

# Electoral Politics and the Construction of the Itare Dam in the Mau Forest, Kenya

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## **Abstract**

*The 2017 hotly contested and once nullified General Elections in Kenya revolved around three key issues: resource, poverty and the marginalization. To the majority, it was a protest vote against the Kenyatta regime. The mega national projects that were initiated by his government were widely seen as 'gifts' to be used to entice the voters. But as the outcome of the elections show, the main opposition party and conservationists successfully took advantage in using these environmentally unfriendly projects to agitate people's protests as it were for the case here, dam constructions in the Mau water tower. Informed by the patterns of local voting, the paper demonstrates that prominent economic and political conflicts between inequities state interests and indigenous peoples livelihoods. The project may spur economic growth through brought water revenues, hydro-electric power and major infrastructure in the area but the benefits to people of the Mau forest is unclear, these forest people lost arable and grazing land and have experienced drastic negative changes in livelihood conditions.*

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## **I. Introduction**

Not long ago, Kenya was classified as one of the six countries under the threat of dam constructions in Africa. Other countries included in this category are Ghana, Sudan, Zambia, Uganda and Lesotho.<sup>1</sup> Today, Kenya is almost completing one of its largest dams since the 'second liberation' in 2003. Through a program entitled Kenya Vision 2030, the government hopes to deliver a "newly industrialized, middle-income country providing a high quality of life to all its citizens by 2030." The Itare Dam is seen as one of the country's top mega project in this plan envisaged to solve major water problems in five major towns in Rift Valley. It is arguably the first singularly big development project so far to be initiated by President Uhuru Kenyatta government.

In 2013, Uhuru formed a government and promised to spur economic growth and modernize infrastructure as well as improvement in roads and real estates. Thus this project forms part of a wider effort of the Jubilee ruling party's agenda to build large 'modern' infrastructures across the country, ranging from road improvements and increased energy production to skyscrapers in the capital of Nakuru. The announcement to construct the Itare dam came in the wake of general election that had been scheduled in the following year. The ruling party hoped the dam will win votes by promising jobs and pumping money into the economy. This was not bound to happen as the construction of the dam was at the heart or hotbed of pervasive politics in Kenya. Itare falls under the Main Kuresoi which historically has been at the center of electoral and ethnic conflicts in Kenya.

Beginning from 1991, state sponsored pogroms had begun targeting 'foreigners' who had established settlement schemes in certain areas in Kenya. Reports in the press, the Kiliku Report (of the 1992 Select Parliamentary Committee), the Akiwumi Report (of the 1999 Judicial Commission), reports of Human Rights Watch (HRW) and the Kenya National Council of Churches, and many others described these events in detail.<sup>2</sup> Local leaders supported a militia of "Kalenjin warriors" who attacked smallholder settlements, destroyed farm

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<sup>1</sup>Terri Hathaway, "What is Driving Dams in Africa?" <https://www.internationalrivers.org/resources/what-is-driving-dams-in-africa-1695> accessed on 23/05/2018

<sup>2</sup> See HRW (1993); Oucho (2002); Republic of Kenya (1992, 2002[1999]); Boone (2007b); Kimenyi and N'Dung'u (2005); Anderson and Lochery (2008); Boone (2011a).

equipment and animals, burned down houses, and raped, maimed, and killed people. In Kuresoi, gangs incited by Kalenjin politicians invaded farms and drove off settlers, declaring that it was time for the native people to reclaim land that had been transferred to outsiders under Kenyatta. As we shall see later, in 2016, Kuresoi scenario provided a platform for both opposition and the ruling party to settle political scores.

