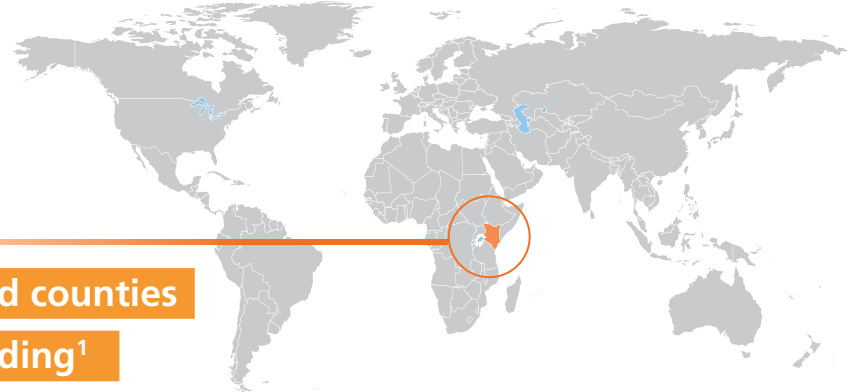




# KENYA

## IMPACT STORY:



**New constitution and empowered counties  
to promote city-wide slum upgrading<sup>1</sup>**

*Note: The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by UN-Habitat.*

### Introduction

With more than a half of the urban population living in informal settlements and slums (around 56%<sup>2</sup>) and an urban growth rate of 4.34%<sup>3</sup>, the capacity and commitment of Kenya's 2010 Constitution to address the country's affordable housing and slum challenge is brought into focus. This impact story explores the frameworks and platforms that Kenya has in place to undertake city-wide slum upgrading and how UN-Habitat's Participatory Slum Upgrading Programme (PSUP) has helped Kenya's progress towards a citywide upgrading and prevention approach. Kenya has more than thirty years of slum upgrading experience. It joined the PSUP programme in 2010 and is currently in the implementation phase having mainstreamed the principles and approach very rapidly reflected in, for example, the current draft National Slum Upgrading and Prevention Policy and the draft Urban Development Policy. In light of the country's ongoing focus on slums and their prevention, Kenya provides an insightful case study and 'impact story' on how a city-wide approach could be embraced.

### What is city-wide, 'at-scale' slum upgrading and why is it important?

City-wide approaches to slum upgrading are more holistic than traditional piecemeal responses. They are inclusive and recognize that urban issues like slums cannot be addressed in isolation. Rather, they see the urban fabric as a system with interlinked components and connections between different people and places. The main characteristics of city-wide slum upgrading are its:

- **Strategic nature:** focusing on strategic results for both local and city level sustainable development, taking into account what UN-Habitat considers to be the 'three levers' for sustainable urbanization: appropriate, implementable policy and legislation; inclusive economic development and financing, and integrated planning for short and long term prosperity gains.
- **Synergies and integration:** Ensuring connections across key plans, stakeholders and institutions so that basic infrastructure and transport networks, for example, are harmonized and an inclusive, innovative and functional urban environment is achieved.

- **Scale and scope:** targeting the strategic intervention (thematically and spatially) to solve issues for a specific place, but with the focus on the urban context as a whole including urban fringes and those developments which might fall outside of formal administrative boundaries.
- **Participatory design and implementation:** ensuring engagement and coordination are at the heart of the city-wide approach and include slum dwellers themselves.
- **Leadership:** understanding the city-wide approach, the value of development for all, the role of all key stakeholders, ensuring financing is availed and outcomes delivered across all scales<sup>4</sup>.

### Slum upgrading in Kenya

Recognizing the importance and value of urban development, Kenya has been undertaking in-situ slum upgrading and urban renewal since the 1980's. During this early period, the Government created the Urban Development Department (UDD) charged with addressing urban development challenges, including slums. In the early 2000s, the 'Minimum Intervention Approach' (MINA) commenced, based on an idea of incremental change and to optimize the resources of partners and stakeholders. Representing an important step towards sustainable and inclusive slum upgrading, MINA was developed and initially tested by the Small Towns Development Program, co-funded by the German International Cooperation GIZ (then GTZ). The approach emphasized the participation of communities, security of tenure and undertaking minimum demolitions and has since formed the basis of several slum upgrading projects supported by UDD, including the Korogocho Slum Upgrading Program.



<sup>1</sup> This Impact Story was developed in collaboration with the Government of Kenya's Slum Upgrading programmes.

<sup>2</sup> United Nations Human Settlements Programme (UN-Habitat), Global Urban Indicators Database 2015.

<sup>3</sup> United Nations Department of Economic and Social Affairs Population Division - World Urbanization Prospects: The 2014 Revision

<sup>4</sup> Adapted from UN-Habitat (2010). City Wide Planning – Step by step guide and UN-Habitat's (2015) Practical Guide to Designing, Planning and Executing City-Wide Slum Upgrading Programmes and incorporating UN-Habitat's New Urban Agenda (September 2014).



