



**UNIVERSITY OF NAIROBI**

**DEPARTMENT OF ARCHITECTURE AND BUILDING SCIENCE**

**SCHOOL OF THE BUILT ENVIRONMENT**

**RELOCATION ACTION PLANNING IN SLUM UPGRADING: THE CASE OF KIBERA'S  
SOWETO-EAST INFORMAL SETTLEMENT IN NAIROBI, KENYA**

**BY**

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**RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILMENT FOR THE  
REQUIREMENTS OF THE MASTER OF URBAN MANAGEMENT DEGREE IN THE  
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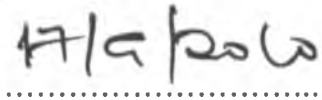
**2010**



## DECLARATION

I declare that this research project is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references and that this work has not been submitted before for any other degree at any other university.

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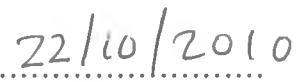
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## DEDICATION

To my family and all those households of the Soweto East Village who are living below the poverty line.

## ACKNOWLEDGEMENT

I am highly indebted to the following personalities and institutions for contributing to the success of the project described in this report. I wish to sincerely appreciate the material and moral support of the entire staff of the Department of Architecture & Building Science of the University of Nairobi particularly, the chairperson, Arch. E.O. Abonyo, members of teaching staff; Mr. M.O. Oyugi, Mr. S. Kasuku, Mr. C. Osengo, Dr. I. Were, Prof. W. H. A. Olima and Prof. P.M. Syagga for their constructive criticism that provided a benchmark on which this study was built. In the same breath, I extend my special gratitude to my able supervisors, Mr. Owiti Kakumu and Dr. Alfred Omenya whose valuable input throughout the gestation of the project enabled me to accomplish this work even earlier than usually envisaged. I also sincerely thank members of the KENSUP secretariat in the Ministry of Housing for providing the necessary literature that informed this study at its conceptualization stage. Special thanks to the Permanent Secretary in the Ministry of Housing Mr. Tirop Kosgey for his encouragement and facilitation of the study. My gratitude also goes to SEC members, NGOs, opinion leaders and all other stakeholders who made remarkable contributions during this survey.

It is also noted with appreciation the co-operation of all the local residents visited during the research period. Special thanks to the Soweto East residents at the decanting site for their role in making this study a success. I would like also to sincerely relay my special gratitude to the members of the 2009/10 class for their co-operation and continued support in making this research initiative a success. To my lead research assistant; Mr. F. Omondi and other research assistants; Mr. M. Musembi, Ms. P Muthoni and Ms A. Waithera, your sincere contributions were crucial in giving this report its successful shape. Thank you very much.

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## **ABSTRACT**

*Many inhabitants of the slums and informal settlements in developing countries lack access to adequate and affordable housing and basic housing services. Poor access to affordable and adequate housing constraints economic and social development of slum dwellers and contributes to poverty in such areas. Better housing services can stimulate economic activities and social improvements of slum dwellers, leading to a virtuous circle that reduces poverty while improving the lives and livelihoods of the urban poor. Improving the urban Poor's access to essential housing services requires participatory approaches in slum upgrading that involves all the stakeholders at all levels of the project cycle.*

*Kibera is arguably one of the largest slums in Africa. It is located southwest of Nairobi city centre and is sited approximately 5 km away from the city centre. It is the largest slum in Kenya and comprises of 12 villages; Kianda, Soweto, Gatwekera, Kisumu Ndogo, Lindi, Laini Saba, Siranga/Undugu, Raila, Makina and Mashimoni. It has an estimated population of 500,000 people covering approximately 225 hectares of land. This translates to a density of about 2000 people per hectare. It holds more than a quarter of Nairobi's population.*

*In order to effectively address the subject of study, this study was designed purposefully to examine the nature and level of the current relocation strategy employed in the study area, identify actors involved and their specific roles with regard to the relocation process in the area, assess the challenges facing the relocation process and recommend a comprehensive relocation action plan for future slum upgrading programmes.*

*To achieve the purpose of the study, both primary and secondary data were collected through an interactive and evaluative kind of field survey, using Focus Group Discussions, administration of household questionnaire, field observations, interviews, photography and critical and systematic review of both published and unpublished materials. This kind of survey was based on the principle of reflection-action-reflection and was meant to determine the strengths and weaknesses of the existing relocation strategy. Such methodological approach was necessary as it enables the interested and affected parties to assess and reflect as well as re-orient the relocation strategy to effectively enhance the success of slum upgrading in the study area. Results from all the survey indicated that a relocation action plan has the potential of addressing the identified relocation challenges and for the successful implementation of the slum upgrading programme. However, the existing relocation arrangement is riddled with several challenges. Based on practical experience drawn from case studies, this study recommends*

*among other things, the adoption of an integrated and participatory policy formulation approach as an alternative strategy for the relocation process. This calls for a bottom-up approach in planning, and harmonization of conflicting roles.*



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## ABBREVIATIONS

CBO	Community Based Organization
CCN	City Council of Nairobi
CESCR	Covenant on Economic, Social and Cultural Rights
D.O	District Officer
FGD	Focus Group Discussion
FBO	Faith Based Organization
GoK	Government of Kenya
IACC	Inter-Agency Coordinating Committee
IASC	Inter-Agency Steering Committee
KENSUP	Kenya Slum Upgrading Programme
KENSUF	Kenya Slum Upgrading Fund
MDG	Millennium Development Goals
MoU	Memorandum of Understanding
MSSG	Multi-Stakeholder Support Group
NGO	Non Governmental Organization
NHC	National Housing Cooperation
PIU	Project Implementation Unit
SEC	Settlement Executive Committee
SAPs	Structural Adjustment Programmes
SPIU	Settlement Project Implementation Unit
UNCHS	United Nations Centre for Human Settlements
UNO	United Nations Organization
WB	World Bank

## CHAPTER ONE: INTRODUCTION

### 1.1 Background to the Problem

Cities play a significant role in economic development due to their socio-economic advancement as corroborated by provision of jobs, productivity and social development abilities of the urban centres (Obudho and Juma, 2002). However, the acute shortage of urban housing and the problem of inadequate shelter have manifested themselves in rapid formation and mushrooming of informal settlements and tenement structures accompanied by deficiencies in supply of the most basic urban infrastructure and public facilities required for humane habitation (Syagga and Kiamba, 1992). Despite growing public investments, more than one third of the urban population lives in sub-standard housing with inadequate access to safe water, sanitation and secure tenure (UNCHS, 2003: 48).

It is against this backdrop that world over, many human settlement development policies and strategies have been designed and used in the past to deal with slums. Such policies and strategies have ranged from forced eviction, resettlement, site and service schemes and upgrading (UNCHS, 2003). New infrastructure projects often forcibly displace large numbers of informal settlement inhabitants. As observed by Fujita, et al, (2006) and McGranham, et al, (2005), in cases where there are



provisions for resettlement for those who are displaced, it usually involves pushing them to the urban peripheries far from income earning sources. In addition, experience has shown that forced eviction, demolition of slums and resettlement of slum dwellers create more problems than they solve. Eradication and relocation destroys large stock of housing affordable to the urban poor, while new housing provided has frequently turned out to be unaffordable resulting to the movement of relocated households back to slum accommodation (Syagga and Kiamba, 1992). Resettlement also shifts slum dwellers from their employment sources, destroys their productivity and disrupts their livelihood networks (Ibid). Therefore, the accepted best practice for housing interventions in developing countries is now participatory slum upgrading, with holistic neighbourhood improvement approaches taking into account health, environmental, education, housing, livelihoods and gender (UN-HABITAT, 2003).

In Kenya, the Government has acknowledged the existence of slums and informal settlements, and is committed to addressing the conditions through upgrading. Such commitments are evidenced in the country's strategic frameworks such as the Poverty Reduction Strategy Paper, the National Housing Policy, the Economic recovery Strategy Paper and the Kenya Vision 2030. All these development blueprints recognized slum upgrading as an integral part of shelter development (Syagga, 2000). It is

therefore in the interest of the Government that slum improvement be embraced as a principle policy of housing and urban development.

The Kenya Slum Upgrading Programme (KENSUP) is a collaborative initiative between the Government of Kenya and UN-HABITAT and targets the progressive improvement of the livelihoods of at least 5.4 million urban dwellers (1.6 million households) (GoK, 2005). The prime goal of KENSUP is to improve the livelihoods of the people living and working in slums and informal settlements in the urban areas of Kenya (KENSUP, 2005). The implementation of the programme will be carried out in three phases and the upgrading of Kibera slum is part of phase one which covers major towns in the country.

In order to upgrade the Kibera slums, it is the requirement of the programme that sections of the community be relocated in phases to the decanting site in order to free up way leaves for housing development and infrastructural services so that construction works in the main project area can progress smoothly. According to the KENSUP relocation strategy (2009), the relocation of the affected persons from Soweto East Village to the decanting site was to follow a sequential process. The relocation process was to commence by identifying the persons to be relocated, followed by consultative meetings with relevant stakeholders for common understanding and coordination. In order to build trust and ownership of the process by the settlement community, sensitization of all target groups

was necessary. The process also allowed for the issuance of adequate vacating notices to those who could not be accommodated in the Relocation Decanting Site. The allocation of housing units at the decanting site to families was to precede the actual relocation process and structure owners were expected to remove their structures immediately after the allotment. The relocation process was also to be characterized by a Memorandum of Understanding/Letters of offer where the residents were to be issued by of offer and MoU indicating the name and ID number of household head, the room number to be occupied at the decanting site, amount of rent to be paid and condition of temporary relocation-that the person is expected to relocate back to Soweto East once the housing in the settlement is completed. The Ministry of housing was then to facilitate movement of families and household goods to the decanting site by providing transport. All the residents were then required to abide by the rules set out on the estate management including rent payment and service charges.

The relocation therefore entailed the physical movement of identified persons from to Soweto East, Mbagathi Road, and beginning with Zone A to the Lang'ata decanting site. It mainly targeted resident structure owners and tenants. The non-resident structure owners may also be considered during the permanent relocation in Soweto East after redevelopment (KENSUP, 2009).

## **1.2 Statement of the Problem**

Shakhs and Obudho (1974) observe that high population growth rate in urban areas of Kenya translates itself into a problem thus impeding on the ability of municipal authorities to provide adequate infrastructure and basic services. Other factors such as insufficient investment in new low income housing, marginalization of poor neighbourhood and poor maintenance of housing stock among others have catalyzed the mushrooming of informal settlements in major urban centres including Nairobi, Nakuru, Kisumu, Eldoret and Mombasa among others.

The Kenya Slum Upgrading Programme is thus a unique initiative aimed at empowering the informal settlement and slum dwellers to fend for themselves and reduce their dependence on the local authorities. To realize this goal however, more has to be done in terms of community participation. The programme is not maximizing the potential within the community members and hence the delayed physical improvements. Sensitization and other initial software components of a project are essential but they should be redesigned so that they incorporate training that equips the community to carry out the physical components of upgrading such as collection and maintenance of socio economic and spatial data. This will substantially reduce the cost and delays associated with upgrading.

For the case of the area of study, the relocation process is still faced with a number of challenges such as conflicting roles of actors involved in the relocation process, a weak relocation strategy, and failure to factor in the concerns of the physically challenged members of the settlement community among others. The success of the relocation process therefore lies on a number of laid down strategies namely: identification of genuine stakeholders, participation of the community in the process, formation of co-operative societies to aid the mobilization of the community resources, voluntary relocation of the community members, linking planning to the actual housing development and employing Geographic Information System (GIS) to map and plan the upgrading site.

### **1.3 Research Questions**

The study attempted to answer the following specific questions:

1. What is the nature and level of the current relocation strategy used in the slum upgrading process in the study area?
2. What are the specific roles of actors involved in the relocation process in the study area?
3. What are the challenges facing the relocation process in the study area?

## **1.4 Objectives of the Study**

The study was mounted to realize the following objectives:

1. To examine the nature and level of the existing relocation strategy used in the study area.
2. To identify the actors involved and their specific roles with regard to the relocation process in the study area.
3. To assess the challenges facing the relocation process in the study area.
4. To recommend a comprehensive framework for the development of relocation action plan for the slum upgrading programme.

## **1.5 Research Hypothesis**

The study was guided by the assumption that a comprehensive relocation action plan influences the successful relocation process of the resident community and the eventual meaningful slum upgrading.

## **1.6 Purpose of the Study**

It is imperative that a concerted comprehensive relocation action plan be designed to aid the successful implementation of the slum upgrading process while harmonizing the various roles of actors involved in the relocation process, and keeping an eye on the challenges facing the relocation process. This study is therefore concerned with the relocation action planning for slum upgrading in respect of Kibera Soweto- East village and attempts to illuminate on strategies formulated to oversee the

relocation process, why they were formulated, how they were implemented, their impacts, and the attendant gaps.

