

Affordable Housing in Kenya: A Case Study of Policy on Informal Settlements

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SUMMARY

Housing is a Human Right in as much as air and/or water. Like food, even those who cannot afford it need it perhaps much more than those who can, because the latter could be in it for the investment returns. By its nature housing represents a major investment requiring a substantial capital outlay. In the majority of housing projects, the developer whether as a corporate or individual has to recognize the time value concept of money? This raises the rate of interest to reflect the high Risk of lending.

Kenya's GDP at about USD 11 Billion is reasonably large but is not growing at the rate that would be classified as booming. *More critical however is the distribution of the national income.* It could easily be said that 10% of the population controls about 90% of the resources available. That is a constrained economy, overcrowded at the bottom and very sparse at the top.

Nairobi occupies about 8% of Kenya's total land surface but generates about 40% of the nation's GDP. Nairobi has a population of about 4 Million people by day and 3 Million by night. Of these, 60% live in what can be referred to as informal settlements or slums.

About 67% of Kenya's total population lives in the country. With improved primary health care, infant mortality rate has dropped significantly, leading to an unprecedented population boom countrywide. The population growth at 2.9% is higher than the GDP growth at 1.1%. The income per capita per day is USD 0.95! At that rate affordability of anything let alone housing is a big challenge.

I am interested in this study because I know that more than one third of Kenyans (12 million – 9 million in rural and 3 million in urban areas) do not have decent and affordable housing. My study will seek to uncover the root causes and effects of abject poverty and suggest ways and means of mitigating these circumstances. Land Tenure, Financing, Legal Framework, Building Materials and Appropriate Technology seem to be the greatest challenges to affordable housing in both rural and urban areas. Invariably they generate informal settlements in towns and rural areas alike.

Methodology

I shall borrow from the various studies carried out especially by the UNCHS Habitat, which has put together various international experiences, into volumes of very readable text analysis. I shall look at the various definitions of informal settlements, poverty, low cost housing, and eventually zero in on the working definition adopted under the Habitat Agenda. I have taken a great affinity to the research by Wits University scholars and in fact pose a similar question, now about Kenya: "What would be the appropriate content of a policy on rural, urban and peri – urban informal settlements in Kenya, and how would this be implemented on the ground?" According to the Wits University Team, and I agree with them, the following is an acceptable logical frame work:

- The policy – making process, the challenge is balancing technological expertise with civil society input, in particular the need to include of civil society in the policy- making process.
- Institutional arrangements, in particular as they relate to the structure and financing of the programme, and also how these arrangements relate to the inter-sectoral requirements of informal settlement intervention, and to realizing rights to land and shelter in particular the need for appropriate funding mechanisms and legal frameworks.
- The design of the intervention process with regard to the integration of livelihoods, the involvement of community structures, and the appropriate technical solutions, in particular the need to involve of community –based organizations (CBO's) and non-governmental organizations (NGO's)

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1. THE MILLENIUM DEVELOPMENT AGENDA

In the face of many global challenges, world leaders met at the special Millennium Summit of the United Nations in September 2000 to establish a series of goals for humanity in the 21st Century, which was by then imminent. This was based on key policy documents from the series of major United Nations conferences held during the previous decade, including Agenda 21 and The Habitat Agenda.

The most important target from the point of view of this discussion is Target 11: "By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers, which builds upon the Cities Alliance's "Cities Without Slums" initiative. The emphasis on cities contrasts with the fact that 67% of Kenyans live in the country.

2. UNDERSTANDING SLUMS

The term 'slum' is used in this research, and in a general context to describe a wide range of low-income settlements and/or poor human living conditions. These inadequate housing conditions exemplify the variety of manifestations of poverty as defined in the Programme of Action adopted at the World Summit for Social Development.

'Slum' at its simplest, is 'a heavily populated urban area characterized by substandard housing and squalor'. This definition encapsulates the essential characteristics of slums: high densities and low standards of housing (structure and services), and 'squalor'. The first two criteria are physical and spatial, while the third is social and behavioural.