## **II. Historical Background: State Reconstruction, the Post-Colonial Projects and Dam Construction in Kenya**

In the 1960s, construction and reconstruction of the state in Africa took place in an atmosphere of peaceful transition and political atmosphere that was projected to be a catalyst to economic development and growth. A central element of the official project of nation-building was the assumption that only the state could constitute it.<sup>3</sup> The nation-building project was, therefore, state-driven from the outset, often relying on a top-down approach that carried far-reaching centralising implications. In time the unity project increasingly took on the form of a unitary project which sometimes rested on a narrow ethnic base around which a system of patronage networks was then built linking other groups and their elites.<sup>4</sup>

Building project was the assumption that the diversity of ethnic identities was inherently negative and obstructive and that it was a requirement for a successful nation-building that the different identities be eradicated, submerged under or subordinated to the identity of the group (s) that dominated state power. In pursuit of their goal of top-down nation-building, post-colonial African governments embarked on programmes of vigorous economic and social modernisation which, it was hoped, would weaken ethnic consciousness and ties, secularise the society, and promote a new sense of nationhood. The top down decision-making process often ignores popular consensus and participation. Participation of people is limited to a 'listens but not heard' level, and any opposition from the public is overlooked or suppressed. Propaganda exhorts the people to make 'sacrifices' for the larger interest.

Policy makers tend to impose decisions on the local population in the name of modernity, economic growth, and national prestige.<sup>5</sup> The state also controls social sectors by an 'encapsulation' process, which excludes and deactivates the unfriendly popular sector.<sup>6</sup> Coercive power is used to suppress protest movements at the grassroots levels, in the pretext of national security, national identity, and nation building, with the aim of asserting regime authority. So that advocacy groups, NGOs, international networks, and academics and those who extend their support to local communities, are regarded by the regime as an act of intervention and a threat.<sup>7</sup>

Although the immediate post-colonial economic boom experienced by many of Africa's newly independent states initially favoured the state-led socio-economic modernisation programmes undertaken by the post-colonial governments, achieving sustainable, self-generating economic development turned out to be extremely difficult, perhaps more so than was anticipated. So that in fact, at independence, Kenyans took pride on self-reliance. So that in fact, the nation's motto then was "*Uhuru na kazi*". - freedom and work. Although later on, the noble institution of *Harambee* or pulling together, initially a very powerful vehicle for community empowerment, has been subverted to a mechanism for political aggrandizement and rent seeking.<sup>8</sup> This period however, saw the origins of unitary project within Kenya with emphasis on national unity. After the Lancaster house conference the country had formed two African parties KANU and KADU, the coalition of the two parties took place in 1964 to forge national political unity.

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<sup>3</sup> Hameso, S., (1997). *Ethnicity and Nationalism in Africa*. New York: Nova Science Publishers.

<sup>4</sup> Olukoshi, A., (1998), "Economic Crisis, Multipartism, and Opposition Politics in Contemporary Africa". In Olukoshi (ed.), *The Politics of Opposition in Contemporary Africa*, Stockholm: Elanders Gotab.

<sup>5</sup> Sugden, D. & Keogh, J (1990). *Problems in Movement Skill Development*. Columbia: University of South Carolina Press.

<sup>6</sup> O' Donnell, G. (1979). *Modernization and Bureaucratic Authoritarianism: Studies in South American Politics*. Berkeley: University of California Press.

<sup>7</sup> Tyler, S.R. (1999). *Policy Implications of Natural Resource Conflict Management*. In *Cultivating Peace-Conflict and Collaboration in Natural Resource Management*. (ed. Buckles, D.). Canada: International Development Research Centre.

<sup>8</sup> Kanyinga, K.,(1994), 'Ethnicity, Patronage and class in the local arena: High and low politics in Kiambu 1982-92'. In Kanyinga et al, *The new local Level politics in East Africa*. Uppsala: Nordiska, Research Report No.95.

As such, Kenyatta embarked on the construction of national dams and at the time of which had been started earlier in the colonial period. Big dams built for irrigation, power, water supply, and other purposes were among the most potent symbols of economic development for much of the twentieth century.<sup>9</sup> Although of late, they have become a lightning rod for challenges to this vision of development as something planned by elites with scant regard for environmental and social consequences—especially for the populations that are displaced as their homelands are flooded.