### **1.7 Significance of the Study**

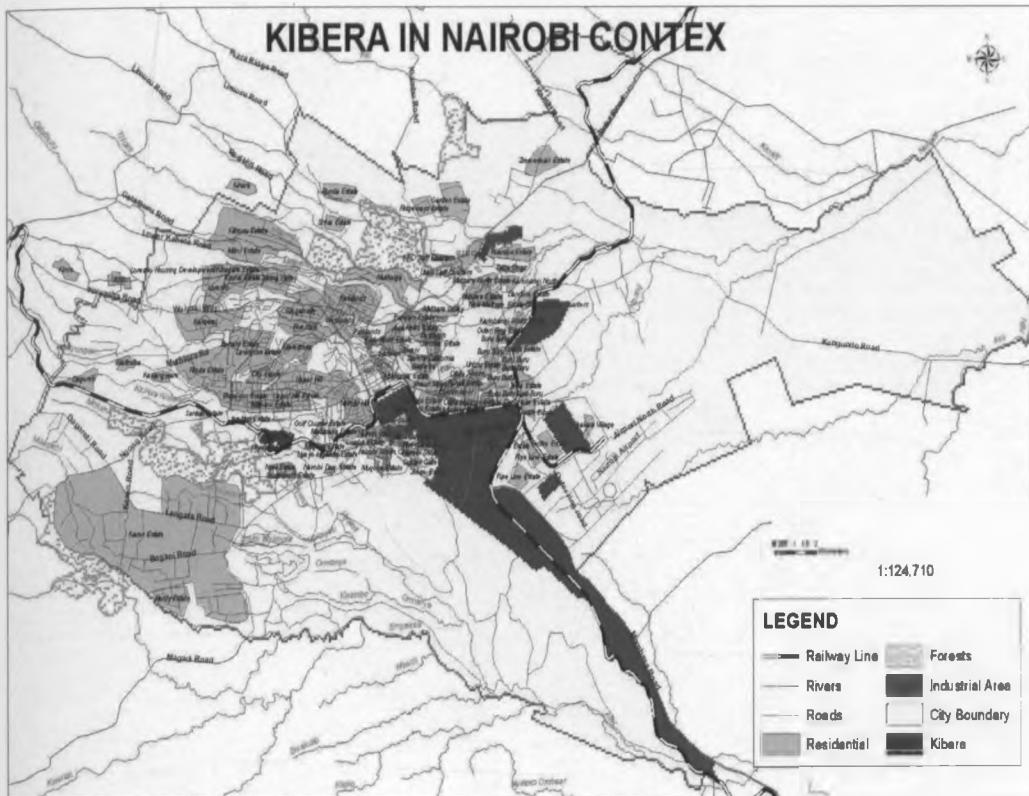
The study is beneficial in a number of ways. It aimed at recommending a comprehensive relocation action plan for the slum upgrading programme while taking cognisance of the need to examine the current relocation strategy and the harmonization of the roles of various actors involved in the relocation process while assessing the challenges facing the current relocation arrangement in the study area. The findings of the study also consolidated experiences of the Kibera-Soweto east relocation exercise to inform integrated slum upgrading processes for other villages in Kibera and other similar initiatives in other urban areas within the country.

### **1.8 Scope and Limits of the Study**

The study was limited to Soweto East village, Kibera division, Nairobi West district, Nairobi province of Kenya which is a pilot project for the Kenya Slum Upgrading Programme. Kibera is located southwest of Nairobi city centre and is sited approximately 5 km away from the city centre. It is the largest slum in Kenya and comprises of 12 villages; Kianda, Soweto, Gatwekera, Kisumu Ndogo, Lindi, Laini Saba, Siranga/Undugu, Raila, Makina and Mashimoni. It has an estimated population of 500,000 people covering approximately 225 hectares of land. This translates to a density of about 2000 people per hectare. It holds more than a quarter of Nairobi's

population. Figures 1.1 and 1.2 Show the area of study in Nairobi and local contexts respectively.

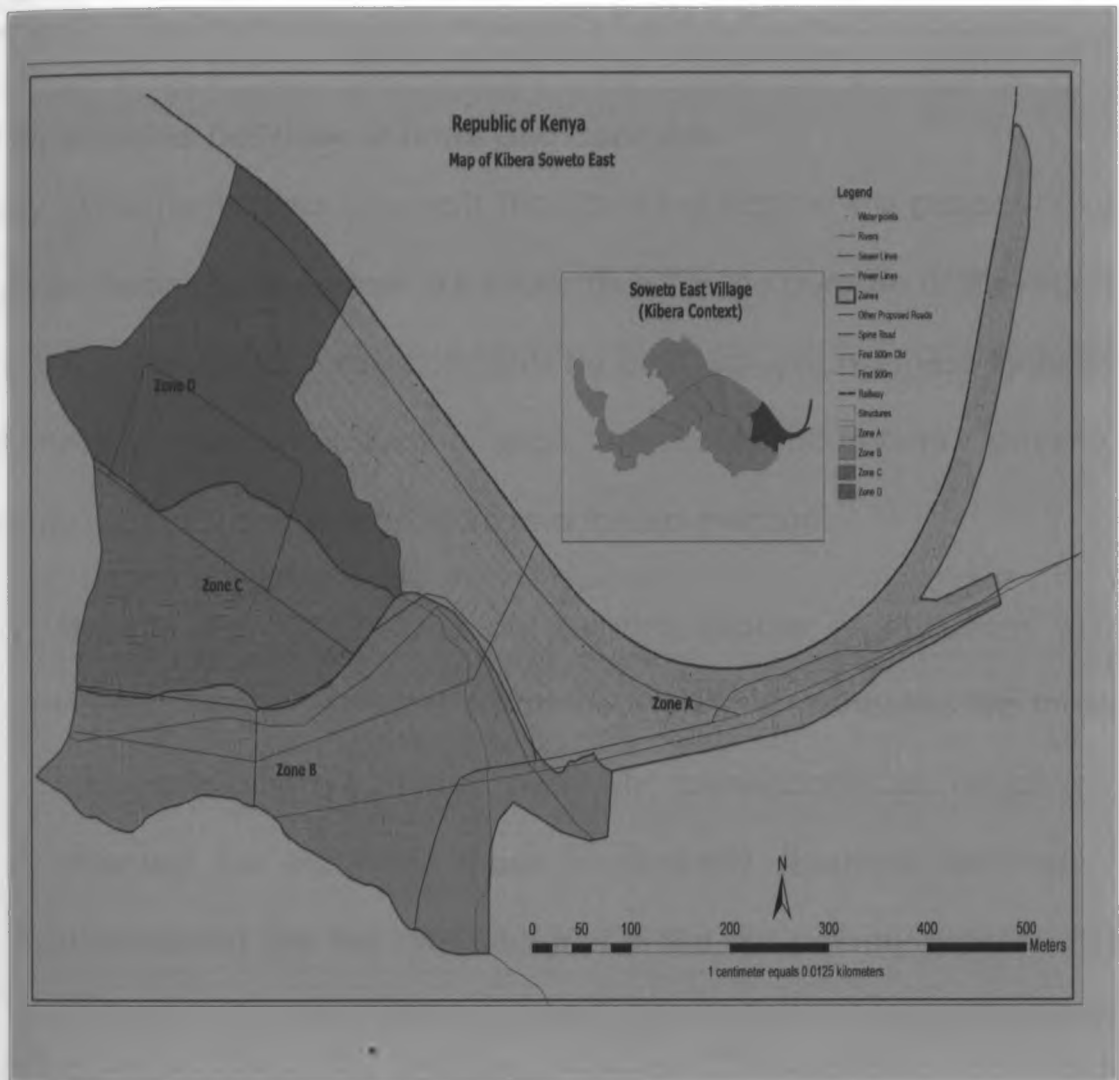
**Figure 1.1: Kibera in Nairobi context.**



**Source: GoK, 2002**



**Figure 1.2: The Study Area in the Local Context**



**Source: GoK, Ministry of Housing, 2010**

The study was designed to examine the nature and level of the existing relocation strategy used in the study area while identifying the actors involved and their specific roles with regard to the relocation process. The study also assessed the challenges facing the existing relocation

arrangement in the study area with an ultimate aim of recommending a comprehensive relocation action plan for the slum upgrading process.

### 1.9 Operational Definition of Terms and Concepts

Many of the terms and concepts that form the basis of this project have multiple meanings. Therefore, it is imperative, for the purpose of this report that the meanings of these concepts be clarified upfront. These include: stakeholder, relocation action plan, capacity, household, poverty, poverty reduction, relocation, slum and forced eviction.

- **Stakeholder:** Stakeholders are persons, groups or institutions with interests in a project or programme. Primary stakeholders are those ultimately affected, either positively; beneficiaries or negatively affected for example, those involuntarily resettled. Secondary stakeholders are the intermediaries in the aid delivery process. This definition of stakeholders includes both winners and losers, and those involved or excluded from decision-making processes. A stakeholder is a person who can affect the outcome or success of a project and or is affected by its outcome or success. Key stakeholders are those who can significantly influence, or are important to the success of the project. For the purpose of this study, the definition by McElroy & Mills (2000) has been adopted, where a project stakeholder is a person or group of people who

have a vested interest in the success of a project and the environment within which the project operates.

- **Relocation Action Plan:** The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by or interested in an investment project.
- **Capacity:** A combination of knowledge, skills and aptitudes that individuals/organizations possess to carry out what they consider their mission or mandate. It is the quality of 'doing and acting' as a function of expected aims and results as per prescribed terms of reference of benchmark.
- **Household:** Comprises person(s) or group of persons generally bound by ties or kinship who live together under a single roof or within a single compound and who share a community of life in that they are answerable to the same head and share a common source of food (Kirui, 2003).
- **Poverty:** The inability to attain a minimal standard of living measured in terms of basic consumption needs such as food, clothing and shelter or the lack of income to satisfy them (Kirui, 2003).

- **Poverty Reduction:** A deliberate process of targeted interventionist policies, programmes and projects aimed at reversing the trends of all forms deprivations (Kirui, 2003).
- **Relocation:** Relocation is the movement of a large group of people from one region to another by state policy or international authority (Zayas, 1975). Often the affected population is transferred by force to a distant region, perhaps not suited to their way of life, causing them substantial harm. In addition, the loss of all immovable property and, when forced, the loss of substantial amounts of movable property, is implied (Zayas, 1995).
- **Slum:** A slum, as defined by UN-HABITAT, is a run down area of a city characterized by substandard housing and squalor and lacking in tenure security (UN-Habitat, 2005). Although their characteristics vary between geographic regions, they are usually inhabited by the very poor or socially disadvantaged. Slum buildings vary from simple shacks to permanent and well maintained structures. Most slums lack clean water, electricity, sanitation and other basic services.
- **Capacity:** Community capacity can be seen as the capacity of the people in communities to participate in actions based on community interests, both as individuals and through groups, organizations and networks (MckNight, 1990)

- **Forced eviction:** The term "forced eviction" refers to the removal of people from their homes or lands against their will, directly or indirectly attributable to the State (UNCHR, 1993). It is a widespread and growing practice annually affecting millions of persons in developed and developing countries (UNCHR, 1993).

### 1.10 Research Constraints

The study faced a number of constraints both at the design and execution stages.

Firstly, the subject of relocation action planning in slum upgrading is still evolving as an issue of study hence making the concept somewhat controversial and fluid. This made the perception of the study elusive in the earlier stages of its conceptualization. This was overcome by wider review of literature and active consultation.

Secondly, the study faced logistical problems. This was because of the complex and fragile nature of the area of study coupled by the high emotions among members of the resident community. This made the effort of gathering accurate data difficult. Careful administration of questionnaires and the employment of other appropriate data collection instruments such as focus group discussions assisted in overcoming this problem.

Last but not least, the study was constrained by inadequate time and funding. This necessitated the scaling down of the budget and Rapid Appraisal techniques used to collect data.

## CHAPTER TWO: LITERATURE REVIEW

### 2.1 Introduction

Cities have become centres where vast numbers of people compete for the basic elements of life (World Bank 2002). For a room within reach of employment, with an affordable rent or with a vacant land on which a shelter can be erected without fear of eviction, for places in schools, for medical treatment for health problems or injuries, or a bed in hospital for, access to clean drinking water, and enormous competition for jobs. In majority of cases, the government has power and resources to increase the supply and reduce the cost of many of these (Hardoy and Satterthwaite, 1995).

Africa has the world's highest urbanization rates with an annual average of urban growth of 4.0% (GOK, 2007). Currently 37% of the continent's population lives in the cities and by 2030 the urban population is expected to have risen to 53% of the total population (Ibid, 2007). These current trends on population and human settlement growth defy belief almost an aphorism that Africa is the least urbanized continent in the world (Ahen, 2002). The region has experienced high rates of urbanization in an environment of consistent economic decline over the recent past with increasing urban impoverishment. It is estimated that 41% of the urban residents live below the poverty line in the region with two out of

five of these residents living in circumstances deemed to be life threatening (Amis, 1983). On the current trends it is the only region where the number of people living in extreme poverty will increase by more than 100 million between 1990 and 2015 with little or no access to shelter, basic services and social amenities (World Bank 2002)

The shortage of urban housing and the problem of inadequate shelter have manifested themselves in the rapid formation and growth of informal settlements and tenement structures riddled with deficiencies in supply of most basic infrastructure and public facilities required for human habitation. It is estimated that more than half of Kenyan's urban population now live in slums, informal settlements, implying that over five million urban residents live in deficient housing and infrastructure (GOK /UNCHS, 2001). In response to the above challenge, the government and other actors such as development partners, Non Governmental Organizations, local authorities and the community have adopted various approaches to deal with the problem. The slum upgrading approach requires the compulsory 'decanting' or relocation of existing slum residents into alternative temporary or permanent dwellings (Pratt, 2008). Some residents depending upon individual circumstances and wishes and the availability of suitable homes can then move back into redeveloped housing (Pratt, 2008).



## **2.2 Slum Upgrading**

At its most basic level, slum upgrading involves improving the physical environment of slums (Abrahams, 1977). This includes improving and/or installing basic infrastructure like water, sanitation, solid waste collection, access roads and footpaths, storm drainage, electricity, public lighting and public telephones. Upgrading also deals with regularizing security of land tenure and promoting home improvement, as well as improving access to social programs e.g. health, education, child care, transportation and municipal services.

### **2.2.1 Slum Upgrading Initiatives**

#### **a) Site and Service Scheme**

Beginning in the 1970's, it was realized that there was a necessity to adopt realist and pragmatic housing provision strategies other than slum clearance, eradication and negligence. A new strategy that was strongly associated with involvement of the World Bank and UNSAID was the site and service scheme. In Kenya it was first done in Dandora, Nairobi where 6,000 serviced plots were provided on a cost recovery basis (World Bank, 1999). However, in 1986 the government ushered in the implementation of the Structural Adjustment Programmes (SAPs) which led to withdrawal of service provision and instead provided an enabling environment for housing development (GOK, 2006).

## **b) Redevelopment**

Redevelopment of slums and informal settlements involves the demolition of the dilapidated housing structures and construction of new ones (GOK, 2006). The redevelopment of Pumwani Majengo Project was implemented by the National Housing Corporation where Phase 1 saw the construction of 284 three roomed flats. The rooms were designed to allow for sub letting of one or two rooms at about KSh. 3,500 per room against the repayment of Kasha 1,700 per month which provided an option for affordability (Abrahams, 1977). However, the Pumwani Majengo Phase 11 and the Nyayo High Rise ended up being unaffordable to slum dwellers. This approach raises the question of housing affordability, programme financing and negotiation with the affected community prior to the relocation process (GOK, 2006).

