

# Green under Siege

A Civic Education Kenya Special.

*In partnership with*



# 01

## NAIROBI'S UNIQUE HERITAGE AT RISK



Nairobi stands as the world's only capital city with a national park within its borders. Its green spaces - from Karura Forest to Uhuru Park - have served as a standing legacy of decades of fight for green spaces, grandly epitomized by the likes of Nobel laureate Wangari Maathai's affront to save Karura from complete destruction in the 1990s.

Today, these same spaces face systematic appropriation through legal mechanisms that echo colonial-era land dispossession, tools now wielded by those sworn to protect the public trust.



# COLONIAL BLUEPRINT FOR MODERN LAND GRABS

# 02

## 1895-1963: The Colonial Template

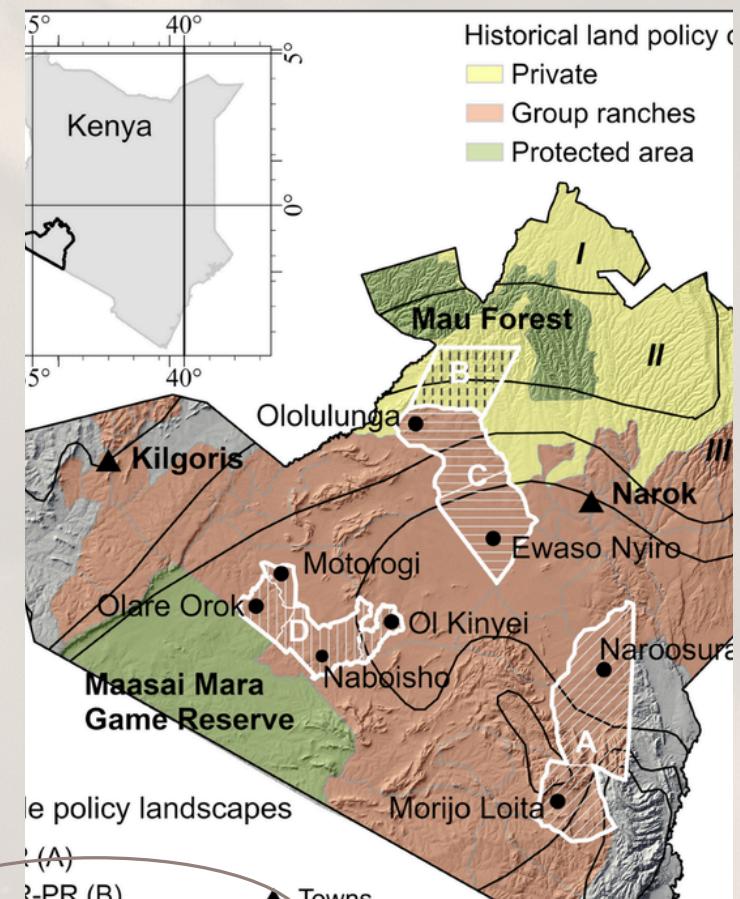
British colonial land policy created the legal architecture that still enables public land appropriation in Kenya today. The Crown Lands Ordinance of 1902 and later settler policies shifted communal lands into private hands under the banner of “development.”

They introduced tools still used in land grabs:

- Special Use Licenses (SULs): “Temporary” permits that became permanent.
- Environmental Exemptions: Shielding “strategic” projects from review.
- Gazette Notices: Fast-tracking transfers without public input.
- “Idle Land” Labels: Justifying seizures of community land.

Today, carbon credit schemes revive this logic. Under the guise of “climate action,” lands are enclosed for carbon trading, displacing communities and converting shared resources into private profit.

The playbook remains the same: dispossession in the name of progress.

