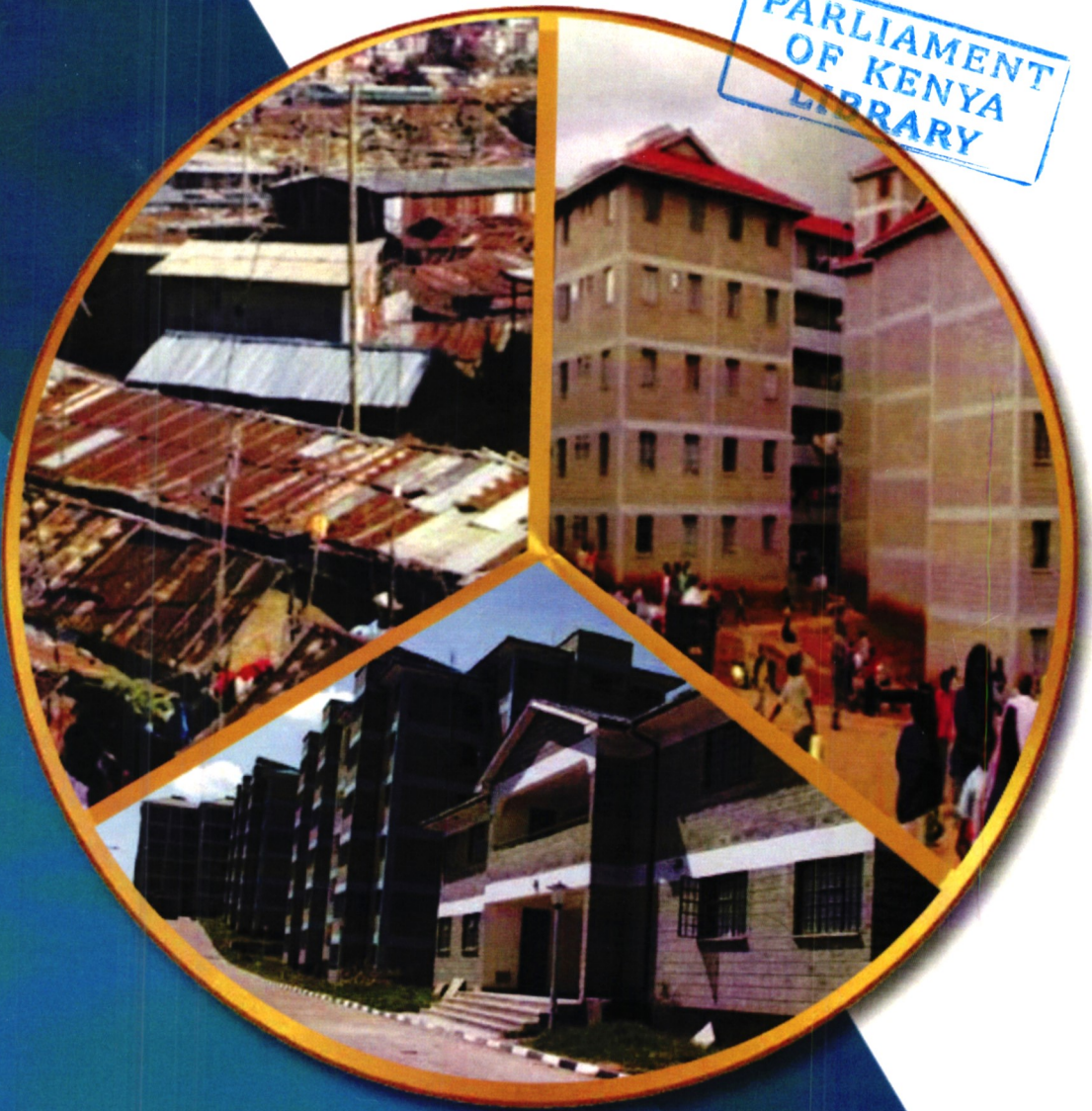




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# NATIONAL SLUM UPGRADING AND PREVENTION POLICY

Sessional paper number two (2) of March 2016

**National Slum Upgrading and Prevention  
Policy**

**Sessional Paper No. 2**

**March, 2016**

## **Foreword**

Slums and informal settlements are not a new phenomenon as they have been part of the history of most cities and urban areas, particularly in the early years of urbanization and industrialization. The settlements are characterized by overcrowding and inadequate housing built on land whose occupants do not have secure tenure. In addition, urban planning and zoning regulations are not adhered to. Consequently, the settlements lack basic services such as water, sanitation, waste disposal, storm drainage, street lighting, paved sidewalks and access roads.

Population growth, failure to recognize the rights of the urban poor and lack of enforcement mechanism are the main reasons for slum formation and development. This challenge is exacerbated by lack of social housing for no income and low income earners.

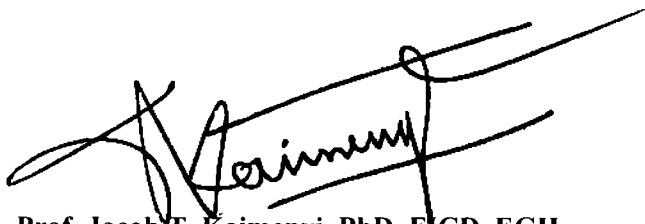
The existing slums and informal settlements can be upgraded and gradually improved, through provision of basic services. Slum upgrading initiatives should aim at creating a dynamic community with a sense of ownership and entitlement to attract investment from the inhabitants.

A successful slum upgrading process needs a strong political, and partnership among all stakeholders. The initiatives must address the need, be participatory, acceptable and beneficial to the slum communities. There must be clearly defined roles, incentives, good communication and coordination among stakeholders. Legal and institution mechanisms should also be put in place to curb further slum formation and deterioration.

The purpose of the National Slum Upgrading and Prevention policy is to integrate the existing slums into the formal system, enabling them to enjoy reasonable basic amenities. It will also prevent formation of new slums by adhering to urban planning, provision of infrastructure and low cost housing. There is need to establish land banks for the urban poor and to relocate slum dwellers living in environmentally fragile and disaster prone areas to suitable locations.

I am confident that together we shall promote, secure and protect dignified livelihoods of our people living and working in slums and informal settlements in line with The Kenya Vision 2030 and The Constitution of Kenya particularly Article 43 .

In conclusion, I wish to recognize and appreciate the stakeholders who worked towards the timely completion of this policy.

A handwritten signature in black ink, appearing to read 'Kaimenyi', is written over two parallel horizontal lines. The signature is stylized and cursive.

**Prof. Jacob T. Kaimenyi, PhD, FICD, EGH**  
**Cabinet Secretary**



## DEFINITION OF TERMS

### 1. Slum

There is no internationally accepted definition; however, the basic characteristics of a slum is; high population density, dilapidated housing structures, overcrowding, inaccessible and inadequate basic physical and social services such as sanitation facilities, storm water drainage, electricity, safe water and solid waste disposal, among others.

Oxfam (2009) defines slum as a contiguous settlement where the inhabitants are characterized as having inadequate housing and basic services. According to the United Nations Human Settlements Programme (2011) slums are characterized by lack of one or more of the following:

1. Durable housing of a permanent nature that protects against extreme climatic conditions
2. Sufficient living space which means not more than three people sharing the same roof
3. Easy access to safe drinking water in sufficient amounts at an affordable price
4. Access to adequate sanitation in the form of a private or public toilet shared by a reasonable number of people
5. Security of tenure that prevents forced evictions.

For the purposes of this policy, a **slum** is a human settlement characterized by dilapidated housing structures, overcrowding, abject poverty and unemployment, high insecurity incidences, insecure land tenure, exclusion of planned physical development, inadequate infrastructural services and often located in unsustainable environment.

### 2. Informal Settlement

This emphasizes the land tenure and planning challenges of the residents. The term is often used interchangeably with the term 'Slum' whereby it emphasizes the related land tenure issues. Informal settlements are:

1. Areas where groups of dwelling units have been constructed on land that the occupants have no legal claim to or occupy.

2. Unplanned inhabited areas where dwelling units are not in compliance with planning and building regulations (unauthorized housing) and lack formal infrastructure services.

Informal settlements are also referred to as squatter settlements, slums or shanties. The inhabitants are usually the poor segment of the society and have no access to secure tenured land of their own and therefore “squat” on vacant public or private land. Informal settlements often emerge when formal housing markets are unable to cater for the number of rural-urban migrants, in-growth within the informal settlements and inter-urban migration among others.

UN Habitat defines informal settlements as: residential areas where a group of housing units has been constructed on land to which the occupants have no legal claim, or which they occupy illegally; unplanned settlements and areas where housing is not in compliance with current planning and building regulations.

For the purposes of this policy, both slum and informal settlement terminologies are used interchangeably.

### **3. Livelihood**

A Livelihood is defined as comprising the capabilities, assets (including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stresses and shocks and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural resource base (Chambers & Conway, 1991).

### **4. Structure**

For the purposes of this policy, a structure is a fabric framework of material parts put together.

### **5. Structure Owner**

Refers to one who builds and/or owns structures/buildings within the informal settlements/slum. A structure owner is not necessarily the legal owner of the land on which the structure stands.

## **6. Landlord**

One who owns land and/or structure, and can rent part or whole to others.

## **7. Dwelling Unit**

Means a structure or the part of a structure that is used as a residence/home by one or more persons who constitute a household. The term is also interchangeable with 'housing unit'.

## **8. Neighbourhood Association (NA)/Residents Association (RA)**

Refers to a group of residents or property owners/occupants who advocates for or organize activities within a neighbourhood for improved living conditions.

## **9. User Rights on Land**

These are rights related to the use of and/or access to land; the right for construction of urban and rural housing or public facilities, right for planting etc. They can refer to natural persons, legal persons, groups of people, communities, etc.

## **10. Tenement**

Refers to a substandard multi-family dwelling in the urban core, usually old and occupied by the poor.

## **11. Differentiated Land Rights**

Refers to different rights to land. These include ownership (freehold, leasehold, community ownership and public ownership), and user rights (temporary occupation licenses, leases, access rights).

## **12. Affordability of Housing**

Housing is affordable when one does not spend more than 30% of their monthly income.