Jomo Kenyatta is therefore credited for reviving and reconditioning colonial dams. For the many dams relating to the hydropower projects were the earliest to be recognized national resources in Kenya dating back to early 1920s. The Tana's seven forks falls had been identified in 1914 as an area of promising potential for power development. The power station commenced therefore in 1932 but was fully developed until 1954. The nearby Wanjii power plant was commissioned in 1952. The Sagana Power Station near Nyeri utilizing the headwaters of the upper Tana catchment was constructed by the then Public Works Department and commissioned in 1955.

In the Western part of the country, Sosiani power station rated at 400 kW was commissioned in 1949 and Gogo falls in 1957. Gogo and Sosiani are in the Lake Victoria drainage basin, and Ndura, MESCO, and Sagana in the Tana River catchment. During the same period several isolated microhydro schemes were established by private sector largely Tea estates, sawmills and missionaries. For example Mujwa Catholic Mission near Nkubu in Meru County was established in 1927 which worked successfully until late 1990s. The post-colonial large scale hydropower schemes development started earnestly with the commissioning of the Kindaruma hydropower station in 1968 followed in succession by Kamburu in 1973, Gitaru in 1978 then Kiambere ten years later in 1988 and Turkwel in 1990.

For the post-colonial state, the constructions of Mega dams were markers of water security, modernisation strategies and nationalism.<sup>10</sup> The World Bank provided the ideological and financial backing for the construction of hundreds of megadams across Latin America, Africa and Asia. Yet from the 1970s onwards, dams as development instruments were increasingly contested.<sup>3</sup> Opponents exposed huge corruption scandals that contributed to the systematic overestimation of their benefits and the neglect of their dark side.

Today, these dams are increasingly becoming popular in most African countries seeking to meet the triple challenge of state-building, nation-building and economic development.<sup>11</sup> Most of African political leaders believe that Big dams can magically transform barren wastelands into fertile acreage, elevating the nation and integrating, through irrigation and electrification, the domestic political economy.<sup>2</sup>

### **III. The State and the Foundation of the Itare Dam**

Kenya is one of Africa's "lion economies", according to business commentators who gape at the high levels of economic growth on the continent. East Africa's largest economy, Kenya has a set of ambitious targets in its bid to become a middle-income country by 2030. The building of Itare Dam is audacious and courageous undertaking. The fund to build the dam came from the Italian Government at a cost of KES 34 billion supposedly 'to curb perennial water shortage in Nakuru. This is one of the major mega dams that are being constructed around the country. In fact, over 60 dams are under construction across the counties which are aimed at 'improving water services in the country to 80 per cent by the year 2020'. Kenyan government signed the agreement with the Italian conglomerates BNP Paribas and *Intesa San Paolo* for the construction of the Itare mega dam.<sup>12</sup>

The deal was formalized and signed when Italian Prime Minister Matteo Renzi visited President Uhuru Kenyatta at the State House in Nairobi in July 2015. The 57m-high Itare Dam, which is expected to produce 100,000 cubic metres of water in a day, will have three permanent tributaries that include Sondu, Ndoinet and Songol rivers.<sup>13</sup> Itare Dam is one of the flagship projects that have been identified by the Government of Kenya

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<sup>9</sup> Satyajit Singh, *The Taming of the Waters. The Political Economy of Large Dams*. Oxford: Oxford University Press, 1997.

