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Ogiek face evictions despite African Court's judgment

October 26, 2023 – The Ogiek community, residing in the Maasai Mau Forest, particularly in the regions of Sasimwani and Nkareta, is facing an impending humanitarian crisis as local authorities, acting on directives from higher authorities, have issued eviction orders to the community. These orders compel the Ogiek to vacate their ancestral lands immediately, without regard for their well-being or future.

The area Chief, in the centre of these imminent evictions, has taken a strong stance, urging the Ogiek to remove their families and possessions from their homes in preparation for the impending destruction. He claims that he is acting on orders from his superiors and he has no alternative. This has left the Ogiek community with nowhere to turn.

Immediate actions and appeals for intervention: To seek reprieve from this looming crisis, the Ogiek Council of Elders, under the leadership of John Lobolo Sironga, Chairman of the National Council of Elders, and Wilson Memusi, Chair of the Ogiek Council Narok Chapter, are making valiant efforts to engage government authorities in Nairobi. These elders are attempting to garner the support and intervention of vital agencies, including the Commission on Administrative Justice (CAJ), Kenya Forest Service (KFS), and Kenya National Commission on Human Rights (KNCHR).

While their initial visit to the CAJ office did not yield a meeting with high-ranking officials, the elders met and had a discussion with representatives at the CAJ. The elders visited the Ministry of Environment, Climate Change, and Forestry, in an endeavour to get the ministry to halt the impending evictions. The elders waited for over two hour in vain. A junior officer at the ministry later attended to them. This shows the ministry's lack of concern for the Ogiek community.

In an effort to find a resolution, another Ogiek community group from Sasimwani reached out to various authorities, including the Narok County Commissioner, Isaac Masinde, who has cited orders from his superiors as the basis for the impending evictions, urging the Ogiek to approach the President for assistance.

As these evictions continue to loom large, the Ogiek community have tried to reach out to the Governor Narok County, Hon. Patrick Ole Ntutu to engage in dialogue and find a solution. Unfortunately, all efforts by the elders to secure a meeting with the Governor have thus far been unsuccessful. Ogiek have learnt that the Governor is refusing to meet with any group that seeks to peak about evictions in the Maasai Mau forest.

Urgent appeals and growing concerns: The Ogiek community through Ogiek Peoples' Development Program Executive Director Daniel Kobei has also reached out to the National Gender and Equality Commission (NGEC). NGEC directed the Ogiek to contact CAJ to push the government to adhere to the African Court ruling on their case as they also look for other alternatives to stop these evictions.

Moreover, the Ogiek express deep concerns about the activities of the Ministry of Environment, Climate Change & Forestry and the Cabinet Secretary, Hon. Soipan Tuya, as she tours the Mau Forest Complex. This is raising anxieties among the Ogiek community in the Mau region who fear they may be the next targets for eviction.

The Committee of External Experts (CEE) pushing for the implementation of the African Court's judgment, are discussing litigation strategies to circumvent this challenge. They are working to stop these evictions from occurring.

Conservation Funds and Accountability: Allegations have surfaced suggesting that funds allocated for the protection of Kenya's water towers may be a motivating factor behind the displacement of communities in the Maasai Mau Forest. The Ogiek community asserts that these actions are potentially being undertaken to demonstrate commitment to conservation, even if it means infringing upon human rights. The international funders should be made aware that their contributions may inadvertently support violations of basic human rights rather than genuine conservation efforts.

Call to action: The Ogiek community of the Mau Forest Complex, urgently call upon all relevant authorities, governmental and non-governmental organizations, and concerned citizens to take swift action to prevent the impending humanitarian crisis that threatens our community. We appeal for your intervention to call on the Kenyan government to cease these evictions and instead implement the judgment of the African Court on Human and Peoples' Rights regarding Ogiek case.