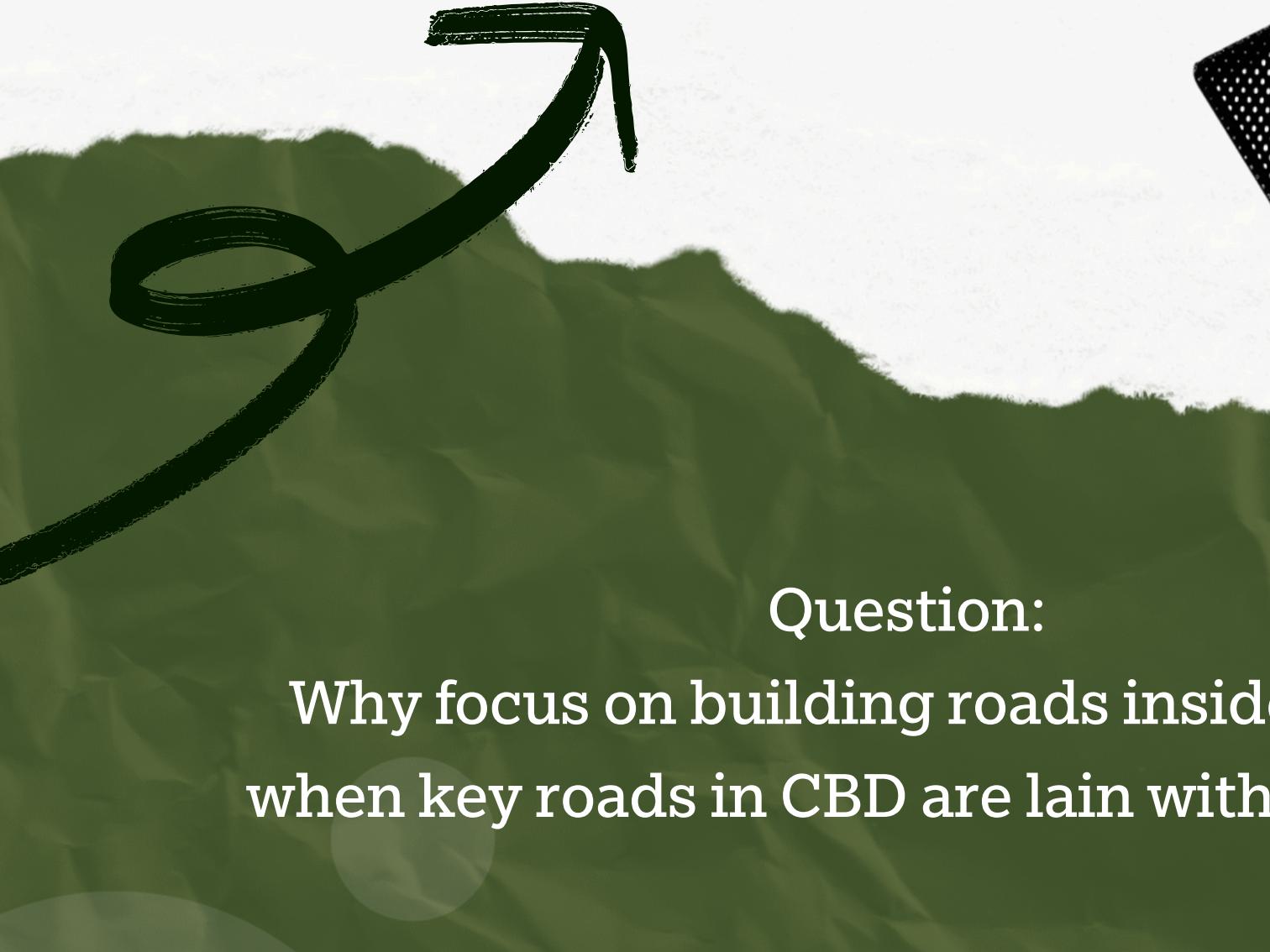


**'Carbon colonialism': Locals forced out as Dubai carbon credit company makes land grab in Africa**





# Tarmacin forests



Question:

Why focus on building roads inside forests,  
when key roads in CBD are lain with potholes?



Why the sudden interest in development  
inside the forest?

# 03

## THE GREEN BELT MOVEMENT'S BLUEPRINT FOR CONSERVATION



*A group of women planting trees*



*Protest holding camp to protest the capture of Uhuru Park*

### 1977-2011: The Wangari Maathai Era

World-renowned Wangari Maathai's Green Belt Movement demonstrated that community-led efforts could succeed where government management had failed. The movement's approach to Karura Forest became the gold standard for participatory forest management globally:

- Community mobilization: Organizing local residents as forest guardians
- Economic sustainability: Creating livelihoods through conservation activities
- Legal advocacy: Using courts to challenge illegal excisions and developments
- International support: Leveraging global environmental networks

The 1998-1999 campaign to save Karura from complete clearing for a golf course and luxury housing development established the legal principle that public green spaces hold special constitutional protection under the public trust doctrine.