## **13. Overcrowding**

Describes a situation where a given space is occupied by a higher number of persons than it can support their social and physical fabric.

## **14. Shelter**

This policy adopts the definition of Habitat Agenda (paragraph 60) for shelter which means more than a roof over one's head. It also means security of tenure as

well as adequate privacy, space, physical accessibility, security, structural stability and durability, lighting, heating and ventilation; adequate access to basic infrastructure, such as water, sanitation and waste management; suitable environmental quality and health-related factors. It also involves accessibility of the shelter and access to public transport facilities at affordable cost.

### **15. Stakeholder**

In the context of this policy, a stakeholder is anybody/an organization who has a stake in its implementation, (Private Sector, LDAs, IDAs, MFIs, NASCOP, Civil Societies, Development partners and Donors among others)

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## EXECUTIVE SUMMARY

The development of slums in Kenya's urban areas is linked to the political and economic growth that has been largely skewed and not completely coordinated. As these cities and urban areas become known as centres of good living, their population growth rate in Kenya is approximated to be 6-7% per annum<sup>1</sup>. This rapid growth coupled with limited resources, unemployment, high poverty levels, uncoordinated and unmatched initiatives has strained the government in provision of decent shelter and associated infrastructure leading to proliferation of slums and informal settlements.

Most notable is the absence of social housing and that most of the low income population coming to the urban areas have been left to depend on the open market for housing in a context that is also characterized with precarious land tenure models. The mode of delivery by the private sector is skewed in favour of high and upper middle income households neglecting the low income groups. The neglected segment of urban population usually finds accommodation in slums and informal settlements. There are many actors and stakeholders involved in upgrading initiatives acting independently of each other. There is no legal and institutional framework to coordinate and guide the upgrading initiatives. It is in light of the above that the government through a widely consultative process formulated a National Slum Upgrading and Prevention Policy with the aim of producing a policy whose goal is to guide the country towards upgrading existing and preventing emergence of new slums in a coordinated and systematic manner.

The overall objective of this policy is to promote, secure and protect dignified livelihoods of the poor living and working in slums by strategically integrating them into the social, political and economic framework in line with the Constitution.

The specific objectives of this policy are:

1. To recognize and integrate slums into the urban fabric which guarantees access to adequate housing.
2. Provide a regulatory and institutional framework to guide coordinated and accountable implementation of Slum Upgrading and Prevention at National and County level.

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<sup>1</sup>Population Census 2009

3. To encourage, facilitate and secure community and stakeholder participation, transparency and accountability in Slum Upgrading, Rehabilitation, Redevelopment and Slum Improvement Programmes.
4. Mainstream Slum Upgrading and Prevention programmes and projects at the National and County government levels.
5. To create linkages, strengthen and enhance capacity for research, planning, monitoring and evaluation.
6. Provide for direct Government's intervention in provision of social housing for the urban poor.
7. Provide urban land for private sector led development in low cost housing, slum rehabilitation and improvement.
8. Promote National and County integrated financial planning, budgeting and advocate for creation of amalgamated fund for Slum Upgrading and Prevention.

This policy comprises of four main chapters. *Chapter One* is on introduction which highlights the need for this policy, formulation process, objectives, principles, core values, expected outcomes, targets and strategies.

*Chapter Two* is on context: it addresses the slum question by providing a background on origin of slums, causes for emergence of slums and manifestations. It also highlights initiatives made to try to address the slum question by different stakeholders.

*Chapter Three* deals with policy framework; this covers thematic areas on socio-economic, security and safety, land tenure and administration, environment, planning and development management, social and physical infrastructure, finance and legislative arrangement. Under this chapter policy issues are highlighted and policy actions are provided as solutions to the policy issues.

*Chapter Four* addresses institutional framework; it proposes institutional reform principles, assigns specific roles to various stakeholders and highlights an implementation strategy for the policy.

*Chapter Five* provides for the implementation matrix, performance measures and indicators, monitoring, evaluation, reporting and reviews. It also highlights research, best practices, redesign and improvements.



*Chapter Six* provides for the logical framework of the policy and chapter seven is the conclusion.

The policy will be implemented both at the National and County levels of government and the Ministry in charge of Slum Upgrading and Prevention will spearhead the enactment of Slum Upgrading Act.

It is therefore envisaged that the policy through good governance will create an enabling environment for investment in Slums and Informal Settlement in a more sustainable manner.

## PREAMBLE

Slums and Informal Settlements are not a new phenomenon. They have been part of the history of most cities, particularly in the early years of urbanization and industrialization as populations boomed. They are characterized by inadequate housing which is often built on land that the occupant does not have a legal claim and without any urban planning or adherence to zoning regulations; squalid, miserable living conditions and are often overcrowded. In addition, they lack basic services such as water, sanitation, waste disposal, storm drainage, street lighting, paved sidewalks and access roads.

The reasons for slums formation and development are population growth as a result of rural urban migration and bad governance often brought about by failure to recognize the rights of the urban poor and incorporate them into urban planning and lack of enforcement mechanism. There is lack of social housing to take care of low income earners and failure by Employers/Institutions to provide employees with housing.

The existing slums and informal settlements can be upgraded by gradually improving, formalizing and providing basic services. Slum upgrading initiatives would aim at creating a dynamic community where there is a sense of ownership, entitlement and inward investment in the area thus becoming an integrated component of investing in citizens.

A successful slum upgrading process needs a strong political will on behalf of governments, strong buy-in on the part of communities and most of all, a sense of partnership among all stakeholders. The initiatives must; meet a real need, be participatory, acceptable and beneficial to the slum communities. There must be incentives for agencies to work with the poor; good communication and coordination among stakeholders; and clearly defined roles for the various agencies involved. For continuity of slum upgrading and prevention there should be legal and institution mechanism put in place to curb further slum formation and deterioration.

Thus, one of the basic things that governments can do to prevent new slums from developing is to recognize that urbanization is inevitable and prior planning is a prerequisite to new urban developments. The existing slums and informal settlements should be integrated into the urban fabric by gradually improving and formalizing them. Further, this can be achieved by incorporating them into the city

through linking services and infrastructure. There is need to establish land banks for housing development for the urban poor and to relocate slum dwellers living in environmentally fragile and disaster prone areas to suitable locations. The purpose of the National Slum Upgrading and Prevention Policy is to integrate the existing slums within the formal system, enabling them to enjoy reasonable basic amenities. It will also re-address the failures of the formal system that underlies the creation of slums and tackle the shortage of urban land and housing that keep shelter out of reach of the urban poor which forces them to resort to extra-legal solutions in a bid to retain their sources of livelihoods and employment.

## CHAPTER ONE: INTRODUCTION

### 1.1 The Need for the Policy

- (i) Internationally and Regionally, the right to adequate housing is widely recognized by a number of treaties and conventions to which Kenya is a signatory. These include the Universal Declaration on Human Rights, the International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of the Child and the African Charter on Human and Peoples Rights. These are further reinforced by a number of international declarations such as the Vancouver Declaration on Human Settlements, the Global Strategy for Shelter to the Year 2000, Agenda 21 Chapter 7, the Millennium Development Goals and Sustainable Development Goals.
- (ii) The Constitution aptly embraces social and economic rights of all citizens of Kenya, guaranteeing a just and fair nation where all enjoy equal rights to a reasonable quality of life. Specifically the right to accessible and adequate housing is explicitly guaranteed by the Constitution (Article 43(1) (b). Moreover the Constitution requires the Government to take policy and other measures to achieve the realization of the right to housing Article 21(2).
- (iii) The Kenya Vision 2030, in particular the social pillar, seeks to achieve a just and cohesive society enjoying equitable social development in a clean and secure environment. Amongst the strategies under this pillar is one that seeks to install appropriate physical and social infrastructure in slums and informal settlement, albeit to improve the quality of life.
- (iv) According to the 2009 census, one out of every three Kenyans lived in urban areas implying that of the total population of 38.6 million, 12.5 million (32.3%) live in urban areas. By 2030 it is estimated that about 54 percent (30 million) of the population will be living in urban areas. Further, approximately 40 percent of the urban population live in slum/informal settlements. With an anticipated acceleration of urbanization, as counties seek to establish respective capitals, the slum agenda is going to be more prominent and deserves urgent address. Unless this trend is checked the country will face insurmountable challenges in fulfilling their basic needs.
- (v) Other Government initiatives include; the National Housing Policy (Sessional Paper No. 3 of 2004), the National Land Policy (Sessional paper No. 3 of 2009)

and the Constitution. National programmes such as, the Kenya Slum Upgrading Programme (KENSUP) and the Kenya Informal Settlement Improvement Project (KISIP), are some of the measures put in place to respond to this evolving scenario. However, the two programmes are inadequate in addressing the slum problem and hence the urgent need for a comprehensive legal and institutional framework.

- (vi) This policy framework will guide the National and County governments in addressing, upgrading and prevention of slums.

## **1.2 Policy Formulation Process**

The National Slum Upgrading and Prevention Policy (NSUPP) formulation process was time bound and included experts from relevant agencies, ministries, community based organizations (CBOs), non-governmental organizations (NGOs) and the academia among others. These stakeholders were engaged in structured discussions focusing on the various aspects of the slum policy. The process included a review of existing literature to establish existing gaps, legislations and best practices on slum upgrading and prevention initiatives. Problems, issues and challenges encountered in resolving socio-economic and governance that were connected to slums and informal settlements were also addressed. Regional stakeholder consultative forums in counties and focused group discussions were organized to draw on experiences from slums communities, NGOs, CBOs and Faith Based Organizations (FBOs).

Fact finding missions/field visits were conducted in different counties to gain insights from slums communities and actors involved in slum upgrading programmes. Bench marking in four countries; Brazil, India, Ethiopia and Tanzania were conducted to learn from their best practices and to replicate lessons learnt to our current situations especially in the following areas: coordination, linkages with different government levels, financing models, sustainability of the slum upgrading and prevention programmes, different types of tenure regimes, integration with formal community, relocation processes, integrated planning, institutional and legal framework.



### **1.3 General Policy Objectives**

The overall objective is to promote, secure and protect dignified lives and livelihoods of the poor and people living and working in slums by strategically integrating them into the social, political and economic framework in line with the Constitution.