Slums have, however, also come to include the vast informal settlements that are quickly becoming the most visible expression of urban and rural poverty in the developing world, including squatter settlements and illegal subdivisions. The quality of dwellings in such settlements varies from the simplest shack to permanent structures, while access to water, electricity, sanitation and other basic services and infrastructure is usually limited. Such settlements are referred to by a wide range of names and include a variety of tenure arrangements.

Although the term 'slum' is considered an easily understandable catch-all, it disguises the fact that within this and other terms lie a multitude of different settlements and communities. However, slums can be divided into two broad classes:

- *Slums of hope*: 'progressing' settlements, which are characterized by new, normally self-built structures, usually illegal (e.g. squatters) that are in, or have recently been through, a process of development, consolidation and improvement.

- *Slums of despair*: ‘declining’ neighbourhoods, in which environmental conditions and domestic services are undergoing a process of helpless degeneration, desperation and despondency.

3. OPERATIONAL DEFINITION OF SLUMS

The operational definition of a slum that has been recently recommended (by a United Nations Expert Group Meeting (EGM)) held in Nairobi from 28 to 30 October 2002) for future international usage defines a slum as *an area that combines, to various extents, the following characteristics (restricted to the physical and legal characteristics of the settlement, and excluding the more difficult social dimensions)*:

- *inadequate access to safe water; inadequate access to sanitation and other infrastructure; poor structural quality of housing; overcrowding and an insecure tenure status.*

Characteristic	Indicator	Definition
Access to water	Inadequate drinking water supply (adjusted MDG Indicator 30)	A settlement has an inadequate drinking water supply if less than 50% of households have an improved water supply <ul style="list-style-type: none"> - household connection; - access to public stand pipe - rainwater collection; With at least 20 litres/person/day available within an acceptable collection distance.
Access to sanitation	Inadequate sanitation (MDG Indicator 31)	A settlement has inadequate sanitation if less than 50% of households have improved sanitation: <ul style="list-style-type: none"> - public sewer - septic tank - pour-flush latrine - Ventilated improved pit latrine. The excreta disposal system is considered adequate if it is private or shared by a maximum of two households.
Structural quality of housing	a) Location	Proportion of households residing on or near a hazardous site. The following locations should be considered: <ul style="list-style-type: none"> - Housing in geologically hazardous zones (landslide/earthquake and flood areas); - Housing on or under garbage mountains; - Housing around high-industrial pollution areas; - Housing around other unprotected high –risk zones (e.g. railroads, airports, energy transmission lines)
	b) Permanency of Structure	<ul style="list-style-type: none"> - Proportion of households living in temporary and/or dilapidated structures. The following factors should be considered when placing a housing unit in these categories: <ul style="list-style-type: none"> - Quality of construction (e.g. materials used for walls, floors and roof); - Compliance with local building codes standards and bylaws.
Overcrowding		Proportion of households with more than two persons per room. The alternative is to set a minimum standard for floor area per person (e.g. 5 square meters)
Security of tenure		<ul style="list-style-type: none"> - Proportion of households with formal title deeds to both land and residence. - Proportion of households with formal title deeds to either one of land or residence. - Proportion of households with enforceable agreements or any document as a proof of tenure arrangement.

‘Well’ and ‘spring’ are considered acceptable sources in the original MDG indicator but are almost certain to be polluted in urban areas.

Sources adopted from UN-Habitat 2002a, 2002b

4. INFORMALITY WITHIN URBAN SETTINGS

In their book "The Challenge of Slums Global Report on Human Settlements 2003" the UNCHS (Habitat) they state:.

'Informal' suggests a different way from the norm, one, which breaches formal conventions and is not acceptable in formal circles – one which is inferior, irregular and, at least somewhat, undesirable. However, research and practice over the years have demonstrated that differences may not imply inferiority. Although an informal settlement may be built on land zoned for industry and is, therefore, illegal, it provides accommodation, location and identity for its inhabitants at a cost that they can probably afford.".....

