



REPUBLIC OF KENYA

**NATIONAL REPORT**

**AND**

**PLAN OF ACTION**

**ON**

**SHELTER AND HUMAN SETTLEMENTS**

**TO**

**THE SECOND UNITED NATIONS CONFERENCE ON HUMAN  
SETTLEMENTS (HABITAT II)**

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## FOREWORD

Since the early times, man has made relentless efforts to obtain food and shelter. The struggle for these basic human needs has increased progressively as the human race has grown in numbers and cultural diversity. In Kenya, since the onset of missionary evangelism and colonization, human settlements have taken two distinct patterns: the rural and urban settlements. Each of these patterns has been greatly influenced by politics, administrative and the socio-economic development of the time. The pre-independence human settlement patterns were influenced by rigid colonial rules and laws enforced by an equally uncompromising colonial administration. Thus, the majority of the indigenous population remained in rural areas with only a small elitist indigenous population living in urban centres to serve the interests of the foreigners and colonial administration. This situation is amply demonstrated by the 1948 census when only 5.1% of the total population of 5.4 million lived in urban areas. In 1962, about 7.8% of the total population of 8.6 million lived in towns.

At independence in 1963, upon removal of restrictive legislation, the rural-urban migration commenced at an accelerated rate. By the 1969 census, 9.9% of the population lived in some 48 urban centres in the country. This accelerated urbanization reached new heights as reflected by the 1989 census with 3.9 million Kenyans living in urban areas representing 18.1% of the total population.

Presently, the urban population growth is projected at 6.5% p.a. standing at 5.5 million or 22% of the total population. This rapid urbanization, has created serious shelter and human settlements challenges demanding new approaches in addressing the emerging socio-economic problems. The Government of Kenya has approached provision of shelter and accompanying services and facilities through various interventions and strategies contained in all successive National Development Plans and particularly, the Housing Policy of 1967 which laid the basis of development of the existing housing stock by the government, the local authorities and the private sector. Other interventions in human settlement developments have been introduced through various Sessional Papers such as; *District Focus for Rural Development; Economic Management for Renewed Growth and Recovery and Sustainable Development to the Year 2010*.

Although continuous efforts in the provision of shelter have been put in place, the demand has always outstripped the supply leading to very poor shelter conditions in both the urban and rural areas. This situation of poor and inadequate housing is manifested by over-crowding and spread of slum and squatter settlements in urban areas and their peripheries as well as the extensive low standard of housing in rural areas. This position is partly a consequence of wide-spread poverty among Kenyans and partly socio-economic problems. Kenya recognizes that the nature of shelter conditions she experiences is also prevalent in other developing countries. There is therefore

including those of human settlements that face mankind today. Indeed Kenya has participated at the highest levels in all major regional and international meetings convened to discuss issues of great concern to the continued existence of the human race. These major conferences included; the United Nations Conference on Human Settlements in 1976 in Vancouver; Canada, the Earth Summit (UNCED) Rio de Janeiro, Brazil in 1992; the International Conference on Population and Development in Cairo, Egypt in 1994; the World Summit for Social Development in Copenhagen, Denmark in 1995 and the Fourth World Conference on Women in Beijing, China in 1995. I am happy to note that the issues relevant to the Habitat II Conference considered in these conferences have been incorporated in the formulation of Kenya's National Plan of Action for Habitat II. Indeed it is important to mention here that Kenya has in the recent past published "*Social Dimensions of Development in Kenya*" document discussing management and institutional arrangement, resource mobilization, welfare and basic services, employment and job creation, environment and security and public administrations among other issues intended to off-set the negative effects and impacts to the vulnerable groups of our society created by the reforms and liberalization programmes in the economy.

As the United Nations continues to introduce measures to ensure reduction of waste, it is imperative that the organization should ensure maximum rational use of the existing facilities. All meetings and conferences under the auspices of UNEP and UNCHS (Habitat) should, to the extent possible, be held in Nairobi.

The Government of Kenya is committed to the success of the Istanbul Habitat II Conference. The preparatory process for the Conference has been taken very seriously through broad-based participation under the direction of the National Steering Committee which has marshalled available human, financial and technical resources from both private and public sectors. This Report, is a result of combined efforts by very many resource persons and organizations to whom I wish to commend and send very sincere thanks for their efforts and material contributions.

In conclusion, I wish to underline the importance the people and the Government of Kenya is attaching to the Habitat II Conference and its expected output and confirm that Kenya will participate at the highest possible level of Government. I look forward with a great sense of expectation to the positive output of the Habitat II Conference.

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## EXECUTIVE SUMMARY

This Plan of Action comprises three main sections namely; Background, the Preparatory Process and the National Plan of Action. In the first Section past shelter and human settlements development in Kenya with special reference to urbanization trends and rural-urban linkages are discussed. The historical development of government policies and strategies formulated before and after the first United Nations Conference on Human Settlements in 1976 are considered here.

The second Section details the preparatory process of the Plan of Action. It analyses current shelter and human settlement conditions and outlines priority issues identified during the broad-based and participatory workshops. This Section also covers shelter and human settlement issues raised in some of the recent United Nations Conferences on shelter and human settlements.

The third Section covers the formulation of the National Plan of Action. The sub-sections therein are as indicated below:

- a) The rationale for the new strategy and the enabling strategy for the implementation of the National Plan of Action.
- b) The two main goals to be achieved through the implementation of this Plan of Action and the proposed programmes under each goal. The two goals are;
  - Adequate shelter for all
  - Sustainable human settlements in an urbanizing World.
- c) Implementation Plan which includes actions, actors, time frame and resource implications.
- d) Notable sub-programmes within the National Plan of action include inter-alia; International Cooperation and Assistance, Capacity Building and Institutional Development. These are essential because they enhance the effectiveness and efficiency of the implementation process.
- e) The mechanisms for monitoring and evaluation of the implementation of the Plan of Action.

As the 20<sup>th</sup> Century draws to a close, urbanization throughout the world and particularly in developing countries like Kenya has become of great concern. The United Nations, World Urbanization Report of 1990, estimated that in 1950 the urban population of more developed countries was 448 million representing 54 per cent of their population while that of less

developed countries was 286 million representing 17 per cent of total population. By 1990, the total urban population of developed regions had reached 875 million representing 73 per cent of their population; while that of the developing regions had reached 1515 million representing 37 per cent of their population. This means in absolute terms, the total urban population of the developing countries had overtaken that of the developed countries although

in per centage terms the developing world still lagged behind that of the developed regions. But statistics indicate that the gap is narrowing.

However, although the 21<sup>st</sup> century will continue to be a century of transformation from rural to urban setting, a substantial proportion of population in developing countries will continue to live in rural areas. It is therefore important that the new policies and strategies to manage the urban growth recognize this close interrelationship and interdependency between rural and urban sectors so that efforts to solve the problems of one does not exacerbate the problems of the other. Both urban and rural sectors need each other for sustainable development.

This National Plan of Action has been prepared to put in place policies, strategies and programmes geared towards this urbanization challenge and the rural-urban balance with a view to satisfying the two principal goals of adequate shelter for all and sustainable human settlements in an urbanizing Kenya. It is also intended to be Kenya's input to the preparation of the Habitat II Conference and Kenya's participation during the 2nd United Nations Conference on Human Settlements (Habitat II) scheduled to take place in Istanbul, Turkey in June 1996.

The preparatory process was initiated in March 1994. The main objectives of the process were to analyze past and current shelter and human settlements conditions in the country, prepare priority issues that would assist in the formulation of this National Plan of Action. These priority issues together with relevant shelter and human settlements issues and agreements reached in some of the various past U.N. Conferences have been taken into consideration in the preparation of this National Plan of Action.

The process has been broad-based and participatory in line with the enabling strategy as elaborated in the Global Strategy for Shelter (GSS) to the Year 2000 and adopted by the United Nations General Assembly in 1988. The process has also taken account of the contents of Kenya's Sessional Paper No.1 of 1986 on Economic Management for Renewed Growth in which the Government laid out a series of policies to redefine its role in development approach. The main objective of the policies in this paper was to create an economy that is market oriented and to encourage the non-government sector to play a pivotal role in development. This approach was further enhanced by Sessional Paper No.1 of 1994 on Recovery and Sustainable Development to the Year 2010 in which the Government reiterates that *"it is only when all citizens are given an equal opportunity to contribute and benefit from economic development that the nation will become committed to maintenance of stability. The Government will ensure that a positive policy environment is created and maintained to*

*encourage private investment from both domestic and foreign sources.* "

The enabling approach in this preparatory process in shelter and human settlements sector has emphasized the people's roles in joining hands with the Government in consultative and participatory process to identify problems, set goals and objectives, prepare priorities and programmes to achieve these goals.

In line with the enabling strategy, the plan envisages the involvement of many actors - Government at all levels, local authorities, the private sector, NGOs, CBOs and other stakeholders in shelter and human settlement sectors. In view of this changed approach from centralized to decentralized planning process, the plan therefore incorporates support programmes for capacity building at national and local government level particularly aimed at strengthening the capabilities of local authorities. At community level, the objective is to enhance participation and civic engagement. It is expected that the support programmes will enhance the capability in programmes preparation, implementation and monitoring and evaluation.

During the implementation period of this National Plan of Action, the required resources will be mobilized and utilized efficiently and effectively through concerted actions by all stakeholders in order to achieve sustainable shelter and human settlements development.

The National Plan of Action acknowledges the central role played by Habitat as a hub for technical knowhow, experience and forum to share and resolve human settlement issues. The Centre's experience and knowledge acquired and accumulated since its inception in 1976 gives it unique opportunity and position to effectively steer shelter and human settlements development world-wide and implementation of the Habitat Agenda.

Kenya therefore waits with great expectations on the outcome and recommendations of the Habitat II Conference expected to arrest and reverse the deteriorating shelter and human settlements situation world-wide and especially in developing countries.

## **A: BACKGROUND**

### **1.0 OVERVIEW**

#### **National Shelter and Human Settlements**

1. The central concern for every individual or family is adequate shelter which not only provides protection from elements, security and privacy, but also space for socio-economic activities for the advancement of the quality of life. Shelter provision is also an important investment to the individual or the family and the economy as a whole.
2. The importance of adequate shelter to the individual and the family is not only determined by the space and facilities it provides, but also by other external services it offers such as accessibility to education and health facilities, employment and trade opportunities, public and community services, all available in the neighbourhoods. The interdependence and interrelationship between shelter and human settlements is therefore important as it provides more opportunities for enhancing the quality of life of the individual and the family. It is therefore important that policies and programmes that are people-centered should include the development of shelter and human settlements.

#### **Past Development of Shelter and Human Settlements in Kenya:**

3. The growth and pattern of human settlements in Kenya has been influenced by political, social, economic and environmental factors. Before colonization in the late 18th century, Kenya's population was predominantly rural and dominated by subsistence agriculture, stock herding and fishing. Traditional small markets catered for internal exchange of goods while trading centres along the coast were established to cater for Arab and Portuguese originated trade.
4. This pattern of human settlements development changed drastically with the onset of colonialism due to the following factors: the construction of Mombasa-Kisumu railway from coast to western Kenya giving rise to a series of towns along the railway line, the establishment of administrative centres and the establishment of trading centres. Other towns grew as a result of population growth and concentration to facilitate marketing, communication and transportation. That was the start of 'modern' urbanization in Kenya and centres of industrialization and commerce followed this pattern. This in turn had considerable impact and influence on the quality and quantity of shelter requirements in both rural and urban areas. The situation was particularly acute in urban areas as population concentration and enforcement of building standards and regulations became the order of the day.

#### **The Growth of Urbanization in Kenya:**

5. History indicates that the urbanization process in Kenya goes back some 600 years ago along the East African coast as a result of Arab and Portuguese trade. This led to the establishment of towns like Mombasa, Malindi and Lamu. The process of colonization which included the construction of Mombasa-Kisumu railway, the creation of administrative centres and decolonization which accelerated the rural to urban migration changed the pattern but not the growth.
6. Development of communication network which served the "White Highlands" ignored the rural hinterlands. These centres tended to be extractive or exploitative in nature and designed to serve the needs of alien communities at the expense of the indigenous rural population. This kind of development resulted in polarized and primate human settlements pattern, with Nairobi and Mombasa, being the dominant centres. There was poor infrastructural and other related linkages between the urban and rural areas.
7. What then emerged was a dualistic pattern of settlements which were spatially incoherent and with little or no integration. In addition, the towns themselves were highly segregated across social and racial lines with restricted access to the available community facilities and infrastructure, often favouring the minority segments of the urban population. The rural residential policy also viewed the indigenous population as temporary town-dwellers and thus did little in the provision of adequate and appropriate shelter and related basic utilities for them. At independence, the country not only faced rapid population growth but also encountered an influx of rural-urban migrants to the major urban centres, most of which were economically and environmentally ill-equipped to accommodate the resultant population and meet their related demands. The pattern of human settlements that had been developed earlier was thus entrenched further and in certain instances, squatting and mushrooming of slums became quite evident.
8. After independence, the rate of urbanization accelerated as a result of natural population growth, rural-urban migration, boundary extensions of towns and reclassification of local authorities.
9. During the last two decades, the rate of urbanization in Kenya has been rapid. In 1948, when Kenya undertook the first population census, there were 17 towns with a population of 276,240 representing 5.1% of total population. By the next census in 1962 the number of towns had risen to 34 with a population of 670,950 representing 7.8% of total population. The rate of urbanization increased faster after independence in 1963 and by 1969 the number of towns had risen to 48 with a population of 1,079,908 representing 9.9% of total population. The upward trend continued and by 1979 the number of towns had risen to 91 with a population of 2,307,000 representing 15% of total population and in 1989 the number of towns had risen to 139 with a population of 3,900,000 representing 18.1% of total population. What is however significant is that the current population projections indicate that this growth of urbanization will continue in future and that by 2010, the urban population will constitute 26.4% of the total population. This information is summarized in table 1.1 below.