# Know your history



In what year was Prof Wangari Muta Maathai presented with the Nobel Peace Prize ?



# 04

## THE JOINT MANAGEMENT SUCCESS STORY

**2009–2021: Community Conservation Works**

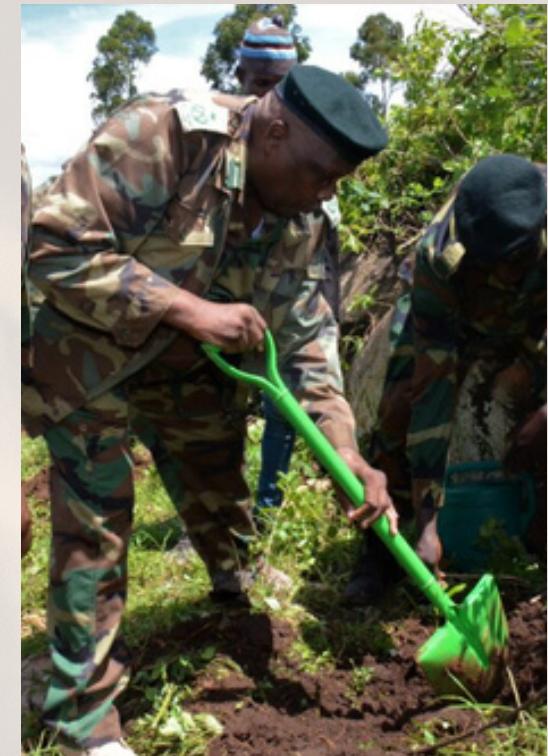
The signing of the Joint Management Agreement between Kenya Forest Service (KFS) and Friends of Karura Forest (FKF) created a legally binding partnership that became East Africa's most successful urban forest conservation model:



New FKF recruits in training

### Revenue Sharing Model:

- Entry fees collected into joint account
- 70% retained for forest operations, security, and maintenance
- 30% to KFS for administrative costs
- Transparent financial reporting to stakeholders



KFS officers planting a tree

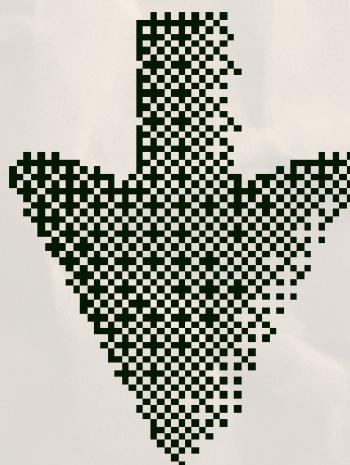
### Measurable Outcomes:

- Over 500 direct jobs created (122 scouts, 400+ community support staff)
- Zero poaching incidents recorded since 2015
- Installation of 15km of nature trails with minimal environmental impact
- Annual visitor numbers grew from 50,000 to over 300,000
- Restoration of 200+ hectares of degraded forest land

The Karura Forest Management Plan (2021–2041) codified this success, providing a 20-year framework for sustainable operations.



# 05



August 2025 – Revenue Capture

- KFS unilaterally breaks the 20-year joint management system, rerouting all payments through eCitizen.
- Entry fees hiked: Adults KSh 100 → **174**, Children KSh 50 → **116**; annual passes scrapped.
- Consequences: FKF lost operational funding; **500+ jobs cut**, patrols slashed by 80%, conservation halted.
- Legal breach: Contravenes Forest Conservation & Management Act (2016).

## SYSTEMATIC TAKEOVER BEGINS

- December 2024 – Boundary Assault Begins
  - Govt moves to excise **51.64 acres** of Karura for *Kiambu Road expansion*.
  - Special User License is issued without EIA or public consultation; retroactive gazette notice is also issued.
  - Court ruling (Aug 14, 2025): cuts excision to just **0.1233 ha**, setting precedent for forest protection.