#### **1.3.1 Specific Policy Objectives are:**

- (a) To provide an integrated framework for slum upgrading & prevention to meet the standard of adequate housing, reasonable levels of sanitation and other relevant rights provided for in the Constitution,
- (b) To empower and enable poor households living in slums and informal settlements to access adequate housing within a clean, secure and healthy living environment,
- (c) To encourage, facilitate and secure community and stakeholder participation, transparency and accountability in integrated approaches of slum upgrading and prevention, redevelopment, rehabilitation and improvement programmes,
- (d) To provide a legal and institutional framework to guide coordinated and accountable implementation of slum upgrading and prevention at national and county levels,
- (e) To recommend strategies for economic, social and environmental development programmes aimed at creating sustainable income-generation activities to combat poverty,
- (f) To mainstream programmes and projects of slum upgrading and prevention at national, counties and other agencies/institutions,
- (g) To recommend flexible, integrated and sustainable options for providing land tenure security to slum dwellers,
- (h) To encourage national and county integrated urban and financial planning that takes into account slum prevention and upgrading,
- (i) To create linkages, strengthen and enhance capacity for research, planning, monitoring and evaluation,
- (j) To prevent proliferation of slums/informal settlement through provision of social housing schemes targeting low income earners,
- (k) To provide for installation of broad range social and physical infrastructural services and
- (l) To attract public and private sector finance and encourage investment in slum upgrading and prevention initiatives.

#### **1.4 Principles and Core Values of the Policy**

- (a) Diversity.
- (b) Equity.
- (c) Gender sensitive.
- (d) Human dignity.
- (e) Inclusiveness.
- (f) Participation.
- (g) Negotiation and consultation.
- (h) Partnerships and collaborations.
- (i) Sustainability.
- (j) Integrity.
- (k) Transparency and accountability.

#### **1.5 Targets, Strategies and Expected Outcomes,**

- (a) Dignified livelihood for slum/informal settlement households.
- (b) Inclusive and Integrated human settlements.
- (c) Holistic and Consistent slum upgrading programmes and prevention.
- (d) Secure tenure for slum/informal settlements households
- (e) Empowerment/ enablement of all slum/informal settlement households.
- (f) Integrated settlements through participation of all actors.
- (g) Achieved positive change in social system and peoples' perception and attitude towards slums/ informal settlements.
- (h) Coordinated, collaborative and accountable approaches to upgrading and prevention of slums/informal settlements at County and National levels.
- (i) Mainstream slum upgrading and prevention initiatives in all government sectors.
- (j) Create legal and regulatory framework.
- (k) Establish an amalgamated fund for Slum Upgrading and Prevention.

## CHAPTER TWO: CONTEXT

### 2.1 Slum Question

Slums and informal settlements are part of the history of most cities in the world. Usually, these settlements are characterized by, insecure tenure, insecurity, overcrowding, deplorable housing conditions and socio-economic marginalization.

Insecure tenure is manifested through squatting; land holding, eviction threats and incidences as well as exploitative rental markets comprised of a small number of prominent persons are structure owners and their agents against high numbers of tenants and sub tenants. Insecurity is manifested through personal insecurity, drug and substance abuse, proliferation of small arms, criminality, and victimization of individuals. Overcrowding is manifested by large family occupying very small spaces. Housing conditions in the informal settlements are deplorable due to lack of regulated planning and approval, access to basic infrastructure and services. Houses are usually of temporary nature and constructed of mud, wattle and iron sheets.

Out of design or by default, there has been continued socio- economic marginalization of the urban poor population living in slums. Moreover, there are limited initiatives by multiple sector players which are usually uncoordinated resulting in duplication and wastage of resources with little or no participation of slum residents. This has resulted in abject poverty, especially within slums where residents survive on less than 1.25 US Dollars a day.

Slum residents, despite these challenges contribute enormously to the economic, social and political growth and development of the country. Unfortunately, these contributions are neither recognized nor integrated in the aggregate national economy.

### 2.2. Manifestations of Slums

The phenomenon of slums in contemporary Kenya can be associated with reasons that are both historical as well current. Historically, the colonial model of land tenure displaced many Africans which created landlessness alongside the colonial urban policy that excluded the Africans from urban settlements. There was no room for Africans in cities like Nairobi. Later on, the colonial administration allowed Africans access to urban areas through *Kipande* system (a pass). Those

coming to the urban areas would either be accommodated in the shelter provided by their employer through the trusteeship policy that required employers to provide housing for their employees or in the “Native Settlements” where the municipal authority built houses for the Africans. But when the number of Africans coming to the urban area grew beyond the capacity of the designed “Native Settlements”, those who could not find housing moved to the fringes of Nairobi such as today’s Mathare Valley.

After independence in 1963, the new administration deployed a mixed and varying policy which at one stage consisted of the call for the Africans to return to their rural “homes” while other times there were forced evictions of those who had resided in makeshift structures that were mainly built on public land. Between the 1970s and the late 1990s, the government attempted various initiatives which did not reverse the trend of increasing slums. The increased growth and expansion of slums in almost all counties in Kenya can be associated to both continuity of some colonial modes of urban relations as well as the inattention of policy makers to policies, budget priorities and housing needs of the low income population and those who are excluded from the national, regional and urban planning either because of their ethnicity, socio-economic status and /or nationality.

### **2.3. Urbanization and Slums**

Slums are a manifestation of dysfunctional urbanization in Kenya, as in many other developing countries. Studies have shown that urbanization has many advantages to a developing country. However, in many developing countries, urban expansion has been accompanied by the growth of unplanned settlements due to the high levels of poverty and unemployment of rural-urban immigrants.

Today, over half of the world’s population lives in urban areas and by the middle of this century all regions will be predominantly urban, with the tipping point in Eastern Africa anticipated slightly after 2050. Kenya is among the countries experiencing a rapid rate of urbanization (around 6-7% per annum). Urbanization is driven by the ideology of global competitiveness and tends to create extensive marginalization. It is also based on adoption of standards out of local historical and social contexts. Thus Kenya’s urbanization depicts simultaneously human prosperity and deep human destitution. What is notable is the high percentage (40%) of the Kenyan urban households living in slums and informal settlements. Kenyan slums are currently plagued by increasing unemployment rates, residential

overcrowding, and deterioration of already over stretched infrastructure and services, environmental degradation and acute housing shortages.

The UN-HABITAT estimates that a total of 227 million people had moved from slum conditions between the years 2000-2010. Within the same period, the proportion of the urban population living in slums in the developing world declined from 39 percent to an estimated 32 percent in the years 2000 and 2010 respectively. Kenya is among the countries lagging behind in curbing the growth of slums and improving the living conditions of slums dwellers yet it has one of the highest urbanization rates. A closer look at the most successful countries shows that their Governments and Municipalities have taken responsibility for slum reduction squarely on their shoulders, backing international commitments with bold policy reforms, and thwarting future slum growth with inclusive planning and economic strategies. Effective slum upgrading also require institutional capacity building, monitoring and scaling up of successful local projects.

#### **2.4. Previous and Current Initiatives**

There have been several initiatives aimed at provision of low income housing, slum improvement, prevention as well as proactive urban growth. The Government of Kenya has attempted to initiate various interventions aimed at addressing the slum question. There has however been limited attention to low income housing. Previously, local authorities developed affordable housing for low income households in several towns and cities. However, with time due to corruption and lack of effective monitoring, most of these units have been illegally became privatized with the local authorities getting only nominal or no rent at all or owners got the market value rates.

In the 1970s the Government, with support from the World Bank initiated the site and services scheme that succeeded in putting up a number of housing units for low income groups in Dandora and Umoja in Nairobi City. Once again due to inadequate policy and legal mechanisms, the scheme soon became a victim of the market forces that marginalized the urban poor. In 2002 the “Adopt a light” street and slum lighting initiative, which was a joint venture between the private sector and the Nairobi City Council, entailed installation of efficient light poles and high masts in selected slum areas. The program succeeded in improving security and provided a sense of self-worth of slums and informal settlement residents.



Current initiatives include the constitution, legislation policies, administrative and development initiatives. Since 2004, through KENSUP (Kenya Slum Upgrading Programme) the Government has been undertaking slum upgrading projects in most urban areas. In 2011, KISIP (Kenya Informal Settlement Improvement Project) a World Bank funded project, has been complimenting this government effort through provision of social and physical infrastructure, security of tenure and capacity building in slums/informal settlements among others in 15 urban areas. Government incentive to the private sector to invest in low cost housing slum and informal settlements

There are other actors who have contributed to slum upgrading and prevention through various initiatives. Notable among these are; housing cooperative movements, (e.g. NACHU) in-situ community led slum upgrading supported by civil society (Huruma supported by Pamoja Trust) and Faith Based Organizations (Mathere 4A under the Catholic Church).

The above initiatives have faced challenges related to housing market forces leading to gentrification, insufficient funding, limited capacity and coordination. Thus the NSUPP addresses the challenges through various policy actions.

## **CHAPTER THREE: POLICY FRAMEWORK**

### **3.1. Socio-Economic**

#### **Issues**

- (a) Slum dwellers are largely excluded from exercising any control over material, financial, intellectual and other resources that are necessary in exercising any form of power. Indeed they have minimal access to and control over minimal resources. Slums contribute enormously to the economic and social growth of the country and such contributions remain unrecognized and un-integrated in the national economy. The exclusion of slum dwellers is a direct manifestation of the current unequal power relations. These have been institutionalized by the existence of rules, structures, institutions, authorities and procedures/processes that do not confer to any formal recognition of the poor as key actors in governance. The above exclusions are reinforced by negative perceptions and attitudes towards slums and informal settlements.
- (b) A number of socio-economic factors have been identified as being prevalent in most slums and informal settlements. These include lack of employment opportunities and underemployment, poverty, HIV/AIDS, food insecurity, lack of social security system and generally lack of adequate opportunities for the poor to exploit their potential. Slums experience high incidences/patterns of drugs and substance abuse, proliferation of small arms and child abuse/trafficking, and sexual harassment. Absence of basic services including security creates vacuums in informal settlements which allow for thriving of antisocial and illegal elements from within and outside the society. Slums in turn create conditions for social deviance such as break down of moral fabric, high rates of teenage pregnancies, crime, high levels of school drop outs, illicit brews, counterfeit products, illegal power and water connections, among others.
- (c) Slums are exploited by formal and informal systems through collusions by service providers and security forces with criminal gangs and cartels.
- (d) The continued neglect of rural economies is a major contributing factor to the proliferation of slums in urban areas as young productive men and women troop to urban areas in search of job opportunities. This policy notes that the

disruptions and collapse of the rural economies result to rural- urban migration.