Table 1.1: Urban Population and Centres by Population Size, 1948-2010

URBAN POPULATION SIZE	NUMBER OF CENTRES/POPULATION PROJECTION											
	1948	1962	1969	1979	1989	1995	1996	1997	1998	1999	2000	2010
100,000+	1	2	2	3	6	7	7	8	8	8	9	12
20,000-99,999	1	2	2	13	21	26	27	27	28	29	30	42
10,000-19,999	2	3	7	11	19	23	24	25	26	27	27	38
5,000-9,999	3	11	11	22	32	39	41	42	43	45	46	64
2,000-4,999	10	16	25	41	61	75	78	80	83	85	88	124
TOTAL	17	34	47	90	139	171	177	182	188	194	200	280
TOTAL URBAN POPULATION (000's)	276	671	1080	2309	3877	5297	5579	5877	6190	6521	6869	11554
TOTAL POPULATION (000's)	5253	8636	10943	15327	21443	26296	27204	28145	29119	30126	31168	43790
PERCENT OF TOTAL POPULATION	5.1	7.8	9.9	15.1	18.1	20.1	20.5	20.9	21.3	21.6	22.3	26.4

10. Kenya's urban structure is changing from the pattern of urban primacy as reflected by the growth of Nairobi, Mombasa and Kisumu, to a spatially extensive urban pattern with close linkages to Kenya's agricultural resource base. The decentralization of Rural Trade and Production Centres, District Focus for Rural Development and Growth Centre Strategy have, among others, helped in reducing population concentration from a few primary to secondary towns. Thus spreading investment and employment opportunities in the country.

11. The urbanization process in Kenya is however not a unique phenomenon as global urbanization statistics indicate. The United Nations estimated that in mid-1990, 43 per cent (2.3 billion) of the world's population lived in urban areas and it is projected to cross the 50 per cent mark in 2005. It is also projected that by 2025, more than three fifths of the world's population will live in urban areas. The urban population in that year will be approximately 5.2 billion of whom 77 per cent will live in developing countries. This means that the twenty first century will continue to be a century of the urban transition particularly in developing countries like Kenya. The corresponding figures for Kenya are 6.95 million and 11.2 million for the year 2000 and 2010 respectively.

12. The urban challenge, both in developed and in developing countries is, therefore, not how to stop or contain this growth, but how to marshal all available physical, financial, human and technical resources to manage the problems and utilize opportunities arising from urbanization. These problems include, inter-alia: inadequate shelter, environmental degradation, overcrowding, delinquency, unavailability of clean water, inadequate drainage and sanitation and lack of adequate public transport. It is therefore important to keep on appraising the performance of policies and strategies necessary for the formulation and implementation of programmes and projects geared towards the achievement of adequate shelter for all and sustainable human settlements development in an urbanizing world.

### **Rural-Urban Linkages**

13. Although the 21st century will continue to be a century of transformation from predominantly rural settlement setting in Africa to an urban one, a substantial proportion of Africa's population will continue to live in rural areas. It is therefore imperative that the new policies and strategies recognize this close interrelationship between rural-urban growth and balance so that efforts to solve the problems of urban growth do not exacerbate the problems of rural development.



## **2.0 SHELTER AND HUMAN SETTLEMENTS POLICIES AND STRATEGIES BEFORE AND AFTER THE FIRST U. N. CONFERENCE ON HUMAN SETTLEMENTS, 1976**

### **Shelter Policies and Strategies**

14. Prior to independence in 1963, the colonial administration restricted the movement of indigenous population to towns. This did not deter the increase in housing demand necessitating the creation of a Central Housing Board in 1953. The Board served as an agency for channelling government funds in the form of loans to local authorities to develop housing for indigenous population in their areas of jurisdiction. This was the start of zoned settlements development to cater for various classes of races and labour in towns. In the rural areas, emphasis was on housing for farm labourers on white settlement farms. In both cases, the main feature of housing was to provide bed-space for labourers.
15. At this early stage a system of local authorities modelled on the U.K. tradition was already in place and responsible for a broad range of urban services including, inter-alia: primary education, health services, road construction and maintenance, water supply, sewerage, public housing, solid waste management, drainage, markets and social services. In urban areas, local authorities were classified as municipalities, towns and urban councils and in rural areas as county councils.
16. After independence in 1963, Kenya's rural-urban migration increased tremendously. The result was overcrowding and the demand for more urban services and particularly shelter, were beyond the capacities of local authorities. In 1964, the government invited a United Nations Mission to investigate the short and long term housing needs in Kenya and to make recommendations on policies which would be pursued within the framework of Kenya's social and economic development. The report of the Mission was published by the Government in May 1965 and after its appraisal the first comprehensive housing policy for Kenya was enunciated in 1966/67. This is also referred to as Sessional Paper No.5 of 1966/67.
17. The results of the housing policy were the creation of a Ministry specifically in-charge of housing, the conversion of the Central Housing Board to National Housing Corporation as the main agency for the development of low cost housing utilizing government and donor funds, the creation of Housing Research Development Unit, the establishment of the Housing Finance Company of Kenya to promote home ownership through mortgage development in addition to the then existing East African Building Society which was privately founded.
18. The Sessional Paper No.5 of 1966/67 on Housing Policy for Kenya has been the basis for the preparation and implementation of housing development plans, programmes and projects pursued in the country up to 1980 when the review process started. At that time the policy focussed on:

- Urban housing development,
- Rural housing development,
- Financing for housing,
- Administrative organization for housing development,
- Housing programmes and projects, and
- Research and development.

19. The 1966/67 housing policy was modified and implemented in subsequent development plans, programmes and projects such as sites and services, core housing and tenant purchase schemes. Settlement upgrading projects provided secure tenure and a range of basic urban services enabled and encouraged low income households to improve their housing through self-help construction. Despite these efforts, only 25,000 housing units in urban areas were completed compared with the required 50,000 units during the planned period of 1974-1978. The shortfall was met by a combination of overcrowding, unplanned settlements and postponed retirement of un-upgradable housing.

20. By 1980, it had already become necessary to have a critical look into the existing and future performance of the entire housing sector and formulate new policies and strategies that would guide the preparation and implementation of future housing programmes. The first stage was to carry out urban and rural housing surveys. This was followed by the formulation of the National Housing Strategy for Kenya, 1987-2000. The Strategy went into more details on areas not adequately addressed by the 1966/67 policy document such as:

- Land use planning and land administration,
- Infrastructure planning and construction industry,
- Estate Management and Maintenance,
- Documentation and dissemination,
- Monitoring progress.
- The strategy of enablement.

21. The objective of the Strategy was to produce a concrete National Plan of Action for the period 1987-2000 by which the public and the private sectors working together and in collaboration with the international community could produce a high volume of acceptable quality housing sufficient to meet the needs of new households and make inroads into upgrading the existing stock of substandard housing in urban and rural areas. In addition, this **enablement** strategy introduced a new direction by introducing an innovative approach that gradually shifted the role of government from one of direct developer of housing for lower income households involving moderate subsidies to one of working with and facilitating the development of this housing by private entities. This was a drastic shift from the strategy set in 1966/67 policy document.

22. One of the aims of the strategy was to involve the informal sector actors in harnessing

their capacities to the national housing needs. This change required inter-alia: adequate knowledge of local conditions and needs which could only be achieved through a process of consultation with all the actors in the housing sector.

### **Human Settlements Policies and Strategies**

23. Human settlements are where organized human activities take place. Often, due to limited resources and for purposes of economic growth, some degree of concentration of activities and people, in particular places, is deemed to be economically and technically vital. Such concentrations of people and activities range from small villages, towns, municipalities to large cities and metropolis.

24. What then emerged was a dual pattern of settlements characterized by spatial and incoherent and without integration. The towns were segregated on social and racial lines with restricted access to community facilities and infrastructure services. At independence, the country faced rapid population growth and encountered an influx of rural-urban migrants to the major urban centres. Most of them were neither economically nor environmentally equipped to accommodate the population and meet their needs. The earlier pattern of human settlements continued while squatting and slums development increased.

25. In response to the rapid urbanization and imbalanced regional development, the Government embarked on various policies and strategies to enhance sustainable and equitable development in the country. These were adopted in the Sessional Paper No.10 of 1965 on **African Socialism and its application to planning in Kenya** and in National Development Plans (1970-74 and 1974-78). In 1978, the Government introduced an urban and rural human settlements strategy which addressed various national development issues.

26. The development of growth centres strategy involved strategically located centres in different regions of the country and selected on the basis of their administrative, agricultural, tourist and industrial potential, proximity to population concentrations, levels of existing infrastructure and accessibility to services. These towns have progressively received additional investment making them attractive to the growing urban population and thus avoid excessive concentration of people in the main towns of Nairobi and Mombasa. This policy also created a hierarchy of service centres to provide services and markets for the rural population and to serve as a basis for future urban development. The two strategies were to be supplemented by the strategy of a hierarchy of roads and communication links between the various levels of centres with a view to increasing accessibility to existing centres.

27. The next policy on rural - urban balance strategy was to promote the development of an urban system which supports the growth of agriculture and development of rural areas and generate employment.

The main objectives of this strategy included:-

- avoiding excessive concentration of population in Kenya's largest cities,
- promoting vigorous growth of secondary towns and smaller urban settlements through the development of agriculture,
- fostering productive linkages between agriculture and other sectors of the economy, between rural areas and local services centre, market towns, gateway towns and secondary cities and
- encouraging renewed growth in all regions of the country

The components of the rural-urban balance strategy were:-

- Rural Trade and Production Centres (RTPCs),
- Municipal Management and
- Informal sector.

28. The policy on District Focus Strategy for Rural Development further strengthened the rural-urban balance and the promotion of gateway towns.

#### **Socio-economic indicators influencing Human Settlements**

29. The following socio - economic indicators were found to be key in influencing the pattern of human settlements in Kenya:

30. *Urbanization and population growth:* Between 1980 and 1990 the urban population grew at an annual rate of 5% increasing from 2.48 million in 1980 to 4.03 million in 1990. Urban population is projected to increase to 6.95 million and 11.22 million by the year 2000 and 2010 respectively. The annual urban population growth rate between 1990 to 2000 is expected to be 5.6% but will fall to 4.9% between 2000 to 2010. It is expected that by the year 2010, 26.4% of the total population will be living in urban areas.

31. *Poverty:* The root causes of poverty are numerous and range from rapid growth in population, poor terms of trade to low economic growth rates. The GDP per capita since 1990 has been declining while economic growth rate has also declined over the past years. In 1990, GDP per capita was 190.63 to 177.05 by 1994 in current prices. Real growth in the GDP has declined progressively to 4.3% in 1990 to a meagre 0.2% in 1994. The high rate of population growth has outstripped the available resources, increasing the poverty bracket as most people live below the poverty line. In the human settlement scenario, poverty has been the major limiting factor in development. In the rural areas, the majority of the population are unable to meet their basic requirements. It is estimated that 47% of Kenya's urban population now live in very low income neighbourhoods and 30-40% of these are estimated to be absolutely poor. In Nairobi, slums accommodate over half of the urban population. There is therefore a need for social safety

nets in the areas of human settlement to cushion the vulnerable groups.

32. *Unemployment:* The goal of the employment creation policy is to increase the number of jobs and to improve productivity. The informal sector employment creation rose by 22% to reach 1.79 million, and the modern sector rose by 2% to reach 1.5 million as per last financial year. It is estimated that about 60% of the population is under 20 years of age and so, youth and general unemployment are among the most crucial socio-economic problems. The government policy towards employment generation, however, is changing from one of direct intervention to that of providing a favourable environment for private investment and job creation. During 1996-2010 employment growth rate must average 4.3% annually if near full employment is to be realised. The private modern sector employment has been more productive but has been growing far too slowly to absorb the manpower available. In 1991 Kenya's labour-force was 10.2 million. This total was expected to grow at an average rate of about 4.1% between 1991-2000 i.e 421,000 in 1992 to 560,000 in 2000. In 1991 modern and informal sector employment was 2 million. To cope with increasing labour-force, employment creation has to grow at an average of at least 14% a year from 1992-2000 and in order to reach full employment then a growth rate of 17% annually is required.

33. *Crime rate:* The crime rate has increased in the country in recent years. This has been due to high population growth rate and unemployment pressures. From 1981 to 1985 the rate of robbery increased by about 16%, 1986 to 1990 increased by 13%. Since 1991 to date crimes related to the use of guns have been on the increase causing social unrest and insecurity in various human settlements. The security system has had to update and enhance their approach in dealing with such cases.

34. *Housing:* The demand for housing in the urban areas has far outstripped supply. According to the Housing Indicators Programme, there is a great shortage of houses in most urban centres. This has led to high rents charged by the landlords. The majority of the people in urban areas do not own homes as the level of owner-occupancy has been declining. The provision of infrastructural facilities (roads, pavements, electricity, ditches, sewers, telephones, and street lights) have not adequately satisfied the demands of the growing population. There are indicators of chronic overcrowding in human settlements. In terms of infrastructures there has been high population growth rate at a time when urban centres have been undergoing a serious service squeeze. Access to safe drinking water in low-income and high population density areas is poor, for instance, in Mombasa where 63% of slum dwellers do not have access to any source of safe drinking water. In terms of sanitation, it is estimated that 94% of the population in informal settlements do not have access to adequate sanitation. Generally, pit latrines are shared by approximately 50 people. Lack of sanitary facilities has led to environmental hazards through improper disposal of wastes causing water pollution and other health hazards.

35. *Finance:* Limited access to finance has been a major limiting factor in human settlement

development. The sources of funds for shelter are few and the lending housing financial institutions have not really reached some target groups. Qualifying terms of mortgages are still too stringent despite the fact that housing and human settlement development is still in short supply. The inadequate resources in relation to demand for housing development, excess red-tape in procurement of finance, inability to finance house loans to groups, low affordability due to poverty problem, high interest rates on mortgages, lack of graduated payments of mortgages and lack of access to suitable local funds like NSSF have caused socio-economic problems and hindered development of affordable human settlements.

**B: PREPARATORY PROCESS, CURRENT CONDITIONS, AND PRIORITY ISSUES**

**3.0. THE PROCESS**

**Introduction:**

36. The decision to convene the Second United Nations Conference on Human Settlements (Habitat II) was precipitated by the Global Strategy for Shelter which was adopted by the United Nations General Assembly in 1988 and came at a time when roles of the various actors in human settlements, including all levels of governments were being redefined. Past experience since the first United Nations Conference on Human Settlements which took place in Vancouver Canada in 1976 has created the need for a renewed formulation of plans of action so that the twin objectives of adequate shelter for all and sustainable human settlements in an urbanizing world can be realized. In this regard, governments were persuaded that they were no longer able to be the main shelter providers in their national context but should, create a favourable environment for other actors in the shelter and human settlements sector to participate, in a broad-based process comprising the formulation of policies and strategies and implementation of programmes and projects. This is particularly necessary due to reduced external financial assistance to the developing countries which necessitates marshalling of locally available resources for sustainable development.