On the housing side, the informal sector delivers dwellings and accommodation at a price and in quantities that the formal sector miserably and deliberately fails to address. As *profit making* is so difficult when low-cost housing and formal –sector institutions coincide, formal housing delivery systems have rarely reached the low-income and non-income groups. *The majority if not all-poor households have been housed informally for many years in many countries in both the cities and countrysides.* Kenya an example.

5. THE INFORMAL ECONOMY

5.1 Defining the Informal Sector

The term 'informal sector' has been used to describe a phenomenon of generally small-scale industries and commercial activities that are not registered enterprises but provide large amounts of products and services that people use each day.

Five theories, explain why informal-sector activities persist in developing countries.

1. The '*lack of growth*' theory, in which the persistence of informal activities is owing to the lack of, or a decline in, the growth of GDP, particularly the lack of urban growth.
2. The '*jobless growth*' theory, which assumes that capital – intensive technology and recent economic processes, such as privatization, deregulation and globalization, have led to two effects: the decline of formal – sector jobs or the informalization of certain formal-sector jobs.
3. The '*growth from below*' theory, which attributes some of the growth in GDP to the small –scale enterprise sector. This is based on the recognition that small – scale enterprises in the informal sector are growing faster in many countries than larger-scale firms in the modern sector.
4. The '*period of adjustment*' theory, which reflects how the informal sector grows when economies undergo structural adjustment, causing marked shifts from formal to informal employment.
5. *Institutional cost theory*: The main justification for regulating enterprises is the extraction of business taxes and income tax. Conversely, regulation is an expensive business and it requires taxes on enterprises for it to succeed. However, informal entrepreneurs in many cities have to pay entry fees to informal – sector 'gate-keepers'

and ‘protection bribes’ to local officials and the police. Our ”Matatu” (van public transport) enjoyed informality for a very long time till early 2004!

5.2 Informal Housing

Housing is described as informal when it does not conform to the laws and regulatory frameworks set up in the environment in which it occurs. It can be informal at several levels. Housing can be provided through construction firms that are not licensed and whose work is not subject to guarantees. In turn, the housing is not likely to conform to the planning and building regulations in force or to be built in areas where there is no need to conform – for example, in ‘semi-pucca’ areas in Bangladesh or outside of city boundaries.

Housing that does not conform to rules may do so in several ways, including:

- *being built on land intended for another use (even though the building itself may conform to the standards laid down in the regulations);*
- *not conforming to all of the standards laid down for that part of the city;*
- *not being subject to planning permission or building inspection (even though it may be eligible);*
- *Being built on land not owned by the occupier and without permission of the owner.*

Formal housing can become informal by the process of extension and alteration (transformation) by users without permission, or in ways that do not fulfil standards. This is now very common in government – built estates all around the world, as well as private dwellings in cities in Kenya as demand for housing continues to outstrip the supply by far.

6. SLUMS IN THE HOUSING SECTOR

The commonly accepted idea of a slum relates particularly to poor quality housing and residential infrastructure. The slum conjures up an urban tenements, dire poverty and disease; empty buildings and decay, suburban flight, roaming gangs and crack dealers; or with endless vistas of makeshift shacks on the edge of town, filled with people in despair. In each case, the image suggests that the deprived urban environment has caused the poverty, when the reverse is mostly the case; people in poverty have sought out the accessible housing that they can best afford.

6.1 Slums and Tenure Insecurity

The relationship between slums and tenure insecurity is not immediately obvious, particularly in the Western world where slums actually developed within a context of defined tenure rights. However, the situation in the rapidly urbanizing developing world is rather different

Many people living in informal settlements have been subject to continual harassment by authorities in their endeavours to provide themselves with appropriate and affordable housing. The unsatisfactory tenure of the majority of the urban poor has all along been

recognized, as access to secure tenure has often been a prerequisite for access to other opportunities, including credit, public services and livelihood.

7. NEW POLICY DEVELOPMENTS AT THE NATIONAL AND GLOBAL LEVELS

This provides the necessary background to an understanding of the slum specific policies pursued by governments. Financial constraints; contradictions between economic and social objectives and coordination and cooperation, especially among international agencies working in slums.