- (e) Education is considered to fare well in terms of enrolment as it is estimated that about 92% of school-age children are actually enrolled in school. It is nevertheless important to note that even though there is free primary education, there are still costs like school uniforms that are levied. Many slums do not have adequate public primary schools and are mostly served by informal schools.
- (f) Slum dwellers have a high mortality burden from preventable and treatable conditions arising from extreme poor sanitation, lack of waste management, lack of public health facilities and a proliferation of unregistered public health practitioners. Public health facilities are few in the slums and medical care is mostly sought only as a last resort at times from private clinics a number of which are run by unregistered public health practitioners.

### **Policy Statements**

1. Recognize, integrate and mainstream the slums and informal settlements into all aspects of economy, public service delivery.
2. Promote positive community initiatives related to slum upgrading and prevention by recognizing and incorporating local innovative social, economic, physical, and environmental and governance aspects.
3. Improve livelihoods in informal settlements through promotion and facilitation entrepreneurship, skill formation and sub-contracting of government procurement. Identify, develop, nurture and market talents by focusing on the creation of facilities like studios, digital centres and theatres for socio economic empowerment.
4. Promote creation of financial services by supporting formation of saving schemes, housing cooperatives and SACCOs among others.
5. Promote utilization of local skilled and unskilled labour in slum upgrading projects.
6. Mainstream programs dealing with health and wellness services for vulnerable groups i.e. addiction, drugs and substance abuse, HIV/AIDS, gender based violence, rape cases, ex-prisoners, physically challenged and child abuse among others.

7. Allocate adequate resources for social infrastructure in slum upgrading including; social halls, markets, schools, day-care centres, health facilities and counselling centres among others.
8. Promote good governance and innovative structures for enforcement of law and order.
9. Create awareness of existing government funds targeting different categories of the society.
10. Promote awareness programmes that discourage stereotyping and stigmatization of slum dwellers.
11. Promote easier access of housing for legal refugees living in slums/informal settlements.
12. Strengthen rural economies to minimize rural urban migration.
13. Create functional buildings with enough privacy for everyone.
14. Recognize and integrate informal economies in slum areas into the formal economy.
15. Nurture positive cultural values in the family setup.
16. Promote information sharing and communication through resource centres, local community media and forums in slums.

### **3.2 Security and Safety**

#### **Issues**

- (a) Security and safety issues are major problems in slums. People living and working in slums and informal settlements are exposed to various adverse security and safety issues that range from violence, rape, floods and fires among others.
- (b) There is little or complete absence of formal security arrangements within slums and informal settlement which leave the residents to make their own informal arrangements or be at the mercy of criminal gangs. The emergence of organized militias continues to play prominent roles. The gangs are easy targets for political manipulation as they prove quite handy for hire by politicians especially during election periods but are then quickly abandoned thereafter.

- (c) There is lack of neighbourhood and residents associations to advocate on improved living conditions.
- (d) Lack of protective mechanisms to the residents who provide information to security agencies exposing them to harassment and social exclusion.
- (e) Inadequate social and physical infrastructure conditions including irregular installation of utility services leading to insecurity and environmental hazards.

### **Policy Statements**

17. Create employment opportunities and develop support systems for income generation.
18. Planning and designing of slum upgraded projects should consider security and safety of inhabitants.
19. Promote close proximity of disaster response systems to the slums and informal settlements.
20. Increase police posts and patrol responding to the population size in a settlement.
21. Harmonize and implement community policing and peace committees where community members are involved actively.
22. Encourage formation of slum neighbourhood association for purposes of community policing, conflict resolution, ground clearing among others.
23. Promote effective communication and information management for security intelligence.
24. Subsidize and install utility services to avoid illegal power connections or contamination of water.
25. Install security lighting in slums to enhance safety and security.
26. Create democratic settlement councils including formal security apparatus and strengthen the existing ones to discourage formation of cartels and militia gangs and to liaise with other stakeholders involved in slum upgrading programmes.
27. Relocate and discourage human settlements in fragile environments.

### **3.3 Land Tenure and Administration**

#### **Issues**

- (a) Land tenure and administration in slums/informal settlements are quite complex. Lack of security of tenure is perhaps the greatest challenge since informal settlements emerge on public, community and private land. Due to tenure insecurity most slum residents live under constant fear of evictions which in turn make development initiatives difficult.
- (b) The bureaucratic land administration procedures make the system expensive and prone to corruption coupled with the lack of clear land administration systems for slum settlements. Land allocation in slums is done in a haphazard manner by various actors ranging from local administration to politicians with no regard to existing laws.
- (c) There is competing land rights in slums: There are the tenants, the structure owners (both resident and absentee) and the land title holders.
- (d) Land tenure system in the country is predominantly based on individual titling which makes it very difficult to undertake meaningful tenure regularization. Historical injustices in land have forced many people to settle in slums.
- (e) Many informal settlements lie on irregularly acquired land whose titles are held by absentee land owners.

#### **Policy Statements**

- 28. Introduce user rights and other mechanisms that would deal with finite nature of land use.
- 29. Develop procedures for recognition of slum areas and informal settlements to come up with a suitable land tenure system.
- 30. Develop and implement a land tenure regime that recognizes differentiated rights; right to access, transfer, manage and own.
- 31. Establish innovative instruments of land ownership such as community land trusts, certificates, leases and residential licenses for progressive realization of security of tenure. This includes creating cooperative land tenure ownership.
- 32. Adopt innovative and sustainable land tenure regulation approaches to achieve affordability and improved livelihoods.

33. Promote human rights mechanisms when enforcing evictions in slums and informal settlements.
34. Advocate for accessible and affordable tenure administration and management systems.
35. Tenure on upgraded slums in public land should be transferred by way of periodic leases to beneficiaries.
36. Ensure resettlement programmes do not leave beneficiaries worse off but ensure they are integrated in the wider urban setup.
37. Facilitate the implementation of the Ndung'u Report, the Truth Justice and Reconciliation Commission Report and the National Land Policy to repossess public land for use in slum upgrading.

### **3.4 Environmental**

#### **Issues**

- (a) Slums/informal settlements are mostly located in fragile environmental areas which are prone to flooding, landslides, and contamination and pollution from industries. This creates threats to the security and safety of residents.
- (b) Planning has inadequate implementation mechanisms to protect environmentally fragile and protected areas. Slum areas are often neglected in the provision of solid waste management services.
- (c) Informal settlements are far deficient in infrastructure, including roads, drainage, water and sewerage. In the event of flooding, mobility is reduced, shelter is put at greater risk, and public health impacts are amplified, resulting in high morbidity and mortality rates.
- (d) Slums and informal settlements in coastal cities and other low-lying areas are more subject to the effects of increased storm activity in the immediate term. Over the longer term, they are the first areas affected by sea level rise.
- (e) Poor urban households living in the slums and informal settlements typically lack the resources to prevent and respond effectively in crisis and disaster when they occur.



- (f) Heat island effects, which accentuate temperature increase in urban areas, may make cooling technology more critical, an added cost of urban living that will be unaffordable to most slum dwellers.

### **Policy Statements**

- 38. Government will undertake suitability analysis to relocate slum dwellers from fragile areas to alternative settlements.
- 39. Promote sustainable solid waste management in the informal settlements including reduce, reuse, and recycling through community participation.
- 40. Develop effective development control mechanisms to protect fragile environmental areas.
- 41. Create designated zones for waste disposal.
- 42. Protect environmentally sensitive areas through proper planning.
- 43. Tree planting should be integrated in upgrading/upgraded projects to reduce urban heat islands effects.

### **3.5 Planning, Development and Management**

#### **Issues**

- (a) Planning in slums suffer from the inequalities among Municipalities, Cities and Counties. The classical approach to planning has further worsened the situation since slum dwellers are hardly consulted by the planners.
- (b) Ineffective development control mechanisms and lack of capacity to prepare and implement plans have contributed to the mushrooming of many unplanned settlements. Planning has neglected slums and informal settlements. Planning standards are unrealistic due to inadequate consultations with the urban poor leaving them with no alternative but to build substandard houses or settle anywhere.
- (c) Failure of planning has contributed to lack of space provisions for infrastructural services such as utility lines, access roads and others.
- (d) Lack of political will, insufficient funding and uncoordinated initiatives have contributed to proliferation of slums. Areas set aside for development which remain undeveloped attract slums. There is absence of a database on the existing informal settlements and slums.



- (e) Lack of depository and sharing of information on planning and development has led to inappropriate buildings in fragile areas.
- (f) The National Government and County authorities have failed to designate areas for current and future low income housing in rapidly growing towns. Lack of integrated development planning has led to segregated urban space for diverse socio-economic groups leading to marginalization and exclusion of the poor. Often slum upgrading and development planning has failed to recognize situational and contextualized settlement setting.
- (g) Planners have failed to plan for open spaces for recreational activities and where provided such spaces have not been maintained or have been encroached.

### **Policy Statements**

- 44. Ensure that informal settlements form part of planning areas.
- 45. Involve the residents of informal settlements in safeguarding sustainable land use.
- 46. Develop Novel mechanism of design and use of physical space.
- 47. Establish Long term planning of emerging and existing urban centres should be envisaged to accommodate their future growth.
- 48. Include aspects of social housing with special zones for the urban poor in all physical developments.
- 49. Promote social integration in physical planning.
- 50. Recognize existing slum areas for rehabilitation and on site upgrading by regularization.
- 51. Establish a centralized national database for all existing slums.
- 52. Protect environmental sensitive areas through planning.
- 53. Recognize situational and contextualized setting including historical tenure systems through planning process.
- 54. Develop mechanisms such as development control to address disaster and risk management.
- 55. Promote planning of slums through a participatory process.
- 56. Provide access and sharing of planning and development information.