37. In Kenya, this approach to development was spelt out in Sessional Paper No.1 of 1986 on **"Economic Management for Renewed Growth"** in which the Government laid out a series of policies to redefine its role. The main objective of these policies was to create an economy that is market oriented and to encourage the non-government sectors to play a pivotal role in development. The aim was to minimize public sector interventionist measures and create an environment supportive of the efficient operation of the non-government sector. This approach was further enhanced by Sessional Paper No.1 of 1994 on *Recovery and Sustainable Development to the Year 2010* in which the Government reiterates that *"it is only when all citizens are given an equal opportunity to contribute and benefit from economic development that the nation will become committed to the maintenance of stability. The Government will ensure that a positive policy environment is created and maintained to encourage private investment from both domestic and foreign sources"* (GOK, 1994, Pg 4)

38. From the outset, Kenya's national preparatory process has emphasized the collaborative approach in identifying and addressing the Human Settlements issues through broad-based participation and consultations. In Kenya the process for the preparation of National Plan of Action geared towards meeting the twin goals of adequate shelter for all and sustainable human settlements in an urbanizing world was initiated in March 1994. The main objectives of the

process were to analyze past and current shelter and human settlements conditions in the country, prepare priority issues that would assist in the formulation of National Plan of Action and also provide information that would assist Kenya's participation in the preparation of the Second United Nations Conference on Human Settlements (Habitat II) which will be held in Istanbul, Turkey in June 1996. Guidelines provided by UNCHS (Habitat) were utilized as much as possible.

#### **National Steering Committee:**

39. The broad-based National Steering Committee for Habitat II and National Plan of Action was established to facilitate the preparatory process. Members of the National Steering Committee were drawn from a cross-section of partners in the Human Settlements sector and included representation from the public sector, NGOs, Universities, professional bodies and housing finance institutions. In addition, the membership to the committee was drawn from such umbrella organizations as Shelter Forum, Architectural Association of Kenya (AAK), Kenya Association of Manufacturers (KAM), Association of Local Government Authorities of Kenya (ALGAK) and the National Housing Co-operative Union (NACHU).

#### **Workshops:**

40. A broad-based National Workshop was organized in Eldoret from 6 - 12 March, 1994 to introduce the Habitat II Preparatory Process to the various actors.

41. The National Steering Committee also organized three specialized workshops targeting the needs of different stakeholders in the field of human settlements. Ways of enabling, strengthening and enhancing common approaches and mechanisms for effective partnerships in shelter and human settlements were discussed.

42. The workshops identified, among others, three main constraints to the development of shelter in Kenya; namely, finance; land; and appropriate legislation.

#### **Continuous Formal and Informal Consultations**

43. The National Steering Committee decided to take advantage of regular activities and fora organized by different categories of actors in the shelter and human settlements sectors to publicize the Habitat II process and create dialogue with these actors.

44. In May 1995, BUILDDEX '95 building and construction exhibition was organized by manufacturers of building materials to provide a centralized product display for consumers under the theme **Low cost Through Efficiency**. The manufacturers highlighted critical problems facing their sector and suggested possible solutions. These have been incorporated in the National Plan of Action.



44. In August 1995, Shelter Forum organized an annual event with the theme of strengthening networks for effective participation in human settlement and the Habitat II process. The participants were drawn from NGOs, CBOs, public sector, CBGs and academics.

46. The Agricultural Society of Kenya Shows, organized throughout the country, presented an opportunity for creating awareness among the public on shelter issues and strategies developed under Habitat II preparatory process. Other activities included workshops organized by various institutions, such as Nairobi and Moi Universities.

47. Kenya also participated in consultations organized at the regional and sub-regional level in Africa. The meetings were held in Nairobi, Dakar, Kampala, Brazzaville and Johannesburg. These consultations identified critical issues of regional and sub-regional nature and to a large extent, influenced Kenya's perspective as outlined in the National Plan of Action.

48. In addition, Kenya participated in the 49th and 50th sessions of the U.N. General Assembly, the Dubai International Conference on Best Practices and the Housing and Urban Indicators Programme.

### **Best Practices**

49. As part of the Habitat II preparatory process, various countries are trying to document and select Best Practices with a view to sharing them widely. The Best Practices are essentially actions, initiatives or projects which have resulted in improved quality of life and living environments of people in a sustainable way. In Kenya, the National Steering Committee on Habitat II prepared comprehensive guidelines for selecting best practices. The Committee constituted an independent board of eminent personalities drawn from the Kenya Mission to Habitat, UNCHS, University of Nairobi and the private sector. They selected and recommended the best practices to be sent to Habitat. Lessons learnt from the Best Practices experience have been incorporated in this plan of action.

#### **a) Guidelines for Selecting Best Practices in Kenya**

50. To qualify for selection, a Best Practice had to satisfy the following four basic criteria:

i) — Impact

The ability of a practice to demonstrate a positive and tangible impact on improving the living environment of people.

ii) Sustainability

The capacity of a practice to be self-sustaining especially in terms of demonstrating its

tangible impact in bringing about lasting changes in the area of human settlements

iii) Gender

Wherever applicable and possible, the Best Practice had to be gender sensitive.

iv) Partnerships

The ability of a practice to be based on partnerships among at least two or possibly more, of the actors identified as partners of the in-country preparatory process for Habitat II.

**b) Selection Process of the Best Practice:**

51. Out of twenty eight submitted practices, eleven were presented to the selection board, who in turn recommended seven to Habitat. These included:

- Community-led Maasai Housing Project of Intermediate Technology Development Group
- Expanded sanitation outreach programme - Mathare 4B of Development Alternatives Network (DAN)
- Community participation in Household Energy Technology Development of Intermediate Technology Development Group
- Tanzania-Bondeni Community Land Trust Project of Small Town Project - Ministry of Local Government
- Mabati Women Groups and Sustainable Development of Housing and Building Research Institute (HABRI)
- Slum upgrading and sanitation programme of Undugu Society
- Loan Programme in slums of National Cooperatives Housing Union (NACHU)

**c) Best Practices Exhibition:**

52. A major national exhibition took place on 26-27 October 1995 at the KICC, Nairobi. Attendance included: top government officials, NGOs, CBOs donors and the general public.

**d) The Dubai International Conference on Best Practices in Improving Living Environments:**

53. This Conference took place on 19-22 November 1995. More than 600 participants from all over the world attended. Some 28 Best Practices were presented and discussed during the 4-day well-organized event. Kenya was represented at this important event by both public and NGO officials including grassroot representatives. One of our Best Practices, Maasai Housing Project was displayed and attracted quite a good crowd. The Dubai experience has been used in the finalization of Best Practices preparation.

**Indicators**

54. The preparatory process also included the development of a human settlements performance monitoring system at three phases, namely: the City Data Programme, the Housing Indicators Programme and the Urban Indicators Programme. The process generated inter alia, up-to-date indicators in various computerized packages presented in statistical forms and developed capacity in data management in central Government ministries and local authorities. Data is available both as indicators in computers and in reports.

55. *The City Data Programme:* This was the national component of the Global City Data programme. A core of key central Government ministries and eight municipalities participated in this programme. The objectives of the programme were to design a national data collection and dissemination system which would provide efficient statistical capacity in eight local authorities and the participating central government agencies.

56. The activities included steering committee meetings to coordinate the preparations and other major programme activities that ensued. A survey of urban data collection and dissemination practices was undertaken to determine the course of action. A sensitization workshop for Mayors and Town Clerks from the participating local authorities on the importance of data was held. Computer training was given to the government counterpart staff.

57. A detailed urban indicators questionnaire which was globally formulated was analyzed and field tested. The databases generated contain socio-economic, local government, infrastructure and environmental indicators. The global questionnaire was then analyzed and refocused to the Kenyan situation and field testing carried out. This was followed by data collection, analysis and verification.

58. The City Data Programme was institutionalized in 1994 and is now spreading out to cover other local authorities.

59. *The Housing Indicators Programme:* This programme was initiated by the Government in 1993 but implemented between January and September 1995 as a necessary part of the preparatory process towards the Habitat 11 conference. The programme covered six towns, and was handled in a broad-based participatory manner involving several institutions.

60. The objective of the programme was to develop a shelter sector monitoring mechanism by developing and later utilizing a set of policy sensitive housing indicators. Two broad categories of data were considered in the process of developing the indicators, namely:

*Needs indicators* - Which were deemed useful in identifying the extent of unmet housing needs in a community and therefore forming the initial steps of establishing necessary interventions. Indicators such as affordability, occupancy rates, private tenancies, applications for public housing were considered.

*National performance indicators* - which are useful in evaluating national performance against a range of criteria. These are for example, access to housing, housing production costs, private sector involvement in urban infrastructure etc.

The activities in this research programme involved selection of indicators from the broad set of globally formulated housing indicators by the UNCHS (Habitat). The selected indicators were then taken through a field testing phase and later implemented.

61. The indicators finally agreed upon were selected on the basis of the following characteristics: *Policy sensitivity, clarity of objectives* i.e; unambiguous, reliable, measurable and easily understood, *availability over geographic areas or social groups* and *sensitive* i.e; should change as conditions change. The entire process involved inter alia, capacity building, data collection, verification and processing of data, institutionalization of the monitoring exercise and dissemination.

62. *The Urban Indicators Programme:* This programme was undertaken as a process of developing a monitoring package for towns. The survey was based on Nairobi City, covering key indicators on socio-economic, infrastructure, transport, environmental management and local government modules. Consequently a locally responsive urban data base was created for the city, which could also be replicated in other local authorities in Kenya. This process drew from the City Data Programme and Housing Indicators and field surveys. The process and the results have been utilized in the Habitat II preparatory process.

63. The output of the above programmes has been capacity building in data collection and management, awareness creation on the need to rationalize data collection and dissemination for planning and policy formulation in the shelter sector. It has created a forum for exchange of information and yielded useful databases which will form the basis of monitoring and evaluating the sector's performance.

#### 4.0 CURRENT CONDITIONS AND PRIORITY ISSUES

##### Current Conditions

64. Kenya has articulated shelter and human settlements policies and strategies consistent with its level of development. However, the many socio-economic factors, particularly the urbanization process and the adverse external economic climate have relegated shelter and human settlements conditions below expectations.

65. The major constraints towards adequate shelter for all and sustainable human settlement development in an urbanizing Kenya as assessed during the consultative process are inter-alia:-

- Inadequate finance mechanisms
- Cumbersome land management systems
- High cost of Building Materials
- Unrealistic Building by-laws and Planning Regulations
- Limited Enabling Legislation
- Insufficient infrastructure provision, maintenance and rehabilitation mechanisms
- High urbanization rate
- Inadequate Urban Management
- Unaffordability and Vulnerability
- Regional imbalances
- Environmental degradation and
- Weak institutional co-ordination

##### Priority Issues:

66. During the national preparatory process, priority issues critical to meeting the twin objectives of adequate shelter for all and sustainable human settlements development in an urbanizing Kenya were identified as follows:-

67. *Population Growth and Rapid Urbanization:* The population distribution and its dynamics are critical in the development and management of human settlements. The key issues identified in the consultative process are:

- Rapid natural population growth and
- High rural-urban migration

68. *Poverty*: One of the biggest limitations to acquiring decent shelter by most people is poverty which is wide-spread in slum/squatter settlements in urban areas, and in rural areas. The critical issues under this subject are:

- Unemployment,
- Underemployment,
- Lack of adequate shelter and basic infrastructure,
- Role of the informal sector in providing employment,
- Low rate of employment generation,
- Lack of competitive and appropriate skills
- Limited access to credit facilities by the urban poor.

69. In the rural areas, the main occupation is subsistence agriculture. The major constraints experienced by the rural poor among others include:

- Inappropriate storage facilities,
- Limited access to credit and markets,
- Absence of capital resources and agricultural inputs,
- Inadequate transport facilities,
- Delayed payments for produce,
- Unpredictable prices of agricultural produce.

70. In both urban and rural areas:

- women are disadvantaged by virtue of their gender which has enhanced the lack of access to socio-economic opportunities for advancement.

71. Poverty reduction programmes and activities associated with housing, infrastructure, building materials and related employment-generating opportunities offer only partial, picture of the needs of the shelter sector. Lack of access to serviced land, high cost of building materials prohibitive planning and building regulations and rigidities in the underwriting criteria of the real estate mortgage markets are the underpinning constraints in the provision of adequate shelter for all.

72. *Vulnerable Groups* : The vulnerable groups include the rural and urban poor, poor women and especially women-headed households, the youth and children, particularly street children, the disabled, refugees and displaced persons. The 1992 National Household Welfare Monitoring and Evaluation Survey, indicated that about 63% of households covered in the survey had incomes below the national average, although with considerable variations at provincial level. The survey also indicated that 72% of the households were male-headed while about 28% were female headed and relatively poor.

73. Available data further indicate that 55% of the total population of Nairobi, the majority of whom are poor, live on only 5.5% of the total residential land area. Most of them are tenants living in informal settlements. In addition it has been shown that over the past two decades, the proportion of children and the youth under difficult circumstances has increased greatly due to poverty among other reasons. These are: child workers, drug addicts and traffickers, AIDS orphans and AIDS affected children, child mothers, abused and neglected children, especially in slums, disabled children, refugee and displaced children, children of nomads and of imprisoned mothers. These have shelter needs that are not adequately addressed. In addition, the youth face unemployment, inadequate health, education, training and recreational facilities to help them participate fully in shelter development as well as living a full life. The number of AIDS orphans in Kenya is expected to double to 600,000 by the year 2000.

74. There are over 300,000 handicapped people in Kenya who have limited access to education, vocational training, specialized skills, access to buildings, and other services. Planners and designers do not adequately incorporate the physical, cultural and social needs of vulnerable and disadvantaged groups in planning and designing processes. This is evidenced by the absence of pedestrian/cyclist pavements, ramps for access to buildings, space for informal activities among other unmet needs.

75. *Access to Basic Infrastructure and Services:* Infrastructure is a major component in the development of shelter and human settlements. Despite its importance, its provision and maintenance is not adequately addressed. This has led to deficiencies in the quality and quantity of the services and infrastructure.