<sup>10</sup> Michael Kugelman (ed.), *Land Grab? The Race for the World's Farmland*. Washington DC: Woodrow Wilson Center for Scholars, 2009

<sup>11</sup> Harry Verhoeven, Big is beautiful: Megadams, African water security, and China's role in the new global political economy Development Energy, [http://www.globalwaterforum.org/2012/10/16/big-is-beautiful-megadams-african-water-security-and-chinas-role-in-the-new-global-political-economy/October 16th, 2012](http://www.globalwaterforum.org/2012/10/16/big-is-beautiful-megadams-african-water-security-and-chinas-role-in-the-new-global-political-economy/October%2016th,%202012)

<sup>12</sup> *Ibid*

that needs to be developed as a matter of priority. Further, in accordance with the policy of prioritizing development of sources that are most economic, the National Water Master Plan identified Itare to be developed as a priority. Through various studies, the proposed Itare Dam site was identified as the most viable long term source of water to address water shortages in Nakuru Municipality, Kuresoi, Molo, Njoro and Rongai areas. This site was chosen because it is located in an area of greater water resources which can be developed to meet the ultimate demand.<sup>14</sup> What followed the proposal to construct this dam was great opposition to the project. The main reason was that it was previously a hotly contested political area with a mixture of ethnic groups. However, three other factors contributed to the opposition to the construction of the Dam.

#### **IV. Itare and the Nile-Mara Rivers Connections**

The fact that the Mau complex of which the Itare Dam is located is believed to be the source of the river Nile, attracted attention to environmentalists as well as political activists. However, in 2010, the East African states had signed a deal in Uganda on how to share Nile waters. The Kenyan government through Charity Ngilu, then Kenyan Minister of Water, declared to reporters “That treaty [1929] is obsolete” that “Nothing stops us to use the water as we wish. It is now up to Egypt to come on board.” In these meetings, the East African countries have expressed plans to dam the rivers that drain into Lake Victoria. “There cannot be any resolution on the dam issue in five words. Many people don’t understand that Ethiopia contributes 86% of the Nile water and was told that they were not allowed to use a single drop. ...”. This was a policy developed by the colonial government. Ethiopia cannot be restricted by a colonial treaty because it was never colonised. To make the matter worse, in that year Ethiopia signaled that it would start filling the Grand Renaissance.<sup>15</sup> For Itare Dam, the politics of constructing the dam on the very source and foundation of the Nile had elicited great controversy.

On the other hand, the Mau being the source of Mara River, conservationists and political leaders became concerned that the iconic ecosystem was being threatened by a major Dam development at Itare. The Itare dams they argued would as potentially reduce the amount of water flowing from Kenya to the Serengeti in Tanzania and would spark a diplomatic spat should the EAC agreement be invoked in support or censure of the proposed projects. Environment lobbies in both Kenya and Tanzania have since issued an alert that the Mara is trans-boundary and that imperiling the river’s water could spell sure death for the Mara-Serengeti as a tourism destination and important vestige of the savannah ecosystem.

It was explicitly warned that Kenya’s plan to build the Itare dam on the River Mara and its tributaries posed a threat to the rich animal and plant life of Mara-Serengeti ecosystem that attracts tourists. The habitat, comprising Serengeti National Park in Tanzania and Maasai Mara Game Reserve in Kenya has the River Mara as the only permanent source of water for the herds of wildebeest and other wildlife that migrate between the two countries.

#### **V. The Flower Farms and Agribusiness Connections**

Since the promulgation of the new constitution in Kenya, private agribusiness investments based on flower farms increased in the Rift Valley. Most of these farms are owned by political elites. There are over 100 flower and horticultural farms in Nakuru County alone –an area of which Itare dam is constructed. The owners of these farms require huge dams to supply water for growing flowers. Nakuru County is a leading producer of fresh cut-flowers and other horticultural products grown in mega greenhouses, with most of the farms located in Naivasha, Molo, Rongai and Solai area. Many controversial dams have been constructed on the slopes of the hills to supply water to the greenhouses where flowers and horticultural crops for expo are increasingly being grown.