## **c) Kenya Slum Upgrading Programme (KENSUP)**

In July 1999, the Cities Alliance formulated the Cities without Slums Action Plan. The Action Plan challenges "the donors, government and the slum communities to improve the lives of 5-10 million slum dwellers by 2005 and 100 million by 2020" (Cities Alliance, 1999). It was endorsed by the world's heads of state at the UN Millennium Summit in September 2000 which yielded the Millennium Development Goals (MDGs). It was reflected in MDG 7, Target 11, which is to achieve a significant improvement in the lives of at least 100 million slum dwellers by 2020. It was in the same year

that a meeting between the then President of Kenya and the Executive Director of UN-HABITAT led to KENSUP. The goal of the programme is to improve the livelihoods of at least 5.3 million people living and working in the slums and informal settlements of Kenya within a period of 16 years (GOK, 2006).

The vision of the programme; to have improved and sustainable urban environments in Kenya together with its stated goal; to improve the livelihoods of people living and working in the slums, all reflect the wish of the programme to be community centred. Activities that would lead to the realization of the goals and objectives of the programme would therefore be done through engaging full and active participation of stakeholders (KENSUP, 2005). The programme which began in 2001 is in its implementation phase, having gone through the inception and preparatory phases.

### **2.3 Upgrading Kibera slum (Pilot project)**

KENSUP, through a Nairobi Situational Analysis identified Kibera as one of the initial sites that required intervention. The programme developed an upgrading approach that involved:

### **2.3.1 Socio-economic mapping**

This was done to capture the existing socio-economic situation of the people living, working or owning structures in the settlement. Other components that were captured include: social facilities, structure standards and layout among others (KENSUP, 2006). A number of actors were involved in this exercise including the local government, Ministry of Housing, NGOs, Research Institutions such as Research International, donor agencies and to some extent the community. It is at this point that some of the weaknesses of the programme can be identified. Failure to involve the community in such an exercise through equipping them with data collection and management skills did not auger well with the community. Initial involvement of the community in such a programme determines its sustainability to a great extent (Bodowes and Kwinga, 2003). Community involvement at this stage plays a key role in laying out the road map for redevelopment including the most critical aspect of relocation.

### **2.3.2 Development of a Master plan**

This is a plan that shows the proposed most appropriate land uses in terms of commercial, residential, community clusters and neighbourhoods, public utility, recreational, institutional and infrastructure (De Groot et al, 2002). At this point, community engagement is also important so as to ensure that they understand the social and economic responsibilities

associated with every plan that they propose. This way they would be readily willing to spearhead a relocation plan for the purposes of upgrading.

### **2.3.3 Formation of Co-operatives**

Cooperatives societies are regulated by Cooperative Society Act (Cap 490) of the laws of Kenya, and are vehicles for mobilizing both people and finances for housing particularly in within the low income bracket. Housing cooperatives have gained popularity in both housing development and slum upgrading with the National Cooperative Housing Union sensitizing and training communities on technical issues in upgrading. The products of NACHU are housing mortgages, house rehabilitation, relocation and resettlement, infrastructure development and income generating housing programme. The cooperatives are very critical when relocation becomes necessary due to the nature of the redevelopment and when an informal settlement is located in an area that is unsuitable for development (Gichira, 1993). For example the residents of Mitumba village near Wilson Airport harnessed their resources through NACHU and relocated to Syokimau.

### **2.3.4 Relocation**

Due to the nature of the upgrading process, the programme incorporated temporal relocation to allow for redevelopment of the

housing structures. The relocation process that was carried out early this year has the raised concern of various stakeholders over its economic, social, cultural, environmental and institutional sustainability. Urban infrastructure and transportation projects that cause displacement include slum clearance and upgrading; the establishment of industrial and commercial estates; the building and upgrading of sewerage systems, schools, hospitals, ports; and the construction of communication and transportation networks, including those connecting different urban centres (Cernea, 1993).

#### **2.4 Relocation Trends in Various Parts of the World**

In Africa, in general the record of relocation in upgrading projects is distinctly mixed. The Nylon project in Cameroon for instance, has an especially poor record. Almost 2,000 households were displaced in the first phase of the project, rising to a total of 3,700 by the end of the project. Only 20 percent of these were resettled which is one of the reasons why the World Bank cancelled the loan and closed the project in 1994. A particular problem is that some of the relocated households never received the financial compensation they were promised or the title to their new land. In Mali the District of Bamako's "Save Our Neighbourhood Project" of 1992 was plagued by similar problems. Evaluations show that displaced households ended up paying more for the land in order to

obtain legal title while the residents who remained in the squatter areas were less concerned with obtaining formal titles and did not pay.

In Nigeria, 300,000 squatters were forcibly relocated from the settlement of Moroko in Lagos. The official reason was that they were occupying government land that was only 1.5 meters above sea level and therefore liable to flooding and complete submergence. Therefore, the government cleared Moroko in the 'over riding public interest' and supposedly to enable better planning so as to improve the lives of the evictees. However, research suggests that the real reason behind the eviction was that elite groups wanted to use the central and highly desirable location for themselves (Mitullah and Kibwana, 1998). A survey by COHRE published in 2004 found that in the course of the year, over 30,000 households were forcibly evicted without compensation or provision of alternative accommodation (COHRE, 2004). Such are the issues that have continued to mar slum upgrading projects which in most cases are carried out to improve the lives of the very slum dwellers and settlers that they oppress.

However in Mumbai, India, 60,000 people were moved without coercion to pave way for improvements to the city railway system. The squatters were relocated with their full agreement and cooperation and in conjunction with SPARC, the National Slum Dwellers Federation, Indian Railways and the World Bank. The relocation programme benefited from

the high degrees of community organization among the population that was to be relocated with particular attention paid to reducing the cost for those who were resettled (Ramos, 1990).

Negotiated relocation was also successfully carried out in Southern Brazil where some 50 homeless households organized themselves in the face of stubborn official indifference to their claims and with the help of an NGO; they occupied a derelict downtown bank building. A compromise was reached whereby they would give up the building for a plot of land on the periphery designated by the authorities. However, two months later they were still waiting, and they started building shacks on the promised plot only to be forcefully evicted. Following intense negotiations, the area municipal council allocated a small piece of land for the families involved to share among themselves. A federal programme gave each household US\$2,000 to meet basic infrastructure and construction cost. The state company managed the construction jointly with the households while the National Movement for Housing Struggle, designed the plans for multi storey housing that freed up land for other activities. This is a clear indication that even the most successful relocation projects have not been without some aspects of eviction and a persistent struggle on the part of the community.



It is worth noting from the above stated cases of relocation that, the whole process including cases of forced evictions largely depend on the shelter policies in place.

## **2.5 Shelter Policies**

The policy initiatives proposed for addressing slums and squatter settlements require consistency in implementation. It is also necessary that such policy decisions be reviewed regularly. It is important to have consistency through time and space in the implementation of policies providing homes for the urban poor, in order to pre-empt further formation of slum or squatter settlement. Like the need to ensure that the relocation programme is a socially inclusive process transparent of all stake holders, consistency in policy implementation is important in reassuring members of poor households that their housing needs will be met in a timely and efficient manner. A critical examination at shelter policies in the country reveals some gaps in the framework.

### **2.5.1 International Covenant on Economic, Social and Cultural Rights**

The International Covenant on Economic, Social and Cultural Rights enshrines the most important legal source of housing rights under international human rights law. Article 11(1) of the Covenant explicitly recognizes the right to housing of everyone living in countries which have ratified this important treaty. Article 11(1) has been consistently interpreted as providing legal protection against forced evictions, most notably within

General Comment No. 7 and General Comment No. 4. General Comment No. 7 on the Right to Adequate Housing is the leading legal interpretation of the right to be protected against forced eviction adopted by the Committee on Economic, Social and Cultural Rights in 1997. This general comment represents the most far-reaching decision under international law on forced evictions and human rights, detailing what governments, landlords and institutions must do to prevent forced evictions. General Comment No. 4 on the Right to Adequate Housing released in 1990, made it clear that forced evictions are a violation of human rights. The Committee considers in paragraph 18: "that instances of forced evictions are prima facie incompatible with the requirements of the Covenant and can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law." According to the Covenant on Economic Social and Cultural Rights (CESCR) procedural protection that should be applied in relation to relocation includes:

- An opportunity for genuine consultation with those affected
- Adequate and reasonable notice for all affected persons prior to the scheduled date of evictions
- Information on the proposed evictions, and where applicable on the alternative purpose for which the land or housing is to be used, to be made available in a reasonable time to all those affected

- Especially where groups of people are involved, government officials or their representatives to be present during an eviction
- All persons carrying out the evictions to be properly identified
- Evictions not to take place in particular bad weather or at night unless the affected persons consent otherwise
- Provisions of legal remedies
- Provisions where possible, of legal aid to persons who are in need of it to seek redress from the courts.

### **2.5.2 International Covenant on Civil and Political Rights**

The International Covenant on Civil and Political Rights states that "no one shall be subjected to arbitrary or unlawful interference with his or her home" and that "everyone has the right to the protection of the law against such interference."

### **2.5.3 Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment**

This Convention prohibits "acts of cruel, inhuman or degrading treatment or punishment." The Committee against Torture has held that forced evictions may indeed constitute cruel or inhuman treatment in violations of the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment (GoK, 2000b).

#### **2.5.4 European Convention on Human Rights and its Protocol No. 1**

This Convention states that "everyone has the right to respect for his home" and that "there shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others." Additionally, Protocol No. 1 to the European Convention states that "every natural or legal person is entitled to the peaceful enjoyment of his [or her] possessions." The European Court of Human Rights has held these rights to be violated by the practice of forced eviction (GoK, 2000b).

#### **2.5.5 African Charter on Human and Peoples' Rights**

The African Charter guarantees the right to property, the right to protection of the family and the right to the best attainable state of health. The African Commission on Human and Peoples' Rights has held that these rights imply a right to adequate housing, including the prohibition on forced eviction (GoK, 2000b).

#### **2.5.6 Commission on Human Rights Resolution 2004/28**

The Commission on Human Rights is the world's most important human rights body. While resolutions adopted by this body are not per se legally binding on governments, they are considered important normative

standards and they possess political legitimacy as they are adopted by governments. The Commission's Resolution on April 16, 2004 (2004/28) reaffirmed the practice of forced eviction constitutes a grave violation of human rights, and "strongly urges Governments to undertake immediately measures, at all levels, aimed at eliminating the practice of forced evictions" (GoK, 2000b).

### **2.5.7 Commission on Human Rights Resolution 1993/77**

The Commission's earlier Resolution on March 10, 1993 (1993/77) stated the practice of forced eviction constitutes a grave violation of human rights, and "recommends that all Governments provide immediate restitution, compensation and/or appropriate and sufficient alternative accommodation or land, consistent with their wishes and needs" (GoK, 2000b).

### **2.5.8 Sub Commission on the Protection of Minorities**

The U N Sub-Commission on Prevention of Discrimination and Protection of Minorities adopted a number of important resolutions on forced evictions during the 1990s: 1998/9, 1997/6, 1996/27, 1995/29, 1994/39, 1991/12. The Sub-Commission's Resolution 1998/9: "Reaffirms that the practice of forced evictions constitutes a gross violation of a broad range of human rights, in particular the right to adequate housing, the right to remain, the right to freedom of movement, the right to privacy, the right to security of the

home, the right to security of tenure, the right to food and a variety of additional rights" (GoK, 2000b).

### **2.5.9 Millennium Development Goals**

According to a UN report (2008) on Millennium Development Goals that targeted the significant improvement of livelihoods of millions of slum dwellers by the year 2020, the global community had not only fallen short of this target with an additional 50 million people having been added to the slums of the world in the past two years, but that the practices of forced evictions were worsening the lives of millions of urban poor each year.

### **2.5.10 National Housing Policy: Sessional Paper NO. 5 1966/1967**

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

### **2.5.11 Revised National Housing Policy: Sessional Paper No. 3 of 2004**

Kenya's revised National Housing Policy as articulated in Sessional Paper No. 3 of 2004 is intended to address the deteriorating housing conditions countrywide and to bridge the short fall housing stock arising from demand that far surpasses supply, particularly in urban areas. The shortage in housing is manifested in overcrowding, proliferation of slum and informal settlements especially in peri-urban areas. The policy aims at: enabling the poor to access housing and basic services and infrastructure; encouraging integrated, participatory approaches to slum upgrading, including income-generating activities that effectively combat poverty; promoting and funding of research on the development of low cost building material and construction techniques; harmonizing existing laws governing urban development and electric power to facilitate more cost effective housing development; facilitating increased investment by the formal and informal private sector, in the production of housing for low and middle-income urban dwellers; creating a Housing Development Fund to be financed through budgetary allocations and financial support from development partners and other sources. Although the policy statement could address some aspects of relocation, it does not address the issue of evictions and negotiated relocations.

### **2.5.12 HABITAT Agenda**

The Habitat Agenda is the main document that came out of the United Nations' 1996 Conference on Human Settlements in Istanbul and has been adopted by all members of the Commonwealth. It contains commitments in the following areas: adequate shelter for all; sustainable human settlements; enablement and participation; gender equality; financing shelter and human settlements; international co-operation; and assessing progress. The agenda is yet to see its full implementation given the challenges that are in most developing countries such as Kenya.

## **2.6 Theoretical Framework**

### **2.6.1 Theory of Justice**

It was originally published in 1971 by John Rawls in an attempt to solve the problem of distributive justice by utilizing a variant of the familiar device of the social contract (Sen, 1992). Rawls argues for a principled reconciliation of liberty and equality (Sen, 1992). Central to this effort is an account of the circumstances of justice, and a fair choice situation for parties facing such circumstances. According to Rawls (1971) principles of justice are sought to guide the conduct of the parties. These parties face moderate scarcity, and they are neither naturally altruistic nor purely egoistic: they have ends which they seek to advance, but desire to advance them through cooperation with others on mutually acceptable terms.