However, it seems to be difficult for many developing countries to configure public delivery systems beneficially: corruption, political interference inefficiency, inflexibility, unfair allocation and extensive delays are the rule rather than the exception.

Many policy approaches to slums have been attempted during the course of the last decades. They range from passively ignoring or actively harassing men and women who live in slums, to intervention aimed at protecting the rights of slum dwellers and helping them to improve their homes and living environments.

The work of the Culture in sustainable Development Group of the World Bank aims to support culture as a key element of social and economic development for poverty reduction, social inclusion and environmental protection.

7.1 Negligence

This is based on heavily subsidized low cost housing programmes that, in the context of high and steady economic growth, bring improvement of housing conditions and results in elimination of Urban Slums. In an effort to achieve similar results, most developing countries responded to the housing needs of the poor through the formal provision of low cost housing. In the place of thorough policies of slum upgrading or integration, and making use of public land reserves and public subsidies, governments embarked on massive public housing schemes. They targeted, in principle, non-income, low-income and low middle-income groups. But actually they were allocated to the middle classes, government employees and political clienteles. The high cost of this approach was the main reason why the housing needs of the poor have not been met and informal settlements have growth

7.2 Eviction

This was a common response to the development of slums during the 1970s and 1980s, particularly in political environments predominantly by centralized decision-making, weak local governance and administration, non-democratic urban management, non recognition of civil society movements and lack of legal protection against forced evictions. When it became clear to the public authorities that the economic development was not going to integrate the slum population, some governments opted for a repressive option with a

combination of various forms of harassment and pressure on slum communities, leading to selective or mass eviction of slum dwellers.

Negotiations with slum dwellers (who were considered to be illegal squatters) were rare. Communities living in informal settlements were rarely offered viable alternative solutions, such as resettlements. More often than not, no compensation whatsoever was paid to evicted households. Evictions were usually justified by the implementation of *urban renewal projects* (especially during the redevelopment of city centres) and by the construction of urban infrastructure or for health, sanitary and security reasons. The highest pressure was therefore exerted on inner city slum dwellers who occupied prime locations for development with better access to infrastructure. This approach shifted slums to peri urban fringes and rural areas where access to land was easier and planning control non-existent.

7.3 The Challenge of Informal Settlements: UN Habitat Global Report on Human Settlements 2003

In 2001, 924 million people, or 32% of the world's urban population, lived in slums, 43 per cent in developing countries, 6 % in more developed. *All things being equal* this is projected to rise to 2 billion in 30 years. However

- There is growing global concern about slums, as manifested in the recent United Nations Millennium Declaration and subsequent identification of new development priorities by the international community.
- Slums are a physical and spatial manifestation of urban poverty and intra – city inequality. However, slums do not accommodate all of the urban poor, nor are all slum dwellers always poor.
- National approaches to slums, and to informal settlements in particular, have generally shifted from negative policies such as forced eviction, benign neglect and involuntary resettlement, to more positive policies such as self-help and *in-situ* upgrading, enabling and right-based policies.
- In facing the challenge of slums, urban development policies should more vigorously address the issue of livelihoods of slum dwellers and urban poverty, going beyond traditional approaches that concentrate on improvement of housing, infrastructure and physical environmental conditions.
- Up-scaling and replication of slum upgrading is among the most important of the strategies that have received greater emphasis in recent years, though it should be recognized that slum upgrading is only one solution among several others.
- For slum policies to be successful, the apathy and lack of political will in both national and local levels of government in many developing countries in recent decades needs to be reversed.