#### **VI. A Crime that Must not be Allowed: Opposition Politics and the Itare Dam**

The Itare project, became a subject of political contestation in the run-up to the August 8, 2017 General Election. In November, 2017, Raila Odinga a leader of the opposition joined a section of Kipsigis elders to oppose it. Raila argued that Kenya has continued to be obsessed with old-fashioned mega-infrastructure projects, which have been delayed many times and are highly unlikely to represent the best

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<sup>13</sup> Wanjru Macharia, “Sh34 billion dam to ease Nakuru’s water problem” in *The Nation* paper at <https://www.nation.co.ke/counties/Sh34-billion-dam-to-ease-Nakurus-water-problem/1107872-2809936-27rcmbz/index.html> visited on 17 April, 2018.

<sup>14</sup>Rift valley water services board, “ Itare dam water supply project”, at <http://rvwsb.go.ke/project/itare-dam-water-supply-project/> visited on 17 april 2018

<sup>15</sup> Kylie Kiunguyu, African identity, Nile Water Politics: Ethiopia says colonial agreements will not stop construction of Grand Renaissance Dam <https://thisisafrica.me/nile-water-politics-ethiopia-dam/>

options for future development. The Sh33 billion Itare Dam project could destroy the Maasai Mara and dip tourism revenues. He said:

...project will make 12 rivers in eight counties – including the Mara River dry up because water will be diverted from the Mau Forest. ....project will provide water to Nakuru town, Naivasha and Njoro at the expense of the Narok, Bomet, Kericho, Kisii, Nyamira, Migori, Kisumu and Homa Bay counties,.... this project is taking off at a time the Mau Forest, which we fought hard to restore, has been invaded by top government officials who have allocated themselves land, planted tea and are constructing factories, caring nothing about the future. ...The Itare dam project will be diverting rivers Songol, Kipsonoi, Itare Ndoinet, Sise, Itare Kiptiget, Itare Chemosit, Timbilil, Diony Soet, Yurith, Kipchorian, Chemosir and Jamju in Bomet and Kericho counties at the source in the Mau Forest for onward transmission to particular towns in Nakuru County.... We challenge President Uhuru Kenyatta to give Kenyans a direct assurance that he has no conflict of interest in this matter between his commercial interests and the interest of the people of Kenya in these water projects being diverted to Nakuru. Itare dam is a crime that must not proceed.<sup>16</sup>

When criticized, Raila Odinga publicly defended his position on the construction of the Itare Dam and made it clear that ‘construction of the dam was not part of a political strategy to win the Kipsigis (local ethnic group) vote but was informed by the environmental concerns raised by the Kipsigis Council of Elders.’<sup>17</sup>

On the other hand, a different storm was brewing at the site of the Itare dam after the local residents complained that the dam posed numerous environmental hazards to the area. The residents of Ndoinet Forest tabled complaints to the contractor of the dam, listing hazards related to its construction. In a petition presented to the company, air pollution and noise pollution were outlined as a major concern by the residents. They also mentioned lack of water for use after the company fenced off the dam area, enclosing a water source they have been using.<sup>18</sup>

We do not have water for our animals or for domestic use since the fence was put up...the contractor should stop construction of the dam and compensate us first....they should solve our water problems before they find a solution for people who live as far away as Nakuru town... .... Nights are becoming longer every day. All we can do is sit and listen to the roar of the bulldozers coming closer.<sup>19</sup>

On the other hand, a 2017 Kuresoi South Parliamentary aspirant Bruce Chitalu demanded that Deputy President William Ruto must ensure families who were kicked out for construction of multi-billion Itare dam are resettled. He stated:

The 1,278 families who were kicked out are now camping in Chenugu in Kuresoi South.....Jubilee should prevent doubling the number of suffering Kenyans who spend nights in dilapidated tents during this rainy season. The constituency still has 2,600 Mau forest IDPs ....such neglect of loyal Kenyans broods unnecessary rebellion against the government....It is easy, if you need a pact for Rift Valley support, just use government money to compensate or resettle your suffering people .... if you ignore them, your 2022 presidential dream hangs in the balance.....<sup>20</sup>