Like other philosophers such as Hobbes, Locke, and Kant, Rawls belongs to the social contract tradition (Sen, 1992). However, Rawls' social contract takes a slightly different view from the others as he develops what he claims are principles of justice through the use of an entirely and deliberately artificial device he calls the 'Original position' in which everyone decides principles of justice from behind a 'veil of ignorance' (Rawls, 1971). He points out that this "veil" is the one that essentially blinds people to all facts about themselves that might cloud what notion of justice is developed. He adds "no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance." According to Rawls, ignorance of these details-about oneself will lead to principles that are fair to all. If an individual does not know how he will end up in his own conceived society, he is likely not going to privilege any one class of people, but rather develop a scheme of justice that treats all fairly. The study is based on Rawls second principle of justice.

In his second principle, Rawl states that social and economic inequalities are to be arranged so that they are to be of the greatest benefit to the

least-advantaged members of society and that offices and positions must be open to everyone under conditions of fair equality of opportunity (Rawls, 1971). He claims that departures from equality of a list of what he calls primary goods 'things which a rational man wants whatever else he wants' are justified only to the extent that they improve the lot of those who are worst off under that distribution in comparison with the previous, equal, distribution (Rawls, 1971, pg. 92). His position is at least in some sense egalitarian, with a proviso that equality is not to be achieved by worsening the position of the least advantaged. An important consequence here, however, is that inequality can actually be just on Rawls' view, as long as they are to the benefit of the least well off. His argument for this position rests heavily on the claim that morally arbitrary factors for example, the family we're born into shouldn't determine our life chances or opportunities. Rawls is also keying on an intuition that we do not deserve inborn talents; thus we are not entitled to all the benefits we could possibly receive from them, meaning that at least one of the criteria which could provide an alternative to equality in assessing the justice of distributions is eliminated. He further stated that 'fair equality of opportunity' requires not merely that offices and positions are distributed on the basis of merit, but that all have reasonable opportunity to acquire the skills on the basis of which merit is assessed.

With respect to relocation and resettlement, Rawls's general conception enables us to recognize some of the problems encountered by those displaced as injustices (Jay, 1999). An unsuccessful resettlement scheme can fail to benefit the displaced and in addition cause further impoverishment. According to Rawl, it can create new inequalities by depriving of people not only income and wealth but also their social goods in two other categories which he states as liberty and opportunity, and social bases of respect. If we align ourselves to this school of thought that justice forbids any inequalities unless they work to everyone's advantage, then we can be in a position to see these effects of displacement not only as impoverishing but as unjust. The first contribution of the Rawlsian general conception of justice, then, is to synthesize these various impoverishing effects of bad resettlement plans as evidence of injustice (Jay, 1999).

A critical examination of development projects such as dam which displace whole communities leading to utilitarian nightmares reveals a clear picture of Rawls theory of justice. The irony of such projects is that they actually did promote greater good for a greater number; never mind that in many cases there are grounds for doubting this (Smith, 1996). A criticism often made of projects like these is that the sacrifices and impoverishment that are imposed upon the displaced in order to achieve

this "greater good" are intolerable (Smith, 1996). Rawls's theory states that a scheme or system which creates advantages for some parts of a community is unjust unless it creates benefits for all and hence injustice is simply inequalities that are not to the benefit of all (Rawls, 1971)

Rawls further supports standards for best practice in treatment of people displaced by development projects. According to this theory, the ideas of compensation and mitigation come nowhere close to satisfying this conception of justice, which would require that the condition of displaced people be improved not only in terms of income and wealth which is conceived broadly to include access to land, to productive resources, and to other subsistence resources such as forests, but also in terms of liberty and opportunity which entails consultation and self-determination for affected communities and individuals, as well as social bases for respect including a community social organization sufficient for cultural survival (Jay, 1999). This therefore implies that a community and its members are not to be made worse off in assets or resources due to relocation but instead the outcome is to be advantageous to them. In support of the theory of justice to Smith (1996) suggested that as an alternative set of principles for justice in resettlement: displacement and resettlement are to be freely negotiated by the community in a process in which all members are fairly represented. He indicated that community members' social and cultural means of self-respect are not to be

damaged by relocation as is usually the case in many relocation projects. Smith further added that a community has the right to refuse displacement if, in doing so, they do not perpetuate or impose deeper disadvantages upon other communities or other segments of the society.

Based on the theory of justice, Jay (1999) investigated displacement induced inequalities as injustices. His findings indicated that displacement and faulty resettlement can impoverish people by degrading the assets or resources which they had formerly relied upon to provide for their own subsistence and income. Losses of this sort were also captured by Cernea and others among the eight categories of "impoverishment" that are found to result from development induced displacement. These are indicated in table 2.1.

**Table 2.1 Development Induced Displacement Losses**

Category	Implication
Landlessness	Expropriation of land removes the main foundation upon which people's productive systems, commercial activities and livelihoods are constructed. This is the principle form of recapitalization and pauperization of displaced people, through the loss of both physical and man-made capital

<i>Joblessness</i>	Loss of employment particularly affects urban people, but also occurs regularly in rural areas, displacing landless labourers and service workers, artisans and small businessmen. Creating new jobs is as difficult as finding empty lands, and resulting unemployment or underemployment lingers long after physical relocation.
<i>Homelessness</i>	Loss of housing and shelter is temporary for some displacees, but for some it remains a chronic condition
<i>Marginalization</i>	Marginalization occurs when families lose economic power and slide downwards: middle-income farm households do not become landless, but become small landholders; small shopkeepers and craftsmen are downsized and slip below poverty threshold
<i>Loss of Access to Common Property</i>	For poor people, particularly for the landless and otherwise asset less, loss of access to non-individual, common property assets belonging to communities that are relocated represents a cause of income and livelihoods deterioration that is systematically

	overlooked and typically uncompensated in government schemes
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**Source: Cernea, 1996**

According to Cernea (1996), the types of assets and resources that are lost, inadequately replaced or degraded are quite varied, and while some of them would count as "wealth" in the economists' sense, others may count as "wealth" or "assets" only in a broader, non-monetary sense. Some of these assets may have been owned by the displaced people; others including common property as well as rented property may have been used though not owned by the users, while others such as jobs may only have been held. We can therefore argue that in saying that for these people losing these assets and resources is impoverishing is not quite appropriate. We can only say that by losing these kinds of assets and resources, people are made worse-off (Jay, 1999). Consequently these are clearly the sorts of assets and resources that Rawls would consider "social goods", subject to the general conception of justice (Jay, 1999).

It follows therefore that when people displaced by development projects are impoverished in these ways, then, the project not only creates an

inequality that fails to benefit all, but it creates an inequality precisely by making these people worse-off. According to the general conception, then, when the sorts of impoverishment that Cernea (1996) lists result from development-induced displacement, an injustice is created.

### **2.6.2 Liberty and Opportunity**

According to Rawl theory of justice, to be displaced involuntary entails that one's liberty has been curtailed. Theodore (1982) however notes that this involuntariness can be mitigated by consultation and negotiation with the community in question. In the ideal case, if the terms of resettlement are negotiated freely between the state and the displaced community, then arguably the relocation is not involuntary at all, and no liberty has been lost (Cernea, 1996). Cernea observes that many government agencies decide in secrecy on displacement needs, amounts, procedures, terms and deadlines, without the consultation and participation of those who have their most vital interests at stake. This often forces people to exercise participation by opposition and demonstrative resistance, rather than by bargaining and cooperation in finding the best possible solutions (Cernea, 1996).

From the Rawlsian perspective, liberty and opportunity are social goods subject to the general conception of justice (Jay, 1999). It is one of the social goods in which inequalities are not to be created, unless they work to everyone's advantage (Rawl, 1971). The principle has interesting



implications concerning consent to displacement. On one hand, imposed displacement or resettlement that is not freely negotiated with the displaced community would not only fail to make everyone better-off, in terms of liberty, opportunity, and self-determination, but it would directly disadvantage this community in particular (Jay, 1999). On the other hand, it would also be unjust for the community to withhold consent if the project were actually necessary for raising opportunities elsewhere and thus equalizing them within the larger society (Jay, 1999). We can therefore conclude that the general conception of justice cuts both ways as it raises a standard for states and projects to consult with potentially displaced communities and also sets a standard for those communities, should they find themselves in a negotiating position where refusal of the project might have unjust effects on other communities and other sections of the society.

### **2.6.3 Critics**

Robert Paul criticizes Rawls theory of justice on the account of its inclination to Marxist perspective (Smit, 1973). Paul argues in this work that Rawls' theory is an apology for the status quo in so far as it constructs justice from existing practice and forecloses the possibility that there may be problems of injustice embedded in capitalist social relations, private property or the market economy.

Susan Moller largely focused on the extent to which Rawls' theory could account for injustices and hierarchies embedded in familial relations. Rawls argued that justice ought only to apply to the "basic structure of society". Feminists, rallying around the theme of 'the personal is political', took Rawls to task for failing to account for injustices found in patriarchal social relations and the gendered division of labour, especially in the household (Obudho and Juma, 2002).

The assumptions of the original position, and in particular, the use of maximin reasoning, have also been criticized with the implication either that Rawls designed the original position to derive the two principles, or that an original position more faithful to its initial purpose would not lead to his favoured principles (Swilling, 2006).

Some egalitarian critics have raised concerns over Rawls' emphasis on primary social goods. For instance, Amartya Sen has argued that we should attend not only to the distribution of primary goods, but also how effectively people are able to use those goods to pursue their ends (Sen, 1992). In a related vein, Norman Daniels has wondered why healthcare shouldn't be treated as a primary good (Swilling, 2006).

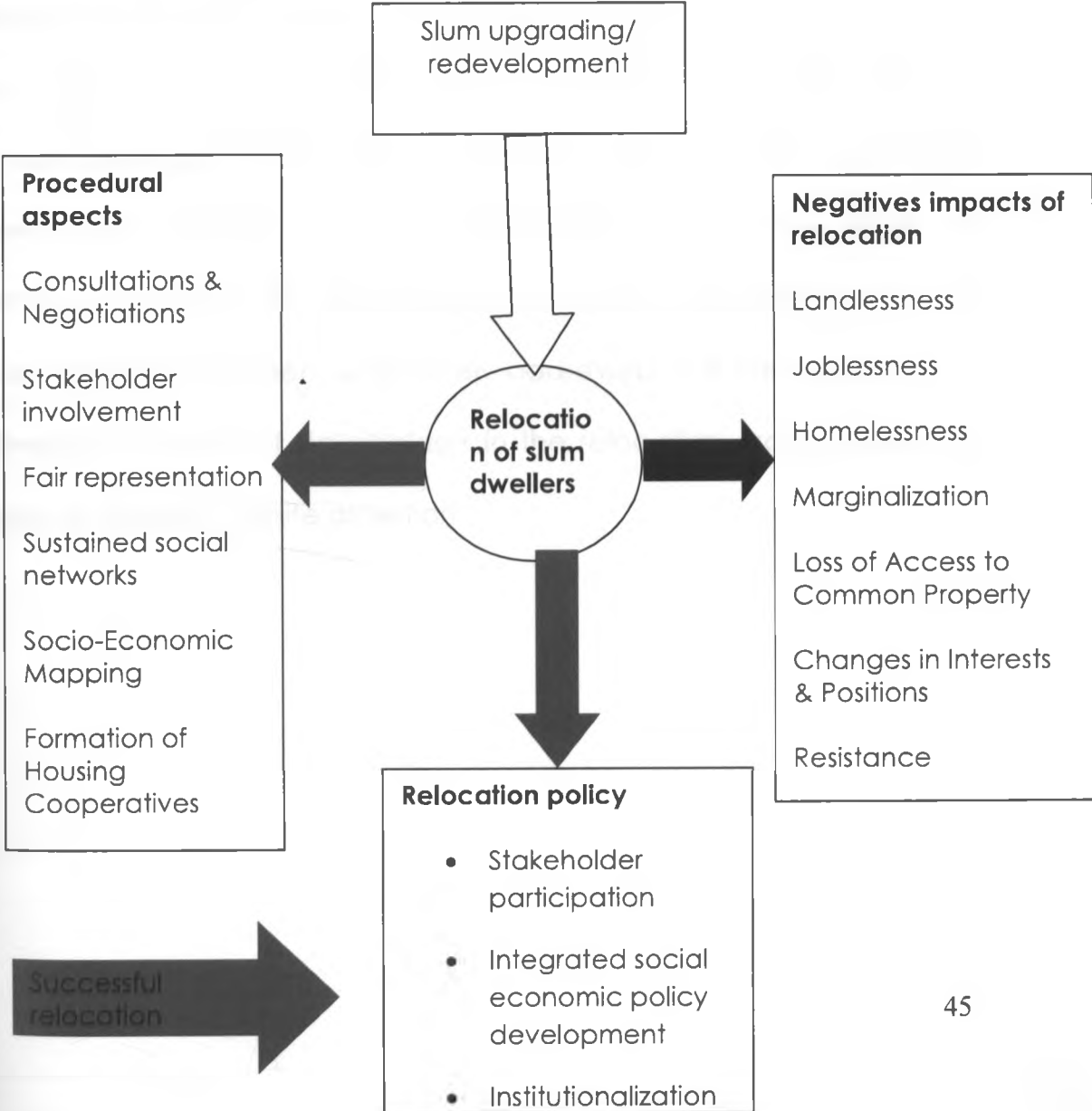
In response to some of the critics, Rawls has emphasized the role of the original position as a "device of representation" for making sense of the idea of a fair choice situation for free and equal citizens (Rawls, 1983). He has also emphasized the relatively modest role that maximin plays in his argument as "a useful heuristic rule of thumb" given the curious features of choice behind the veil of ignorance (Rawls, 1983). His subsequent work has addressed the question of a right to health care within a broad Rawlsian framework.

## **2.7 Conceptual Framework**

As governments seek to establish an enabling environment to promote the right to adequate housing, slum upgrading and other renewal programmes are on the increase. Most of the slums and informal settlements where upgrading is taking place are too dense and therefore require the relocation or decanting of the residents to allow for redevelopment. Most of the relocation projects that have taken place have been characterized by what Rawls in his Theory of Justice terms as 'injustices' against the disadvantaged. These projects that are meant to improve the livelihoods of the residents they relocate became the monsters that live them in a worse off state. In most instances they become landless, homeless, marginalized, jobless and they even lose access to common property which they had prior to relocation. However, to avoid this situation the government should ensure the full involvement

of the community from the project inception phase. Negotiations and consultations with the community are critical as well as sustained social networks through an adequate framework. Coupled with these procedural aspects is a relocation policy that is inclusive of all actors; integrates social economic issues and one that institutionalizes a coordination mechanism for all stakeholders in the relocation process as highlighted in figure 2.1.