57. Undertake and implement integrated planning that includes all components of adequate housing.
58. Promote civic virtues and education on urban management.
59. Develop master plans for urban areas with adequate living standards through proper land use management systems.
60. Enhance political and technical enforcement of urban development plans

### **3.6 Shelter and Housing**

#### **Issues**

- (a) Slums and informal settlements are characterized by houses made of different materials, techniques and designs, and variously referred to as structures, shacks, dwelling units, among others.
- (b) Most of the houses are single roomed (3x3 metres), built with very poor materials such as carton, polythene papers, tins, mud, wood, exposing the residents to the weather elements.
- (c) The use of substandard building materials requires frequent maintenance of the structures.
- (d) Slums and informal settlement are overcrowded and do not accord privacy to the residents.
- (e) The houses lack basic services like water, sanitation, lighting and adequate ventilation, open spaces, fire and safety protection.
- (f) Most of the houses belong to absentee structure owners who are an impediment to slum upgrading process to the extent that 92% of the residents in slums are tenants.
- (g) The cost for renting is not commensurate with the housing conditions. The residents are further subjected to illegal levies imposed by organized cartels who work together with a section of local administration.
- (h) Past slum upgrading initiatives have failed to deliver adequate housing prototypes in terms of affordability, designs, location, accessibility and livelihoods.
- (i) Informal settlements are a refuge to many vulnerable groups including victims of domestic violence, drug addicts, orphaned, abandoned and disowned children, refugees, people rejected out of physical challenge, the sick, and the poor.

- (j) Albeit abundance of innovativeness, insecure tenure has hindered both residents and structure owners from putting up and maintenance of decent housing.
- (k) Lack of housing data on slums and informal settlements.
- (l) Slums depict multiple and innovative use of space that is usually not taken into account during slum upgrading.

### **Policy Statements**

- 61. Promote use of appropriate low cost building materials and technologies.
- 62. Promote multi-storey houses (tenements) through enforcement of appropriate regulations and guidelines.
- 63. Encourage use of standard building materials and designs in construction of low cost houses.
- 64. Encourage community participation and incremental slum upgrading.
- 65. Encourage negotiated minimum standards in slum upgrading.
- 66. Encourage professionals and residents to provide innovative ideas towards affordable slum upgrading.
- 67. National and County governments should ensure upgraded projects should be affordable and accessible to the target groups.
- 68. Establish an annual threshold for financing and construction of social housing for the urban poor.
- 69. Promote energy efficiency and water conservation in buildings.
- 70. Promote community led integrated zonal planning for provision of essential building services.
- 71. Promote secure tenure for the urban poor and stop commercialization of slum upgrading on public/community land by promoting the principle of one structure per household.
- 72. Develop and implement effective mechanisms for rent regulations including resolving rent disputes between land lords and tenants.
- 73. Promote community justice systems to counteract existence of cartels and other forms of extortions.

74. Re-orient professional to offer appropriate housing designs and typologies which are affordable and integrates aspects of locations accessibility and livelihoods.
75. Slum upgrading should include establishment of transitional rescue centres and safe houses for protection of vulnerable groups e.g. battered spouses.
76. Develop and implement engendered individual and communal land tenure.
77. Promote community construction guilds and in-situ incremental building and create a culture of maintenance.
78. Encourage occupation rights based on leasehold and temporally occupation licenses/ residential licenses.
79. Create inventory and database to guide policy implementation and intervention.
80. Promote participatory slum upgrading that incorporate innovative ideas and lessons on the use of space and, social and economic organization of the urban poor.
81. The upgraded areas in slums should reflect the cultural diversity present in Kenya and should meet the constitutional threshold.

### **3.7 Infrastructure and Services**

#### **Issues**

- (a) Informal settlements are often excluded in planning and provision of essential services such as water, sanitation, garbage collection, electricity, roads and storm water drainage
- (b) High cost of access to basic services; electricity, water among others.
- (c) Inadequate social and physical facilities such as schools, markets, day-care centres, social halls, and health centres.
- (d) Lack of proper management and maintenance of infrastructural services.
- (e) Informal settlements are often created through displacement leading to encroachment in riparian areas, way leaves, public land and other environmentally fragile areas.
- (f) Unavailability for space for physical and social infrastructure due to land grabbing.
- (g) Irregular settlements created through political patronage without consideration for infrastructural planning of services.

## **Policy Statements**

82. Promote inclusive and integrated planning and development of all human settlements in urban areas.
83. The government should facilitate provision of infrastructure services.
84. Promote securing of land for provision of infrastructural services within the existing slums.
85. Instil maintenance culture for all infrastructural services including clear roles for residents, County governments and other stakeholders.
86. Promote awareness for sustainability and ownership of the communal services and upgraded facilities.
87. Identify suitable areas to resettle communities living in way leaves, reserves and environmentally fragile areas.
88. Prohibit settlements on way leaves and other areas set aside for public utilities which should be clearly demarcated by fencing and exerting punitive measures.
89. Repossess grabbed land set aside for infrastructural and social amenities within the areas to be upgraded.
90. Promote partnerships in provision of infrastructural services.

## **3.8 Finance**

### **Issues**

- (a) Construction and improvement of the low cost housing for the urban poor is constrained by lack of access to affordable credit.
- (b) Funds earmarked for vulnerable groups such as Equalization Fund, Youth Fund, Women Fund, Uwezo Fund among others do not reach the marginalized within the slum.
- (c) Lack of collateral denies any slum dweller access to loan facilities and ways to improve their socio-economic status.
- (d) Minimal Public Private Partnership involvement in slum upgrading programmes.
- (e) Lack of proper financing models in slums upgrading.
- (f) Lack of coordinated financing from actors in slum upgrading.

## **Policy Statements**

91. Provident funds and other statutory deductions should be earmarked for development of low cost housing.
92. Promote creation of funds which State, non-State and Community investors in low cost housing can borrow at subsidized rates.
93. Promoting housing cooperatives to mobilize fund for low cost housing and slum upgrading.
94. Government to offer incentives and subsidies towards slum upgrading.
95. Device macro-economic policies for enabling accelerated flow of resources to the housing and infrastructure sector for the urban poor.
96. Apportionment of social funds (National Social Security Fund) for welfare of the marginalized in the slum.
97. Reform microfinance institutions to make them affordable and cushion the vulnerabilities among the borrowers.
98. Formulate regulations that recognize other forms of collaterals in relation to credit appraisal.
99. Promote community, public and private partnership to include development of low income housing.
100. Provide land grants and cross subsidies to promote low cost housing as part of urban development.
101. Ploughing back proceeds from upgraded facilities for sustainability.
102. Adopt rent to own concept.
103. There should be centralized funds for upgrading and prevention initiatives.
104. Evaluate prospects of home ownership by paying in kind through offering labour services.
105. Promote use of development rights to encourage development of low cost housing and business opportunities for small businesses.



106. Create matching funds at National and County level in support of low cost housing development. Mobilization of funds through mortgages.
107. Tapping into social security funds for financing low cost housing.
108. Create a revolving fund to finance social housing.

### **3.9 Legislative Arrangement**

#### **Issues**

- (a) The Constitution of Kenya provides clear framework for economic, social and cultural rights for all.
- (b) Informal settlements are not legally recognized in aspects such as planning, security of tenure, infrastructure development, budgeting, public utilities and public participation.
- (c) Entrenched inequality, marginalization and exclusion which contributes to the phenomenon of slums and informal settlements.
- (d) County governments have been given major responsibilities for planning and implementation of local development plans including urban areas and cities.

#### **Policy Statements**

109. Operationalize the constitutional provision for economic, social and cultural rights of living in the slums and informal settlements by developing comprehensive legal and regulatory framework.
110. Create guidelines to regularize the informal settlements.
111. Develop legal mechanisms of recognizing slums and informal settlements.
112. Promote participatory integrated master planning and implementation for neighbourhoods.
113. Expand the principle of equalization to all segments of the society.
114. Create legal institutions with a direct mandate to handle slums and informal settlements upgrading and prevention programs.
115. Create linkages between National and County government to support implementation of slum and informal settlements upgrading and prevention of emergence of new settlements.

## **CHAPTER FOUR: INSTITUTIONAL FRAMEWORK**

### **4.1 Institutional Reform Principles**

The institutional process should be or shall be guided by the following principles;

- (i) Devolution of power and authority.
- (ii) Stakeholder participation.
- (iii) Operational autonomy.
- (iv) Effective surveillance and performance monitoring systems.
- (v) Access to justice.
- (vi) Gender and Inter-generational equity.
- (vii) Appropriate enforcement mechanisms.
- (viii) Environmental sustainability.

### **4.2. Inter- Government Agency for Slum Prevention and Upgrading**

The implementation of this policy will require a well-coordinated institutional and legal framework. To achieve this, the Government shall establish Inter-Government Agency for Slum Upgrading and prevention. The functions of agency shall be:

- (i) Coordinate slum upgrading, prevention and integration projects
- (ii) Ensure mainstreaming of slum upgrading, prevention and integration projects and interventions
- (iii) Ensure integration of all policies to achieve coordination, harmonization and inclusivity in provision of social services and physical infrastructure
- (iv) Ensure stakeholder participation and accountability in slum upgrading, prevention and integration of informal settlements
- (v) Facilitate the delivery of efficient, cost-effective and equitable basic services
- (vi) To create, maintain and upgrade National database on slums



- (vii) To create special planning zones for upgrading existing slums within the context of the neighbourhood
- (viii) Conduct annual inadequacy survey and recommend County allocation of equalization fund to mitigate growth of slums
- (ix) To coordinate National and County governments projects, and programmes related to slum prevention and upgrading
- (x) In consultation with County Multi-stakeholder committee formulate guidelines, standards and regulations
- (xi) To be responsible for continuous review of the programme, best practices, project reports and research findings to facilitate the integration of new development into the programmes components and interventions
- (xii) To administer the Kenya Slum Upgrading, Low Cost Housing and Infrastructure Trust Fund (KENSUF).

#### **4.2.1 Kenya Slum upgrading, Low Cost Housing and Infrastructure Trust Fund (KENSUF)**

The government shall establish a trust fund known as Kenya Slum Upgrading Low Cost Housing and Infrastructure Trust Fund (KENSUF). The Fund shall be central depository of all and shall be run by the board of directors of the agency.