76. Provision of adequate sanitation is still a major challenge in most of the urban areas. The biggest problem is the provision of appropriate excreta disposal systems to high-density low-income communities residing in the informal settlements. Uncollected refuse from domestic houses, commercial and industrial establishments is a common phenomena in most urban areas. For instance, Nairobi City generates an estimated 800 tones of solid waste each day, most of which is uncollected.

### **Environment**

77. One of the major environmental and development challenge facing Kenya, is how to maintain the equilibrium between population, ecosystems and development. This challenge is reflected in the conflicting demands of economic growth, sustainability and quality of life in the existing human settlements. The Government through the National Environment Action Plan, has provided measures to integrated environmental considerations into economic planning and programmes for sustainable development.

### **Policy and Legislation**

78. Currently there is no comprehensive human settlements and legislation in Kenya. However, the existing housing policy is currently under review.

### **Access to Land for Shelter and Open Spaces**

79. Land is a scarce and valuable resource. Lack of a comprehensive land use and management policy has, inter-alia, led to development of substandard settlements with inadequate basic infrastructure, services and open spaces.

### **Finance for Human Settlements**

80. In Kenya, there is shortage of capital for shelter and human settlements particularly for the poor. This is compounded by unfavourable mechanisms for financial underwriting in the mortgage market. For example, housing loans are secured by clear titles to land ownership and the registration of the mortgage in the land register. As a result, low-income house owners in the settlement upgraded areas as well as site and service schemes have no access to housing finance from the mortgage market.

### **Building Materials and Appropriate Technology**

81. Building materials constitute the single largest input in construction and account for about 70% of the cost of housing. In Kenya, the building and construction industry relies on various types of mineral and organic materials. Minerals include; earth, building stone, sand, gypsum and limestone while organic building materials include wood, bamboo and grass. Their continued use has major impact on the environment. Other materials such as galvanized corrugated iron (GCI) sheets, steel reinforcements and asbestos-based products, are mainly imported or rely on expensive imported inputs and expertise.

82. During the consultative workshops, the following factors were identified as contributing to high cost of materials and construction; high taxation, monopolies that distort the market especially on cement, limited use of low cost local building materials, inappropriate policies, restrictive laws and building standards, inadequate technologies in the production and usage of materials and inadequate dissemination of appropriate affordable technologies.

### **Construction, Maintenance and Rehabilitation**

83. Construction, maintenance and rehabilitation are important elements in development of shelter and human settlements. During the consultative process, the following issues were raised:

- Inadequate attention to maintenance and rehabilitation,
- Privatization of maintenance works,



- Inadequate community participation and,
- Poor timely maintenance culture.

### **Energy**

84. The major sources of energy in Kenya at present include indigenous supplies of biomass energy (woodfuel, agricultural residues and charcoal), fossil fuels (oil and coal which are imported) and electricity. The main issues raised during the consultative process include:

- Over-dependence on wood fuel by most of the rural population and the urban poor,
- Depletion of forests and vegetative cover
- Inefficient utilization technologies
- High incidence of upper respiratory tract infections arising from the use of wood and oil, use of petroleum in industrial and transport sectors, pollute the air,
- Land and water resources through exhaust fumes,
- Oil spills and inappropriate handling of petroleum residues.
- Under-utilization of alternative sources of energy e.g. solar, power alcohol, biogas, wind etc
- Inadequate research, ineffective dissemination of appropriate technologies

### **Historical and Cultural Heritage**

85. Kenya has a rich historical and cultural heritage which needs to be preserved for posterity. The main issues which emerged during the consultative process include:

- Loss of traditional skills, craft,
- Destruction of historical sites, buildings, ruins, rock paintings, caves, forts of cultural significance and an assortment of cultural artefacts and the resources from which they are made.
- Unclear policy on the implementation of the legal provisions contained in Antiquity and Monument Act (Cap 215) and the National Museums Act (Cap 216) of the Laws of Kenya which articulate the Government's role in conservation and empowers the National Museums of Kenya to care for and protect the built historical heritage.
- Penalties imposed on destruction of monuments,
- Appropriate skills and finance for conservation programmes.
- Change in attitudes and values
- Community involvement.

### **Disasters**

86. Natural and man-induced disasters occur frequently in Kenya. These include, inter alia; earthquakes, fires, lightning, drought and desertification, pest invasion, industrial accidents,

floods and displaced persons. Disasters cause death, destroy settlement networks and facilities critical for sustainable development. They disrupt agricultural production, cause loss of jobs and are a financial burden on the government. Thus, the long-term impacts of disasters are often felt far beyond the directly affected area and time. The most devastating impacts of disasters are in human settlements, especially those of the poor and disadvantaged communities where the state of preparedness and relief are lowest. One widespread disaster in Kenya is desertification and drought that affects 80% of the land area which is arid and semi-arid. The ASALs are the home for 25% of the population and slightly over half of the livestock population in the country. The situation is exacerbated by;

- Rapidly increasing human and livestock population,
- Wildlife in parks and reserves,
- Frequent droughts and
- Refugee problem and in-migration from the high potential zones.

87. The major issues include:

- Appropriate contingency measures in the management of cyclical and unexpected disasters,
- Policy on disasters,
- Co-ordination,
- Centralized information and data and its dissemination.
- Vulnerability maps for each disaster,
- Capacity building and appropriate technologies for disaster preparedness.

#### **Settlement Planning and Management**

88. The problems of human settlement management are many and varied. These included, inter alia; limited institutional capacity in both the central Government Ministries, Local authorities and major stakeholders, due to inadequate finance, manpower, research and information ineffective planning and poor management. In some cases, there is inadequate co-ordination of the major actors in the human settlements sector leading to duplication of efforts. There is need to share public sector funds and co-ordinate programme implementation between national and local authorities.

89. The community is not provided with opportunities for inputs in terms of self-reliance and credible local governance in their neighbourhoods that are to be an effective tools in solving neighbourhood problems. The gaps in services by the local authorities include, among others;

- Co-operation between government and neighbourhood organizations

- Involvement of communities in the clean up, conservation and maintenance of the urban environment and
- Poor sensitization and enforcement of policy and law.

### **Research and Information Dissemination**

90. Information plays a vital role in all aspects of human life. It is a fundamental resource upon which organizations, countries and individuals depend in managing their affairs. In decision making process, information is required to define objectives, set targets and guide in the implementation process which enhances effective and harmonious project implementation. During the consultative process, the following issues were raised:

- Limited analysis of collected information
- Limited dissemination
- Uncoordinated data collections, dissemination and storage systems,
- Coordination and linkages between the relevant information users and
- Inadequate human settlements information management structure.

### **Institutional Co-ordination**

91. The human settlements sector consists of a large number of agencies in the public sector, private sector, NGOs, CBOs and International Organizations. However, within the public sector, problems identified include:

- Weak intersectoral linkages in shelter programmes (segmented sectoral mandates in line ministries, local authorities and parastatals).
- Overlapping responsibilities,
- Policies and strategies and
- Centralized decision-making.

### **Monitoring and Evaluation**

92. Monitoring and evaluation are important in programme implementation process especially in identifying the constraints and modification of the programmes. The following issues were noted:-

- Lack of an effective monitoring and evaluation system and
- Inappropriate tools and human resources.

## **5.0 SHELTER AND HUMAN SETTLEMENTS ISSUES RAISED IN SOME OF THE**

## **PAST U.N. CONFERENCES**

93. The preparatory process in Kenya also considered various shelter and human settlements issues and agreements reached in some of the various past U.N. Conferences as outlined below:-

### **Global Strategy for Shelter (GSS) to the Year 2000**

94. The enabling approach was adopted by the United Nations General Assembly in 1988 to facilitate adequate shelter for all by the year 2000. Kenya has since adopted this approach in her human settlements development.

### **The World Conference on Environment and Development (UNCED), Rio, 1992:**

95. The nations of the world decided to hold an international conference to address the deteriorating environmental conditions of planet earth. The following issues emerged from the conference:

- Adequate Shelter for All,
- Human Settlements Management,
- Land Use Planning and Management,
- Environmental Infrastructure,
- Human Settlements Planning and management in disaster prone areas,
- Construction Industry,
- Human Resources and Capacity Building and
- Sustainable Energy and Transport System and Human Settlements.

### **The International Conference on Population and Development (ICPD), Cairo, 1994:**

96. The population conference was convened to address the very serious demographic problems which have been precipitated by unprecedented population explosion and associated social ills. The following issues, among others, were discussed:

- Fertility rates,
- Productive health and
- Internal and international migration.
- Poverty

### **The World Summit for Social Development (WSSD), Copenhagen March 1995:**

97. This conference was convened due to the alarming poverty levels affecting many nations of the world especially the developing countries. The following major issues among others, were discussed:

- Poverty,
- Unemployment,
- Social exclusion,
- People-centred development and
- Linkages between politics, economics and social factors.

#### **The Fourth World Conference on Women, Beijing, September 1995:**

98. The conference was convened to address the growing concerns over women's vulnerability with respect to access to resources, education, decision making, maternal health and equity, among others. The following key issues were raised :

- High percentage of female-headed families in shanties,
- Lack of title to land by many women,
- Lack of collateral for mortgage for a majority of women,
- Inadequate appropriate technology to reduce women's workload,
- Inadequate promotion of skills in craft and industry by a majority of women,
- Traditional inhibitions to women's equal access and ownership of property and
- Lack of awareness among women on their rights.

99. The above issues have been considered in the formulation of Kenya's National Plan of Action for Habitat II.

### **C: NATIONAL PLAN OF ACTION**

#### **6.0 STRATEGY AND PROGRAMMES FOR IMPLEMENTATION**

##### **Introduction**

100. This National Plan of Action is an important document for the future development and management of shelter and human settlements in Kenya. It is intended to serve as an important instrument by which the Government, Local Authorities, the NGOs, CBOs and all other actors in the private sector commit themselves to meeting the twin objectives of adequate shelter for all and sustainable human settlements in an urbanizing world. It has been prepared through analysis of past sector performance and consideration of issues and priorities formulated through a consultative and participatory process of all the actors involved in the sector.

101. The national preparatory process for Habitat II in Kenya started in March 1994 in a broad-based workshop organized by the government brought together actors in shelter and human settlements. The workshop, together with follow-up meetings of various specialized agencies came up with issues and priorities affecting the development of shelter and human settlements.

These issues and priorities together with those raised in other UN Conferences have been taken into consideration in the formulation of this National Plan of Action.

102. This National Plan of Action has been prepared twenty years after the 1976 Vancouver Plan of Action. Over these twenty years, Kenya has experienced remarkable changes in social and economic development and particularly in tremendous population and urbanization growth unprecedented before. The rapid natural population growth and the rural-to-urban migration have increased the concentration of human settlements in towns with low capacities to provide adequate shelter, infrastructure and community facilities as well as employment particularly to the urban poor. This has led to the development of slums and squatter settlements in most of Kenya's towns. It has therefore become necessary to re-examine the past policies and strategies, formulate new ones that would respond effectively to this urbanization process and the growth of unemployment and poverty, in both urban and rural areas.

### **Strategies for Implementation of National Plan of Action**

103. Over the past twenty years and before the Vancouver Plan of Action, the thinking has been that the public sector had the capability to develop and manage shelter and human settlements through appropriate interventions and measures. Further, very little attention was paid to the effects of these developments on the country's renewable and non-renewable resources and effects on air and water pollution. Later, the introduction of a complete market strategy and the structural adjustment of 1980's, while introducing efficiency in the market, left vulnerable groups and the very low income population out of the mainstream of shelter and human settlements development.

104. Habitat II National Plan of Action provides a new strategic approach for shelter and human settlements development - the enabling strategy. This is why the process has been broad-based and participatory, involving both public and private sectors. It is based on the understanding that Government alone cannot solve all the growing problems of shelter and human settlements. The enabling approach allows all citizens and groups, NGOs, CBOs, professionals and individuals in private sector to work together as partners with Government. This is done in a way that while the Government specializes in performing a higher volume of those activities which the private sector cannot do or can do only ineffectively e.g. legislation, regulations and standards, land transfers, off-site infrastructure etc; an increased share of shelter and human settlements will be carried out by the private sector with all levels of Government acting as a facilitator. It is however recognized that very low income groups, the vulnerable groups and disadvantaged regions will require differentiated and targeted programmes.

105. The enablement strategy is born from the principles of equity, civil engagement and partnerships. It allows the full expression of the needs of the people at the all levels, the family

and community, supports the collective quest for peace and sustainability, and in turn will lead to more livable shelter and human settlements. Effective strategy, implies a commitment by all actors to enhance their knowledge of issues; their own willingness to bring all citizens and civil organizations into the decision-making process in the formulation of policies and strategies, implementation of programmes and projects all geared towards meeting the twin objectives of **Adequate Shelter for all and Sustainable Human Settlements in an Urbanizing World.**

## **7.0 ADEQUATE SHELTER FOR ALL**

### **Introduction**

106. Since independence, the Government has been concerned with the improvement of shelter conditions for the country's population in both urban and rural areas. This concern has been influenced by the recognition that well planned and affordable shelter and infrastructure of acceptable standards, when combined with accessibility to essential services promotes dignity, security and privacy to the individual, the family and the community as a whole. Besides this social function, shelter investment contributed both directly and indirectly to employment generation, raising of incomes, improved health and increased productivity of the labour force. It is also an important investment to the family and the country as a whole.

107. Adequate shelter therefore means more than a roof over one's head. It means adequate privacy, adequate security, adequate space, lighting and ventilation and adequate location with regard to work and basic facilities, all provided at affordable cost.

108. In recognition of this social and economic importance of shelter, the Government takes great interest and concern in the entire shelter situation and the need for its sustained development and improvement. The long term goal is therefore to achieve a situation whereby every individual or family lives in adequate and affordable shelter which provides adequate accessibility to the related infrastructure and basic services.

### **National Shelter Policy**

109. It is, however recognized that the development of shelter, infrastructure and related services entail the utilization of scarce renewable and non-renewable resources such as land, building materials, labour, energy and finance. To ensure their efficient and sustainable utilization requires the formulation of an effective shelter policy. The policy should outline an enabling strategy to meet the goals, objectives and guidelines that incorporate the principles of peace, family, international cooperation and assistance, government responsibility and civil engagement, sustainability, equity, livability and partnerships as has been noted during the planning process. It also means the need for the establishment of new guidelines and programmes for capacity building for all the participants in the entire housing delivery system and commitments to meet the goals of adequate shelter for all. However, such a policy must be

continuously monitored, evaluated and revised as and when necessary, if it is to be kept in line with changing circumstances.

