally not expected to participate in decision-making processes of this nature. Older men tend to dominate such processes. (see also: Onyango and Varet, 2014; ibid, 2016; Onyango, 2018). This approach will equally encourage the participation of all these segments of the community from the very beginning - conceptualisation stage, rather than from planning or design stage as was the case with Olkaria IV. Consequently, both gender roles and gender relations would form a key part of this aspect. Similarly, the aspect of historical marginalisation of given populations such as the Maasai, the Afar as well as other indigenous and local populations on whose ancestral land geothermal resources are found will be considered, bringing in the aspect of gender intersectionality.

Additionally, instead of considering “vulnerable groups” simply on the basis of physical disability as was done by the Olkaria IV project (see: Table 3.22 Vulnerable Groups In the District, ibid p.3-48), this proposed new approach will address this aspect from a much wider scope and will therefore include other members of the local population like widows as well as orphans and vulnerable children under the segment of “vulnerable groups”. The vulnerability of all these groups in relation to geothermal development as well as the mitigation measures that will be taken and how they will be involved in the decision-making processes will be clearly described in the ESIA-ESMP.

The proposed new ESIA-ESMP approach will remain loyal to its name. This means that the “S” in the acronym (standing for “social”) will not be silenced or given less priority as seems to have been the case in the Olkaria IV resettlement project (as articulated in the preceding part of this paper). Just as the name of the procedure, having both “E” and “S” seem to imply, equal amount of weight and attention will be given to both the social and environmental aspects of the project throughout the process – all the way from the impact assessment up to the point of management and monitoring of the plan. Both the social and environmental issues will therefore be clearly, specifically and exhaustively identified in the ESIA. The
same will be done for both the social and environmental training as well as the capacity-building issues. Thereafter, accountability, responsibility and time-frame allocation (in terms of task delivery, monitoring, etc) for both the social and environmental tasks in the ESMP will be clearly stipulated. The same will apply for any related recommendations for example any independent studies that may be proposed by the ESIA-ESMP process.

Effacing terms like “resettled community” used in the Olkaria IV project (see for example: (ibid, p. xiii) will be actively and consciously avoided. Instead, terms such as “the Maasai of Olkaria” that make the local population conspicuous and their identity visible throughout the process and in the resulting documents and documentation. will be used. The visibility of the local population will be further enhanced through an anthropological approach to describing and identifying them, which will in turn mean that broad terms like “resettled community”, which also come with the huge risk and potential of downplaying or disregarding the social and cultural impact of a given project on the local population will have no place in being used as a way to identify such local populations. The anthropological approach that will be employed to identify the local population in the proposed new ESIA-ESMP process will be directly linked to the geothermal resources on the target local population’s ancestral land.

An extremely important point to note, that is directly related to this question of effacing and which is very easy to miss in the Olkaria ESIA-ESMP is the fact that whereas the report gives the villages where the census and social survey were conducted as including Cultural Center, Olo Nongot, Olo Sinyat, Olo Maiyana, Olo Munyak and Narasha (ibid, 1-20) - all of which are Maasai names except the first one - the place the local population resettled to is simply called RAPland (derived from the acronyms of RAP, which stand for English expression: Resettlement Action Plan). Undeniably, a part of the local population’s identity and heritage is instantaneously lost with this move; a situation that should bother anyone who appreciates the importance culture plays in an individual’s life.

The traditional lifestyle of the local population including their corresponding economic activities, particularly those tied to land use will also be emphasized, respected, analysed, considered and taken into account in the new proposed approach, because for such populations, “land is life” (Vanclay, 2017). This will be the case regardless of the population’s traditional economic activity for example pastoralism, fishing, farming, forest populations, etc. Thus, pastoralists, just like fisher-folks, crop farmers, forest people and so on, would be considered as having viable economic lifestyle and cultures that need to be preserved. The proposed ESIA-ESMP approach would therefore, in dealing with a given pastoralist population for example, overtly acknowledge pastoralism as their way of life, assess it in relation to the geothermal project in question and go ahead to show in the document’s management plan, how this aspect would be taken into consideration. Rather than coming up with geothermal-related initiatives that for example oblige a pastoralist population to become sedentary as was the case with the Olkaria IV project through the construction of permanent “modern” houses, the ESIA-ESMP would aim at aligning itself to the local population’s lifestyle through its response to the population’s socio-economic needs. Thus, the ESIA-ESMP process will aim of ensuring that a given project “does no harm” to such aspects of the local populations’ culture. As an example, AGAP does not have an objective of coming up with initiatives that change the Afar from pastoralism to a more sedentary different economic lifestyle. A possible response to a pastoralist population’s socio-economic need that a geothermal project may have would for example include using the resource run an abattoir and a refrigeration system for the livestock and related products. Similar relevant considerations will be taken into account for all the other different economic lifestyles.
Although the need to not take too long on the ESIA-ESMP process will be highlighted in the new proposed approach, the value in not rushing a process as delicate as this will also be emphasised. It is not easy to attach a generalised time-frame to this process, because each situation will be unique. Thus, a case-by-case basis approach will be used to determine the time-frame for procedure. However, it is highly unlikely that in this new process, the three (3) weeks’ time-frame that it took to carry out the ESIA process and share findings with the local population in Olkaria will be adequate.