**Figure 2.1 Conceptual Model**





**Source: Field Survey, 2010**

## **2.8 Gaps in Knowledge**

Following an in depth analysis of relocation, the recent trends, policy issues on relocation and the theory of justice advanced by John Rawls, I have acknowledged that gaps exists in the area of policy and legal framework on relocation in slum upgrading projects. The issues of decanting vis-à-vis the site and adaptation of the vulnerable groups to the site have also not been adequately addressed. The harmonization of the divergent interests of stakeholders in the relocation process has also not been given the requisite attention.

## CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY

### 3.1 Introduction

A research design, states Claire et al (1962) is the arrangement of conditions for collecting and analyzing data in a manner that aims to combine relevance to reach purpose with economy of procedure. Decisions regarding what, where, when, how many and by what means a problem is solved constitute research methodology. In social sciences, Bogdan and Tailor (1975) hold that the term methodology refers to the process, principles and procedures by which we approach problems and seek answers. The study sought to examine the nature and the level of the current relocation strategy used in slum upgrading programme, identify the actors involve and their specific roles with regard to the relocation process in the study area, while assessing the challenges facing the relocation process in the study area. The ultimate goal of the study was to recommend an effective and comprehensive relocation action plan for a successful implementation of the sum upgrading programme in the study area and its replication in other informal settlements.

### 3.2 Research Design

The study was a descriptive research that sought to examine the nature and level of the current relocation strategy for slum upgrading in the study area. It identified the actors involved and their specific roles with regard to

the relocation process in the study area, while assessing the challenges facing the relocation process. The type of design adopted for this particular study was a case study. A case study is an in depth study of a particular situation rather than a sweeping statistical survey (Mugenda & Mugenda, 2003). It is a method used to narrow down a very broad field of research into one easily researchable topic. While it will not answer a question completely, it will give some indications and allow further elaboration and hypothesis creation on a subject (Hannsen et al., 1973).

The case study research design is also useful for testing whether scientific theories and models actually work in the real world (Miller & Krumbein, 1954). It is argued that a case study provides more realistic responses than a purely statistical survey (Miller & Krumbein, 1954). The advantage of the case study research design is that you can focus on specific and interesting cases. This may be an attempt to test a theory with a typical case or it can be a specific topic that is of interest. For instance, it was interesting to evaluate the recent relocation of Soweto East residents and recommend a strategic action plan.

Case studies are also flexible and may lead to the introduction of new ideas (Hannsen et al., 1973). While a pure scientist is trying to prove or disprove a hypothesis, a case study might introduce new and unexpected results during its course, and lead to research taking new

directions which could be more meaningful in the research area (Hannsen et al., 1973). However, some argue that because a case study is such a narrow field that its results cannot be extrapolated to fit an entire question and that they show only one narrow example (Mugenda & Mugenda, 2003). They are also limited to the extent to which one can generalize them to fit an entire population or ecosystem.

In view of both arguments for a case study, it was considered the most appropriate for this study for various reasons. One is because the field of study which is slum upgrading is too broad and dynamic and therefore the need to narrow down the research through a case study. It was also in an attempt to establish the extent to which the theories of capacity building in slum upgrading projects are actually working in reality. The research was also unique as it tried to develop an action plan for relocation of slum dwellers through proper legal frameworks, coordination of stakeholders, and involvement of the community through capacity building. Such issues of relocation could only be appropriately derived from a case study but not from a statistical survey.

### **3.3 Nature and Sources of Data**

The study sought to evaluate the relocation action plan for slum upgrading in Kibera's Soweto East informal settlement. To attain this goal, two types of data were collected. The primary data from the field gave



first hand information about the general information on the resident community and the challenges facing the relocation process in the study area. The secondary data on the other hand was gleaned from documented information, which included writings by others about the relocation strategies and actors involved in the relocation process of slum upgrading as a whole and passed through the statistical process (Kothari, 1995).

### **3.3.1 Primary Sources of Data**

The primary data was obtained from sampled households, focus group discussion, field observations and interviews with resource persons in the context of the subject of study.

### **3.3.2 Secondary Sources of Data**

This involved a systematic identification, allocation and analysis of published and unpublished information about the study area, the subject of study and the slum upgrading programme in general. These include the KENSUP's implementation, financing and communication strategies, KENSUP's national and local development plans, abstracts, other government documents (like the National Housing Policy and Vision 2030), related publications and reviews of the above sources in journals and magazines.

### **3.4 Population Description**

The population to be sampled was finite and was provided by true households according to the 1999 population census (Kenya, 1999). The Settlement Executive Committee formed a special and critical respondent group hence was part of the universe. Other respondent groups included KENSUP secretariat, local leaders, Government ministries, FBOs, interest groups, religious leaders, and representatives of NGOs working in the neighbourhood, council officials, special group leaders, parastatals, private sector organizations, bilateral and multilateral development partners, professional organizations, academia and political representatives.

### **3.5 Sampling Methods**

The sample units representing the smallest entity that provided responses were the households. These are the lowest identifiable social institution within which activities take place. Households are ideally units of production, consumption and reproduction. The choosing of this sampling unit was predicated on the premise that the slum upgrading programme and the resultant relocation is experienced / felt most at the household level. A sample of 60 households was taken from a universe of 3,000 true households (KENSUP, 2009). Such samples are considered convenient in terms of yield of data, and of finance and time available. The village (an Enumeration Area as per the 1999 population census) was the smallest

unit used in sampling. Several sampling techniques were employed by the study. This ensured a truly representative sample and adequate coverage of the area. This included the following:

### **3.5.1 Purposive Sampling**

Purposive sampling was used to select the SEC members, KENSUP secretariat, CCN officials, opinion leaders, relevant line ministries, NGOs working in the neighbourhood and other institutions in the informal settlement to obtain the respective information in light of the subject of study. The criteria employed included the institution's/individual's mandate, role in slum upgrading particularly relocation, challenges faced in playing such roles as well as the period the institution has been in operation in the study area.

### **3.5.2 Multi-stage Sampling**

Multi-stage sampling was employed to obtain the 60 respondents. Each stage involved balloting all the equally eligible populations. This ensured fair and representative samples. Multi-stage sampling refers to the successive sampling from an original universe to achieve the desired limited universe from which to choose actual respondents (Piel, 1982).

### **3.5.3 Systematic Random Sampling**

From a total of 3,000 households in the study area, a total of 60 households were chosen at random to respond to the household

questionnaires. The household questionnaires were administered to a total of 17 blocks at the decanting site with at least 4 questionnaires for every block with more weight given to the sizes of the block. The households to which questionnaires were administered were picked at intervals. This was necessary so as to reduce biasness. At least a household was picked from every floor of all the blocks visited.

### **3.6 Methods of Data Collection**

This subsection discusses the methods used to gather field data. They include Focus Group Discussion (FGD), questionnaires administration, oral interviews, and reviews of documented literature, photography and guided observation.

#### **3.6.1 Household Questionnaire**

This was used to capture the view of the community concerning the social and economic status of the sampled households and information about the relocation process. A total of 60 questionnaires were used to collect such information. Questions in the questionnaire comprised both closed-ended and open-ended. The questionnaires were administered by the researcher together with the research assistants. Only the heads of households were interviewed.

**Plate 3.1: Research assistant administering a household questionnaire**



**Source: field survey 2010**

### **3.6.2 Focus Group Discussion Method**

Participatory application of data collection was used under the banner of Focus Group Discussion (FGD). Stinson (2000) observes that FGD is done over a relatively shorter period of time (a few days to a few weeks) and while collecting data in this manner, emphasis is put on learning directly from local inhabitants. For instance Chitere et al (1991) used FGD lasting four weeks in establishing the status of development services and living conditions in Kabras and Mwingi divisions and provided a basis for choice of intervention strategies in the areas. This methodology was used to collect views from the stakeholders concerning the challenges facing the

relocation process and their perception on an effective way to conduct future relocation processes. The FGDs sessions culminated in an all-inclusive plenary session for the stakeholders rallying around the Settlement Executive Committee. The discussions was chaired and moderated by the researcher assisted by the research assistants and SEC officials. The views generated by the discussants informed the bulk of the relocation action plan for future relocations.

**Plate 3.2: SEC Members during a Focus Group Discussion**



**Source: Field Survey, 2010**

### **3.6.3 Oral Interview Schedule**

Oral interview schedule was used to obtain information from the CCN officials, KENSUP secretariat, group leaders and other relevant institutions operating in the area. Kerlinger, (1973) observes that interviews are

advantageous because of face to face interpersonal intersection. From this interviews the strengths, weaknesses, opportunities and threats (SWOT) concerning the subject under study is exhibited by the identified institutions.

#### **3.6.4 Participant Observation**

Participant observation method was used to obtain information on various aspects of the slum upgrading programme especially relocation at the household, community and policy level. As the deputy National coordinator of the programme, I got the chance to make several observations with regard to the phased relocation of the Soweto- East settlement community to the Langata decanting site. Such observations focused on the gaps in the existing relocation strategy, roles of actors involved in the relocation process and the challenges facing the relocation process. This is because observation increases range of relevance and reliability of data (Piel, 1982).

#### **3.6.5 Review of Documented Information**

Review of documented information also formed part of the data gathering methods. The documents visited include the KENSUP implementation, communication and financing strategies and communication action plan provided vital information for this study. Other documents analyzed included the Ministry of Housing documentations, COHRE reports, Pamoja Trust reports, Research International household

surveys for Kibera among others. Such documented information helped in realizing the objectives of the study.

### **3.6.6 Photography**

Still photographs were also used to capture manifestations of the general conditions of the study area and the slum upgrading implementation process. Such conditions included socio-economic activities in the study area, environmental conditions of the area and the general data collection exercise.

## **3.7 Data Analysis and Presentation**

The data collected was analyzed and presented using descriptive statistics and other quantitative methods.

### **3.7.1 Descriptive Statistics**

These included averages, percentages, and rankings. Averages and percentages were used to analyze per capita income levels, levels of education attained, skills, sexes, main economic activities in the study area, frequency of involvement in the slum upgrading programme, knowledge of KENSUP among others. The results were presented using tables, graphs, pie charts and photographs.

### **3.7.2 SWOT Analysis**

The strength, Weakness, Opportunities and Threat (SWOT) were used to gauge the effectiveness of the existing relocation strategy for the slum



upgrading programme in the study area. In more precise manner, Johnsons and Scholes (1999) aver that a SWOT analysis summarizes the key issues from the project environment and the strategic capability of a system that are most likely to impact on strategy development . This was useful as a basis against which to judge future courses of action. The aim was to identify the extent to which the current strengths and weaknesses of the existing relocation strategy are relevant to, and capable of, dealing with the changes taking place in the project environment. It was also useful in assessing whether there were opportunities for the development and improvement of the existing relocation strategy.

#### **4.8 Pilot Study**

Pre testing of household questionnaires was done before the actual field survey was carried out, to determine the validity and reliability of the instruments. The research instruments were pre-tested to a selected sample with similar characteristics to the actual sample that was used in the study. Coolian (1994) noted that pilot trials entail trying out prototype of a study of questionnaires on a sample in order to discover snags or errors on a design, or develop workable measuring instruments. Mugenda & Mugenda (2003) caution that subjects in the actual sample should not be used in the pre-test.

## 4.9 Reliability

Information obtained through analysis of questionnaires during the pre-test was compared with documented reports and substantial deviations corrected so as to ensure reliability of this instrument.

## **CHAPTER FOUR: DATA ANALYSIS, DISCUSSION AND PRESENTATION**

### **4.1 Introduction**

This chapter presents the findings of the study and attempts to answer the research questions posed by the study at the outset.

### **4.2 Demographic, Economic and Social Profiles**

This sub chapter presents the household sizes, ages and sex ratio of members of the resident community. It also focuses on education levels, professional trainings, and employment and income levels of the households as well as the data collection skills possessed by the members of the households.

#### **4.2.1 Household Size, Age and Sex Ratio**

About 61 percent of those residing in the study area are immigrants, who moved into the area in search for employment and affordable urban housing services. The average household size in the study area is six members per household with 54 percent of the population being female and 46 percent male. Among the females and males, 68 percent of the women are housewives while 70 percent of the men are unemployed. In terms of age, majority of the residents; 25 percent are aged between 20-29 years and only 3 percent aged 60 years and above as shown in table 4.1.

**Table 4.1: Age Groups in the Study area.**

<b>Age Groups</b>	0-9	10-19	20-29	30-39	40-49	50-59	60 and above	<b>TOTAL</b>
<b>Percentage (%)</b>	23	16	25	18	9	6	3	<b>100</b>

**Source: Field Survey, 2010**

Majority of those living in the site are therefore the youths who need employment and training opportunities to upgrade their lives and livelihoods. This is also the group that requires programmes that are aimed at laying a platform for self employment. A total of 39 percent of the population has attained the school-going age, yet those located to the decanting site have very limited access to affordable schools. The few schools found in the neighbourhoods are either too expensive for the parents to afford or if affordable, then too crowded to accommodate more students.

#### **4.2.2 Education Level, Professional Training, Employment and Income Level**

Majority of the residents in the study area have attained primary education. Of those interviewed, 41 percent possess primary education, while only 2 percent are graduates as shown in table 4.2.

**Table 4.2: Education Level**

<b>Education Level</b>	<b>Percentage (%)</b>
No Education	4
Nursery	6
Primary	41
Secondary	38
Tertiary	9
University/Higher	2
<b>TOTAL</b>	<b>100</b>

**Source: Field Survey, 2010**

The various levels of education possessed by the residents therefore indicate their capacity to participate in the slum upgrading process and different levels. In terms of professionalism, there are many people living in the study area with different professional trainings ranging from driving to engineering. Majority; 23 % of those interviewed are drivers as indicated in table 4.3. However, majority of the residents have not had a chance to participate in the programme despite possessing skills that could go along way in improving the implementation of the project. The study findings indicate that 85.71% of the respondents had not participated in any data collection activity facilitated by KENSUP while only 14.29% had participated in data collection as enumerator, enumerator guide, data entry clerks, data processing, community mobilization for data collection and dissemination of data collected. A significant number of the respondents would want the local community to be involved in data

collection while others are of the view that the community should be trained on data collection skills.