110. The first comprehensive housing policy for Kenya was enunciated in 1966/67. Since then considerable social and economic changes have taken place requiring comprehensive revision. This policy is now in the final stages of revision having taken the views and issues raised during the broad-based preparatory process for this National Plan of Action.

### **Issues**

111. The most important issues which had been noted during the consultative process and other U.N. Conferences are:-

- the need to enable all citizens and groups, NGOs, CBOs, professionals and individuals in private sector to work together as partners with the Government.
- the need for capacity building to enhance capabilities at all levels, for decision-making and programmes and projects formulation and implementation taking into consideration their effects on environment.
- the need to improve and streamline shelter delivery systems and particularly ensuring efficiency in the markets.
- the need for special programmes for groups of the population unable to participate in the market such as vulnerable groups and also disadvantaged regions of the country.
- the need to establish a system of statistics and indicators to provide data for planning and implementation.
- the need to establish monitoring and evaluation systems.
- the need to revise building by-laws and planning regulations and improve on approval procedures.
- the need to review rent control and procedures for Land Control Boards.

### **Programmes**

112. It is therefore planned to formulate and implement the following programmes and procedures:-

- Establish decentralization and capacity building programmes and procedures.
- Establish programmes for streamlining shelter delivery systems taking into consideration vulnerable groups and disadvantaged regions.
- Finalize the preparation of the Indicators Programme and establish a data-base.
- Establish monitoring and evaluation systems.
- Finalize the revision of building and planning regulations and improve on approval procedures.



- Finalize the review of Rent Control and review Land Control Boards procedures.

### **Shelter Delivery Systems:**

#### **a) Markets**

113. Markets play an important role in the housing delivery system and their performance should therefore be enhanced. This however requires the establishment of a capability to collect, analyze data, document and disseminate information regarding the demand for and supply of housing. This analysis should also include information on the function of the legal and regulatory framework. This information would also determine the limitations of the markets in servicing certain groups of people in the society so that specific mechanisms are formulated for such groups.

#### **Issues**

114. The consultative process raised the following issues:

- Reliable database on the housing sector
- Legal and regulatory frameworks
- Property transactions
- Fiscal measures to promote shelter delivery

#### **Programmes**

115. To ensure markets work efficiently and that there are special mechanisms to meet the needs of people not able to participate in the market it is planned that Government and Local Authorities will:-

- Establish a data base for supplying information on the supply and demand for shelter and operations of the sector.
- Periodically review legal and regulatory frameworks including planning and building codes and standards.
- Establish procedures that will make property transactions transparent.
- Establish fiscal measures to promote supply of shelter.
- Conducting regular shelter sector assessments including housing surveys, household data (sizes, incomes, rents paid, terms of lease, mortgages) as well as relevant data on shelter development and delivery systems.
- Formulation and implementation of innovative programmes through relaxation and simplification of property laws, cadastre, improved value rating, building bylaws and planning regulations and others. These will promote supply of shelter especially in squatter settlements through progressive upgrading of shelter and

services.

- Making appropriate land policy reforms in land markets and land management.

**b). Land for Shelter Development:**

116. Availability of developable land is a prerequisite to the provision of adequate shelter for all. To achieve adequate shelter for all and sustainable human settlements in urbanizing Kenya, this report proposes specific strategies on the following priority issues:

**i) Mechanisms for Ensuring Adequate Supply of Land**

117. Currently, the land supply/delivery mechanisms for shelter development are characterized by formal and informal Land subdivisions undertaken by both the Public and Private sectors. However, formal subdivisions follow a long process whereby provision of services is mandatory before registration and necessary transfer(s) can be effected. On the other hand informal subdivisions often fall short of planning requirements set by the approving authorities hence they cannot be registered by land administrators. However, purchasers of such parcels receive share certificates as ownership documents awaiting issuance of land titles once legal transfers are effected. In some cases land is availed through illegal occupation and shelter development by squatters. Land provided via informal subdivisions besides new allocations by the government are often short of essential infrastructural services and social amenities.

**Issues**

118. The following issues emerged during the consultative process:

- Complex land sub-division process
- Land administration
- Legislative and regulatory instruments and
- Land policy

**Objectives**

119. Mechanisms that ensure adequate supply of Land will be geared towards fulfilling the following objectives:

- To simplify the process of land subdivisions, regularize the informal land delivery systems and decentralize land administration.
- Formulate a streamlined and simplified legislation on land surveying, registration and transfer.

- To appropriately waive all taxes and/or subsidize on provision of infrastructural services required by the low income and other disadvantaged groups.

### **Strategies**

120. Provision of land for shelter development (residential purposes) should be given first priority in national development plans and action plans and this priority be impressed upon all relevant agencies.

121. Easier procedures need to be devised and adopted in regard to the legal, administrative and cost implications of the following transactions which release land for shelter.

- Decentralize subdivision and change of use applications to local levels;
- Survey procedures;
- Transfer documentation, processing fees and stamp duty rates;
- Approval/Consent procedures -lengthy and complicated as there are too many Acts which control and regulate subdivision of land and change of use;
- Provision of infrastructure and services at subsidized rates for low income and other disadvantaged groups.

### **Programmes**

122. The following programmes are proposed to enhance land supply for shelter development:

- Decentralization of the government's land administration system and harmonization of formal and informal land delivery mechanisms.
  - Simplifying land survey, registration, transfer, and title documentation procedures.
  - Review and consolidation of legislative and regulatory instruments influencing the planning of land for shelter development and related support facilities.
  - Formulation of appropriate/responsive policy on subsidizing the provision of infrastructural and social facilities.
- ii) Establishment Of Efficient Land Markets and Equitable Environmentally Sustainable Land Use Practices.

123. Land market like any other is governed by forces of supply and demand.

### **Issues**

124. The following issues were raised during the consultative process:

- Land speculation
- Lack of a holistic and responsive regulatory and legal framework for effective policy formulation
- Urban planning regulations
- Land-use controls
- Lack of environmentally friendly land development practices

### **Objectives**

125. Consequently, the following objectives were formulated:

- To introduce a maximum ceiling to size of land owned by an individual, individuals, and/or organizations in order to discourage Land speculations.
- To establish a holistic and responsive regulatory and legal framework that facilitates effective policy formulation to enhance market efficiency.
- To reform obsolete urban planning regulations and remove land use controls that impede/hinder land supply into the market hence making it accessible for development at local level cheaply, speedily, equitably and efficiently.
- To formulate and apply land development practices that guarantee sustainability, environmental protection and social equity.

### **Strategies**

126. The following policy parameters that influence supply of land for shelter development will require to be streamlined and/or simplified:-

- Land ownership (property rights to use of land).
- Land titling and registration.
- Land use and planning regulations (permission to development rights).
- Land tenure system(s).
- Environmental degradation/pollution and conservation.
- Integrated formal and informal land delivery system.
- Review and/or amendment of existing laws in order to conform to the desired goals of equitable access to land;
- Review of administrative procedures
- Sensitize the society and/or particular communities regarding social barriers hindering women's fundamental right to customary/communal land rights and

their equitable access to and development of land.

- Regularization of informal Shelter and slums through legislation and upgrading schemes.

### **Programmes**

127. The following programmes were proposed to be able to establish efficient land markets:

- Review, reformulation and consolidation of land rights legislation
- Appreciation of cultural/social and economic linkages into land rights legislation
- Establish a land information system (networking to local level)
- Review urban planning legislation and reformulation of a responsive and harmonious planning legislation
- Formulation of an environmental management policy and legislation

iii) Eradication of Administrative and Legal Barriers to Equitable Access to Land.

128. The current land administrative and legislative system impede equitable access to land.

### **Issues**

129. During the consultative process, the following issues were raised:

- Public land allocation procedures.
- Transparency and Accountability in land management.
- Community involvement and participation in land management.

### **Programmes**

130. It is therefore planned to undertake the following programmes:-

- Decentralize and simplify planning permission approvals
- Decentralize Land administration and management to the local level.
- Harmonize and consolidate scattered land legislation for relevance to citizen's shelter development needs.
- Establish Women's fundamental right to equitable access to, and control over land and property on equal basis with men regardless of religion, customs and traditions governing land inheritance.
- Establish a partnership policy approach in legislative and regulatory framework recognizing engagement of NGOs, CBOs, citizens and the private sector in

collective participatory approaches in shelter development.

iv) **Sustainable Access to Land and Security of Tenure for all Social and Economic Groups.**

130. In Kenya, access to land and security of tenure for a large segment of the population is limited. During the consultative process, the following issues were raised:

**Issues**

- Land tenure legislation.
- Land tenure and management system which recognizes informal settlements.
- Community Land Trusts

**Objectives**

131. To facilitate access to land and security of tenure for all socio-economic groups, the following objectives need to be followed:

- To streamline and formulate socially, economically and culturally responsive land tenure legislation and regulatory framework for enhancing security of tenure for all socio-economic groups.
- To regularize informal land tenure systems based on improved land management system backed by a realistic legal and regulatory framework.
- To establish Community Land Trusts (CLTs) that will facilitate security of tenure and ensure enjoyment of targeted subsidies by the low income and other vulnerable groups.

**Strategies**

132. The following strategies were proposed:

- Undertake researches and formulate land management policy with capacity to integrate informal and formal land tenure systems based on a responsive land information system
- Land banking - acquisition of reasonable stock of land to cater for shelter needs.
- Facilitate public awareness on projects and proposals in physical development plans affecting their areas

- Regular review of land laws, procedures, regulations and social practices
- Encouragement of local participation in decision making in matters affecting shelter upgrading

### **Programmes**

133. The following programmes have been proposed :

- Review existing land tenure systems
- Establishment of an appropriate land management policy, a land inventory and a land information system.
- Localize land Administration and management
- Popularize CLTs to safeguard public and community interests in land/ shelter developments as practised in Voi under the Small Towns Project.

#### **TANZANIA-BONDENI COMMUNITY LAND TRUST PROJECT**

**This project has improved the quality of housing in the slum of Voi through an innovative security of tenure mechanism of community land trust (CLT). Project implementation has operated on the principles of partnerships with all stakeholders.**

### **c) Regularization of Informal Settlements:**

134. In most of our urban centres, while informal settlements accommodate slightly more than 50% of urban population they cover only up to 5% or less of residential urban land. This leads to very serious overcrowding.

#### **Issues**

135. The following issues were raised:

- Support to the poor, the disadvantaged and vulnerable groups.
- Security of tenure for the poor and the disadvantaged.
- Basic infrastructure and social amenities.
- Sensitivity to women's property rights.

#### **Objectives**

136. The undermentioned objectives will be geared towards facilitating regularization of informal settlements:

- To provide specific support to the poor, disadvantaged and vulnerable groups.
- To provide the poor and other disadvantaged groups with land rights and security of tenure
- To facilitate provision of basic infrastructural services and the necessary social amenities
- To incorporate gender sensitivity and establish Women's fundamental right to access and control over land rights in regularized shelter settlements.

**Strategies:**

137. The following strategies for regularizing informal settlements were proposed:

- Facilitation of security of tenure in plan preparation and sensitivity to gender balance and consideration of disadvantaged groups .
- Formulation of informal settlements regularization policy
- Encourage provision of basic infrastructural and social services by the public and private sectors in liaison with NGOs, CBOs and individuals by granting tax rebates for provision of such services - meant for the low income and other disadvantaged groups.
- Establishment of women's fundamental rights to equitable access, ownership and control over land and property in regularized shelter settlements.
- Relocation of informal settlements from marginal undevelopable locations to appropriate land suitable for shelter development.
- Phased redevelopment/upgrading to achieve minimum displacement, cost effectiveness and effective community participation.

**Programmes:**

138. The following programmes are proposed to regularize informal settlements:

- To continue with slum upgrading/redevelopment programmes.
- Explore possibilities of upgrading CLTs in informal settlements.
- Establish a standing committee to monitor and implement slum/squatter issues and policies
- Pursue direct allocation of land to individual developers/institutions for developing housing for low income earners.



**d) Finance for Shelter Development and Maintenance:**

139. For the housing delivery system to function efficiently and equitably, it is necessary to have in place adequate and efficient financing mechanisms such as secondary mortgage market to provide for the mobilization of financial resources and extension of short and long-term credit to meet potential demand as expressed in the market. This is necessary because the capital outlay even for shelter of minimum acceptable standard is so high that few families would be able to pay for the shelter straight away.

140. During the consultative process, the current existing financial climate was identified as one of the key impediments to shelter and human settlements development and maintenance.

**Issues**

141. Some of the major issues raised include:

- Access to cheap funds,
- Inadequate financial resources for shelter development,
- Banking Act,
- Innovative financing mechanisms to meet the needs of the poor and disadvantaged
- Secondary Mortgage Market.

**Objectives**

142. The following objectives were consequently formulated:-

- Need to relax the legal procedures, laws and requirements governing housing finance institutions,
- Investments in poor neighbourhoods,
- Creation of secondary mortgage markets,
- Need for housing finance institutions to relax their terms of lending,
- Strengthening of cooperative housing programmes,
- Mobilization of local funds for housing and human settlement development.

**Strategies**

143. The following strategies were proposed as being key in addressing finance constraints:

- Mobilize local funds and channel them to vulnerable groups,
- Creation of a secondary market,
- Strengthen existing financial institutions to improve performance,
- Harmonization of legal instruments for Housing Finance Institutions,

- Promote and strengthen housing cooperatives and
- Promotion of cooperative housing mortgage programme.

### **Programmes**

144. The following programmes were proposed:

- Introduce legal tools for establishing a secondary mortgage market.
- Carry out a study on the performance and procedures of the current housing finance system.
- Introduce innovative lending systems to enable low income earners get access to finance as practised by National Cooperative Housing Union (NACHU).
- Popularize Co-operative Housing Mortgage Programmes.
- mobilize informal sector source and

#### **INNOVATIVE HOUSE REHABILITATION LOAN PROGRAMME BY NACHU**

**The programme is on-going, implemented by National Cooperatives Housing Union (NACHU) and beneficiaries are slums' communities. NACHU identifies, mobilizes communities through education and initiate house rehabilitation loans to the communities (members of the cooperatives). Better and affordable housing and sanitation have been achieved in all the projects under the programme.**

e) **Basic Infrastructure and Services:**

145. The opening of new land for shelter development or the upgrading of existing human settlements which need to be improved require the installation, maintenance and management of the infrastructure such as roads, water supply, storm water drainage, sanitation, solid waste disposal, electricity. For instance, the transport and communication sector in Kenya plays a very important role in National development, aiding the mobility of people and goods and accessibility to trade, jobs, education, health facilities, other services and to natural resources absorbing about 20% of the national budget. This infrastructure can be classified as off-site or on-site. Lack of trunk infrastructure has been a serious constraint for the private sector shelter development. Inadequate facilities contribute to severe environmental and health problems which result in high morbidity, child mortality rates and lower productivity. The low income families are inadequately provided with services.