- There is great potential for enhancing the effectiveness of slum policies by fully involving the urban poor and those traditionally responsible for investment in housing development. This requires urban policies to be more inclusive and the public sector to be much more accountable to all citizens.
- It is now recognized that security of tenure is more important for many of the urban poor than home ownership, as slum policies based on ownership and large scale granting of individual land titles have not always worked.
- To improve urban inclusiveness, urban policies ought to aim at creating safer cities. This could be achieved through, better housing policies for the urban low – income population (including slum dwellers) founded on
 - Effective urban employment generation policies; effective formal policing and public justice institutions
 - strong community – based mechanisms for dealing with urban crime.
- To embrace the goal of "cities without slums", developing country cities should vigorously implement urban planning and management policies designed to prevent the emergence of slums, alongside slum upgrading and within the strategic context of poverty reduction. Government of Kenya has a policy wish list on this.
- Investment in city – wide infrastructure is a precondition for successful and affordable slum upgrading since, it is one strong mechanism by which the urban poor are excluded, and yet improved slum housing remains unaffordable for them.
- Experience accumulated over the last few decades suggested that in-situ slum upgrading is more effective than resettlement of slum dwellers and should be the norm in most slum-upgrading projects and programmes.

8. POVERTY

Slums and poverty are related and mutually reinforcing, but the relationship is not always direct or simple:

- Informal settlement dwellers are not a homogenous population. Some people of reasonable incomes choose to live within or on the edges of slum communities.
- Most work in the informal economy but some have incomes exceeding earnings by those in the formal-sector employment.
- In many cities, there are poorer outside slum areas than within them.
- Highest concentrations and worst conditions of poor people are slums but even the most exclusive and expensive areas will have some low – income people.

8.1 Defining Poverty

Like slums, poverty is something that people believe they can easily distinguish; in fact, the concept is difficult to define. Poverty is often defined in terms of household income for example, the proportion of a city's household who are earning less than what is needed to afford a 'basket' of basic necessities, or living on less than US\$1 or US\$2 a day. Monetary measures do not capture the multidimensional nature of poverty. People may be poor not just because of low incomes but:

- Inadequate income and thus inadequate consumption of necessities including food, safe and sufficient water, problems of indebtedness, with debt repayments significantly reducing income available for basic necessities
- poverty may derive from an inadequate, unstable or risky asset base needed as a cushion to carry them through hard times.
- Poor because their housing is overcrowded, of low quality or is insecure;
- Because they do not have access to safe water, adequate sanitation, health care or schools
- Because they are lacking a supportive safety net; or because they are not protected by laws and regulations concerning civil and political, as well as economic, social and cultural rights, discrimination and environmental health.
- Because they are denied a voice within political systems.

These manifest themselves in the following:

- *Low income*: Those who are unable to participate in labour markets and lack other means of support, and those whose wage income is so low that they are below a nominal poverty line.
- *Low financial capital*: Lack of productive assets that might be used to generate income or avoid paying major costs (for example, a house, a farm or a business)
- *Low Social Capital*: Shortage of networks to protect households from shock, weak patronage on labour markets, labeling and exclusion, prevalent in minority groups
- *Low Human Capital (aka capability poverty)*: Low education and poor health. Capability encompasses empowerment, work contacts and ability to transcend social class

It is important to consider all of the inter – related aspects of poverty; merely addressing monetary resources of livelihoods may only be a temporary stop gap and may not deal with the many other aspects of poverty that may ensure a sustainable transition from poverty. The mobility has implications for pro-poor policies. Two kinds of programmes are necessary: safety nets for the transitory poor; and empowerment and capability raising programmes for the chronically poor. The common types of measures are those based on income, which include the following:

Absolute Poverty: this comprises people who cannot afford to buy a 'minimum basket' of goods - which sometimes is just food and water for minimum nutrition, but should include other necessities, such as clothing, shelter and transport to employment, education or the means to obtain the basic necessities.

Relative Poverty: The proportion of population below the threshold, a percentage of local median income.

Extreme poverty: The World Bank has recently popularized a simple measure of US \$ 1 a day or US\$2 a day (both adjusted for purchasing price parity, or local costs).

These income-based measures substantially underestimate urban poverty because they do not make allowance for the extra cost of urban living (housing and transport, plus the lack of opportunity to grow one's own food). Measures of household income also do not reveal relevant background conditions; they do not, in themselves, provide information on the spatial distribution of poverty or its national context.