**Table 4.3: Professional Training**

Professional Training	Percentage (%)
Tailoring	11
Driving	23
Craftsman	02
Teaching	02
Welding	02
Secretarial	02
Nursing	02
Coaching Games	02
Hairdressing	11
Social Work	02
Mechanical	11
Security guard	02
Procurement	05
Computer Engineering	02
Accounting	07
Masonry	02
Community Development	02
Marketing	05
Technician	02
Architecture	02
Engineering	05
<b>TOTAL</b>	<b>100</b>

**Source: Field Survey, 2010**

Approximately 19.2 percent of the residents are either employed in the formal sector or are pensioners. The average monthly income of the

residents is 35 U.S dollars. Petty trade such as maize roasting, charcoal and second hand clothes sale, vegetables and grains vending, sale of timber products, fish mongering and water vending are the main sources of income to the community in the study area. Plate 4.1 shows some of the commercial activities in the area. However, most of the traders in the area say that the residents are not able to pay for the goods and services and so depend on borrowing; a phenomenon they observe does not augur well with the success of such commercial activities. As a result, many of them run into bad debts thus failing to meet their targets. Casual jobs such as the provision of security, construction and gardening constitutes employment base to the male residents and is an imperative source of domestic workers in to the middle and high income neighbourhoods in the city.

***Plate 4.1: Small Scale Trade in the Study Area***

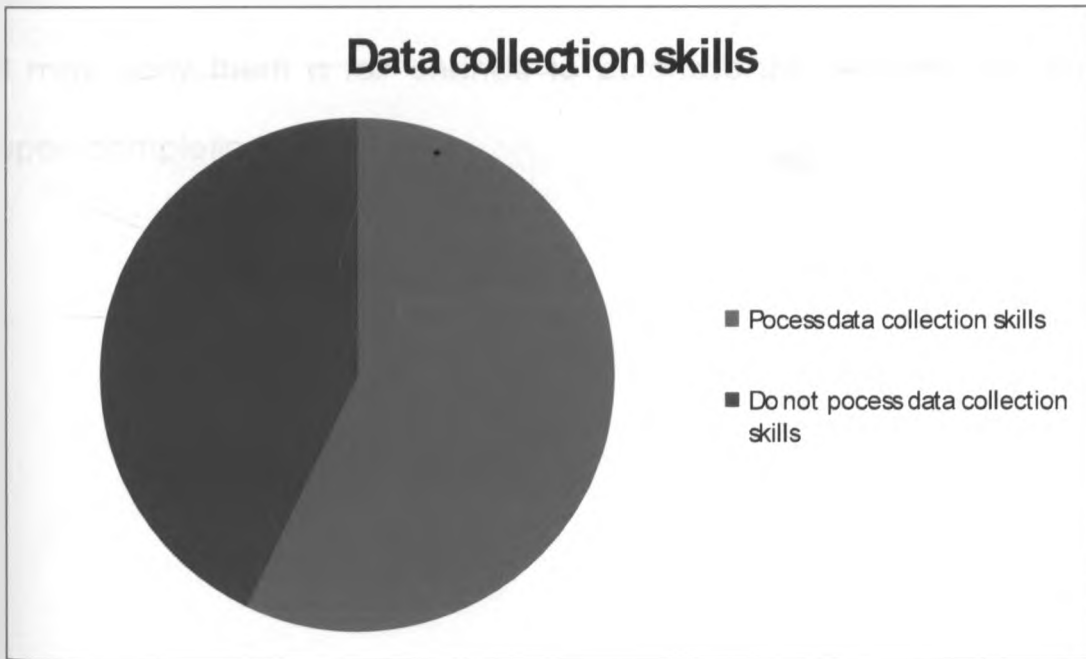


***Source: Field Study, 2010***

### 4.2.3 Data Collection Skills

57.14% of the respondents in the study area possess data collection skills while the remaining 42.86% do not possess any data collection skills as shown in figure 4.1. Even though a bigger percentage of the residents possess various data collection skills, only a small percentage has ever been involved in data collection process for the upgrading programme in the area. This situation may therefore threaten the perpetuity of the programme and deny it the requisite good will it deserves from the locals. The sense of ownership is also still at large as most of the respondents indicated a lack of understanding of the importance of the programme in improving the urban housing conditions.

**Figure 4.1: Data Collection skills of the Residents**

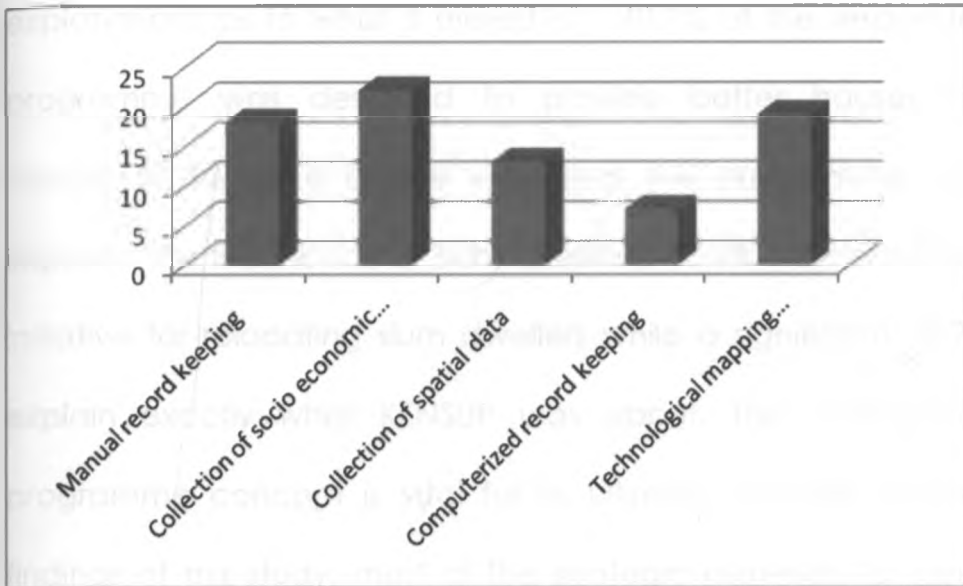


**Source: Field Survey, 2010**



In terms of skills, Out of those interviewed, 18 % said that they could do manual record keeping, 22 % could collect social economic data, 13% could collect spatial data, 7% could carry out computerized record keeping and 19 % could carry out technological mapping processes as shown in figure 5.2. According to the study findings, most of these residents who possess various skills are yet to be considered to serve within the various levels of the programme such as collection of rent at the decanting site. Most the respondents observed that some of those charged with different management responsibilities at the site such as rent collection have been outsourced thus denying them employment opportunities. At this rate, the concerned respondents indicated that they may not be able to upgrade themselves financially and contribute the requisite finances to the saving societies. The long term effect of this is that it may deny them a fair chance to purchase the redeveloped houses upon completion.

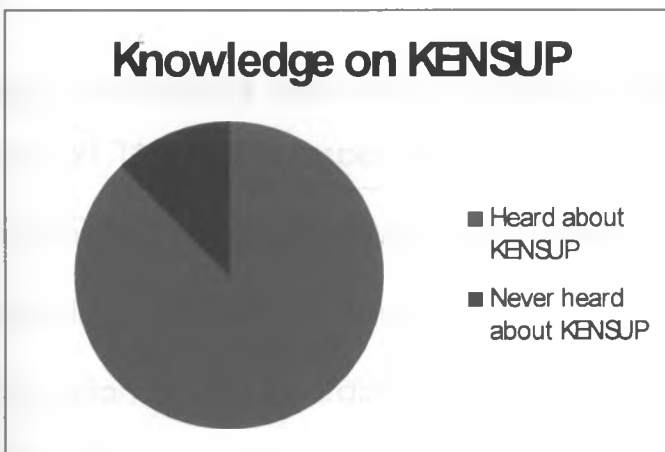
**Figure 4.2: Capacity and Skills**



**Source: Field Survey, 2010**

As shown in figure 4.3, 87.76% of the respondents had heard about KENSUP while 12.24 had not heard of the programme.

**Figure 4.3: Knowledge of KENSUP**



**Source: Field Survey: 2010**

Those who had heard about the programme had a number of explanations as to what it aimed at. 40.9% of the respondents said the programme was designed to provide better houses for the slum dwellers. 20.5% were of the view that the programme was meant to improve the livelihoods of slum dwellers, 13.6% indicated that it was an initiative for relocating slum dwellers while a significant 18.2% could not explain exactly what KENSUP was about. The understanding of the programme concept is vital for its ultimate success. According to the findings of this study, most of the strategic materials for communication are in English. Considering the level of education of most of the locals and the looming mistrust between the local community and members of the Settlement Executive Committee (SEC), the organ that links the locals and KENSUP secretariat, the success of communication process and knowledge about the programme remain bleak.

#### **4.2.4: Coordinating Mechanism and Relocation**

About 91.11% of the respondents have no knowledge about any existing coordinating mechanism used for guiding the actors involved in the slum upgrading process in Soweto East. The remaining 8.89% had some information on the coordinating mechanisms. Those who possessed some knowledge on such mechanisms observed that they are so ineffective that they had failed to address several problems attendant with relocation such as identification of genuine residents and allocation of

rooms at the decanting site. The respondents indicated that based on the relocation process they had experienced, some key issues that should be kept into consideration include; malpractices during identification and actual relocation, security at the decanting site, provision of affordable housing, tribalism and provision of basic amenities at the decanting site such as electricity, water and sanitation, schools, health centres, market places, social halls, playing grounds among others.

#### **4.3: The Current Relocation Strategy**

According to the existing relocation plan, the process of relocating the identified persons entail the physical movement of such persons from Soweto East Zone A to either the decanting site off Lang'ata road or to any other area within the settlement to pave way for redevelopment (Ministry of Housing, 2010). According to the plan, the relocation process is supposed to follow nine fundamental steps notably:

**Step One:** The people who are supposed to be relocated are first identified. The identification exercise is carried out with the help of local leaders under the umbrella of Settlement Executive Committee (SEC). However, the current arrangement of identification is riddled with several problems such as malpractices on the part of those charged with such responsibilities.

**Step Two:** After identification, consultative meetings are supposed to be organized for the relevant stakeholders so as to provide a platform for common understanding and coordination. An interview with selected SEC members informed this study that such meetings are normally affected by the changing interests and positions of stakeholders.

**Step Three:** All the target groups are then sensitized on the process so as to build trust and ownership of the process by the local community.

**Step Four:** Residents of the affected area are then served with notices to vacate. Such notices are served in time to allow the affected households to make arrangements to move.

**Step Five:** The affected families are allocated rooms at the decanting site before the actual relocation take place. The structure owners are also expected to clear their structures immediately after they are vacated.

**Step Six:** The residents are issued with letters of offer and MoU. Such documents bear the name of the household head and the ID number, room number to be occupied at the decanting site, amount of rent to be paid, tenancy agreement and condition of temporary relocation-that the person is expected to relocate back to Soweto East once the redevelopment in the settlement is complete.

**Step Seven:** The Ministry of Housing provides transport for household goods and families during the actual movement to the decanting site. However, the study findings indicated that the number of trucks availed by the ministry were so few that other families had to use their own means to move to the decanting site. In the process, a number of household goods got lost and destroyed.

**Step Eight:** Removal of structures. The structure owners are responsible for clearing the site.

**Step nine:** Estate management-all the residents are required to abide by the rules set out on the estate management including rent payment and service charges.

There are a few areas that have not been addressed by the relocation strategy such as compensation to structure owners, movement of the physically challenged residents to the decanting site.

#### **4.4: Actors involved in the Relocation Process**

According to a study conducted by the Government of Kenya and UN-HABITAT in 2004, the GoK line ministries have several collaborative efforts with local and international NGOs that provide services to the twelve villages forming the larger Kibera slum. The report classifies such actors into nine major thematic areas of operation as shown in table 4.4. From the

table, it is evident that legal/rights and income generating and economic empowerment actors are not participating in the area of study.

This study however, chooses to explore the laid down institutional structure for the implementation of the programme that provide platforms for various actors to participate in the programme at different levels and directly or indirectly affect the relocation process in the study area. The KENSUP institutional structure is such that it provides for the coordination of the programme through eight principle institutions:

1. Inter-Agency Steering Committee (IASC)-which is the supreme programme organ composed mainly of Accounting officers of key relevant ministries, local authorities, UN-HABITAT and development partners who have a take in slum upgrading. The IASC approves policy decisions, gives policy direction and reports to the head of state as the patron of KENSUP. Among the relevant ministries are: Housing, Op (Provincial Administration), Lands, Local Government, Roads and Public Works, Finance, Planning and National Development, Trade and Industry, Health, Water and Irrigation and Information.
2. Inter-Agency Coordinating Committee (IACC)-which is the intermediary organ between the KENSUP operatives and IASC. Its role is to provide a mechanism for coordinating all KENSUP related

activities and monitoring of inputs in slum upgrading. It is a repository of skills and experience in various technical area and policy.

3. KENSUP Secretariat-established within the Ministry of housing to coordinate project planning, implementation, monitoring and evaluation. The secretariat is the central operational organ for coordination and tracking of the slum upgrading process and the day-to-day running of the programme and thus had a crucial role to play in the relocation in the study area. It is the nucleus for coordination, building capacity for local authorities and local actors and information management. It comprises a National Programme Coordinator and twelve technical officers, six of whom are seconded from other Government Ministries.
4. The Project Implementation Unit (PIU)-established within the relevant local authority to facilitate the formation of Settlements Project Implementation Units (SPIU), coordinate the work of the SPIUs, assist in planning, design, and construction of required facilities, provide technical, logistical and resource support to SPIU. It comprises technical staff drawn from the relevant departments of the local authority.



5. The Settlements Project Implementation Units (SPIUs)-are the organs linking the programme secretariat, PIU, and the community. They are also responsible for mobilizing actors and coordinating their activities at the settlement levels. The SPIUs identify appropriate settlement stakeholders and grassroots organizations, their potentials and activities, in coordination with PIU and Programme Secretariat.
  