## **Issues**

146. The infrastructural requirement in adequate shelter development was discussed in the planning broad-based consultative process where the following issues were raised:

- Technological development of alternative sources of energy,
- Over dependence on wood fuel,
- Inadequate infrastructure particularly in peri-urban and rural areas,
- High price of water for the urban poor,
- Inefficient waste management,
- Inadequate maintenance of infrastructure and services,
- Inequitable provision of basic services to the urban poor,
- Lack of comprehensive transport policy,
- Road safety,
- Social irresponsibility in public transport "matatus"

## **Strategies**

146. To address issues in the infrastructure and services provision, the following objectives and strategies were formulated:

- Provide all weather roads throughout the country
- Promote road safety networks
- Promote non-motorized transport
- Develop a comprehensive transportation policy
- Increase accessibility to safe water
- Improvement of solid waste disposal systems
- Adequate disposal systems
- Rationalizing the use of imported energy by finding cost effective alternatives
- Developing and promoting the role of renewable energy sources - solar, wind
- Reduce the use of wood fuel
- Develop alternatives to conserve wood fuel for sustainability

## **Programmes**

147. The following programmes were proposed:

- Formulation of comprehensive national transport policy.
- Promotion of non-motorized transport.
- Road safety culture and network programmes.
- Development, promotion and use of alternative environmentally friendly services

of energy.

- Water and energy conservation programmes.
- Formation of community-based solid waste management programmes.
- Privatization of solid waste management.
- Community based maintenance and operation of infrastructure services.
- Capacity building programmes in management of infrastructure and services.

**f) Building materials, construction, maintenance and rehabilitation:**

**i) Building Materials**

148. The building materials and construction industry constitutes one of the most important sectors in the Kenyan economy. The output of this industry forms about 50% of the gross fixed capital formation and about 3 - 6% of the Gross Domestic Product (GDP).

149. In Kenya, building materials account for 76% and 68% of the total cost of non-residential and residential buildings respectively with labour, technology and other overheads contributing to the rest of the costs. Development and utilization of local building materials has a great likelihood of achieving lower construction costs than in using conventional building materials.

150. A well developed local building materials production industry would provide benefits such as improved skills, greater income generation and stimulation of other sectors. The materials can be produced on site using labour intensive techniques thereby reducing overall costs. Savings have been as high as 50% through the use of such local building materials as stabilized soil blocks and earth for walls and floors, micro or fibre concrete roofing (FCR) tiles for roofing, compacted hardcore for foundation and alternative binders such as pozzolana from Rice Husk Ash (RHA).

**Issues**

151. During the consultative process, the following issues emerged:

- Lack of quality control arising from lack of appropriate skills and production procedures.
- High cost of building materials
- Building by-laws and planning regulations that do not allow the use of these indigenous materials and thus further limiting the commercialization of this sector.
- High tax (VAT) on building materials
- High cost and unavailability of equipment to produce these materials.
- Limited use of low-cost building materials

- Inaccessibility to credit facilities because of the associated bias.
- Limited community participation
- Lack of sufficient support services to promote the adoption of these materials.
- Inadequate networking among users and producers

### **Strategies**

152. There is need to revitalize the Kenya Building Research Centre to address the issues raised. The following strategies were consequently formulated:

- Promote a political, social, cultural and economic climate that is conducive to the dissemination and acceptance of these technologies and products.
- Ensure that indigenous building materials are incorporated into the syllabus of Building Construction courses at various educational institutions.
- Promote wider adoption and application of the revised Building By-laws and Planning Regulations.
- Inject more resources such as money and trained staff into this sector.
- Establish a Building By-laws Review Board.
- Ensure that proper quality control measures are observed.
- Gazette the already drafted standards for these materials for wider acceptance.

### **Programmes**

153. The following programmes to address the constraints pertaining to building materials were recommended:

- Create a national forum to encourage the use of these materials and technologies and make greater use of facilities such as workshops, libraries and laboratories.
- Carry out a study of the building materials industry and prepare a programme of research on utilization of local building materials,
- Evaluate the performance of local production units to improve capacity
- Revise building codes and standards
- Establish monitoring and evaluation systems
- Establish documentation and dissemination of information systems
- Restructure the Kenya Building Research Centre to enable it promote the performance of the building materials industry.

#### **ii) Construction**

154. The construction industry in Kenya is characterized by both formal and informal sectors.

In the informal sector, building materials techniques are mainly traditional, using locally available materials and operating predominantly in peri-urban and rural areas. The main participants in the sector are individuals or family members working on a self-help basis assisted by local artisans. The informal sector is found mainly in the modern sector of the economy. The main participants are general contractors, trade contractors, specialized contractors, and labour only contractors. The structure of the formal sector shows a three-tier pattern. The upper end is dominated by few large contractors taking large civil engineering works and requiring big and expensive machinery and plants. In the middle there are many firms mainly building contractors. The lower end is dominated by small scale indigenous firms, many comprising one self employed artisans. In spite of the previous efforts to promote these small contractors through the defunct National Construction Corporation their impact remain negligible.

### Issues

155. The consultative process considered the performance of the construction industry in the provision of shelter and came up with the following issues, among others:

- The need for enhanced coordination and use of appropriate building technology,
- The need to strengthen training and research in the industry,
- The need to improve tendering procedures, enhance transparency and accountability.
- The need to make more use of middle level professionals as has been done in the health sector
- The need to revise the building and planning regulations and financial mechanisms.

### Strategies

156. The following strategies were formulated:

- To improve co-ordination and use of appropriate building technologies,
- To encourage middle level professionals in the construction industry,
- To promote research and training in the industry.

### Programmes

157. It is therefore planned to take the following actions to enhance the performance of the construction industry:

- Restructuring the Kenya Building Research Centre to take a more central role in

the promotion and coordination of the construction industry.

- Launching a programme of making more use of type plans, improved tendering, construction, and monitoring procedures.
- Launch a programme of training and research.
- Formulate a national construction industry strategy after a thorough study of the industry and this will also include policies regarding the impact of the industry on the environment.

iii) Technology:

158. Kenya like many other developing countries, is endowed with abundant natural resources that can meet the demand for basic materials using available surplus labour particularly in peri-urban and rural areas. There are extensive deposits of limestone, gypsum, clay, coral, forest, and agricultural fibre and wastes. that can increase the supply of building materials and even substitute current imports. But there is need to employ appropriate technologies that could exploit these natural resources endowment to increase the supply of building materials required for the development of adequate shelter for all.

**Issues**

159. The need for technology development was one of the areas considered by the consultative process where the following issues were raised:-

- The need to promote use of appropriate technology in the provision of shelter.
- The need to formulate policies on selection and acquisition of technology and its utilization.

**Strategies**

160. The following strategies were proposed:

- To exploit natural building resources using appropriate technology.
- To promote localized production of appropriate building materials.
- Policies for the selection, acquisition and utilization of new technology will be formulated.

**Programmes**

161. It is proposed that the following actions be taken:

- A programme of research and development will be promoted.
- A programme for the promotion of appropriate technology as demonstrated by the Housing and Building Research Institute (HABRI).

#### **LOW-COST HOUSING TECHNOLOGIES BY HABRI**

The Housing and Building Research Institute (HABRI) project focuses on research, development, testing and dissemination of low cost appropriate technologies for housing, building construction and related services. The practice aims at reducing building construction costs by way of using appropriate building materials and technologies. This has been borrowed by NGOs and CBOs who are now actively involved in dissemination initiatives in various corners of the country.

#### **Vulnerable groups:**

162. The vulnerable groups include inter-alia, the very low income earners the rural and urban poor, women and especially female-headed households, the youth and children, the street children, the aged and the disabled, refugees and displaced persons. The emphasis of shelter policies and programmes have tended to refer to housing needs of the poor and it is expected that dealing with the housing for the poor will invariably deal with the specific needs of these groups. This has however not been the case and the problem has been aggravated by the fact that whatever housing was meant for the poor has not benefited them.

#### **Issues**

163. The broad-based consultative process discussed the situation regarding the special shelter needs for the vulnerable groups and raised the following issues:

- Lack of financial access
- Lack of safety nets
- Discriminatory practices in access to resources
- Inadequate programmes to reduce vulnerability

#### **Strategies**

164. The following strategies were proposed:

- The need to establish innovative mechanisms and institutions to provide shelter for the very low income families.
- Targeted subsidies
- The need to remove barriers and eradicate discrimination in the provision of shelter



- Provide for their shelter needs
- The need to formulate programmes to reduce vulnerability generally.

### **Programmes**

165. In view of the above priority issues, it is therefore planned to take the following actions:

- To review and revise legal and regulatory frameworks that act as barriers within the shelter sector.
- Formulate programmes and establish norms to eliminate social exclusions, prejudices and discrimination in shelter transactions and services provision.
- Establish mechanisms and institutions to provide shelter for the very low income groups unable to participate in the markets as they operate today and promote the operations of the informal sector.
- Target subsidies only to those most in need.
- Provide protection from unfair eviction and harassment.
- Support self-help shelter efforts and special living environment for members of the vulnerable groups.
- To review and incorporate the requirements of the vulnerable groups in the designs and provision of infrastructure and buildings.
- Mobilize resources for targeted assistance to vulnerable groups.

## **8.0 SUSTAINABLE HUMAN SETTLEMENTS DEVELOPMENT IN AN URBANIZING WORLD**

### **Towards Sustainable Human Settlements**

166. Human settlements are the physical articulation of the social, economic and political interactions of people living in communities. Whether the communities are urban or rural, their development involves a transformation of the environment from its natural state to a built one. The elements required to meet basic human settlements needs include housing and its related infrastructure, places of work, social services and recreation, and the institutions to produce and manage them.

167. During the last two decades, the rate of urbanization in Kenya has been rapid. In 1948, there were 17 towns with a population of 276,240 or 5.1 per cent of the total population while in 1962, the number of towns rose to 34 with a population of 670,950, which was about 7.8 per cent of the national population. By 1969, the number of towns rose to 48 with a population of 1.1 million representing 9.9 per cent of the total population. In 1979, the number of towns rose to 91 with a population of 2.3 million representing 15 per cent of the total population. By 1989, the number of towns had risen to 139 with a population of 3.9 million representing 18.1 per

cent. In 1994, the number of towns rose to 146 with a population of about 4.1 million.

### Population

168. What is apparent is that the upward growth in urban population is a continuous process into the future. This is evidenced in the 1989 population census results which indicated positive growth rates in almost all urban centres with population in the category 2,000 to 4,999 persons compared to those in the group of 10,000 and above. Population in urban centres in the 2000 to 4,999 grew by 9.9 per cent over the period 1979 to 1989 while those in the groups 5,000 to 9,999 and 10,000 and above grew by 6.8 per cent and 4.9 per cent, respectively. The faster growth in population in the smaller centres is a result of rapid growth in urban centres which attain population of 2,000 and above.

### Issues

169. The distribution of the population in Kenya, especially in the rural sector has been influenced by such factors as the rainfall patterns, altitudes, soil types, social political factors (colonial heritage) and human factors.

170. Consequently, the following issues need to be continuously addressed:

- High population growth rate as illustrated by table 4.1 below:

Table 4.1: Kenya's Annual Population Growth Rates

YEAR	ANNUAL GROWTH RATE (%)
1948	2.3
1962	3.2
1969	3.3
1979	3.8
1989	3.4
1994	3.4

- High population density

Table 4.2: Population Density

YEAR	DENSITY (PERSONS PER SQ.KM)
1948	10
1962	15
1969	19
1979	27
1989	37

- High rate of urbanization
- Low agricultural production and uneconomic fragmentation of land in the rural areas leading to increased rural - urban migration
- Low economic growth rate which was projected to be 2% in 1995.
- Low investments and low industrial capacity leading to high employment rates in urban areas. In the urban areas the overall unemployment rate is estimated at to be between 16.2% and 23.8%

### Objective

171. The objective of harmonizing national population and economic growth rates will be achieved through the following programmes:

### Programmes

- Reduction of population growth rate through aggressive family planning campaigns.
- Acceleration of the level of economic growth so that rate of economic growth is higher than the population growth.
- Increased population related management services.
- Curb rural-urban migration by developing the rural areas e.g. improving services and creating job opportunities.
- Creation of additional job opportunities in rural areas.
- Promotion of rural non-farm activities to provide employment and promote the living standards of people.
- Generation of a high economic growth rate capable of absorbing the current

excessive labour force.

- Increased productivity in agriculture so as to raise rural incomes.
- Targeted investment should be made in rural areas to create employment.
- Restructuring of the industrial sector to become more efficient, capable of competing with imported goods.
- Encouraging small scale industries and services.

#### **Balanced Regional Human Settlements Development:**

172. In Kenya, regions that are comparatively underdeveloped arose as a result of differences in ecological endowments and historical factors which in turn influenced and shaped the current development trends and investment patterns.

#### **Issues**

173. During the consultative process, the following issues emerged:

- Imbalanced development in rural areas.
- Over-localization of industrial and investments in certain regions.
- Inadequate region specific development institutions.

174. Consequently, the following objectives were formulated:

- Promoting regional balance for sustainable human settlements.
- Integration of under developed rural regions into the national economy.
- Strengthening region specific institutions.
- Promoting technology and employment

#### **Strategies**

175. The following strategies were formulated to address the above issues:

- Introduce incentives which will encourage reinvestment in regions.
- Adopt an integrated approach in development

#### **Programmes**

176. The programmes listed under would reduce regional imbalance.

- Undertake feasibility studies on the potentials of the affected areas.