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Since then, different Governments of Kenya have initiated or partnered with international organizations to improve the lives of slum dwellers via a number of programmes. These have included the Kenya Slum Upgrading Programme (KENSUP) which was initiated in 2001 under the then Ministry of Roads, Public Works and Housing. This ongoing broad-based program aims at institutionalizing slum upgrading 'at scale' and improving the livelihoods of people living and working in Kenya's slums through provision of security of tenure, housing and infrastructure improvement and income generation. UN-Habitat supported KENSUP in various ways and is currently providing inputs through the KENSUP Technical Advisory Committee.

The Kenya Municipal Programme (KMP) was not aimed directly at slum upgrading but instead it was to build Municipal Government capacity, develop infrastructure and promote planning in fifteen towns nationally. The city-wide participatory planning approach of the programme, however, has been important in focusing attention on the challenge of slums. The Kenya Informal Settlements Improvement Programme (KISIP) operated alongside the Kenya Municipal Programme and represents a collaborative effort between the Government of Kenya and international donors (the World Bank, the Swedish International Development Agency (SIDA), French Agency for Development (AFD) and UN-Habitat). The programme focused specifically on slum upgrading at settlement level and was implemented in the same urban centres as the KMP.

Finally, the Government of Kenya has used UN-Habitat's PSUP approach as an entry point to compliment and in some instances, strengthen its current approaches to slum upgrading. For example, PSUP has been used as a vehicle to mobilize key partners, strengthen capacity, foster institutional linkages and support the process to develop a common slum upgrading vision for Kenya, in-line with the spirit of the 2010 Constitution and the current draft National Slum Upgrading and Prevention Strategy.

## Kenya's opportunities for integrated city-wide slum upgrading

Kenya has a number of policies and institutions in place and activities in progress that are strong foundations for promoting sustainable and 'city-wide' slum upgrading. These include:

- **Relevant National Policies:** the National Housing Policy (Sessional Paper No. 3 of 2004), the National Land Policy (Sessional paper No. 3 of 2009), current drafts for the National Slum Upgrading and Prevention Policy and the National Urban Development Policy.
- **Relevant National Urban Strategies:** The Kenyan Vision 2030 where the social pillar seeks to install appropriate physical and social infrastructure in slums.

- **Relevant Institutional arrangements:** including the presence of key Government Departments such as a Housing and a Slum Upgrading Department.
- **The mobilization of multi-lateral and bi-lateral partners for financing and investment:** for example the KISIP, KMP and the larger urban management programme (KenUP) currently in discussion.
- **Urban focused National Constitution:** the 2010 Constitution of Kenya shifted the focus and structure of Government towards a devolved system of governance (represented by the 47 new county governments) to promote an 'open and democratic society based on human dignity, equality, equity and freedom'<sup>5</sup>. It provides an opportunity for city-wide slum upgrading via the:
  - **Devolved governance structure:** that gives county level governments the mandate to directly engage with and address the needs and rights of its constituents – which can include improving the lives of slum dwellers.
  - **Urban Planning Mandate:** Planning is given priority and County Governments are empowered to undertake participatory physical planning.
  - **Streamlined and connected National Government Ministries:** Previously disconnected but related departments are now linked through the amalgamation of Ministry functions. For example, the Urban Development Department is now part of the Land, Housing, and Urban Development Ministry.
  - **Rights framework:** Fundamental urban rights are promoted through the Bill of Rights (the right to adequate housing, access to water and sanitation<sup>6</sup>). There is also an Anti-Eviction Bill.
  - **Strengthened civic engagement mandates:** participatory planning is mandated across all urban planning processes and closely tied to funding allocation as per the County Urban Integrated Development Plans. The constitution and related governance legislature (Urban Areas and Cities Act, and the County Government Act) all require budgets based on Plans and structured stakeholder engagement. Strengthened land management frameworks such as the forthcoming Land Act, the Independent Lands Commission and the Urban Areas and Cities Act (that makes it mandatory to develop integrated plans) which will all help to strengthen urban land management.

<sup>5</sup> 13Article 20 (4) (a), Constitution of Kenya, 2010.

<sup>6</sup> Chapter 4, Constitution of Kenya 2010.

## Recommended next steps to strengthen slum upgrading in Kenya

PSUP has identified a set of potential 'next steps' that are more likely to enable a city-wide slum upgrading approach in Kenya:

- Develop clear and agreed national and county level benchmarks on what an 'upgraded' urban context looks like to drive a 'city-wide' vision, support the development of success indicators and understand investment requirements.
- Strengthen the policy and legal framework to enact the New Constitution and other visionary proposals (such as Vision 2030 Kenya) in regard to adequate housing and slum upgrading.
- Ratify key policy platforms such as the Slum Upgrading policy, Urban Development Policy and the National Land Act.
- Improve coordination between current national and county level slum upgrading programmes so that the national vision, coordination of resources and knowledge exchange can be optimized. This also includes aligning the mandates and activities of key national government departments such as Land, Housing, Infrastructure and Slum Upgrading.
- Integrate land management systems to provide pro-poor options for affordable serviced land.
- Improve financing options for housing and slum upgrading.
- Strengthen the ways in which socio-demographic data is understood and used to inform key National departments and County governments so that decisions are appropriately targeted. This includes creating a National Urban Observatory.
- Create forums and platforms for programmatic knowledge sharing and learning exchange including capacity development of County-level technical officers.