Post-Takeover – Infrastructure Capture

- FKF documents nighttime tarmacking, road widening, and unauthorized permanent vehicle routes.
- Indigenous cover is cleared, creating “permanence” that normalize future development.
- MP Willis Otieno terms it as “A systematic plot to commercialize the public forest.”



# Takeover effect

**As soon as the forceful takeover of  
Karura Forest ensued:**

1. Weekend visitor numbers fell dramatically
2. Stark hike in fees & amenities usage
3. All collected fees channeled through the eCitizen - a platform that...

...raises questions  
about transparency in handling  
public money

This move has since created general uncertainty around the management of public green spaces like Karura Forest

# 06

# ELITE TOURISM VS. WILDLIFE

Another case, that reveals how the same patterns of elite capture extend beyond Nairobi's urban forests to even Kenya's most iconic conservation areas, is the Maasai Mara's. Specifically, its hotel establishments:

- JW Marriott Maasai Mara Lodge alleged to have been constructed along critical wildlife migration corridor
- Luxury pricing (\$3,500+ per night) ensures access only for ultra-wealthy clientele
- Construction involved terrain alteration that activists claim blocks traditional animal movement paths

Dr. Matamei Olio Dapash of the Maasai Education Research and Conservation Institute filed a litigation suit alleging:

- Physical obstruction of wildebeest migration routes
- Documented wildlife injuries and deaths due to altered terrain
- Impact on endangered black rhinos and large buffalo herds
- Inadequate environmental impact assessment

The 2024 floods at the JW Marriott Maasai Mara Lodge, forced the lodge's closure, revealing vulnerabilities associated with its riverside location and highlighting environmental planning considerations; including its position along a critical wildlife migration corridor.