- Formulate development strategies, mobilize resources and create implementation systems.
- Intensification of the District Focus for Rural Development Strategy.
- Mobilize resources for setting up development institutions.
- Strengthen regional based development bodies.
- Encourage research geared towards integrating under developed regions into the national economy
- Encourage user sensitive technology programmes

### **Land Use Sustainability:**

177. In Kenya, land and land-related matters including the use, development and control of land are sensitive issues with deep socio-economic and political impacts. Land holds a special and enviable position of an invaluable economic asset associated with an intricate chain of interests based on the extended family concept. Economic problems in this country will require well-balanced and rational land use policies incorporating sound natural environment and settlement structures. Thus, a positive regional approach to human settlement planning with a focus on rural-urban linkages and in cognizance that villages and urban areas are inter-dependent, co-related and form two ends of human settlements continuum.

### **Issues**

178. During the consultative process, the following issues emerged:

- Comprehensive land use policy and planning standards,
- Land tenure system
- Planning legislation which does address to the needs of the people.
- Land information inventory.
- Institutional and administrative structures,
- Approval process and procedures,

179. The following objectives were subsequently formulated:

- Improved co-ordination in land management issues.
- Integration of spatial planning with financial, sectoral and institutional planning.
- Innovative measures to intervene on the land markets.
- Improved protection of environment.

- Maximizing benefits of spatial planning and development.
- Regional balance and equity consideration.
- To achieve broader participation of community, in cost effectiveness, accountability and good governance.

#### **Programmes:**

180. The following programmes were recommended to enhance land use sustainability:

- Set up a Task Force to formulate the required land use policy.
- Prepare appropriate land use legislation to ensure balanced human settlements development.
- Develop land use enforcement capacities at both community and institutional levels.
- Community involvement in land planning and management.

#### **Environmentally Sustainable Management and Healthy Human Settlements:**

181. An integrated approach to the provision of environmentally sound infrastructure in human settlements, particularly for the rural and urban poor, is critical for sustainable human development. Such an approach can enhance the quality of life, increase productivity and reduce negative impacts that impinge on sustainability.

#### **Objectives**

182. The following objectives were formulated:

- Provision of environmentally sound infrastructure
- Establish legal fiscal and administrative mechanisms which ensure the integrated management of water and sanitation

#### **Issues**

183. During the consultative process, the following issues were raised:

- Pollution of surface and ground water
- Air and noise pollution
- Solid waste management
- Comprehensive environmental policy
- Environmental legislation and enforcement capacity
- Incidence of environmentally related illnesses, especially among women and children.

## Strategies

184. The strategies listed below were formulated to address the issues raised:

- Integrated approach to the provision of environmental services essential for healthy living human settlements.
- Effective environmental health management at household, neighbourhood, city regional and national levels as in the case of the Household Energy Technology Development by ITDG
- Reduction of industrial waste and other forms of pollution in human settlements
- Effective management of water demand and provision for human settlement requirements paying due regard to the carrying capacity of natural ecosystems.

### **COMMUNITY PARTICIPATION IN HOUSEHOLD ENERGY TECHNOLOGY DEVELOPMENT**

**This project focuses on energy conservation technologies through capacity building of the community and facilitating effective production and marketing of improved stoves. Findings show that since 1990, the sale of stoves has earned the various groups at least Ksh.1 million. It has improved the kitchen environment for many families and is alleviating poverty.**

## Programmes

185. The programmes listed below were recommended to address issues raised:

- Promote practices and consumption patterns that will conserve and protect fresh water resources
- Promote environmentally compatible sanitation and treatment and disposal of waste water
- Institutionalize regulatory mechanisms to address environment in human settlements
- Community participation in environmental management programmes

### **Social Sustainability in Human Settlements**

186. One of the main obstacles in attaining sustainable human settlements is poverty and lack of gainful employment. Poverty is mainly prevalent in slums, unplanned settlements and in peri-urban and many areas in rural settlements particularly in arid areas. In these areas women, and particularly women headed families and children are more affected. The common characteristics and issues of poverty in human settlements has been noted as:

- Unemployment and under employment
- Lack of adequate shelter, infrastructure and services
- The presence of informal sector
- High level of unemployment among women and particularly women-headed families.
- Lack of competitive and appropriate skills as well as accessibility to credit which aggravates the problems of the urban poor.

### **Strategies**

187. The following strategies to address issues raised were formulated:

- There is need to formulate special programmes to meet the specific needs of impoverished communities
- Strategies for urban and rural poverty reduction and employment generation must be demand driven and based on participatory approach
- Strategies need to address the priorities of the poor which usually put employment and food before shelter and services e.g. labour intensive, shelter and services provision
- Promotion of low cost technologies and building materials etc.

### **Programmes**

188. The programmes formulated are listed below:

- Community based shelter provision and improvement e.g. site and service and settlement upgrading such as the Undugu Slum Upgrading Programme boxed below
- Small scale building materials provision
- Appropriate technology for maintenance of buildings and infrastructure
- Community credit and home-based enterprises
- Access to land and security of tenure
- Strengthening of community based action planning and implementation.



## UNDUGU SLUM UPGRADING AND SANITATION PROGRAMME

The programme is situated in selected slums in Nairobi City and implemented by Undugu Society. Programme components include; affordable shelter, improved sanitation and income generating activities for the urban poor. Evidence of improved quality of life of residents, less pollution, better health and sanitation and higher incomes have been realized since the inception of the project.

Other negative characteristics associated with slum areas like increased crime, alcoholism, epidemics, drug-culture and abject poverty have significantly been reduced.

### Sustainable Energy use and their Impact on Natural Resources:

189. Adequate supply of sustainable energy is required for human development to realize current and future energy for domestic, transport and industrial needs. Energy resource use without ecological impact considerations can lead to resource consumption crisis. The goal of a sustainable future in many developing countries is to have access to sufficient energy to improve shelter and human development at affordable cost. Population growth will have an impact, on energy availability especially demand for traditional biomass, that is, woodfuel, agricultural residues and charcoal.

190. The major sources of energy in Kenya at present include indigenous supplies of biomass energy (that is woodfuel, agricultural residues, and charcoal), fossil fuels (oil and coal which are imported) and electricity.

191. In Kenya fuelwood and charcoal are the main forms of biomass energy used. Fuelwood is wood directly consumed primarily in the rural areas while charcoal is the product of conversion in kilns especially in urban households.

192. Most of biomass energy is used in households for heating purposes. A small proportion is used in kilns for brick making and pottery.

193. Windmills and solar energy collectors offer an alternative to conventional energy sources. The promotion of these especially in the rural and low income communities must be enhanced.

194. The cost of solar panels is falling due to rising demand and modern technology. Biogas plants are suitable for areas where zero grazing is done an example is the Tigoni Benedictine Monastery.

195. Other alternatives include solar cookers and the fireless cooker.

## Issues

196. During the consultative process, the following issues and strategies were raised:

- Strengthening energy production and construction
- Promotion of research and dissemination of appropriate technologies
- Formulation of energy policies and preparation of programmes
- Harvesting trees for fuelwood and charcoal
- Damage to vegetation and wildlife
- Desertification
- Depletion of resources
- Contamination of water and air
- Flood of reservoirs and dams and waterborne diseases
- Poor energy management and conservation
- Displacement of human population

## Programmes

197. The following programmes were consequently recommended:

- Reafforestation programmes in all districts
- Hydropower Development Programmes
- Improved and energy saving and consumption of energy through innovative approaches like the Economic Woodstove for Rural Households.

### **ECONOMIC WOOD STOVE FOR RURAL HOUSEHOLDS PROJECT**

**This on-going project on the efficient use of woodstoves is implemented by the Ministry of Energy. The beneficiaries are rural communities in Kenya. The stove is an improvement of the traditional three-stone stove. Research findings have indicated firewood savings of between 40% - 60% over the traditional fireplace, which will constitute major fuel savings on consumption of wood and deforestation.**

### **~~Conservation and Rehabilitation of Historical and Cultural heritage:~~**

198. Kenya's rich heritage encompasses its pre-historic sites, religious and historical values, buildings, monuments, towns, shrines, archeological and palaeontological deposits. It also includes songs, stories, traditions, folklore and battle grounds. There is therefore need to preserve and conserve people's cultural heritage for posterity.

## Issues

199. During the consultative process, the following issues emerged:

- Appropriate legislation,
- Balancing cultural preservation with modern development programmes emanating from people's immediate survival needs,
- Local community participation,
- Public education programmes,
- Funding.
- Local authority support to conservation and preservation efforts.

### **Objectives**

200. Consequently, the following objectives were formulated:

- To preserve Kenya's cultural heritage.
- To enact comprehensive legislation for conservation, rehabilitation and preservation of Kenya's cultural heritage.
- To initiate a comprehensive research on the existing state of cultural heritage.

### **Programmes**

201. The following programmes were proposed:

- Set up a Task Force to explore the measures to be taken to address the issues raised.
- Mobilize funds for cultural conservation.
- Design appropriate training programmes for all stakeholders emphasizing the need for cultural conservation measures.
- Popularize the conservation of Kenya's cultural and historical heritage.

### **Improving Urban Economies:**

202. Kenya's mixed economy is based on the principal role of markets and the private sector. The urban sector plays a major role in the economy and contributes 67% of the total Gross National Product, 85% of total Government Revenue and 75% of total wage labour.

203. The real growth of the economy (GDP) which declined from 4.3% in 1990 to 0.2% in 1993 showed recovery signs at 3.0% in 1994. This means that the current economic challenge is to sustain and improve this upward trend in real economic growth by formulating policies and adopting strategies addressing on alleviation of poverty, protection of vulnerable groups and provision of facilities to raise the population's standard of living. In terms of population, urban areas in Kenya are also deserve significant consideration. Over one third of Kenya's 25 million people will soon live in towns.

204. Urban economies are hubs of modernization, exposes population to social change, innovations, new attitudes and cultural diversity among others. They are the nerve centres

of development process and they act as barometers of economic performance in all countries. However, some characteristics of urban economies have to be carefully considered to avoid the major set-backs prevalent in all urban areas including inter-alia, rapid urbanization, fast population growth deteriorating service delivery, lack of well articulated rural-urban linkages especially domestic and international markets. These factors are crucial in achieving balanced and sustainable development.

205. During the consultative process, the following issues emerged:

- Poverty in low income and informal settlements.
- Infrastructure and basic services including inadequate shelter
- Finances and revenue base
- Influx of cheap foreign commodities
- Capacity and capability particularly in urban management
- General environmental degradation, traffic congestion and unemployment
- Laws affecting small and medium-scale enterprises and informal sector
- Inadequate data on products, technology and marketing.

### Objectives

206. The following objectives were formulated:

- Development of an urban system which supports both the growth of agriculture and rural development
- Promotion of an urban economic system that generates productive employment opportunities in urban manufacturing and service enterprises.
- Promotion of research and training.
- Reducing the gap between the rich and the poor

### Programmes

207. The following actions are recommended to meet the objectives set:

- Training of key actors in urban economies,
- Support of small and medium scale enterprises
- Formulation of comprehensive urban development policy
- Develop and support research institutions and information dissemination
- Capacity building programmes in selected urban areas
- Implement poverty alleviation programmes
- Promote local building materials industries using appropriate technologies

### Disaster Preparedness and Disaster Rehabilitation Capabilities.

208. A disaster is an event that causes a serious disruption of the functioning of a

community, inflicting widespread human, material or environmental losses which exceed the ability of the affected community to cope using its own means. Disasters, natural or man-made and, depending on the causal factors, can be either of slow or sudden onset.

209. Many Kenyans are exposed to a wide range of hazards in the natural or man-made environment which adversely affect their lives and property. It is important to document and rank spatial distribution, frequency of occurrence and the range and magnitude of disasters. The range of disasters include, inter-alia; Drought, Desertification, Soil Erosion and landslides, Deforestation, Epidemics - human and livestock - especially AIDS, Refugees - external influx and internally displaced persons, Floods, Lightning, Fires - forests and buildings, Earthquakes and Volcanic Eruption, Technological hazards, hazardous materials, transport accidents, bio-engineering products, pollution, Psychological stress, Plant pest infestations and diseases, Windstorms, Unplanned urbanization and settlements.

### Issues

210. During the consultative process, the following issues were raised:

- Knowledge of disasters
- Inadequate preparedness for disaster
- Poor disaster management
- Absence of a comprehensive policy and weak institutional framework
- Lack of community involvement in handling disasters.

### Strategies

211. The following strategies to address issues raised were formulated:

- Streamline and strengthen legal and institutional frameworks for disaster management.
- Formulation of policies and strategies in handling disasters.
- Establish a machinery to facilitate co-ordination on disaster management.
- Build capacity on disaster management through training - provision and installation of appropriate equipment for monitoring and handling disaster.
- Setting up disaster training campaigns for planners and designers of human settlements.
- Setting up database appropriate disaster communication and information channels.
- Establish an emergency fund and budget for disaster management.
- Decentralize disaster management to disaster-prone areas and build capacity.
- Establish a national and international networking on disaster management.
- Establish and maintain workable systems that support psychological state of victims.
- Strengthen community coping strategies and social cohesion.

### Programmes

212. The following programmes were recommended to address issues raised:

- Enact appropriate legislation on disaster.
- Establish efficient institutional framework for management of disaster.
- Establish network for co-ordinating disaster management.
- Establish training facilities for disaster management.
- Undertake study and document disaster.
- Establish disaster management centres in the disaster-prone areas.
- Promote disaster-conscious land-use management in development and implementation of land use plans.
- Develop evacuation plans and designate open spaces within neighbours for disaster and rehabilitation.
- Develop procedures for safe development of hillsides and application of EIA.
- Enhance early warning systems, education and training for the public and technical staff.
- Establish national, regional and international networking on disaster management.
- Establish mechanisms for dissemination of information and feedback down to communities.
- Provide support for psychological and social well-being of survivors.
- Introduce mitigation measures, including separations to reduce disaster impacts.

### **Capacity-Building and Institutional Development**

213. Urbanization, decentralization and pluralization of political and economic processes are placing great demands on local governments and other settlement managing institutions, devolving decision-making and resource allocation to those key actors and levels closest to the constituencies to ensure client-oriented, demand-based, timely and responsive delivery of goods and services. Capacity-building and institutional development allowing for the devolution of powers should aim at all key actors (government at all levels, NGOs, communities and the private sector) and can best be done by national and local capacity-building institutions, which may first require strengthening.