More than 80 people who had been evicted to make way for the multi-billion shillings Dam have contracted pneumonia inside makeshift camps. The affected residents were part of 1,278 families evicted from a 600-acre parcel of land in Kuresoi in 2016. The families had been camping on the edge of the dam, demanding resettlement by the Government, which insisted that land did not belong to them.<sup>21</sup> Many of the

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<sup>16</sup> Kenya Today, “Raila Bombshell on Another Deadly Itare Water Tunnel in Mau, Nakuru that Made Uhuru Mad and Angry” found at <https://www.kenya-today.com/opinion/raila-bombshell-another-deadly-itare-water-tunnel-mau-nakuru> visited on 11 April, 2018

<sup>17</sup> Standard Reporter, ‘Raila defends stand on Sh34billion Itare water dam project’ in the standard paper at: <https://www.standardmedia.co.ke/article/2001246207/raila-defends-stand-on-sh34billion-itare-water-dam-project>.

<sup>18</sup> Reitz Mureithi, “Residents say they will stop Itare dam project’ in the nation paper at <https://www.nation.co.ke/counties/nakuru/Residents-stop-Itare-dam-project/1183314-4200156-yo0647/index.html> visited on 17 april, 2018

<sup>19</sup> Julius Chepkwony, “Evicted villagers stare at death in cold camps” IN the Standard Paper at <https://www.standardmedia.co.ke/article/2001278136/87-diagnosed-with-pneumonia-at-itare-camp>.

<sup>20</sup> Amos Kerich, ‘Resettle Itare dam evictees before elections, aspirant tells DP Ruto’ Jul[https://www.the-star.co.ke/news/2017/07/01/resettle-itare-dam-evictees-before-elections-aspirant-tells-dp-ruto\\_c1589187](https://www.the-star.co.ke/news/2017/07/01/resettle-itare-dam-evictees-before-elections-aspirant-tells-dp-ruto_c1589187)

internal refugees, especially women, children and the elderly, are now facing the effects of harsh weather in the area.<sup>22</sup> The opposition took advantage of this situation to campaign and incite the local people against the state. However, the government responded back with criticism to the opposition. For instance, the Deputy President William Ruto castigated those opposed to the Sh38 billion Itare Dam project saying they lacked knowledge. In particular he pointed out to Raila Odinga who he said had no expertise to back claims that the dam could result in an environmental disaster. He said:

..... calls by the "illiterate" opposition leader on the venture should be ignored and treated with contempt....We are using Sh38 billion to construct a dam that will end water shortage in various parts of Nakuru and Kericho counties.....But this illiterate man is lying to you that it is hazardous to the environment yet he knows nothing ..Raila is a witchdoctor whose brain is not working and opposes everything...<sup>23</sup>

Eventually the local residents through a lawyer, filed a petition in the High Court of Kenya but the a government's Environmental Impact Assessment and Resettlement Action Plan experts argued in high court sitting in in Nakuru that the Sh34bn Itare Dam mega project will have no environmental hazards as alleged by some communities. As chief consultant on the project, Zablon Oonge Isaboke told the court that that the project has followed the World Bank guidelines and is beneficial to the communities around and its construction will not affect the flow or drainage of rivers.<sup>24</sup> Ultimately, the Jubilee party though won the elections, had seriously suffered a setback in Kuresoi mainly because of the success of the opposition in mobilizing the local people against this project.

## **VII. Significance of Dam Construction**

In conclusion, what does this drive towards big projects entail for Kenya? Can it tell us something about the way in which the country is run and the values of its government? This paper discussed these key aspects of Kenya's flagship dam project and indicated the government's wider approach to development politics. Not long ago, Patrick Chauke, acting chairperson for South African Parliament's committee on water and sanitation, said that the ruling African National Congress (ANC) will see to it that the state "takes the water and controls it themselves."<sup>25</sup>

