



Court suspends 47 B Dandora dumpsite tender awarded to Chinese firm by Sakaja

By CH Reporter

The Environment Court on Monday suspended the Sh 47 B dandora dumpsite tender that had been awarded to a Chinese firm by Nairobi County.

The court has stopped the county from going forward with the construction of the multibillion Waste to Energy processing plant situated in Dandora.

Justice E. Wa Soto stopped the award This is after it issued orders stopping the award to build the plant awarded to China National Engineering Company pending hearing and determination a case filed in court.

In the case, a dandora resident Advin Mbae has challenged the awarding of the tender to the Chinese firm. He claims that the dumpsite is still being operated by the county government of Nairobi in contravention of a court order and without observing the precautionary principles thus posing health threats.

"The Nairobi county did not carry out an environmental impact assessment on the said project before approving its sustainability on the earmarked site," reads the court documents. He claims that the county has not enjoined the public to participate and further not conducted a feasible study. Mbae has asked the court to observe and find that the County has violated the constitution and is likely to endanger the environment.

Through lawyer Kelvin Mwenda Gitari, Mbae claims that there are existing court orders issued where the county was ordered to decommission and relocate the Dandora Dumpsite adding that the intention to put a waste Energy in the very same place is a breach of the said order.

Further the petitioner says that the project worth 47 million shillings is likely to suffer in the event the petition is not allowed.

"It is only fair that this court grants the injunction to stop the commencement of the said project pending the hearing and determination of the application herein," reads the papers.

In 2021 the Environment and Land Court ordered that the dump site be closed and relocated away from Dandora by February 2022.

After shutting it down, the court also ordered the then NMS director general Mohammed Badi to rehabilitate the dumpsite. He was also ordered to work the National Environment Management Authority (Nema) to put in place strategies to separate and recycle waste.

In April this year President William Ruto announced that the Dandora dumpsite which covers 30 acres will be converted into an energy city.

The matter will be mentioned for further directions on the 23rd of this October this year.



Dandora landfill in Nairobi, Kenya. Photo by Duncan Moore/UN Environment