To also be noted, is that this new ESIA-ESMP approach that this paper proposes favours small-scale community-based geothermal initiatives that can co-exist with the local populations on whose land geothermal resources are found. The idea is not only to develop small-sized projects. However, a project should be initiated with, by and for the local community to start with, and then, if the local geological resource and national demand allows it could even be expanded and progressively be upgraded as a large site with real community ownership. The process to be engaged in such a process has been described in an earlier paper, in which a proposal to implement such projects along the EARS following the Maori’s experience in New Zealand was also given (see: Onyango and Varet, 2016).

This means that the question of resettling local populations and all the risks, problems, conflicts, complications, expenses, time-consumption, etc that come with it would be avoided. Resettlement actions are sometimes considered as being ‘projects within projects’ and can be megaprojects in their own right (Vanclay, 2017). No matter how effectively this resettlement is undertaken, there is always some amount of harm and hurt (negative social impact), even if only temporary (ibid). Besides, Planning and executing a resettlement is a major process, and a time frame of many years may be required before it can be considered complete (International Finance Corporation, 2012, p.31). Some scholars have even questioned the efficacy of planning to address the complexity and uncertainty associated with project-induced displacement (Vanclay, 2017).20 Adapting the new ESIA-ESMP approach that this paper is proposing also means that the question of compensation, itself another complicated issue that adds to an already complicated situation does not arise either. In place of a one-off compensation (cash or otherwise), more empowering means of local community benefits such as the local population on whose land geothermal resources are found having shares21 in geothermal initiatives, even in cases where the projects are or have been exogenous projects have been proposed in a previous paper by Géo2D authored under Onyango and Varet (2016).

4. Discussion on Endogenous and Exogenous ESIA-ESMP Processes in Geothermal Projects along the EARS

The fact that more affirming ways of local populations gaining from their geothermal resources even in instances of exogenous projects means that even in cases of projects like Olkaria IV, where a geothermal project has already been designed and is operational, there is

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20 In regards to the Olkaria IV project resettlement issue, World Bank’s Inspection Panel also found that the Bank had inadequately supervised the resettlement activities and had not ensured sufficient monitoring based on updated sociological data to measure the wellbeing of the resettled population as well as the restoration of their livelihoods to pre-displacement levels or better (see: The Inspection Panel – The World Bank, 2015, p. vii).

21 This could likely translate to referring to local populations associated with geothermal resources in more empowering terms such as share-holders, rather than PAPs (which paints and creates a kind of a victim-hood image of members of these populations), a situation that could in itself hinder them from being proactive in participating meaningfully in geothermal development related decision-making processes that take place on their land.
still room for aspects of the new ESIA-ESMP approach proposed in this paper.\textsuperscript{22} Thus it is possible to incorporate an endogenous geothermal project into what may have started off as an exogenous project.

However, related to the point of resettlement, even if it were to be there, as in the case of an exogenous project, in this proposed new ESIA-ESMP approach, the question of housing would be handled very differently from the way it was handled by the Olkaria IV project. Apart from a focus on providing permanent houses for the displaced local population, it is for example questionable about how much analysis went into the thinking around how a traditional Maasai homestead is organised and why it is organised in the way it is organised.\textsuperscript{23} It does seem like the resettlement process, just like the entire ESIA-ESMP process (especially the social component), could have benefited from some anthropological input; which would ultimately imply a more in-depth analysis of the relevant cultural perspectives of the local population in question.

The new proposed approach would also mean that, as it is an endogenous approach, FPIC process would not take place in the manner that it has until this point in time traditionally occurred. Previously written records indicate that “… there is some discussion about what FPIC actually means in practice and how it might be obtained (Vanclay, 2017) – or how it is often obtained in given cases (a situation which further aggravates the already complicated issue of involuntary resettlement). In this case new approach, the FPIC process would be different as it would be the local population reaching out to a potential partner(s), with a proposal they (the local population) have come up with and which would include a component on how the parties could work together; presumably on an equal basis. This is because the local population may not have enough capital for a given project they have in mind. It is foreseen that this proposal will be the result of their own internal community negotiations, before it is presented to a potential partner(s) for negotiation. Subsequently, the local population would be the ones placing on the table information that the partner would need to consider consenting to. It is envisioned that this would more or less be in the form of a Memorandum of Understanding (with an economic and sustainability component), rather than in terms of social and environmental impact and consequences that one of the parties would need to consent to; and which the local population would have already addressed internally among themselves – expectedly even drawing from their own internal expertise. The kind of problems that were for example encountered with the community consultation component in the case of the Olkaria IV initiative would thereby be avoided or at least lessened, because they would have already been dealt with by the local populations in the way they know best, according to their culture and the involvement of their traditional structures of consultation and decision-making.\textsuperscript{24}

\textsuperscript{22} Even though World Bank’s Inspection Panel did not propose shares as a benefit to the local population that was resettled during the Olkaria IV project, they talked of certainty about prospects remain for investing in … and in schemes for alternative income-generation; adding that they were sure additional Project-related benefits could still be considered and implemented, and which would contribute to the restoration of livelihoods of the resettled local population (see: The Inspection Panel – The World Bank, 2015, p. vii). They also talked of “the need to invest in livelihood restoration and to consider benefit sharing schemes.” (ibid, p. viii).