#### **4.2.2 Source of Funding**

- (i) The agency shall draw its fund from annual budgetary allocation, donors, CBOs, private sectors, individuals, and grants.
- (ii) The agency shall also draw proceeds from sale or rental from upgraded facilities, social responsibilities by companies and goodwill ambassadors for purposes of sustainability.
- (iii) Mobilize financial resource for slum upgrading programmes through fund raising
- (iv) Create and manage housing levy.

#### **4.2.3 Secretariat**

The agency shall establish a National and County Secretariat whose functions shall be day to day implementation and enforcement of the agency functions.

### ***National Level***

Functions of the national multi-stakeholder support group (NMSSG) shall include—

1. Policy and research;
2. Monitoring and evaluation;
3. Coordination;
4. Capacity building;
5. Resource mobilization;
6. National data banks; and
7. Develop standards and guidelines.

### ***County Level***

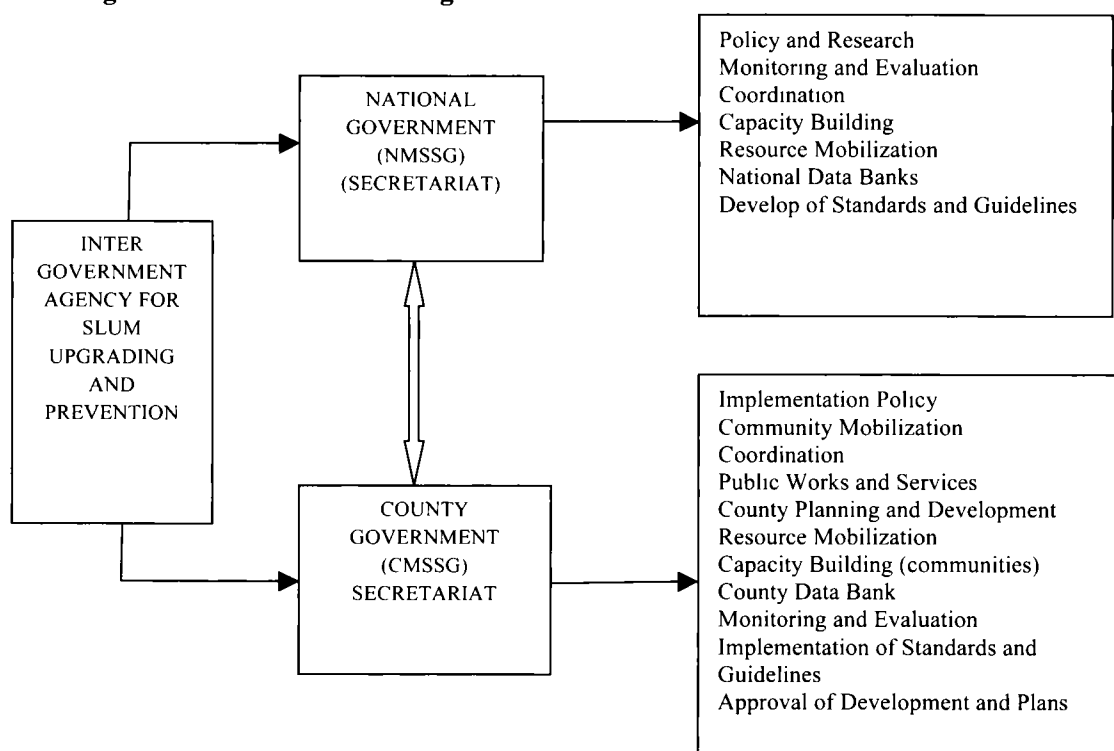
Functions of County Slum Upgrading Multi-Stakeholder Support Group( CMSSG

The functions of the County Multi-Stakeholder Support Group (CMSSG) include the following—

1. Implementation of slum upgrading programmes and projects;
2. Formulation of county specific slum upgrading policies in line with the national slum upgrading and prevention policy;
3. Resource and community mobilization;
4. Implementation of the standards and regulations;
5. Approval of development plans;
6. Capacity building to county officials and community members;
7. Organizing county stakeholder meetings;
8. Create, maintain and update county slum data base;
9. Identify areas of innovations and creativity in slum upgrading, prevention;
10. Installation of social and physical infrastructure in slums and informal settlements;

11. Monitor, evaluate, appraise and process feedback information on slum policies, projects and program implementation;
12. Ensure mainstreaming of slum upgrading, and prevention projects and interventions;
13. Coordinate cities, towns and municipalities projects related to slum upgrading and prevention; and
14. Facilitate public participation through community executive committees.

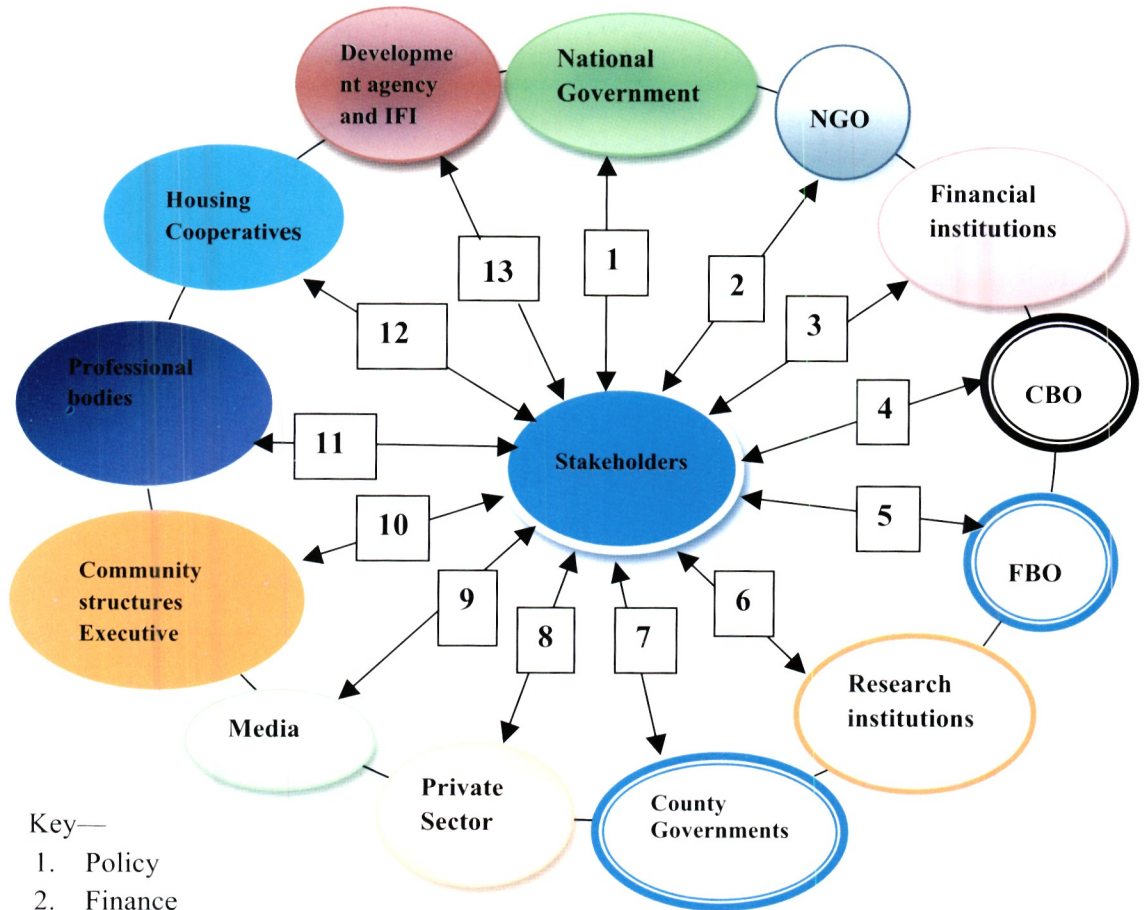
**Figure 1: Institutional Arrangement**



Membership of Inter Government Agency for slum upgrading and prevention:

- (i) National Government;
- (ii) County Governments;
- (iii) Development Partners;
- (iv) Civil society Organization; and
- (v) Research Institutions.

**Figure 2: Stakeholders Matrix and Primary Roles**



Key—

1. Policy
2. Finance
3. Organization and support
4. Mobilization and organization
5. Mobilization and spiritual support
6. Knowledge
7. Implementation
8. Innovation and partnership
9. Community mobilization and linkage
10. Information flow and Mobilization and voice
11. Technical support
12. Fund mobilization
13. Technical support

## CHAPTER FIVE: IMPLEMENTATION

### 5.1 Monitoring and Evaluation

Monitoring and evaluation is an integral part of any project implementation process. In recognition of this a unit will be set up to discharge the functions of monitoring, reporting, evaluating, and reviewing slum upgrading and prevention programmes and provide feedback. These programmes will be determined using suitable performance measures and indicators. The processes of monitoring and evaluation will inform the implication and collective measures for improvement where necessary.

#### 5.1.1 Performance Measures and Indicators

The performance of slum upgrading and prevention programmes will be measured according to the realization of the objectives outlined in chapter one and will be gauged as indicated in Table 1.