Many politicians present water utilization schemes as a vital national need for a biodegradable resource while downplaying the importance of the traditional uses of the resources by portraying them as obstacles to national economic growth. The investment in dams is one of the main examples of such water management development projects. The importance of dams is derived from the different ways that can influence water policy. For instance, they enable a steady supply of water for private consumption and industrial needs. Additionally, they can provide water supply for agricultural irrigation purposes and can be used to produce hydroelectricity<sup>26</sup>

Inevitably dam projects have frequently created poverty and damaged ecologies by causing displacement and undermining useful ecological phenomena like annual flooding that spreads irrigation water and fertile soil.<sup>27</sup> The ideology behind dams is a government's sense of a dam mission with costs ignored in an effort to force through what is seen as national symbols of power and development. On the other hand, the paper shows the power and the significance of local political mobilization in opposition to environmentally unfriendly mega projects. As we have seen, the Itare project received much criticism from the opposition

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<sup>21</sup> Kiplang'at Kirui, Itare Dam will ruin Masai Mara – Raila, Nov. 23, 2016,[https://www.the-star.co.ke/news/2016/11/23/itare-dam-will-ruin-masai-mara-raila\\_c1459373](https://www.the-star.co.ke/news/2016/11/23/itare-dam-will-ruin-masai-mara-raila_c1459373)

<sup>22</sup> Julius Chepkwony Elections 2017, Evicted villagers stare at death in cold camps

<sup>23</sup> Amos Kerich, "Ignore 'illiterate' Raila's opposition to Sh38b Itare Dam, Ruto tells Kuresoi" [https://www.the-star.co.ke/news/2017/07/25/ignore-illiterate-railas-opposition-to-sh38b-itare-dam-ruto-tells\\_c1603974](https://www.the-star.co.ke/news/2017/07/25/ignore-illiterate-railas-opposition-to-sh38b-itare-dam-ruto-tells_c1603974)

<sup>24</sup> Rita Damary, "Sh34 billion Itare Dam project will not stop flow of rivers, says consultant" IN THE STAR AT [https://www.the-star.co.ke/news/2018/02/27/sh34-billion-itare-dam-project-will-not-stop-flow-of-rivers-says\\_c1721046](https://www.the-star.co.ke/news/2018/02/27/sh34-billion-itare-dam-project-will-not-stop-flow-of-rivers-says_c1721046)

<sup>25</sup> <https://www.iol.co.za/news/politics/afribusiness-unequivocally-opposes-state-control-of-dams-13675734>

<sup>26</sup> Pat Adams, "International Development Banks, Large Hydropower, and the Environment in Ethiopia": Environmental Policy Update 2012: Development Strategies and Environmental Policy in East Africa (Waterville, Maine: Colby Environmental Policy Group, 2012): 204-205.

<sup>27</sup> John Wood, *The Politics of Water Resource Development in India: The Narmada Dams Controversy*. New Delhi: Sage Publications, 2007

politicians, academics in the social sciences, and national and international NGOs culminating in well-organized anti-dam social movement. Ultimately the case of Itare Project exposes some of the limitations this centralized and elite-led process has. Without genuine participation by local stakeholders, including the presence of their knowledge and values, such large projects will always produce social and environmental injustices like those most notably experienced by the villagers near the quarry.

### **VIII. Conclusion: Damn Lies and Damn Statistics**

In Kenya, generally construction of dams have been blamed for widespread environmental destruction of the major river system upon which millions of people depend for their livelihoods; forcible resettlement and human rights abuses; corruption and cost overruns. Large dams across the country have left a trail of “development-induced poverty” in their wake. As we have argued, project benefits have been consistently overstated and inequitably shared. These dams also disproportionately benefit industry and high-income groups and have done little to reduce energy poverty. Finally, because African energy sectors are already excessively dependent on large-dam hydropower for electricity supply, and because the majority of Kenyans depend directly on rivers for their livelihoods, big dams are increasing the continent’s vulnerability to climate change.