\textsuperscript{23} One of the concerns raised by the local population to World Bank’s Inspection Panel was about the cultural compatibility and economic suitability of the resettlement housing (The Inspection Panel – The World Bank, 2015)

\textsuperscript{24} Some of the issues that came up included: significant shortcomings regarding consultation, benefit sharing, the use of Maasai-specific expertise due to the ineffective communication with the community, the sidelining of the community’s traditional authority structure (the Elders), the omission of Maa language during consultations,
With this proposed new approach, the ESIA-ESMP process even for exogenous initiatives and any other related project decisions will be a product of a more consultative process between the implementer and the local population, with meaningful participation of the local population. The socio-economic needs of the local population will take priority over the national needs or better still alongside the national needs, but in a more consultative manner, making the population feel regarded and better promoting acceptance of related proposals from the implementer. The Olkaria IV ESIA Report actually alludes in a way to this point where it states that: *The major purpose of the project is to increase energy production and consequently improve the economic and social well-being of the area of the project. Although energy projects usually achieve this objective, they could often have been more successful if more attention had been paid to the social and economic structure of the project area* (ibid, p.6-1).

The idea is to end up with a win-win situation even in the case of an exogenous project; rather than to coerce the local population into accepting certain pre-fixed decisions.

Therefore, *rather than the overall goal of the consultation process as dissemination of project information and to incorporation of the views of the Project Affected Persons (PAP) in the design of the mitigation measures, management plan and Resettlement Action Plan* (ibid, p. 6-2), the overall goal of consultation in case of an exogenous project would be more related to gathering ideas to assist with the formulation and crystallisation of the concept and design of a community-based geothermal initiative. The conceptualisation and design of a national geothermal initiative would be considered hereafter, that is, after the community-based one has been conceptualised (based on consultations with the local population) and consequently designed.

Consideration would be given for adequate time in the length of period allocated between the different stages of data collection and presentation of findings to given audiences such community members, so that analysis of information is not unduly rushed, as this has the potential of comprising the quality of informed decisions that would be made, which ultimately is likely to result in very costly situations as is often the case when dealing with social issues.

5. Conclusion and recommendations

In general, the social component of the current ESIA-ESMP in geothermal development is imbalanced when compared against the environment component. It needs strengthening.

In Kenya for example, whereas for environment there are institutions such as the National Environmental Management Agency (NEMA) and District Environment Committee (DEC) that are mandated with the role of ensuring that given minimum environmental standards are met by proposed geothermal project, there are no such agencies for the social component Impact Assessment. There is therefore need to advocate for the formation of the equivalent of such agencies for the social dimension. Ultimately, it does seems that part of the problem for and failure to disclose documents to the affected community in a place accessible to them and in a form, manner, and language understandable to them and which resulted in serious shortcomings in achieving meaningful consultations and inclusive participation in the Project’s resettlement activities (The Inspection Panel – The World Bank, 2015).

Other issues that appeared in the Inspection Panel’s Report as concerns from the local community included: corruption, nepotism, irregular payments and threats of retaliation (See: The Inspection Panel – The World Bank, 2015).
not paying due attention to the social component of ESIA-ESMP processes is because traditionally, the entire procedures here are overseen by the Ministries of Environment, as well as regional and international environmental institutions, whereas the competence for the social dimension in fact lies in other ministries with a social leaning (for example Ministries of Justice, Gender, Economic Affairs, Health and so on).

Similarly, it does seem that ESIA teams have also been those with a stronger background on or leaning towards environmental issues, compared to social issues.

Consequently, anthropological perspectives that would then come with cultural lenses are in general, a missing link in the current ESIA-ESMP processes in geothermal development. The new approach to the ESIA-ESMP process proposed in this paper recommends bringing in such perspectives into the process.

Going by how the Olkaria IV ESIA-ESMP process was conducted, it can be said that there are no clear gender considerations in the process. The gender component of the ESIA-ESMP therefore needs deepening. It needs to take into account the pertinent and various gender issues associated with and encountered by respective the local populations on whose land geothermal resources are found.

The new approach to ESIA-ESMP proposed in this paper can be applied to endogenous geothermal projects that by default tend to be community-based initiatives. However, it can also be applied even to exogenous (exogenous) projects, initially conceived and directed from “outside”.

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