

**Sen. Olekina:** Mr. Speaker, Sir, I rise to second the Motion on the establishment of a select committee to investigate the circumstances that led to the Solai Dam Tragedy. It is commonsense that to solve a problem, you must first of all recognise your share of responsibility. As a nation, we tend to escape a lot of our own responsibilities. We have institutions and Government bodies that have been set up to outline regulations or things that must be done in order to store water.

There is no way a dam can shift if developed properly like the Seven Forks Dams which were constructed about 40 years ago. The select committee will do Kenyans justice and particularly the families of those affected because of the actions of one investor.

We have a problem in this country. Sometimes when we have investors, we forget the interest of the common *wananchi*. It will be important for this House and Kenya in general to understand the stages of maintenance or the records on maintenance of the dam.

Mr. Speaker, Sir, we have been told that this dam was constructed upstream, and downstream, the rivers could not flow. This is an investor who purports to be a philanthropist but denies Kenyans what is naturally theirs. This questions our responsibility as a country. Therefore, the constitution of this Select Committee is important. I thank Sen. Kihika for moving this Motion so that we can inspect the other dams in the country. This might give us an opportunity to review our own legislations and know whether certain requirements should be put in place on yearly basis to maintain a dam.

We have destroyed our environment by cutting trees and this has resulted in changing weather patterns. If Solai Dam was made to hold a certain capacity of water, every year, we need to readjust that. So, due to the changes of weather patterns in this country, it is important for us to examine and interrogate how this dam was licensed. It is sad to hear that there are seven dams in the property and only one of them has been licensed.

It is also going to be helpful for this Select Committee to visit the site and look at the dam's spillway. We know that a dam is created to hold a certain volume of water. Therefore, if the water is more than what the dam can hold due to heavy rainfall, then the spillway should slowly move the water down and save people from being affected by the overflow.

Mr. Speaker, Sir, it would also be important for us to determine the magnitude of the catastrophe that has been caused by this dam being upstream. Is it logical or safe for any dam in this country to be constructed upstream and people are living downstream? There are other additional dams there and we know that this farm relies on this water for irrigation, but honestly, can we do that at the expense of other people who are living downstream?

We know that when the flow of water is altered, there are so many things which are denied. When water is flowing, it is not only flowing so that it can empty water into the lake or ocean, it goes down with minerals. This is why there are clear regulations on how you cultivate crops next to a river. Therefore, these are some of the issues that the Select Committee would identify once they visit the site.

In addition, it will also be important for us to find out – given that this dam was constructed upstream and people were living downstream – what was the liability. Was this dam insured? Was it a requirement for it to be insured? If so, how are these people

going to be compensated? I tend to believe that in most cases, we overburden the public coffers. Sometimes we ask for compensation and yet the people who are responsible are not taken to task. The taxpayers may end up paying millions of shillings to compensate these families and maybe that dam was insured. So, this would help us to understand, if it is not a requirement now with WARMA, whether that should be included in subsequent legislations.

Mr. Speaker, Sir, the designs of some dams which were built in this country are outdated. This would also help us advise this House properly on whether a review of all the dams in this country needs to be changed. We would know whether certain dams which are constructed and are dangerous can be destroyed and redesigned in a way that when there is a lot of water flowing into the dam, it does not break the banks. In Narok County, we have frequent floods and, therefore, we do not construct a dam upstream because the water would overflow. In some cases, even if you construct that dam with heavy concrete, the foundation will move.

So, the Select Committee would identify all these things. However, this is not a matter that can only be resolved by a Standing Committee. It requires dedicated Senators to go out, spend time and within 60 days, come up with a report that can help us. This has happened in Solai, but tomorrow, it might happen elsewhere. So, this is an opportunity for us to save taxpayers money and ensure that if it requires that every dam in this country takes liability insurance, then so be it.

With those few remarks, I beg to support.

*(Question proposed)*