*The site of the expansive hotel*



# The Standard Playbook

for grabbing  
green spaces

## **1. Legal Preparation:**

Use colonial-era licensing mechanisms and gazette procedures

## **2. Infrastructure Justification:**

Frame appropriation as development, tourism, or

## **3. Procedural Bypass:**

Exploit EIA exemptions and emergency provisions

job creation

## **4. Community Exclusion:**

Minimize or eliminate public consultation

## **5. Revenue Diversion:**

Redirect conservation funding to central government control

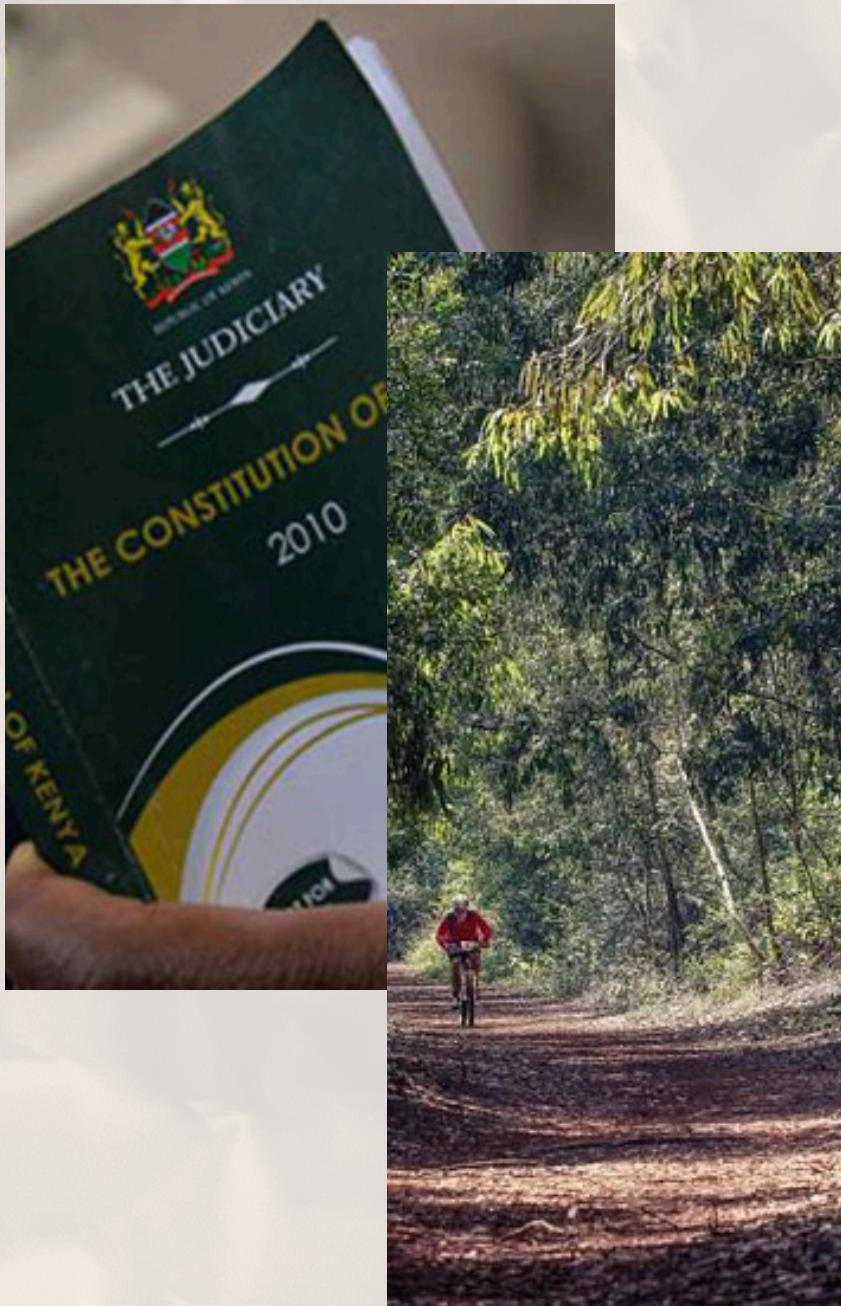
requirements

## **6. Fait Accompli:**

Create irreversible facts on the ground before legal challenges can proceed or succeed

# 07

## WHAT DOES THE CONSTITUTION SAY?



The Constitution of Kenya does have expansive provisions insofar as the environment and green spaces are concerned:

- Article 42: Environmental rights as fundamental human rights
- Article 69: State environmental obligations and sustainable development duties
- Article 10: Public participation as a national value and principle
- Public Trust Doctrine: Certain lands held in perpetual trust for all Kenyans

Here are cases you can follow:

- FKF lawsuit challenging KFS takeover of joint management
- GBM litigation against Kiambu Road excision
- MERC lawsuit demanding Maasai Mara permit disclosure
- Deep concerns raised about a Ngong' Forest Eco-Lodge development



# How you can help

## 1. Legal Support

Follow court cases & attend hearings

Back organizations filing petitions

Contribute to legal funds

## 2. Political Engagement

Call your MP & Senator

Attend planning meetings

Submit comments on impactful proposals

## 3. Community Action

Join Friends of Karura & similar initiatives

Take part in forest monitoring & restoration

## 4. Information Power

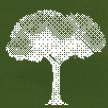
Share accurate updates online

Counter false development narratives

Support investigative journalism

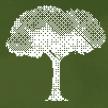
Educate others on environmental rights & history

# Glossary



## **Environmental Impact Assessment (EIA)**

A required study that identifies likely environmental effects of a proposed development and mitigation measures.



## **Special Use License (SUL)**

A permit granting temporary or specific use of public land; can be misused to create permanent change.



## **Fait accompli**

Actions made irreversible on the ground (roads, cleared land) before legal challenges can stop them.



## **FKF — Friends of Karura Forest**

Community NGO that co-manages Karura under a Joint Management Agreement.



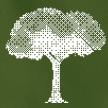
## **KFS — Kenya Forest Service**

Government agency mandated to manage forests and enforce forest law.



## **GBM — Green Belt Movement**

Community-based environmental NGO founded by Wangari Maathai, focused on tree planting and community conservation.



## **MERC — Maasai Education, Research and Conservation Institute**

Local conservation actor involved in litigation regarding developments in Maasai Mara.

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FOR MORE

# LET'S SAVE OUR GREEN SPACES

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