## The benefits of UN-Habitat's Participatory Slum Upgrading Programme in Kenya

In 2010 and at the same time that the new constitution was promulgated, Kenya joined UN-Habitat's Participatory Slum Upgrading Programme (PSUP) and became part of the thirty five global PSUP group of countries seeking to strengthen the structural impact of slum upgrading as a mechanism to support pro-poor, city-wide and sustainable urban development. Kenya has genuinely embraced the PSUP programme reflected by the following specific achievements:

### Governance

- Embraced the principles and objectives of the PSUP represented by the active Country Team which has ensured that the PSUP is fully owned by the key institutions and stakeholders, and the dedicated national and county budget allocation for PSUP.
- Built normative knowledge resulting in the national definition of slums and informal settlements in Kenya. The urban inventory process across various towns provided important facts and figures on the depth and breadth of slum conditions which contributed to the definition contained in the draft National Slum Upgrading and Prevention Policy.
- Strengthened urban managers' will to integrate slums dwellers and slums into the broader urban environment via the PSUP tools and the opportunity for capacity development (workshops, MyPSUP information and learning platform) which were formally requested by the National Government of Kenya to anchor the programme in all counties over the long-term.

- Facilitated and encouraged institutional coordination amongst the various national slum upgrading programmes and stakeholders to develop a long-term learning and exchange platform.
- Provided a new model for engaging slum dwellers themselves in urban development projects in a strategic and empowered manner. The Community Managed Funds for example, are managed and dispersed by the elected Community Resident Committees and are providing a structure for County governments to work with communities in a reciprocal manner. Slum dwellers are also an integral part of the overall decision making of individual PSUP projects via their membership on the Kenya Country Team, Resident Associations and participatory approach at the project level.
- Encouraged the improvement of land management and security of tenure which has translated into land regularization efforts in some projects. In the Mtwapa project for example, over 12,000 households will benefit from the process of land regularization.

### Policy

- Supported the development of the Kenya draft National Slum Upgrading and Prevention Policy.
- Influenced the collection and type of national data available on slums. The PSUP data collection approach, emphasizing national level GIS data, informed the nationwide urban GIS mapping exercise assessing the number of slums and informing the National Urban Development Policy.

### Participatory citywide planning

- Emphasized the value of engaging all stakeholders in city-wide planning. In developing the Integrated Strategic Urban Development Plans (ISUDP), the previous Ministry of Local Government adopted the PSUP process as undertaken in Mtwapa. Other regional urban towns including Embu, Kisii and Kilifi also applied the approach in developing their plans.
- Strengthened communities' capacity to play a core role in planning and data collection. PSUP's situational analysis and planning profile methodology has been utilized effectively in Kenya and replicated in other development projects in different parts of the country.
- Provided a model for citizen-led urban development via the PSUP Resident's Committees and Community Managed Project Funds. The Resident Committees are democratically elected local community members including women, youth and people with disabilities. These committees make key decisions on local projects to be developed and manage the associated funding (ten percent of the funds are allocated through the Community Managed Funds).
- Built capacity and practical skills. The Community Funds have also had a catalytic development effect providing women and youth with the necessary seed funding and knowledge to access other government funds including the National Financing Enterprise Development Scheme and the 'Uwezo' and 'Youth Fund' of the Ministry of Devolution and Planning. Feedback from the residents groups suggests that there are other skills being developed related to project management which are translating into other small scale projects.

### Information and Learning for many

- Strengthened the availability of information about slum upgrading, via the MyPSUP website, Facebook and blogs which have engaged local communities and shared knowledge nationally.

## Conclusion

Kenya has an established history of slum upgrading. The advent of the 2010 Constitution, the resulting legislature and the empowerment of county government, promises to secure and strengthen the lessons learnt from that experience. To prevent the expansion of slums and develop urban prosperity for all, National and County governments must provide pro-poor serviced land, secure financial investment and work with local communities to harness the spirit of participatory planning as outlined in the 2010 Constitution. Research shows that broad based urban prosperity is created when all key stakeholders are engaged and empowered,

including those living in slum conditions. Inclusive methods like the PSUP community managed funds are one example that demonstrate people's desire to improve their lives and live in prosperous communities. Small scale initiatives in slums, taken to the city-wide level, can make a difference and should be replicated. UN-Habitat's PSUP can assist with implementing a national vision, strengthening city-wide mechanisms and enhancing the capacity of all stakeholders around the key themes for 'at-scale' slum upgrading.

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***The integration of slum upgrading programmes with countrywide planned urban development is the sustainable way to make a difference in slum areas of cities*** (Dr Joan Clos, Executive Director, UN-Habitat (2015). *A Practical Guide to City-Wide Slum Upgrading*. p.7).

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