9. IN LIGHT OF THE FOREGOING HOW HAS KENYA FAIRED?

9.1 Historical Perspective

Kenya's first attempt at a National Housing Policy was first mooted in Sessional Paper No. 5 of 1966/1967. It was as a result of an investigation into the short and long terms housing needs in Kenya, conducted by a United Nations Mission on behalf of the Government. The Mission made recommendations on the policies to be pursued in the framework of our nation's social and economic development. The main principles that were to guide the development and control of housing in Kenya were outlined under Urban and Rural Housing Policy; Finance for Housing; Administrative Organization; Housing Programme; Research and Education. The Government was convinced that:

"Housing is a vital factor in the nation's economic and social development and its effects have a bearing on the morale and stability of Kenya; The productive capacity of Kenya's labour force was related to the state of its health; Decent living environments are conducive to good health." At the time Kenya's population was well over nine Million of which eight million lived in the country. Annual population growth was estimated at 3% for the whole country and 5% to 6% in urban centres.

One of the main recommendations of the UN Mission was that a National Housing Authority be created to be the main instrument for the prosecution of Government housing policy....."the supervision of the housing programme for the country as a whole must rest with the Government through the Minister responsible for Housing"

We finally find Low Income Housing and Slum Clearance under principle 4. on the Housing Programme: It goes as follows:

"If towns are not to develop into slums, and centres of ill-health and evil social conditions, low income urban housing and slum clearance must continue to form the major part of the nation's housing programme. It will be the responsibility of local authorities under their by-laws, as well as the NHC to ensure close supervision of such projects so that buildings are erected according to approved plans and specifications, and to avoid the creation of slums." That is the first, last and only mention of informal settlements

As it turns out although noble these were what one would call a 'wish list'. This situation has been exacerbated by population explosion, rapid urbanization, widespread poverty, and escalating costs of providing housing. Nothing happened on the ground not as far as informal settlements were concerned!

Revised National Housing Policy: Sessional Paper NO. 5 May 2004

Kenya's revised National Housing Policy as articulated in Sessional Paper No. 3 of 2004 is intended to address the deteriorating housing conditions countrywide and to bridge the shortfall housing stock arising from demand that far surpasses supply, particularly in urban areas. The shortage in housing is manifested in overcrowding, proliferation of slum and informal settlements especially in peri-urban areas. In rural areas the shortage manifests itself in the poor quality of the housing fabric and lack of basic services such as clean drinking water. The policy aims at:

Enabling the poor to access housing and basic services and infrastructure; Encouraging integrated, participatory approaches to slum upgrading, including income-generating activities that effectively combat poverty; Promoting and funding of research on the development of low cost building material and construction techniques; Harmonizing existing laws governing urban development and electric power to facilitate more cost effective housing development; Facilitating increased investment by the formal and informal private sector, in the production of housing for low and middle-income urban dwellers; Creating a Housing Development Fund to be financed through budgetary allocations and financial support from Development partners and other sources.

The Economic Recovery Strategy for Wealth and Employment creation launched by the Government in June 2003 is intended to introduce a National Housing Policy that comprehensively addresses the shelter problem, including informal settlements, hopefully . This Sessional Paper comprises four elements. The Policy targets and highlights urban housing, rural housing, slum upgrading and vulnerable groups; and proposes solutions, which include poverty alleviation.

10. HOUSING PROBLEMS AND CHALLENGES

- The investments in the housing sector since the 1966/67 Policy have been minimal and sporadic. The demand for housing still far outstrips supply.
- Research on low cost building materials and construction techniques has been limited thus not providing viable guidance to the development of the sector.
- Stringent planning regulations and high infrastructural standards have been an impediment in the housing delivery system.
- The high level of poverty has rendered access to decent housing an elusive dream to the

swelling ranks of people living below the absolute poverty line.

- The problem in urban areas is mainly that of acute shortage in the number of habitable dwellings, inadequate infrastructure, community facilities and services, overcrowding and extensive slums and squatter settlements.
- On the other hand, the major problem in rural areas is mainly that of poor quality of the shelter fabric and limited access to safe drinking water.
- The estimated current urban housing needs are 150,000 units per year for the urban areas and 300,000 units per year for the rural. The current production of new housing in urban areas is only 20,000-30,000 units annually, giving a shortfall of over 120,000 units per annum. This shortfall in housing has been met through proliferation of squatter and informal settlements and overcrowding.