6. Settlement Executive Committee (SEC)-its main role is to act as a link between PIU and the settlement community. SEC identifies all necessary settlement stakeholders, project intervention needs, communal areas and facilities, mobilizes grassroots participation, and determines tenure issues. It is expected to facilitate community networks, cooperatives and resource mobilization process such as savings and credit schemes. It is the forum for advocacy for community rights and ideally ensures full community participation in decision-making. In the context of community participation, SEC provides a platform for members of the settlement community to participate in the relocation process. A Focus Group Discussion with members of this community reveals the membership of this committee. The members include: representatives of the tenants, of FBOs, disabled persons, of structure owners, CBOs, Widows and

orphans, youths, NGOs and x-officio members (local chiefs, DO, and local civic leaders).

7. Multi-Stakeholder Support Group (MSSG)-comprises representatives of development partners, Civil Society, Government, Local Authorities, and communities among others. It is a broad set up for general programme review and feedback that brings out experiences of various stakeholders to inform the programme. It is an ideal forum for fundraising and partnership participation.
8. Kenya Slum Upgrading, Low Cost Housing and Infrastructure Trust Fund (KENSUF)-which is a central depository of all mobilized financial resources for slum upgrading. It pools funds from donors, CBOs, private sector and Government budgetary allocations. The fund is run by a board composition that includes public, private, and key donor contributors.

The institutional structure in place exhibits a complex conflict of roles among the various actors involved in the programme. There are cases of overlapping roles among the organs of the programme, for instance the SPIU and SEC all link the settlement community and PIU. In terms of relocation, this conflict of roles presents a challenge to smooth flow of the process. Some of the organs are also inadequately funded to play their respective roles in the context of relocation.

**Table 4.4: Classification of Actors in Soweto Village**

Actor Class	Number	Percentage (%)
Religious Actors	29	48
Health Service Actors	14	23
Education and Training	04	07
Social Welfare and Support Actors	06	10
Income Generation and Economic Empowerment (IGA) Actors	00	00
Water and Environmental Sanitation	02	03
Public Sector Actors (on the ground)	02	03
HIV/AIDS Actors	03	05
Legal/Rights Organization Actors	00	
<b>TOTAL</b>	<b>60</b>	<b>100</b>

**Source: GoK, 2004**

#### **4.5: Challenges facing the Programme and the Relocation Process**

During the study, the respondents observed a number of challenges facing the general implementation of the slum upgrading programme and relocation process within Soweto East Village. Most residents are unable to make contributions to cooperative societies and therefore may not access improved housing once the redevelopment of Soweto-East is complete. The redevelopment process is being bogged down by a restraining court order granted in favour of mostly absentee structure owners. The residents and the decanting site are therefore apprehensive

that they may not return to occupy redeveloped housing units at Soweto East as earlier envisaged. There is also the challenge of vested interests among the actors that seem to threaten sustainability and success of the programme. Other challenges as observed by the respondents were:

#### **4.5.1 Lack of a Domesticated Relocation Policy**

The relocation strategy was designed to take cognisance of International law<sup>1</sup> which requires that that before relocation, there must be:

- (a) special justification for a relocation;
- (b) an examination of alternatives to relocation with the affected community;
- (c) due process, including adequate notice and information and an opportunity by affected residents to contest the grounds for relocation; and
- (d) alternative accommodation as far as possible be provided and no one should be rendered homeless.

However lack of a legislated policy on relocation may have subjected some the settlement community members to the whims of project leaders and opinion shapers during the actual relocation. The ad-hoc mode of relocation contributed to relocation challenges.

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<sup>1</sup> Kenya in its appearance before the UN Human Rights Committee in 2005 promised that it would abide by international standards in relation to evictions.

#### 4.5.2 Changing Interests and Positions among Stakeholders

Respondents in the household survey indicated that most of the actors in the project had vested interests which were causing delay in implementation. Majority of the respondents blamed the landlords for inciting some slum dwellers against the project and going to court to block the upgrading programme as shown in plate 4.2.

**Plate 4.2: Notice of Court order at Soweto East Village**



**Source: Greg Scruggs (Apr 22nd, 2010)**

Such moves have paralyzed the efforts of the implementing organ and consequently leading to a delay in redevelopment of the planned site. According to the KENSUP coordinator, some donor partners had withheld

their support due to differences in ideologies on effective slum upgrading approaches. The focal organization which is the KENSUP Secretariat in the Ministry of Housing is thus faced with the challenge of dealing with the changing positions of numerous stakeholders who have different and in most cases conflicting interests.

#### **4.5.3 Malpractices and Irregularities in the Relocation Process**

During the enumeration process in readiness for the actual relocation, word went round that those enumerated stood to benefit from the programme. This prompted some people to migrate from other villages within and without Kibera to scramble for identification at the pilot site (Soweto East-Zone A). Furthermore, following the official allocation of rooms at the decanting site, some families found their way into the site through some informal allocation and sub-letting process. This has resulted in increased population at the decanting site thus putting unexpected pressure on the facilities at the site.

According to the SEC chairman, the population of Kibera and specifically Soweto East had greatly increased since 2003. This was the period when the Ministry of Housing indicated that Soweto East would be the pilot area for KENSUP. It followed that many of those residing in the area invited their relatives and friends to be enumerated so that they could also benefit from the proposed new housing scheme that were to be developed.

However following the post election violence of 2007/08 some of those who had earlier been enumerated migrated from Soweto East to other areas but returned to occupy rooms at the decanting site during the relocation exercise. This created problems during room allocation since the immigrants though eligible, were not captured during the validation exercise immediately preceding relocation.

It has been observed by the researcher that some of the residents are abusing the subsidy extended to them by the Government of paying a fixed charge for the room, electricity and water. In some houses for instance, home based businesses which consume a lot of electric power such as salons, ice cube manufacture, welding and laundry services had been set up. Some electric lights were observed to be left on during the day and some water taps unattended to. This has contributed to excessive water and electricity bills recorded at the decanting site.

In the course of the relocation exercise some of the residents petitioned the Government to allocate them three rooms instead of two claiming that their household size was too large for two rooms. It has now emerged that they were asking for an extra room in order to informally sublet to their friends from outside Soweto-East Village. Though they had been paying rent for the three rooms, they have of late requested to be

allowed to pay for the two rooms that they occupy after those they sublet the extra rooms defaulted. This situation has presented a lot of accounting challenges to the Estates Management Team.

#### **4.5.4 Poor Communication of Programme Progress**

Majority of the respondents indicated that they were not usually informed of SEC meetings and leader's seminars as well as the general progress of the programme. Others said that the meetings and seminars were usually inconveniently scheduled. The meetings were scheduled when they were engaged in their businesses or in their work places. However, the SEC members maintained that the community members were always informed about the meetings a week prior to the meeting dates so that they could spare time to attend. As observed hereof, most of materials used for communicating the programme's details are done in one language (English). Many people, based on their levels of education therefore end up distorting the information in the course of translating and internalizing. The reporting procedure is also characterized by bias. Such reporting methodologies therefore do not necessarily reflect the real situation on the ground.

#### **4.5.5 Perception of confinement within the Decanting site**

Most of the respondents observed that their freedom of movement had been curtailed at the decanting site which is fenced all round unlike the situation at Soweto-East village which had no physical boundaries. This



has given rise to a perception of confinement by the majority of the people living at the decanting site following the relocation exercise.

#### **4.5.6 Lack of Awareness on the Importance of Cooperatives**

The SEC members indicated that some of the residents are not aware of the importance of the housing cooperatives and were thus facing a challenge in collecting money from the members of the settlement community. The household survey shows that the residents had not been sensitized adequately on the role of cooperatives in the programme of which they are part, a claim the SEC members vehemently denied during the focus group discussions. However, some of the residents said that they had intentionally disregarded the issue due to lack of trust and suspicion which has beset most government projects in Kenya. Lack of awareness, financial instability of the residents and mistrust thus pose a major challenge to stability and continuity of these cooperatives in the study area.

#### **4.5.7 Delay in Construction Process**

According to the KENSUP coordinator, bureaucracy which is associated with government institutions could largely be attributed to the delay in implementation of the project. A case in point is the lengthy procurement process that was involved in engagement of a consortium to design and supervise the proposed development. It took considerable amount of

time for stakeholders- GoK, UN-HABITAT and the Community to come up with a suitable design for the decanting site. There was a need to ensure bare minimum specification in order to minimise on costs. Apart from causing considerable delay, this led to the omission of some items of work in order to cut costs. This has manifested itself in poor workmanship and some improper functional use of space.

The court is yet to make a ruling on a court case against the demolition of structures that were vacated at Soweto-East village after relocation. The implementation process at Soweto-East village has thus been put on hold until the court ruling is made. This is therefore the situation the programme implementers find themselves in the face high expectations of stakeholders.

#### **4.5.8 Culture Shock and Disruption of Social Networks**

Majority of the respondents indicated that they had been forced to adapt a life which they were not accustomed to prior to relocation. They had not retained their former neighbours whom they had close ties with and with whom they could assist each other financially and socially. They complained that those in charge of relocation had not given them a chance to choose their most preferred neighbours. One of the respondents said she previously could borrow salt from a neighbour but now she would rather cook food without salt because the current

neighbour is socially intolerable. Most of them indicated that the social ties that were formally associated with them were disrupted creating a whole new living environment which they had not been sensitized about.

Most of the respondents found the facilities provided at the decanting site such flush toilets, showers and kitchen sinks to be strange and were in some cases put to the wrong use. For instance it was observed by the researcher that in one of the houses, a toilet had not been flushed and there was a mound of left-over *ugali* and cabbage stalks in the water closet. There were also complaints by some respondents about some of the residents who would enter into any available house and indiscriminately use the toilets. This was due to the fact that they had been accustomed to the use of communal toilets at Soweto-East village.

Even though the relocation strategy requires the residents to take full responsibility of maintaining common facilities at the decanting site, it was observed that most of these facilities such as staircases and walkways were littered and muddy due to lack of a maintenance culture among the residents.

These social adjustments may have given rise to psychological stress among the residents some of whom expressed a wish to return to the life at Soweto-East village.

#### **4.5.9 Disruption of Economic Networks**

Following relocation at the decanting site, most of the respondents are not able to continue with the economic activities which they were previously undertaking. This has led to the down-sizing of their livelihoods which consequently jeopardizes their ability to meet their basic daily needs and fulfil their responsibilities, such as making weekly contributions to savings cooperatives. Additional transport expenses have also inconvenienced them, since some were previously walking to their workplaces but now due to the distance; have to use public vehicles which are quite expensive. Majority of those who were using public service vehicles were spending an average of KSh. 100 per day. Other additional expenses associated with the relocation include higher rent charges, higher cost of goods due to the cost of transportation and the general nature of the area. The decanting site is considered by most of the residents to be bordering an up-market area hence the higher cost of living.

#### **4.5.10 Loss of Property during Relocation**

Some of the respondents complained of loss of property during the relocation process. The schedule of relocation did not indicate who would use which vehicle. The residents just loaded their belongings on to any awaiting truck as shown in plate 4.2. Those who were not fast or strong enough did not get a place to load their property thus ended up hiring

vehicles at their own cost to get to the decanting site. This made the relocation process more expensive for such families. Some residents also took advantage of the confusion and took household goods that did not belong to them.

**Plate 4. 2 Residents loading their belongings into a truck.**



**Source: Ministry of Housing, 2010**

#### **4.5.11 Inadequate Social Amenities**

The decanting site has limited drainage facilities whose carrying capacity is inadequate especially during the heavy rainy season leading to formation of ponds. The storm water drainage channels are not well maintained with many bearing debris. The respondents observed that

they had moved into the site during the rainy season and the inadequate drainage had a negative effect on the children and the ground floor houses. The scenario was even worsened by the terrain of the decanting site which is quite ragged and difficult. The residents are also forced to transfer their children to the nearby schools; a move they say has proven to be more expensive. Even though it is understood that the members of the settlement community are expected to be at the decanting site for a certain time frame, the decanting site lacks basic facilities such as market places, health centre, social hall and a space where the young children and the youths could play and relax. The residents also observed that at the beginning of their stay at the decanting site, they experienced, for a long period of time intermittent water supply problem but which has since been resolved by sinking boreholes to supplement available water supply by the Nairobi Water and Sewerage Company. All these problems have to a large extent increased the cost of living at the decanting site. Poor workmanship used during construction is evident from the cracks that can be seen in some of the houses as presented in plate 4.3. This poses health risks to the residents. There is also the problem of faulty taps and air locks in a couple of rooms visited during the administration of the household questionnaires.

**Plate 4.3 Poor drainage at the decanting site**



**Source: field survey, 2010**

## **CHAPTER FIVE: SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS**

### **5.1 Introduction**

This chapter presents a summary of findings; draws conclusions and give recommendations on the way forward.

### **5.2 Summary of the Findings**

The first objective of the study sought to examine the nature and level of the current relocation strategy employed in the area of study. The study revealed that the existing strategy falls short of addressing certain key issues affecting the stakeholders. These include issues of compensation, the welfare of physically challenged members of the settlement community, an elaborative relocation timetable among others. The second objective was to identify the actors involved and their specific roles with regard to the relocation process. The study established that there exists an institutional framework which provides a platform on which actors can participate at different levels of the programme. However, some of these institutions have a complex conflict of roles. The third objective of the study was to assess the challenges facing the relocation process in the study area. A number of challenges were identified. These included: lack of official relocation policy, changing interests and positions among stakeholders, malpractices and irregularities, poor



communication of project progress, increasing population, inadequate funds for the relocation process, lack of awareness in the importance of cooperatives, bureaucracy, culture shock, disruption of economic networks, loss of property during relocation, and lack of infrastructure and basic amenities.

### **5.3 Conclusion**

From the analysis of the findings, several conclusions can be drawn on the relocation action plan for the study area, its nature, actors involved, and the challenges facing the process. The relocation action plan plays a critical role in the smooth and successful relocation of members of the settlement community. It is crucial in meeting the objective of process of creating room for redevelopment of the pilot site as well as the broader objective of the programme of improving the livelihoods of those living and working in the study area. However, the existing relocation action plan is still characterized with a few loopholes that threaten the success of the relocation process. The recommendation sub-section is therefore an illumination of the way forward in the event that a meaningful and successful process is expected

### **5.4. Recommendations**

The fourth objective of the study endeavoured to recommend a comprehensive relocation action plan for future slum upgrading programmes. These recommendations have therefore been categorized

as short term and long term. This subsection is therefore a presentation of the proposals.

