

To:
Aqeelah Hassen
International Rivers

Bertchen Kohrs
Earthlife Namibia

Karipetua Uarije
Epupa Conservancy

27 April 2020

RESPONSE TO A PRESS RELEASE FROM INTL RIVERS, EARTHLIFE NAMIBIA & EPUPA CONSERVANCY

We have noted with deep concern the press release issued by International Rivers, Earth Life Namibia and Epupa Conservancy on the 21st April 2020 (hereby attached). It is extremely regrettable that the three organizations opted to issue a statement based on unverified information, and without attempting to verify such information with the Commission (the PJTC), which is the mandated entity that is developing the Baynes Hydro Power Project on behalf of the two Governments.

It is also surprising and shocking that Earth Life Namibia would draw in International Rivers in the spreading of false and unverified information. We would like to respond and put into context the following:

1. Earth Life Namibia contacted our office via email on 10 February 2020, inquiring about the project. We responded on 12 February 2020, and provided a summarized response to their inquiry, and extended an invitation to Earth Life Namibia for a meeting, and the invitation was accepted through an email on 13 February 2020, but to date Earth Life Namibia never came to our offices for a thorough briefing on the Baynes Hydro Project.
2. On 16 April 2020, the Commission issued a press statement in response to inquiries from The Namibian Newspaper, which was carried in their newspaper on 20 April 2020 (*see Annexure A for ease*

of reference). The Commission provided a comprehensive response in respect to the alleged agreement signed between the two Governments a month ago. In the statement released last week to The Namibian newspaper (hereto attached), the Commission responded that in 2007, the two Governments agreed to commission a detailed feasibility study to investigate the environmental and technical viability of a hydro dam on the lower Cunene River at the Baynes site. The feasibility studies were conducted by an international consortium of consultants, and followed a thorough due process in compliance with international standards and conventions. The Commission even appointed an independent environmental reviewer to validate the EIA process.

3. Consultations with project affected communities:

- a. The Commission is complying with the IFC/World Bank requirements on resettlement, and there is a renowned specialist whose services has been contracted by ERM to assist in ensuring compliance to the IFC/World Bank guidelines on resettlement. Over and above that, the African Development Bank is providing support to the Commission and is in the process of procuring additional experts who will be attached to the project to expedite the project packaging and structuring. The African Development Bank is also currently busy facilitating for visits to several case studies within the region and the continent, where similar resettlements were carried out. To date, the Commission has visited the Zambezi River Authority (ZRA) based in Lusaka and Kariba (during August 2018) as well as the Komati Basin River Authority (KOBWA) based in eSwatini (during June 2019).
 - b. All consultations with key stakeholders including the various traditional authorities around the project area have been documented since the start of the feasibility process. The most recent consultative meeting took place on 25 March 2020 at Epupa, which was attended by almost 18 traditional authorities within the Epupa Constituency. About 120 people attended the first part of the meeting, whilst the second part of the meeting was restricted to the Traditional Chiefs and their representatives. Both sessions of the meetings were attended by the Epupa Constituency Councillor (who is also a member of Parliament), and the Opuwo Constituency Councillor. The meeting was moderated by the Epupa Constituency Chief Control Officer.
4. It is therefore false to claim that the key stakeholders in the project area have not been consulted. In actual fact, your press statement is not only misleading but contradictory to what Mr. Karipetua Uarije is reported to have said, as quoted in your own press statement. In actual fact, Mr. Uarije was tasked

earlier in March 2020 to disseminate the invitations to all the traditional authorities, in his earlier capacity as the Liaison Officer for ERM (contracted environmental consultants). The report from ERM titled ***“Baynes Hydropower Environmental, Social and Health Impact Assessment (ESHIA) – Draft Social Impact Mitigation Measures”*** has listed all the briefings and consultative meetings that took place during the feasibility phase.