Foreign banks and companies are heavily backing dam construction in Kenya and have been involved in some very troublesome projects. China’s policy of “non-interference” in the other countries’ affairs for instance, has resulted in Chinese support for Kenya’s dam projects marred by state-sponsored violence and other human-rights violations; major environmental destruction; and a lack of transparency in every respect. The majority of Africans rely on the natural environment for their livelihoods choosing to build more large dams in Africa which cause greater ecological degradation, damage livelihoods and diminish quality of life for many.

As argued, large dams are often the major focus of energy development in many poor countries, which can lead to an unbalanced and risky energy supply, increased corruption, and huge debt burdens. Worse, these projects often do little to increase energy access, because the bigger challenge is to bring electricity lines to the rural majority who live in low-density villages far from national grids, and who cannot afford to use enough electricity to justify the connections.

A special report by the Auditor General has found that expenditure on construction work for dam projects at Maruba, Kitserian, Umaa, Badasa and Chemusu has exceeded the budget provisions by Sh660 million. In addition, the report states, the National Water Conservation and Pipeline Corporation cannot account for a further Sh653 million of expenditure ‘as there was no supporting documents to justify spending’.<sup>28</sup> The report revealed that a lack of feasibility studies had led to design and technical problems and the need, as a result, for additional work (and of course, additional expenditure); adequate geological surveys had not been undertaken; the cost of land acquisition at three of the sites had not been taken into account leading to extra claims of Sh186 million from the Kenya Wildlife Service and the Kenya Forest Service among others; it has been ‘impossible to confirm’ whether Sh87 million incurred on two of the contracts ‘represented good value for money; and, Sh80 million was paid to hire two ‘quality assurance’ ‘experts’ for reasons that no one seems to know. Nice work if you can get it. So where have we heard this before? Well for those old enough to remember, this latest little dam escapade has echoes of the fuss over the construction of The Turkwell Gorge Hydro Electric Dam Project back in the early 1990’s

The Turkwell Gorge Hydro Electric Dam Project was commissioned in 1986 and completed by the French company Spie Batignolles in 1991. Allegations of corruption and financial mismanagement were made prior to the projects completion and in 1991 a Consultative Group meeting of donors to Kenya imposed a full aid embargo on the country largely because of allegations surrounding Turkwell Dam. Allegations were also repeated in the media in 1993 and again in Parliament in June 2000 when accusations were made by the then Opposition leader, one Mwai Kibaki, and a Mr Simeon Nyachae MP. The central allegation was the Turkwell Hydro-Electric Dam project had been commissioned without undertaking an adequate feasibility study and had been overpriced to allow for the siphoning off of funds. The facts of the Turkwell Dam Project, its commissioning, building and the costs involved, were placed in the public domain with full public disclosure of the facts and related documents relating to the project being made on four different occasions.

In 2000 Permanent Secretary, Secretary to the Cabinet and Head of Public Service to the Kenya Government Richard Leakey declassified the Turkwell Gorge Government files to make them publicly accessible. The information was also made public in the Hansard (Parliamentary Debates of June 8, 2000). And full disclosure of all relevant information was again made public in a court judgment in March 2002, where the Court found as a fact that there was no foundation to the allegations (a judgment that was later upheld in a ruling by Chief Justice Evans Gicheru in December 2004). Four feasibility studies were carried out on the Turkwell project which estimated the cost at US \$ 294 – US\$ 362 million. The final actual cost to the Kenya

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<sup>28</sup> [The Standard, March 28, ‘Report faults Sh9.8 billion dams project’]

Government was US\$ 165.7 million, a saving of between US\$ 128.3 and US\$ 196.3 million. So no overpricing, no surplus funds and no what shall we call laundering. And, would you believe, Turkwell was completed nearly two years ahead of schedule? The Turkwell Hydro Electric Dam is now estimated to be the fourth largest power producer out of KenGen's power stations and has recently been featured in advertisements for a cement company to show how things should be done and is regarded by engineers as probably the best civil engineering project ever undertaken in Kenya.