Various interventions and strategies have been introduced in the past to alleviate the above situation.

The overall goal of this Housing Policy is to facilitate the provision of adequate shelter and a healthy living environment at “affordable cost” to all socio-economic groups in Kenya in order to foster sustainable human settlements. This will minimize the number of citizens living in shelters that are below the habitable living conditions. It will also curtail the mushrooming of slums and informal settlements especially in the major towns.

The poor people's pragmatic approach to housing will be harnessed and put to maximum utility by community-based organizations through effective and well-defined popular participatory approaches. Community involvement as a planning tool will be advocated in all housing programmes targeting the poor.

The Government recognizes that security of land tenure as well as availability of adequate quantities of land in suitable locations at affordable prices is a central requirement for clearing the backlog of housing demand for the urban poor. Housing programmes for the poor will be pursued at a scale, which is commensurate with need and availability of resources.

10.1 Upgrading of Slums and Informal Settlements

- Upgrading of slum areas and informal settlements will be given high priority. It will be undertaken with minimal displacement to cater for proper planning and provision of necessary infrastructure and related services. Appropriate upgrading measures will be instituted for existing slum areas taking into account key upgrading components that cover security of land tenure, provision of basic infrastructural facilities and services, improvement of housing structure and the socio-economic status of the target community.
- The Government will streamline acquisition of land for housing the poor, adopt appropriate tenure systems, planning standards to suit given slums settlements and

prevent unwarranted destruction of existing housing stock and displacement of the 'residents. Upgrading will be integrated to take into account socio-economic activities that improve livelihoods' of target communities. Employment and income-generating activities that address poverty alleviation will be enhanced.

- The Government will also facilitate slum upgrading through integrated institutional framework that accommodates participatory approaches involving relevant stakeholders, particularly the benefiting communities while enhancing co-ordination at national level. Upgrading will take into account factors of ownership of land and structures, age of settlement, and affordability. Appropriate compensation measures will be instituted for disposed persons where necessary.

In order to improve the living conditions of a large proportion of the populations in urban areas, appropriate slum upgrading measures will be instituted for each slum/informal settlement, taking into account the above main components and factors. To further address proliferation of slums and informal settlements, the Government will ensure supply of minimally developed but incrementally upgradeable low -income housing.

11. INFRASTRUCTURE

11.1 Issues

The opening of new land for housing development or the upgrading of existing informal settlements require installation and maintenance of infrastructure such as such as water, sewerage, roads, electricity, social services and security. Infrastructural facilities therefore form a major and vital component. of shelter provision. Accessibility to adequate urban basic services will greatly improve people's economic capacities, health and the quality of life in general.

11.2 Policy Statements

Establishing a Slum Upgrading and Low-cost Housing and Infrastructure Fund under the Ministry in-charge of Housing financed from the exchequer and development partners for funding shelter rented infrastructure;

11.3 Observations

- Looking at the latest Housing Policy, which was published in May 2004, one forms the impression that there is a seriousness of purpose and commitment to a fair and just cause to facilitate shelter provision for all Kenyans, regardless of their station in life. It is certainly an improvement from the first one published in 1966/67. It is instructive however, that the matter of informal settlements especially in the rural areas where the majority lives has barely been even mentioned.
- The first Housing Policy of 1966/67 only had one mention of informal settlements and moreover it was in not in the most flattering light. Little wonder that although they had projected to build 7,600 houses annually in towns and 38,000 in the rural areas, this was

never realized and made the housing needs worse, pushing more people on the periphery into the informal settlements as far too many citizens chased far too few houses. In the same breath, the very short supply pushed the prices of housing very high and beyond reach of most Kenyans.

