

Road row in protected forest exposes Kenya's climate conundrum

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The government wants to expand a road through the Aberdare National Park but conservationists argue it will harm the forest, wildlife and water supplies



The Ihithe-Ndunyu Njeru road running through Mutubio West Gate in central Kenya's Aberdare region, pictured on March 1, 2024. (Photo: Joseph Maina)

By Joseph Maina

Kenyan environmentalists have overtaken the government again in a fifteen-year legal battle to stop the expansion of a road inside the Aberdare Forest, where wider tensions between economic development and protection for nature and the climate are playing out.

Conservationists have challenged the road construction project in the East African nation's courts since 2009, arguing it threatens the region's rich ecosystem and wildlife. But in January, President William Ruto declared his government would proceed with the works, a decision critics said undermined his climate-friendly image on the global stage.

The road – now a rough dirt track punctuated with mounds of elephant dung – dissects the Aberdare Forest in central Kenya, cutting through an expanse of dense woods mingled with thick bamboo and colourful alpine vegetation. It also crosses the mountainous Aberdare National Park, a haven for wildlife including lions, antelope and elephants.

The government wants to widen and tarmac the picturesque road to connect the two agricultural counties of Nyandarua and Nyeri, which it says would reduce local travel time and the cost of farm produce while boosting tourism.

Environmentalists argue that the potential negative consequences for the forest, biodiversity and climate change far outweigh the purported benefits.

“I don't feel that this is what we want to offer to the Kenyan people in terms of connectivity,” Christian Lambrechts, executive director of conservation trust Rhino Ark, told journalists during a trip to the Aberdare Forest in Nyeri County.

“We feel that this road is not justifiable from a socioeconomic standpoint. It will cut the Aberdare ecosystem into two, and lead to road user-wildlife conflicts.”



Rhino Ark Executive Director Christian Lambrechts addresses journalists in Nyeri County, Kenya, during a media tour of Aberdare Forest and National Park on February 29, 2024. (Photo: Joseph Maina)

Threat to wildlife and water

In March, the East African Wild Life Society – in response to Ruto’s decision to press ahead with the project – filed a fresh petition to a local court in Nyeri. It ordered the road’s

construction to be put on hold, pending a hearing in early June.

Conservationists are calling for the government to upgrade an alternative road instead, which largely skirts around the forest, saying it will still cut travel time while protecting wildlife and the Aberdare ecosystem that is vital for the water cycle.

Enock Ole Kiminta, CEO of KeNAWRUA, a national organisation bringing together local water user associations, told Climate Home that expanding the Ihithe-Ndunyu Njeru road in the Aberdare Forest would destroy almost 400 hectares of indigenous forests and 327 water springs.

It would also negatively impact close to 70 percent of local biodiversity, including endangered birds and animals, and elephant breeding areas, he added.

“And yet the president appears to be saying, ‘To hell with you – go to court. We don’t care what the courts will say; we’ll still go ahead and do it,’” Kiminta said, before the latest suspension of the project.



A scene in the Aberdare National Park, central Kenya, pictured on March 1, 2024 (Photo: Joseph Maina)

In January, the National Environment Management Authority approved the road's construction in a surprise move, after earlier opposing it, and issued a license for the roadworks to the Kenya National Highways Authority (KeNHA).

It did, however, give instructions to reduce the road's width from 40 metres to 25 metres in sections traversing the Aberdare Forest and the Aberdare National Park.

On a tour of the region that month, Ruto asked a local crowd if they wanted the road's expansion to proceed or to wait for the court's final decision. After gaining their backing, Ruto instructed government officials to allocate funds to push ahead immediately.

Neither KeNHA nor the Kenya Wildlife Service responded to requests for comment for this article.

International accolades

Kenyan climate policy experts told Climate Home the Aberdare case symbolises a wider disconnect between Ruto's vocal support for greater climate action on the global stage and decisions by his government that threaten natural ecosystems and carbon sinks at home.

