

Women, Land and Homes Project

Description of incidents of Women's Land and Housing Rights Violations: Infrastructure failure and disaster.

Case: Solai dam failure and disaster

Location: Nakuru

Background Information

On 9 May 2018, at around 7:15 PM, Solai dam broke, gushing out 190 million litres of water to the surrounding settlements. The dam was owned by Patel Coffee Ltd. The disaster was classified as man-made, owing to the malpractice orchestrated by the owners and negligence by NEMA. The proprietors illegally diverted 3 rivers to the ill-fated dam.

Characteristics of this incident

A major characteristic of this incident is displacement. Following the heavy flooding, houses were destroyed, leaving 223 households homeless.

Destruction is another characteristic of this incident. The heavy floods spared no property: schools, a medical dispensary and houses were damaged beyond repair.

Effects on women (direct or indirect)

Loss of income. Women working in the coffee farm lost their source of livelihood, as the farm was destroyed completely.

Displacement: Women lost their homes and they had to seek accommodation in temporary government camps. Some moved in with relatives while others rented in the nearby Solai shopping centre.

Loss of property. Rental houses and parcels of land (some owned by women) got destroyed.

Deprivation of social services such as health care. A private medical dispensary was heavily affected.

Loss of quality family life. Women together with their families were forced to move to Solai Boys Secondary School for temporary accommodation. The camp was otherwise densely populated and not conducive for family life.

Scale of the incident

- Approximately 223 households were affected
- 5000 people were displaced
- 5 villages were affected, namely Endao, Energy, Nyakinyua, Milmet and Arutani

Mention of specific losses, costs and/or damage for women affected by the incident.

- Susan Chepkorir lost her daily income opportunity of Ksh. 270
- Julia Chepketer suffered bodily harm: hands, head and feet.
- Julia Chepketer lost her two daughters: Rehema Chepkorir and Anastacia Chepkemoi
- Joyce Wanjiru lost her farming space, in which she was practising subsistence farming.
- Relocation cost of Ksh. 30,000. Not all families received the money meant for relocation.
- Victims lost vital documents such as school certificates and national identity cards.
- Loss of health care following the damage of a private medical dispensary
- Women lost their items such as utensils, beddings and furniture.¹

Source: Daily Nation 28th May 2018: Even before dam burst, life was hell for Solai residents.

- **Background to general type of incident.** (50 words max) : Solai Dam failure and disaster due to corporate impunity and state negligence: owners illegally diverting 3 rivers to the dam and the government negligence
- **What are the characteristics of the particular incident?** Flood, destruction of homes, property, schools, a medical dispensary, fields and crops, displacement of families, loss of life
- **What are the effects (direct or indirect) of the type or particular incident on women?**
 - Loss of income/livelihood for women working in the coffee farm;
 - Displacement: loss of homes, temporary housing in government camps, moving in with relatives (loss of autonomy)
 - Rent (costs) for alternative housing.
 - Loss of property: Women-owned rental houses and parcels of land
 - Deprivation of social services such as health care. A private medical dispensary was heavily affected.
 - Loss of quality family life
 - Detail above
- **What is the scale of the type or particular incident (any numbers)?** 47 drowned, 223 families homeless, five villages affected and 5,000 persons displaced
- **Mention of specific losses, costs and/or damages for women affected by the incident:** “Most of those who were swept away by the raging waters were women, children and elderly persons.”²
- **Remedy sought by quantifying loss, costs and damages:** Full reparations from state and proprietors Patel Coffee Ltd., National Environmental Management Authority (NEMA) and Water Resources Management Authority (WARMA).

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- ¹ Jacqueline Kubania, “Even before dam burst, life was hell for Solai residents,” *Daily Nation* (28 May 2018), at: <https://www.nation.co.ke/news/Even-before-dam-burst--life-was-hell-for-Solai-residents/1056-4582884-8hdyhg/index.html>.
- ² Kenya Human Rights Commission, “Solai Dam Tragedy” (press release), 28 May 2018, at: <https://www.khrc.or.ke/2015-03-04-10-37-01/press-releases/653-solai-dam-tragedy.html>.