- The latest Housing Policy raises issues and then makes policy statements. That is all well and good but that is only the first step. As it is it can best be referred to as a shopping list, or a wish list. In terms of the model the Wits University researchers prescribe it does not quite address the second stage
- The Policy recognizes the role Civil Society such as Non Governmental Organizations (NGO) and Community Based Organizations (CBO) can play in the scheme of things. It does not however suggest the medium of convergence.
- Government recognizes that it has a severe budgetary constraint and has graciously referred to collaboration with development partners to realize this noble objective. However right now government has a big credibility challenge over graft allegations with the donors. The famous "vomiting on our shoes" statement is not lost on them.
- There is allusion to amendment and or enactment of laws relating to housing to facilitate the development of shelter, but it does not give any time frame or who will be responsible for this process. It leaves the issue wide open and likely not to see the light of day.
- All the Key Result Areas relating to Informal Settlements have been addressed, but not in detail nor with commitment to execute. These are Land Tenure, Building Materials Research and Construction Technology, Legal and Financial Frameworks, Infrastructure in the form of Water, Roads, and other associated Services and Entrepreneurship. There is no commitment to the mode of delivery of these key factors
- Ever since the first Policy in 1966/67 the number of people in informal settlements has more than trebled indicating that not all is well with just writing policy and not actualizing the initiative through acceptable milestones and timelines of execution. Rural Urban migration is on the increase
- It has to be recalled that majority of the informal settlement dwellers have no reliable source of income and have to rely on offering casual manual labour. This in itself is an impediment to access to credit.

12. RECOMMENDATIONS

- Government must do more than at the moment since it recognizes that a productive nation is one which is well housed and in any case it is a physiological need
- The Kenya Government is obliged to develop a home grown solution and take advantage of housing the UNCHS Habitat on its soil, where it seems to benefit others out there!
- What the informal settlement dwellers need is facilitation more than hand outs. Government has to work on creating the necessary infrastructure for the informal dwellers.
- There should be emphasis on training informal settlers in entrepreneurship and artizan skills to guide the spirit of survival that is so evident in slums, thus afford them a better chance of eking out a livelihood within and without their environment and abode
- There must be compulsory free education for all the children in informal settlements
- The Government should have a policy on avoiding relocation as much as possible and

- instead regularize the stay of the settlers, and enable upgrading of the houses.
- Wholesome and potable water should be available and affordable. Right now the water in informal settlements is very expensive more than in the formal areas!
 - The Land tenure matter cannot be wished away, and with it come the impetus for those living in slums to improve their habitats. They will not do so until and unless they are assured of a certain sort of permanency residency.
 - Government must work its policy on land banks, reserving it for informal settlements
 - Government must come up with a housing act that addresses homelessness in rural and urban areas. A policy that recognizes the basic right of every citizen's right to shelter
 - The research into building materials and construction technology should take on a whole new meaning. It should be undertaken with a purpose not just for its own sake as at the moment. There ought to be more experiments with not just locally available materials, perpetually copying Western architecture, but also conduct more studies into the original African architecture of grass, cow dung and mud. It is said to be cool and keeps away mosquitoes!
 - For informal settlements policies to be successful the much talked about graft and apathy that has been a cornerstone of our self-inflicted poverty must be reversed, and make the public sector, more accountable to the Kenyan people.
 - The informal settlers must be involved in the design of policies intended for them so that they can take ownership of them, given the chance and a level field they are capable of making informed decisions and embracing the outcome of their execution.
 - Over and above infrastructure, the neighbourhood should be made safer and more conducive to live and grow uninhibited from the stigma associated with grime and crime
 - Talk of a mortgage in whatever form is not practical, since these citizens do not have regular jobs. Through the CBO's the concept of Sweat Equity can be inculcated into them and form a basis for ownership of the outcome.
 - There is hardly mention of informal settlements in Rural Kenya and too much emphasis on the urban areas. Yet the majority of the population lives in the country. That is a serious oversight! Perhaps these majorities are voiceless, and someone has to speak for them. With some budgetary allocations channelled to the rural areas the outcome will be more visible sooner than in towns. This must be corrected and suitable approach designed to cater for this majority if for nothing else but to retain the more able bodied and thus help fast track rural development as well and stem congestion in the cities.

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