**Table 1: Performance Indicators for Slum Upgrading and Prevention Programmes**

Objective	Indicators of Success
a) To provide a legal and institutional framework to guide coordinated and accountable implementation of slum upgrading and prevention at national and county level to meet the standard of adequate housing, reasonable levels of sanitation and other relevant rights provided for in the Constitution.	<ul style="list-style-type: none"><li>• Conducive regulatory framework for slum upgrading facilities</li><li>• Proper and accountable coordination of the programme and systems</li><li>• Successful implementation of programme tasks</li><li>• National, County, city or urban areas development strategies addressing low income housing</li><li>• Appropriate standards and by-laws, viable and sustainable neighbourhood</li></ul>
b) To operationalize the principle of good governance, including stakeholder participation,	<ul style="list-style-type: none"><li>• functional programmes at all levels</li><li>• Effective community strategy</li><li>• Active participation of county and</li></ul>

<p>transparency and accountability</p>	<p>settlement communities</p> <ul style="list-style-type: none"> <li>• Participatory planning and decision making at community and settlements levels</li> <li>• Enlightened and empowered communities to take on required development</li> <li>• Sustainability of programmes</li> <li>• Partnership for delivery and management of programme</li> </ul>
<p>c) To provide a broad range of social and infrastructural services</p>	<ul style="list-style-type: none"> <li>• Installed social amenities.</li> <li>• Partnerships and organizations for delivery and management</li> <li>• Installed Physical infrastructure (access roads, footpaths, sewerage, water, drainage systems, street lighting)</li> <li>• Mainstreamed infrastructural systems favourable to physically challenged persons</li> </ul>
<p>d) To recommend flexible, integrated and sustainable options for providing land tenure security for slum community.</p>	<ul style="list-style-type: none"> <li>• A developed, centralized database of slums and informal settlements</li> <li>• Appropriate tenure systems</li> <li>• Recognized bundle of rights</li> <li>• Legitimate land holding community organization (trusts and cooperatives)</li> </ul>
<p>e) To recommend strategies for economic, social and environmental development programs aimed at creating sustainable income-generating activities to combat poverty.</p>	<ul style="list-style-type: none"> <li>• Community empowerment through employment opportunities, micro and small scale enterprises</li> <li>• Improved household income</li> <li>• Investment opportunities</li> <li>• Conducive environment for informal sector enterprises</li> <li>• Skilled personnel</li> </ul>

	<ul style="list-style-type: none"> <li>• Business and marketing networks</li> <li>• Established appropriate micro-finance mechanisms and institutions</li> <li>• Mainstreamed gender sensitive programs</li> </ul>
f) To attract public and private sectors finance and encourage investments in slum upgrading and prevention	<ul style="list-style-type: none"> <li>• Microfinance policy and enabling regulatory environment for microfinance institutions development</li> <li>• Microcredit institutions (including cooperatives and credit groups)</li> <li>• Indiscriminate and increased lending base for micro and small enterprises</li> <li>• Alternative collaterals, efficient management of community savings and credit institutions</li> <li>• Awareness of financing options and mechanisms</li> <li>• Expanded capital and lending capacity for communities</li> <li>• Affordable and accessible housing finance</li> <li>• Increased participation and contribution of private sector in slum upgrading projects</li> <li>• Continuous budgetary allocations for slum upgrading</li> <li>• Established and endowed revolving slum upgrading Fund</li> <li>• Mobilized resources from public and private sectors</li> </ul>
g) To promote a culture for environmental conservation and management	<ul style="list-style-type: none"> <li>• Well maintained environment including drainages, clean rivers, ocean neighbourhoods</li> </ul>

	<ul style="list-style-type: none"> <li>• Good hygiene practice</li> <li>• Reduced infant and child mortality</li> <li>• Sustainable and pollution free environment</li> <li>• Community based waste management initiatives</li> <li>• Appropriate dumping sites and incinerators</li> </ul>
h) Create linkages, strengthen and enhance capacity for research, planning, monitoring and evaluation	<ul style="list-style-type: none"> <li>• Readily available housing development information</li> <li>• Accurate base maps and information concerning socio-economic and physical conditions of slums</li> <li>• Qualified research, monitoring and evaluation personnel</li> <li>• Adequate research, monitoring and evaluation facilities</li> <li>• Appropriate designs, materials and technologies applicable for slum upgrading</li> <li>• Established linkages with relevant research institutions</li> </ul>
i) To encourage, facilitate and secure community participation in integrated approaches of slum upgrading and prevention, redevelopment, rehabilitation and improvement programs;	<ul style="list-style-type: none"> <li>• Established cooperatives and Community Based Organizations and self-help groups</li> <li>• Partnerships networks</li> </ul>
j) To empower and enable poor households living in slums to access adequate housing within a clean, secure and healthy living	<ul style="list-style-type: none"> <li>• Improved building skills,</li> <li>• Changed attitude</li> <li>• Alternative affordable sources of funding,</li> <li>• Reduced insecurity,</li> </ul>



environment;	<ul style="list-style-type: none"> <li>• Involvement of beneficiaries in building financing and management of projects in order that they own the programme,</li> <li>• disaster preparedness</li> <li>• Adequate and affordable housing</li> </ul>
k) To encourage national and county integrated urban planning that takes into account slum prevention and upgrading.	<ul style="list-style-type: none"> <li>• Established social housing projects</li> <li>• Developed integrated master planning for slum upgraded neighbourhood</li> </ul>
l) To mainstream cross cutting issues, programs and projects of slum upgrading and prevention at national, counties and other units of devolution;	<ul style="list-style-type: none"> <li>• Established sectoral plans for slums upgrading programmes.</li> <li>• Mainstreamed cross-cutting issues in programs and projects</li> </ul>

## 5.2 Monitoring, Reporting, Evaluation and Reviews

The progress of programme and its project activities will be constantly monitored, documented and reported to the various levels as required by the institutional framework. Monitoring and reporting will facilitate evaluation and reviews. The four processes below will run throughout the Programme period and will be achieved. These processes are;

- i) Empowerment, participation and capacity building for the programmes to carry out the exercise (training, equipment and financial resources).
- ii) Facilitating communities to conduct monitoring and evaluation of settlement project activities with support from established institutions.
- iii) Enabling environment for other stakeholders to monitor, document, evaluate and review their own as well as partner activities within the framework of programme operations, objectives and coordination arrangements.
- iv) Reporting to and guidance from higher level programme units such as established Inter- Agencies and contributing partners.
- v) Convening of stakeholders consultative meetings including communities and Multi Stakeholder Support Groups.

Effective monitoring of Slum Upgrading and Prevention Programme will begin at the planning stage and continue throughout the life of the Programme Projects. This will be monitored using performance measures and indicators through direct observation and feedback from the settlement communities, partnering agencies and county secretariat, etc.

The flow of information will be managed through the use of quarterly progress reports, which will indicate the progress made so far, and the challenges encountered in achieving the desired results.

Midterm and end term evaluation will be incorporated into the design of all projects so as to build upon the successes and mitigate the failures. The evaluations will also provide input into the development of manuals and tools for monitoring and evaluation of on-going projects. This will also provide further directions on future exercises of similar nature.

The information and data collected during the programme and project duration will be documented and preserved in the project annual reports and will be used for reviews of the approaches undertaken if need arises.

### **5.3 Research and Best Practices**

Research activities will be an integral continuous process of the slum upgrading and prevention programme covering key issues of shelter development and technologies, policy, regulations and by-laws, materials and technologies, best practices, participatory development, , capacity building, conflict management, good governance, land tenure among others. Research process will include analysis and review of existing information both from National, County and international development levels. In addition, surveys, field case studies and documentation of best practices will be conducted and visits made to other relevant and/or similar development initiatives. The research process will yield information to facilitate new appropriate approaches to slum upgrading and prevention, hence support the replication, expansion and up-scaling process. The policy shall ensure effective dissemination of information to all levels of governance and stakeholders

## **5.4 Redesign and Improvements**

The dynamic nature of slum upgrading and prevention processes and the diversity of slum situations and conditions, demands specific intervention designed in a manner that they respond to its context and situation.

Slum upgrading and prevention programmes will provide for re-design and improvement workshops and seminars for participatory review of the programmes and projects performance. The established programme secretariat will be responsible for continuous review of the programmes, best practices, project reports and research findings to facilitate the integration of new development into the programmes components and interventions. Further, the research findings should address the following questions;

- i) Is the Programme strategy working or are improvements necessary?
- ii) Are there any gaps within the Programme documents that need to be addressed?
- iii) Are the Programme components sufficient in terms of achieving the desired results?
- iv) Is the programme participatory at all levels?

The objective of this process will be to ensure that the slum-upgrading programmes remain relevant, appropriate and practical to the beneficiaries and stakeholders.

## CHAPTER SIX: LOGICAL FRAMEWORK

**Table 2: Logical Framework**

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Community Organization and Mobilization	Getting slum dwellers organized for active participation in the upgrading process within one year.	Common vision, community support for programme, organized community groups and cooperatives, Political support.	Mapping of Actors, stakeholders consultations, awareness/ sensitizations, formation of development groups, formation of cooperatives, education/ training Participatory Communication Formalization of merry-go-rounds	Active community Participation and contribution, successful completion of outlined activities.	SEC, Programme Secretariat, National and county administration, CBOs, NGOs, Media, Housing Cooperatives	Human resource, Funds	National and County government, development partners and other Stakeholders, UN HABITAT.	Community's appreciations of Programme objectives and willingness to participate.
Socio-economic and Physical Mapping.	Establishing the socio-economic and physical conditions of the settlements.	Settlement resource reports including: Base maps, settlement Physical development plan, settlement register.	Socio-economic survey, Physical resource mapping Settlement census.	Settlement census report	SEC, Programme Secretariat, CBOs, NGOs, research institution, County Governments.	Human resource, Spatial data, finances and professional services.	National and County government, International development partners and other Stakeholder.	Full cooperation from the slum dwellers.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Conflict Prevention and Management	Achieving harmonious, interests, positions and attitudes.	Understanding conflict situation of indigenous community conflict resolution skills, safe and secure neighbourhood, Harmonious living and cooperation within the neighbourhood, community based peace initiative.	Participatory situation analysis, Build local capacities for peace, Enhance conflict resolution initiatives.	Safe and secure neighbourhood, Increased in the number of local investments, reduced violence, interactive and harmonious participation in settlement initiatives.	SEC, Programme Secretariat, CBOs, FBOs, NGOs, National and county administration.	Human resource, Funds.	UN-HABITAT, National and County Governments, Development Partners and other Stakeholders, UN HABITAT, Media, National cohesion and integration commission.	Various common interests would act as connections.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Urban Development Strategies	To guide and ensure viable urban development process.	Urban development strategy, Adoptive by-laws, Private sector investments in low income housing, Affordable accessible and well maintained infrastructure and services, increased investments in urban areas through partnership.	Consultations, Participatory, Situation analysis, and needs assessment of particular urban areas, Participatory in preparation of strategic plans, provision of sufficient land suitable for low cost housing, formulation and adoption of appropriate building and planning regulations, mainstreaming slum upgrading initiatives within the national and county governments, budgetary process, development	Well planned land use in urban areas, suitable land for housing development, reduced growth of slums, efficient service delivery, increased private sector investment in low income housing, affordable and accessible services management.	National and county government, other stakeholders.	Human resource, funds, professional services.	National and county governments, development partners.	Political will and good governance at both national and county level.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Security of tenure	Develop specific tenure policies for informal settlements.	Clear identification of informal settlements, legislated appropriate tenure systems secure for settlements, legitimate land holding.	and implementation of partnership frameworks for service delivery, implementation of existing legislation, mobilizing urban finance, asset management.	Reduced unlawful evictions and buy outs, improved housing and access to basic services.	National and County government, programme secretariat, NMSSG and CMSSG.	Human resource, funds, professional services.	National and county government, NMSSG and CMSSG.	Support from stakeholders.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Social Infrastructure	Provide slum dwellers with adequate and accessible social facilities.	Social amenities, partnerships for delivery and management.	Situation analysis, needs and resource identification, participatory planning and design, mobilization of funds, formation of partnerships.	Number of social amenities, improved access to social amenities well managed facilities.	National and county government and stakeholders	Human resource, funds.	National and county government, development partners, private sector.	Responsive private sector and development partners.
Physical Infrastructure	Provide slum dwellers with adequate, affordable and accessible physical infrastructure.	Accessible physical infrastructure, partnerships for delivery and management.	Analysis of information on informal settlements and holistic planning, settlement specific situation analysis, needs and resource identification, participatory planning and design, formulation and adoption of appropriate standards and regulations, mobilization of	Infrastructure that is accessible to households.	National and county government and stakeholders.	Human resource, Funds.	National and county government, development partners, private sector.	Responsive private sector and development partners build consensus.



Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Micro-finance and credit systems	Provide adequate access to finance and credit facilities.	Micro-finance policy, increased micro credit institutions, increased lending base alternatives, collaterals, efficient management of community savings and credit institutions, create awareness of financing options and mechanisms.	funds, relocation and compensation, formation of partnerships for delivery, construction and management of infrastructure. Formation of regulatory framework that supports micro-finance and credit systems, capacity building to strengthen formation of community based credit systems, co-operatives and credit groups, recognition of alternative collaterals instituting flexible lending	Widened access to affordable finance to the slum dwellers.	Micro-finance institutions, banks and other financial institutions, National and county government, private sector and stakeholders.	Human resource, funds and professional services.	National and county government, development partners, private sector, UN-HABITAT, Stakeholders.	Conducive policy framework for development of micro-finance and credit systems, as well as investment partnerships.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
			programmes and facilities, resource mobilization, formation of partnerships.					
Income Generating Activities	Increase employment and income earning opportunities.	Developed settlement livelihood profile, increased employment opportunities, micro and small scale enterprises, improved households income, investment opportunities, favourable by-laws and regulations, skilled personnel, establish business and marketing	Livelihood survey, formulation of conductive regulatory frameworks for SMEs development, resource mobilization, credit extensions, provision of business facilities, production of local building materials, marketing support services, support community contracting for	Improved standard of living.	National and county government, development partners, private sector UN-HABITAT, Stakeholders.	Human resource, funds.	National and county government, Development partners, Private sector UN-HABITAT, Stakeholders.	Responsive community participation and clear beneficiary identification.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Shelter Improvement	Improve quality of housing in slum settlements.	networks. Develop appropriate standards and by-laws, viable neighbourhood development plans and designs, co-operatives and building groups, partnership networks, skilled developers, affordable and accessible housing finance, Infrastructure.	construction works. Adoption of appropriate building standards and planning by-laws, participatory planning and design, approval of plans and designs, development of decanting sites, formation of community based co-operatives and building groups, capacity building, resource mobilization and finance, intermediation for house building, community contracting,	Decent and habitable shelter.	National and county government and stakeholders.	Human resource, funds, professional services.	National and county government, development partners, private sector, UN-HABITAT, stakeholders, finance institutions.	Commitment of partners, availability of funds and appropriate legislative framework.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Environmental and Waste Management	Improve neighbourhood hygiene	Well maintained drainage, clean rivers, clean neighbourhood, good hygiene practice, sustainable and pollution free environment, community waste management initiatives, appropriate dumping sites and incinerator.	<p>forging of partnerships, subsidizing and cost recovery.</p> <p>Awareness campaign on basic hygiene and means of managing waste, creation of garbage collection, incineration and recycling sites.</p>	Clean and healthy environment, reduced rates of disease incidences.	National and county government, stakeholders and community	Funds, waste disposal equipment, human resource.	Private sector, UN-HABITAT, stakeholders, finance institutions.	Cooperation among all stakeholders.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Vulnerable and Disadvantaged Groups	Empower them socially and economically.	Welfare associations, welfare and development funds, strengthened network of community based support groups, homes and rehabilitation centres.	Identification of groups and households, participatory situation analysis, sensitization of the community on the needs and potential of these groups, formulation of welfare associations and networks, establishment of welfare and development fund, strengthening of existing support groups, capacity building, child rehabilitation and reintegration projects, homes for the elderly, refocusing of fund for the disabled.	Active participation of vulnerable groups in the development process, numbers of households, groups, individuals benefiting from the funds.	National and county government, stakeholders and community.	Human resource, funds.	National and county government, development partners, Private sector UN-HABITAT, Stakeholders.	

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
HIV/AIDS prevention and impact mitigation	Reduce infection rate and enhance access to care and support.	Increased awareness, Well equipped health and VCT centres, Conductive environment, accessible home based care and therapy strong support groups.	Awareness and sensitization campaigns, establish VCT, health centres and counselling programmes, education and training of community health workers and home based care, provision of home based care kits, formation/ strengthening of social support groups and networks, integration of HIV infected persons in prevention and mitigation activities, integrating needs of the infected in settlement and	Reduced infection rate, change of attitude towards the infected, eradication of stigmatization.	National and county government, stakeholders, and community.	Human resource, funds.	National and county government, development partners, private sector UN- HABITAT, Stakeholders, UNAIDS, WHO.	Community willingness to cooperate and availability of resources.



Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
Capacity Building and networking	Enhance the ability of programme units, stakeholders to efficiently execute their tasks, harness stakeholder participation and contribution.	Established, institutionalized and equipped programme units, skilled personnel, sensitized and empowered community, efficiency in task execution, establish data bank and information	house design process. Identification of target groups, establishment of units, sensitization on slum upgrading concept, participatory needs assessment and resource mapping, develop appropriate capacity building tools, training and skills development, resource allocations, provision of equipment, peer exchange, documentation and dissemination of	Efficient and effective management of programme activities, active involvement of stakeholders. Resource base.	National and county government, stakeholders and community.	Human resource, funds.	National and county government, development partners, private sector, UN-HABITAT, Stakeholders.	Willingness to learn, adopt and apply new ideas, availability of resources, shared vision.

Strategic Intervention	Immediate objective	Expected output	Activity	Success Indicator	Actor(s)	Input	Source of Funding	Critical Assumption
			<p>best practices, awareness creation, on site job training of trainers, formulation of partnership framework, development and execution of partnership agreements and arrangements, establishment of resource pool and pooling of resource, strengthening existing partnership(s), coordination and networking, evaluation and review of partnerships, networks and activities.</p>					



## **CHAPTER SEVEN: CONCLUSION**

The process of National Slum Upgrading and Prevention Policy formulation has been participatory and all-inclusive through Multi-Stakeholders' Steering Committee, thematic working groups, Regional Consultative Workshops, the field visits in selected counties and urban areas and a National Consultative Workshop. This Policy comes at a critical time when the devolved governments are expected to assume greater responsibilities in investment, development and consequently provide for increased urban populations. This policy will serve as a comprehensive framework for addressing the slum question by both the National Governments and the forty seven County Governments. On its full implementation, the relevant aspirations as contained in the Constitution and the Kenya Vision 2030 will be realized.

## APPENDICES

### **Schedule of activities in Policy formulation**

The following were processes in the policy formulation.

1. Detailing of a comprehensive concept note to serve as framework for the National Slum Upgrading and Prevention Policy formulation (Feb/Mar, 2012);
2. Popular endorsement of the concept note by the Multi-stakeholder Support Group Forum (April, 2012);
3. Establishment of coordination unit (secretariat) and activation of a Technical Reference Group (April, 2012);
4. Activation of a Multi-Ministerial Steering Committee (July, 2012);
5. Appointment and commissioning of seven Thematic Groups constituting professionals and practitioners from Government, civil society and private sectors who collected, undertook field visits and analysed the data (Oct, 2012);
6. Development of preliminary policy thematic content (October-November, 2012);
7. Formal inauguration of the NSUPP formulation process (December, 2012).
8. Development of emerging issues and recommendations papers by the thematic groups (April, 2013)
9. Regional Consultative workshops (May, 2013)
10. Benchmarking (July, 2013).
11. National Consultative Workshop (December, 2013)

## Acronyms

AIDS	Acquired Immune Deficiency Syndrome
CBOs	Community Based Organizations
CDF	Constituency Development Fund
CSUMSSG	County Slum Upgrading Multi-Stakeholder Support Group
FBOs	Faith Based Organizations
GoK	Government of Kenya
HIV	Human Immunodeficiency Virus
KENSUF	Kenya Slum Upgrading, Low Cost Housing and Infrastructure Trust Fund
KENSUP	Kenya Slum Upgrading Programme
KISIP	Kenya Informal Settlement Improvement Project
MFIs	Micro Finance Institutions
MoLH&HD	Ministry of Land, Housing and Urban Development
NA	Neighbourhood Association
NACC	National AIDS Control Council
NACHU	National Cooperative Housing Union
NASCOP	National AIDS and STI Control Programme
NEMA	National Environment Management Authority
NGOs	Non-Governmental Organizations
NMSSG	National Multi-Stakeholder Support Group
NSUPP	National Slum Upgrading and Prevention Policy
PDP	Part Development Plan
RA	Residents Association
SACCOs	Savings and Credit Co-operative
SEC	Settlement Executive Committee
SMEs	Small and Medium-sized Enterprises
SPIU	Settlement Project Implementation Unit
SUPP	Slum Upgrading and Prevention Programme
UNAIDS	Joint United Nations Programme on HIV/AIDS
UN-HABITAT	United Nations Human Settlements programme
VCT	Voluntary Counselling and Testing
WHO	World Health Organization

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