#### **5.4.1 Short Term Recommendations**

##### ***1. Training in data collection, maintenance***

A training program should be developed to equip the community with skills in enumeration, collection of socio economic and spatial data and maintenance of the same. Such trainings should also focus on equipping community members with entrepreneurial skills to start small scale business initiatives so as to be able to fend for themselves.

##### ***2. Maximizing the community labour***

Most of the respondents indicated that they had skills which could be harnessed in the upgrading process. The community should therefore be engaged and employed in the upgrading activities such as data collection, enumeration and mapping.

##### ***3. Provision of a market place***

To ensure continuity of business enterprises during relocation of members of a settlement community, a market or business centre should be constructed at the decanting site. The facility should be equipped with the entire infrastructure including drainage, water electricity, solid waste management infrastructure and an efficient management system put in place.

#### **4. Improved communication strategy**

There is need to improve the current communication strategy, most of the materials are published in English while majority of members of the settlement community find it difficult to effectively understand the language. Local languages should be used to create awareness on some critical issues such as cooperatives, the importance of the programme so that the problem of distorted information and change of interests and positions among stakeholders is solved. There should be regular meetings between the SEC members and the members of the settlement community to discuss the on-goings of the project and any other issue that may arise from time to time as it will solve the communication gap and mistrust among the stakeholders.

#### **5. Social Cohesion**

The relocation process should factor in the views of the residents on their preferred neighbours at the decanting site. This could form an agenda for the consultative meetings with relevant stakeholders for common understanding and coordination as encapsulated in the existing relocation strategy. There is also need to come up with a concerted relocation schedule factoring in the number of household goods possessed by every family, the physically challenged members of the settlement community and the general sizes of the families. This will go

along way in minimizing the chances of destruction and loss of property witnessed during the relocation process

#### **6. Maintenance of Infrastructure at The Decanting Site**

There is need to sensitize the families at the decanting site on how to use the facilities at the decanting site. These should include taps, drainages, rooms, sockets, door handles, walls and the general compound of the site.

#### **7. Malpractices and Irregularities**

The SEC plays a critical role in the relocation process with regard to identification and mobilization of local resources. Furthermore, during this study, many malpractices cases were directed towards the SEC. It is therefore in the interest of this study that membership of SEC should be on contractual terms as this will ensure a result-oriented leadership at SEC. There is also need to carry out a validation exercise at the decanting site to weed out those families who got their ways into the site after the legal allocation of rooms had been done so as to ensure justice for the genuine members of the settlement community.

### **5.4.2 Long Term Recommendations**

#### **1. Development of a relocation policy**

A comprehensive and a multi-sectoral relocation policy to guide the relocation of settlement community needs to be put in place. The policy

should be inspired by the social, economic, political and environmental desires of the locals. This should take into consideration critical values such as culture, education, economic trends and lifestyles of the affected community. Such a policy should also capture the interest of the minority groups such as the old and the physically challenged.

## ***2. Better system of identification***

The programme should develop a system that is participatory in approach and accurate to identify the genuine members of a selected settlement community. The system should allow for the active participation of the members in data collection, maintenance and management of such information as well as the freedom of choosing their preferred neighbours. The system should include the spatial location of each household so that the focal organization is in a position to identify only the genuine residents.

## ***3. Infrastructure development***

There should be an efficient management structure for the basic infrastructure at the decanting site. Their use should be monitored from time to time to avoid frequent breakages. The community should be utilized to maintain such infrastructure since most of the community members possess the needed skills like engineering.

#### **4. Conflicting Roles**

There is need to harmonize the conflicting roles of the institutions involved in the relocation process. The process of policy formulation for the relocation process and the general slum upgrading programme should take the bottom-up approach guided with a people-centred development prism.

#### **5. Physically Challenged Residents**

The construction of housing structures at the decanting site should take into consideration the wishes and needs of those with physical disabilities. This should be reflected in the design of such structures

#### **5.5 Areas for Further Study**

Further researchers should investigate the following pertinent areas:

- Stakeholder participation in slum upgrading.
- An relocation policy for slum upgrading.
- Disability and slum upgrading

## A FRAMEWORK FOR THE DEVELOPMENT OF A RELOCATION ACTION PLAN

<i>Issue</i>	<i>Current intervention measure</i>	<i>Proposed intervention</i>	<i>Time frame</i>	<i>Actor</i>
Lack of an official relocation policy	<ul style="list-style-type: none"> <li>Use of existing sectoral policies and legislation related to relocation</li> </ul>	<ul style="list-style-type: none"> <li>Development of a comprehensive, multi-sectoral relocation policy</li> </ul>	Long term	<ul style="list-style-type: none"> <li>Relevant ministries especially Ministry of Housing, CCN, community, SEC, relevant NGOs</li> </ul>
Inadequate infrastructure and basic amenities at decanting site	Reliance on a few facilities at the decanting site	<ul style="list-style-type: none"> <li>Construction of schools, health centres, pavements, drainage, social halls, play grounds</li> <li>Repairing of existing infrastructure and buildings</li> <li>Creation of a management system</li> </ul>	Short term & Long term	Community, KENSUP, SEC, Ministry of Education, Ministry of Health, and others, CCN
Improper identification system	Use of SEC to identify and mobilize the local community	<ul style="list-style-type: none"> <li>Training programmes on data management</li> <li>Developing a data base of the settlement</li> </ul>	Short term and Long term	KENSUP secretariat, Community, SEC, institutions of higher

<i>Issue</i>	<i>Current intervention measure</i>	<i>Proposed intervention</i>	<i>Time frame</i>	<i>Actor</i>
		<p>community</p> <ul style="list-style-type: none"> <li>• Development of a system involving a more devolved level of representation below SEC such as Housing Cooperatives Societies to identify genuine residents</li> <li>• Use of spatial data management systems</li> </ul>		education
Ineffective communication strategy	<ul style="list-style-type: none"> <li>• Use of SEC to pass information to members of the settlement community.</li> <li>• Use of the 2005 communication strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Publication of communication in local languages</li> <li>• Regular community meetings</li> <li>• Initiation of a participatory approach to communication</li> <li>• Use folklore media to communicate progress on the process.</li> </ul>	Short term	Community, SEC, KENSUP secretariat, Relevant ministries, Media and relevant NGOs
Lack of a market place	Use of verandas, parking spaces and the few shops in the site	<ul style="list-style-type: none"> <li>• Construction of a spacious market place with requisite structures</li> <li>• Institutionalization of a management and</li> </ul>	Short term	Community, local traders, SEC, CCN, relevant ministries, secretariat



<i>Issue</i>	<i>Current intervention measure</i>	<i>Proposed intervention</i>	<i>Time frame</i>	<i>Actor</i>
		maintenance committee		
Culture shock		<ul style="list-style-type: none"> <li>• Sensitization of community on sustainable neighbourhood</li> <li>• Regular focused discussions with the community to encourage social groupings</li> </ul>	Short term	Local community, Relevant NGOs, SEC, Relevant ministries,
Conflicting Role of Actors	Use of the current institutional framework and relocation strategy	<ul style="list-style-type: none"> <li>• Harmonization of the conflicting roles</li> <li>• Development of a comprehensive relocation plan</li> <li>• Use of a bottom-up approach in policy formulation for the relocation process.</li> </ul>		

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**APPENDICES**

**Appendix A: Household Questionnaire**

**UNIVERSITY OF NAIROBI**

**DEPARTMENT OF ARCHITECTURE AND BUILDING SCIENCE**

HOUSEHOLD QUESTIONNAIRE

**Dear Sir/ Madam,**

I am Cassius, a masters student at the University of Nairobi carrying out a research on the subject of **'Relocation Action Planning for Kenya Slum Upgrading Programme: A Case study of Soweto East village of Kibera Informal Settlement in Nairobi, Kenya'**. As an important stakeholder, you have been selected to participate in the study by answering a few questions. All information, which you offer, will be kept strictly confidential and used for academic purposes only.

**NAME OF INTERVIEWER..... QUESTIONNAIRE NUMBER.....**

**1. Background Information**

a). Please fill in the information required in the tables below.

HH Member	Relationship to HH Head	Sex: 1.Male 2.Femle	Age (Years)	Birth Place	Period lived in the area	Education Level Attained 1.No Education 2.Nursery 3.Primary 4.Secondary 5.Tertiary 6University/ Higher 6.Don't Know	Professional Training	Main Economic Activity

Total hh Income per month (Kasha)	Tick where appropriate	Household Expenditure per Month	
		Item	Estimated Amount (Kasha)
below 1751		1.Education	
1751-2250		2.Health	
2251-2750		3.Food	
2751-3250		4.Fuel	
3251-3750		5.Rent	
3751-4250		6.Transport	
4251-4750		7.Water	
4751-5000		8.Entertainment	
Above 5000		9.Others (Specify)	
		<b>TOTAL</b>	

## 2. Capacity and Skills

(a) (i) Have you ever been involved in a data collection exercise?

YES

NO

(ii) If yes, what kind of exercise was it?

National census

Voter Registration

Project enumeration (KENSUP, Pamoja Trust etc)

Any other (Specify)

.....  
.....  
.....

(b) (i) Do you possess any skill(s) relevant to collection and maintenance of socio economic and spatial data?

YES

NO

(ii) If yes, please indicate which one

Collection of socio economic data

Collection of spatial data

Manual record keeping

Computerized record keeping

Mapping

Surveying

Digitizing maps

Remote sensing & GIS

Any other (Specify)

.....  
.....  
.....

(c) (i) Have you heard about the Kenya Slum Upgrading Programme (KENSUP)?

YES

NO

(ii) If yes, what is it about?

(d) (i) Have you ever participated in any data collection activity facilitated by KENSUP?

YES

NO

(ii) If yes, what role did you play?

Enumerator	
Enumerator guide	
Data entry	
Data processing (Analysis, Mapping, presentation)	
Community mobilization for the data collection exercise	
Dissemination of data collected	
Others (Specify)	

(e) Recommend how KENSUP should exploit the community's skills, knowledge and experience in collection and maintenance of socio economic and spatial data

.....  
.....  
.....

.....  
.....  
.....

**3. Relocation**

(c) Did you face any problem/challenge during the relocation process?

YES

NO

(b) If yes, what was the nature of the problem/challenge?

i) Social

.....  
.....  
.....

ii) Economic

.....  
.....  
.....

iii) Political

.....  
.....  
.....

iv) Environmental

.....  
.....  
.....

v) Other (Specify)

.....  
.....  
.....

(c) How do you think the above problems should be addressed in future?

.....  
.....  
.....  
.....  
.....

(d) In your opinion, which are the key issues that KENSUP should address during the relocation process?

.....  
.....  
.....

**4. Coordinating Mechanism**

a) Do you know of any existing coordinating mechanism used for guiding the actors involved in the slum upgrading process in Soweto-East? Yes.....

No.....

b) If yes, how effective is the mechanism?

.....  
.....  
.....

**5. General**

a) In your opinion, what are the challenges facing the general implementation of the slum upgrading programme within Soweto East Village?



.....  
.....  
.....

b) How do you think these challenges can be addressed?

.....  
.....  
.....

c) How would you like the implementation of the various provisions of KENSUP to be carried out to ensure sustainable slum upgrading in the study area?

.....  
.....  
.....

**THANK YOU!**

## Appendix B: Interview Schedule

**UNIVERSITY OF NAIROBI**  
**DEPARTMENT OF ARCHITECTURE AND BUILDING SCIENCE**  
INTERVIEW SCHEDULE

Dear Sir/ Madam,

I am called Cassius, a masters student at the University of Nairobi carrying out a research on the subject of **'Relocation Action Planning for Kenya Slum Upgrading Programme: A Case study of Soweto East village of Kibera Informal Settlement in Nairobi, Kenya'**. As an important stakeholder, you have been selected to participate in the study by answering a few questions. All information, which you offer, will be kept strictly confidential and used for academic purposes only.

NAME OF INTERVIEWER	NAME OF INSTITUTIONS
NAME OF OFFICER (OPTIONAL)	DESIGNATION

1. For how long have you been operating in this area?
2. What are the roles, mandate and activities undertaken by your organization with regard to relocation?
  - a) Roles
  - b) Mandate

### c) Activities

3. What is the nature and level of the current relocation strategy in use in the area of study?
4. How effective is this strategy?
5. Who are the actors involved in the relocation process in the study area?
6. What are their specific roles in the process?
7. What are the challenges facing the relocation process in the study area?
8. How do you think these challenges can be addressed?
9. What do you recommend for future relocation exercises and the general implementation of the slum upgrading programme?

### Appendix C: Work Plan

PROJECT ACTIVITIES	APRIL 2010	MAY 2010	JUNE			
			WK 1	WK 2	WK3	WK 4
1. Proposal development						
2. Reconnaissance & Equipment acquisition, instrument development						
3. Data collection						
4. Data entry						
5. Data analysis						
6. Thesis drafting						
7. Thesis submission						

### Appendix D: Budget

CORE ACTIVITY	ITEMS	COST
1. Consolidation of literature	Literature search-data storage. 4 GB Flash disk and 10 CDs and digital camera	15,500/=
2. Reconnaissance field visit, instrument development and equipment acquisition.	A) transport- 2 days, 2 people= 2*2*400/=* 2 sites B) Cost of typing and printing of instruments	a) 3,200/= b) 10,000/=
3. Primary data collection	10 days * 2 people * 1000/= per day * 2 sites	40,000/=
4. Data entry, processing and analysis and verification	Data entry and processing-1 person*1000/=*5 day Verification-1 person*1000/=*1 day	5,000/= 1000/=
5. Project thesis drafting and printing	a) 10/= per page*200 pages* 5 copies b) Binding: 3000/=	a) 10,000/= b) 3000/=
6. 10 percent contingency and institutional cost	As need may arise.	8,770/=
<b>TOTAL KSH.</b>		<b><u>96.470=</u></b>