5. As a responsible bi-national entity with a clear mandate from the two Governments to ensure compliance with all international protocols, the Commission has remained committed to adhere to international policy instruments and conventions and therefore the rationale of contracting international consultancy firms to carry out the various assignments of this project. As stated earlier, the African Development Bank is in the process of procuring the services of transactional advisors who will carry out a due diligence on the project, as well as the procurement of an international panel of experts to validate and certify the studies. The Commission is following a robust process.
6. It is therefore worrying that non-profit organisations claiming to represent the interest of the OvaHimba communities would opt to rely on unverified information without seeking to get clarity from the PJTC which is the mandated entity developing and promoting the Baynes Huydro Power Project. Earth Life Namibia was given an opportunity to engage with the PJTC in February 2020 on any issues relating to the project. Issuing press releases on unverified and false information has the potential to fuel unnecessary confrontations between stakeholders. All credible institutions should strive at all times to act responsibly and refrain from instigating individuals or groups of the Ovahimba communities for selfish gains.
7. The PJTC will continue to comply with all international protocols on involuntary resettlement and as earlier stated, reputable international stakeholders are involved in providing the requisite support. All interested parties that have a direct and/or indirect interest in the project are free to engage the PJTC on issues relating to the Baynes Hydro Power Project. This is not a project that will only benefit Angola and Namibia, but also the SADC region, hence the involvement of the Southern African Power Pool (SAPP). Through this project, a port to port corridor (Walvis Bay Port in Namibia to Namibe Port in Angola) will be realised, whereas the second phase of the Angola-Namibia Transmission Interconnection network will strengthen the wheeling of power between the two countries and the region through SAPP.
8. We are therefore demanding that Earth Life Namibia, International Rivers and Epupa Conservancy unconditionally withdraw the unfounded allegations that the PJTC has not consulted the project



affected communities and that the project is being developed in secrecy. The aforementioned statements are false and baseless, and have the potential to tarnish the image of the PJTC and that of its stakeholders involved in providing professional technical support to the project.

For any further information and/or clarifications, please always keep in contact with the Commission Secretariat at info@pjtc-cunene.org / muyenga@pjtc-cunene.org. For ease reference, we are attaching the list of consultative meetings held since 2009, of which the last consultative meeting took place on 25 March 2020 at Epupa, Namibia. The email correspondence between the PJTC and Earth Life Namibia is also hereto attached.

Your sincerely



SN Negumbo

PJTC Co-Chairman (Namibia)

Cc Mr. C. Mendes
PJTC Co-Chairman (Angola)

CONSULTATION & FEEDBACK MEETINGS HELD IN 2009 & 2011:

Date	Venue	Stakeholders/Attendees	No of people
18/05/2009	Opuwo	Traditional Leaders	95
2/06/2009	Windhoek	Professional, Experts, Media & 5 Himba community reps	45
15/06/2009	Opuwo	Regional public meeting	153
26/06/2009	Epupa	Chiefs and their communities	433
27/06/2009	Orokawe	Site tour	
17/04/2009	Namibe (Angola)	Regional Governor & officials	***
16/06/2009	Tomba (Angola)	Municipal Administrator & officials	57
24/06/2009	Iona (Angola)	Municipal, Communal Admin & Traditional leaders	56
29/06/2009	Luanda	Professionals, Academics, NGO's, Gov & public	61
14-17/09/2011	Hardap	Tour to Van Bach & Hardap Dam with Traditional leaders	18
17/10/2011	Opuwo	Kunene Regional Council & Regional Councillors	***
19-20/10/2011	Opuwo	Traditional leaders & their communities	200



CONSULTATION & FEEDBACK MEETINGS HELD DURING 2015 - 2019:

Date	Venue	Stakeholders/Attendees	Purpose of meeting
Dec 2015	Opuwo	Minister, Governor, PJTC & Chief reps	Site tour & consultation
Aug 2017	Windhoek	Minister & Chief Kapika representative	Consultation
June 2018	Opuwo	Minister, Governor	Consultation
Aug 2019	Ondangwa	Kunene Regional Council	Presentation to Man Committee
Aug 2019	Opuwo	Kunene Regional Council	Presentation to all Councillors
Nov 2019 & March 2020	Opuwo	Kunene Regional Council	Project update & SEP planning