Ruto has pushed for more climate finance for the African continent and hosted the African Climate Summit last September in Nairobi, which secured \$23 billion in funding for green projects for the continent.

Last November, he made it onto Time Magazine's list of the 100 most influential leaders driving business to real climate action.

He also rolled out an ambitious plan in 2022 to plant 15 billion trees in Kenya by 2032, in a bid to reach 30% tree cover, with all ministries urged to allocate funds for the initiative.

Loss and damage board speeds up work to allow countries direct access to funds

“His right hand doesn’t know what his left is doing,” said Kiminta. “He’s not being honest when he’s out of the country speaking all about climate change in rosy terms and doing something different on the ground.”

While attempting to plant billions of trees, the Kenyan authorities have also been dishing out permits to timber dealers, Kiminta added.

According to the Global Forest Watch monitoring service, tree loss in Kenya increased to 11,000 hectares in 2023, of which about 10,000 hectares was natural forest. That rise followed a two-year decline in 2021 and 2022, when the country recorded its lowest deforestation levels since 2001.

Failed effort to lift logging ban

The Aberdare row is not the first time Ruto has pitted himself against the justice system over decisions involving forests.

Last July, less than two years after coming to power, he unilaterally lifted a six-year logging ban in the country’s forests, saying it would benefit local economies – sparking a legal backlash.

The Law Society of Kenya (LSK) petitioned against the move, saying it disregarded the crucial role forests play in mitigating climate change, preserving biodiversity and safeguarding vital ecosystems.

“It may be for lack of vision, foresight, or even commitment to sustainable development, but it is by all means a blow to Kenya’s environmental conservation efforts and international standing,” wrote Faith Odhiambo, the current LSK president, in a post on Twitter.

The LSK argued the public had not been involved in the process leading to the decision to lift the ban, as stipulated in the constitution – and in October succeeded in its push for the Environmental and Lands Courts to void the president’s directive.



Farmers tilling land cleared from the forest in Kinale on March 7, 2024 (Photo: Joseph Maina)

Indigenous rights

Another row erupted last year over the Mau Forest Complex in Kenya's Rift Valley, following an effort by the government to evict indigenous communities who have resisted such attempts for years.

The evictions are part of an official strategy to protect Kenya's principal water catchment areas, with speculation the latest round may also have been tied to a deal with UAE-based firm

Blue Carbon to generate carbon credits for use under the Paris Agreement on climate change.

The Mau – Kenya's largest forest – has been the theatre of drawn-out conflict between the government and forest communities, particularly the Ogiek, a minority ethnic group that lays claim to the forest as its ancestral land.

Contested development in Kenya's forests

The African Court on Human and Peoples' Rights determined in 2022 that the state had violated the Ogiek's rights over a substantial period and directed it to adopt appropriate measures to prevent the recurrence of abuses.

But in a surprise twist last October, the government embarked on another forceful eviction of forest communities, including the Ogiek.

Damaris Bonareri, an advocate of the High Court of Kenya and senior programme advisor for legal affairs at the Kenya Human Rights Commission, told Climate Home the Ogiek people are protected by the constitution and the African Charter on Human and Peoples' Rights.

"According to our constitution, the Ogiek have a right to be in that forest. The president is wrong," she added, noting that Ruto has spoken about the country's judiciary in ways that could turn public opinion against it.

Indigenous lands feel cruel bite of green energy transition

The president has publicly defended his green agenda, and often ties climate change and its causes to the extreme weather hitting the country, including torrential rains that

have caused severe flooding and landslides in recent weeks, killing around 230 people.

“We must be careful on environmental issues,” Ruto told a political rally in March in Kericho, one of four counties covered by the Mau Forest, stressing that his administration would not permit people to graze animals or cultivate crops in forests.

“You have heard about climate change. Kenya was almost destroyed by adverse weather conditions just the other year and it was because of environmental degradation,” he said.

(Reporting by Joseph Maina; editing by Megan Rowling)

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