214. The National Plan of Action recognized the important role the international community (bilateral, multilateral, international NGOs and UN agencies) will play in the realization of objectives and goals of the Habitat II Conference. In this connection and in order to accommodate the spirit of collaboration and enabling environment concept within the National Plan of Action, it is expected that the international agencies will systematically link with both government organs and the national private sector in creating the framework necessary to involve all actors in human settlements development. In this regard it is important to emphasize the special role United Nations Centre for Human Settlements, headquartered in Kenya, will play in human settlements development. UNCHS is the international focal point on human settlements. The experience and knowledge acquired and accumulated by the Centre since its inception after Habitat I, gives it unique opportunity and position to steer

human settlements development effectively world-wide.

215. This is in line with Johannesburg Declaration on **The African Common Position for the Second United Nations Conference on Human Settlements (HABITAT II)** adopted by the African Ministers responsible for Human Settlements, of 18 October 1995 in Johannesburg, South Africa which:

- **Called:** on African Regional institutions to co-operate fully with UNCHS (Habitat) in the implementation of the Habitat Agenda as it relates to Africa; and
- **Invited:** the donor community and international institutions to complement the African initiatives and actions by providing both new and additional financial and technical assistance resources for the implementation of human settlement policies and programmes. In this connection, this National Plan of Action recognizes the pivotal role played by UNCHS (Habitat) at the national, regional and global levels and hereby support the African Ministers' recommendation to the United Nations General Assembly that: UNCHS (Habitat) be entrusted with co-ordinating, monitoring and following up the implementation of the Conference's decisions under the guidance of an expanded Commission on Human Settlements. This National Plan of Action also supports the African Ministers' call on the United Nations Centre for Human Settlements (Habitat), the focal point for human settlements activities within the United Nations system, to consult with other U.N. agencies, including the ECA, to identify their roles in the Habitat II process in order to ensure comprehensive implementation of the outcome of the Habitat II Conference.

216. The Centre must therefore be strengthened in both human and financial resources so that it is poised to meet the pressing challenges of improving human settlement conditions in the world. Kenya considers it vital that Habitat and UNEP continue to be headquartered in Nairobi. This systematic linkage between the national and international bodies will facilitate and encourage utilization of the financial and technical resources of the international agencies in supporting national activities.

217. Local authorities have statutory responsibilities to provide efficient urban management and good governance. They are also a median body between the central government and the community. This special position therefore makes them critical in services delivery. The Global Plan of Action and by extension, this National Plan of Action recognize the crucial role the local authorities are to play in the improvement of human settlements as conceived by Habitat II Conference themes of adequate shelter for all and sustainable human settlements in an urbanizing world. Therefore the emerging institutional framework calls for strengthening human and financial resources of local authorities so that they can play effective role in human settlements development. It is therefore vital that action be initiated by central

government to review legislature and structure of local authorities so that they can be in tune with the changing demands.

### **Decentralization and Strengthening of Local Government**

218. The need for decentralizing service delivery to the local level has been identified in recent years.

#### **Issues**

219. During the consultative process, the following issues were raised:

- Services delivery
- Local authority management methods and tools
- Central government control of Local Authority operations
- Accountability and transparency in urban management
- Local authorities viability
- Shortage of qualified staff in local authorities
- Community participation in local government processes
- Provision and maintenance of infrastructure and services

#### **Strategies**

220. Out of the above issues, the following strategies were formulated:

- Redefining roles of Local Authorities, and government's recognition of contribution by other actors, NGOs, CBOs and informal sector
- Strengthening the capacity for ALGAK, and networking the Local Authorities capacity building

#### **Programmes**

221. The programmes listed below were recommended:

- Implementation of integrated development strategies such as Kenya-Habitat Collaborative Initiative and Kenya-Netherlands Urban Poverty Alleviation Programme
- Implementation of Municipal Reform Programmes
- Implementation of Kenya Urban Transport Infrastructure Project
- Projects on servicing of privately-owned land on partnership basis
- Formulate mechanisms for decentralization

### **Participation and Civic Engagement**

222. Sustainable development requires the active engagement of civil society organizations,



as well as the broad based participation of women and men. The strengthening of participatory mechanisms and community based action planning will ensure that all voices are heard in identifying problems setting goals, mobilizing resources and implementing projects.

### Issues

223. During the consultative process, the following issues were raised:

- Policies and strategies, legal and institutional frameworks to facilitate meaningful participation and civic engagement
- Developing facilitating institutional and legal frameworks
- Establishment of regular broad-based consultative techniques for involving NGOs, CBOs, youth and other groups
- Fostering and understanding of the contractual basis of relationships with the private sector and acquire the skills for negotiating effective partnerships for project implementation and development
- Promotion of equity, incorporation of gender considerations and involvement of vulnerable groups through such techniques as advocacy training and seminars
- Utilization of information, media campaigns, and new information technologies to promote civic spirit and responsibility

### Programmes

224. The listed programmes were proposed:

- Gender sensitization
- Community involvement education for policy makers, civic leaders in local government system.
- Capacity building of social service departments in local authorities.
- Revision of Local Government Act and related legislation.
- Popularization and institutionalizing community based development committees.
- Promotion fora for interaction between private and public sectors
- Promote civic responsibility through inter-alia, formal school programmes, electronic media and folk media.

### Human Settlements Management Capacity

225. For local authorities to efficiently deliver services to their constituents, there is need to build their human settlements management capacity.

229. A sound financial base is a prerequisite for efficient development and maintenance of human settlements and considering that the vast majority of funds to finance shelter and human settlements development come from internal sources, the government sees the need for governments and local authorities to focus on improving local resource generation, expenditure control and financial management. In this connection, the following actions will be undertaken to achieve the desired goals:

**a) Local Resource Generation:**

- Broadening the local government revenue base by giving greater discretion in setting tax rates and charges so that the principles of fairness, efficiency and administrative convenience are not compromised. The principle of fairness generally stipulates that those who benefit should pay. For instance, if a service benefits only one person, he should pay for it through a consumer charge. On the other hand, if a service benefits everybody in an indiscriminate manner, then a tax should be imposed on all. The principle of efficiency ensures that consumers are charged on the basis of what they consume while the administrative convenience principle stipulates that a revenue generation tool should be administratively viable.
- Developing efficient and equitable local tax systems which are capable of meeting both the development and recurrent expenditures of local authorities.

**b) Expenditure Control:**

The idea here is to enable local authorities to have a sound financial base by way of eliminating unnecessary expenditures like excessive spending on civic and administrative overheads.

**c) Financial Management:**

The thrust of financial management is to:

- Keep the local authority solvent
- ensure it has enough revenue to carry out its main responsibilities to the community
- see that the burden of financing the local authority is fairly apportioned
- ensure that available resources are used in accordance with set priorities
- see that resources are used legally and honestly
- provide management with adequate information for discharging their responsibilities.

230. To check on existing local government maladies, and to achieve the aforementioned, the government of Kenya has already appointed a Local Authority Reform Commission which is expected ,among other things, to make recommendations towards efficient mobilization and use of financial resources by deploying rational economic instruments.

### **Information and Communication**

231. Recent developments in information technology, in conjunction with the liberalization of trade and the free flow of capital on a global scale, will bring about radical changes in the roles and functions of cities, and their decision-making and resource allocation processes. Those governments that make the necessary investments in information technology and enable and empower their citizens to make effective use of such technology can expect to foster tremendous productivity gains in industry, trade and commerce.

232. The human settlements sector involves an array of actors who, if well informed, can play complementary roles in the improvement of human settlements conditions. These include the central government, local authorities, the private sector, NGOs, CBOs, academicians, researchers, professional organizations, individuals and international agencies. Information and its communication have a significant role under the enabling approach. This information will relate to the physical and socio-economic attributes of human settlements, and will be generated and used in various measures by all the actors.

### **Issues**

233. The issues emerging from the consultative process on information and communication include:

- Information technology for all levels of government, institutions and civil society organizations;
- Training opportunities for key actors in the use of information technology;
- lack of appropriate methods of sharing experiences through such methods as electronic networks of local authorities and dissemination of best practices.

### **Programmes**

234. The following programmes were proposed to address the issues:

- Institutionalize and strengthen the on-going City Data Project, Housing and Urban Indicators programmes to generate the required data and information.
- Update data at regular intervals by central government and local authorities.
- Undertake public awareness programmes and extension services to the public
- Undertake awareness programmes for the informal "Jua Kali" sector and CBOs
- Liaise with research institutions and Universities to emphasize action-oriented research whose findings can be implemented.
- Organize workshops for Insurance and Banks to accept use of local building materials in order to reduce costs.

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- **Strengthen the on-going data collection and dissemination mechanisms.**
- **Harmonize and standardize data recording techniques.**
- **Updating data at regular intervals and promoting action-oriented research.**
- **Undertake public awareness programmes and disseminating information**
- **Establish a national human settlements documentation service.**
- **Establish a Regional Human Settlements Institute.**

## 9.0 IMPLEMENTATION PLAN

The issues, objectives, strategies and programmes discussed in the preceding sections have been consolidated into 20 major programmes/actions for immediate, short and long-term implementation as shown in Table 4.3 below.

TABLE 4.3 IMPLEMENTATION PLAN

ACTIONS/PROGRAMMES	ACTORS	TIME FRAME	RESOURCE IMPLICATIONS
1. Population and urbanization Management	CBOs, CBGs NGOs, LAs, GoK	Continuous	Private & GoK Donors
2. Shelter Policy review	GoK, Professional Bodies	Immediate	GoK & International agencies
3. Legislation review	GoK & Professional Institutions	Continuous Review	GoK & International agencies
4. Land Accessibility	GoK & Private Sector	Immediate/ Continuous	GoK & Private Sector
5. Financial Allocations	Community, NGOs, LAs Fls, Private Sector, LAs, Co-ops & GoK	Immediate & Continuous	LAs, Private Sector, GoK & Donors
6. Poverty Reduction	Private Sector, Informal & Public Sectors	Immediate and continuous	National Budgeting (6% GDP) & International support
7. Provision of Infrastructure	GoK, LAs, Private sector & Donors	Continuous	LAs, GoK & External support
8. Transportation	GoK, LAs, Private Sector & Donors	Continuous	LAs, GoK & External support
9. Environmental Awareness	Community, Pressure Groups, LAs & GoK	Immediate, short and Long Term	Local Communities, LAs, GoK and Donors
10. Vulnerable Groups Concerns	Involve pressure groups, Communities, LAs, Informal Community & GoK	Short & Long Term	Private, LAs & External
11. Building materials & Technology Development	Research Institutions, Academicians, Private Sector & GoK.	Long Term	Private Sector & Institutions of Higher Learning
12. Sustainable Energy Use and Conservation	Local communities, pressure groups, LAs, GoK & international	Continuous	Private, LAs, Parastatals, GoK & international
13. Disaster Management	Communities, LAs, GoK & International Community	Continuous	National & International
14. Human Settlement Management	Training Institutions, Professional Bodies, NGOs, LAs & GoK	Continuous	National and local (neighbourhoods)
15. Monitoring & evaluation-Housing & urban indicators	LAs, GoK, Multi-national & international organizations, UNCHS	Periodic & intercensal	Local, multi-national & international
16. Best Practices in Human settlements	Communities, LAs, NGOs, Private sector & GoK	Immediate & continuous	Local, national & multi-national
17. Mechanisms for decentralization and strengthening of local authorities	GoK and LAs	Short term	GoK, LAs and international agencies
18. Procedures for participation and civic engagement	GoK and private sector	Short term	GoK, Private sector and international agencies
19. Programmes/projects, preparation, appraisal and implementation procedures	GoK	Immediate	GoK, LAs and international agencies
20. Capacity Building and Institutional Co-ordination	Broad-based stakeholders, LAs, Communities, GoK & International Organizations	Short and Long Term	National & multi-lateral resources

Note: Immediate = 1996  
 Short-Term = 1997-1999  
 Long-Term = 2000-2015

235. For these activities and programmes to be realized, it will be vital for firm commitment and adherence to the principles of collaboration within the enabling approach by all actors and stakeholders.

## 10.0 INTERNATIONAL CO-OPERATION AND ASSISTANCE

### Introduction

236. The deteriorating conditions of human settlements are a major concern for the international community. The Habitat II Conference has, therefore, been convened to design, adopt and implement national plans of action in order to achieve the two goals of the conference: Adequate Shelter for All; and Sustainable Human Settlements in an Urbanizing World. These goals can only be achieved by a focused and concerted effort of both the international community and national governments to help implement national plans of action. For developing countries, the risk of unfavourable developments in the global economy makes it important that developed nations take urgent steps to help them meet the challenges of the external environment. This role is critical because the negative impact of structural adjustment programmes on the economic and social development of these countries, particularly on vulnerable groups, has been substantial. In Kenya, the large influx of refugees and the resultant strain on host country infrastructure, services, human and financial resources, especially in the last ten years, has compounded the problem.

237. In order to effectively play this critical assistance role, we call upon the international community to implement the commitments arising from the Rio, Cairo, Copenhagen and the Beijing conferences which, among other things, called on developed countries to cancel debts, provide an environment for rule based trade and investment, including allocating 0.7% of their GNP to Official Development Assistance. This will provide new and additional resources for timely implementation of priority programmes and capacity building in accordance with the enabling approach.

238. This co-operation is the most critical part of the Global and National Plans of Action. An enabling context, firmly rooted in economic development, particularly of developing nations, is the only way that the goals of realizing adequate shelter for all as well as sustainable human settlements in an urbanizing world, can be attained. Habitat II must take stock of negative trends in the international economic environment which hinder the ability of developing nations, like Kenya, from attaining the twin goals of the Conference. Kenya seeks a global partnership covering the spectrum of co-operation including the development of appropriate technology and technological assistance to enhance our capacity to cope with the growing problems of human settlements in an urbanizing world. To this end, multi-lateralism holds part of the solution, and strategies to enhance the effectiveness of international organizations instead of crippling them should be employed.

### Priority Programmes and Activities

#### a) Poverty alleviation

- Support poverty alleviation programmes contained in the Seventh National Development Plan,
- Intensify international investment to increase employment opportunities,
- Support macro-economic programmes
- Cancellation of external debts
- Accessibility of concessionary funds for shelter and human settlements
- Support rural based programmes

#### b) Land for shelter development

- Support partnership programmes
- Support establishment of efficient land markets and equitable environmentally land use practices
- Support land policy programmes

- Support Land Tenure Reform Programmes
  - Support Land Information System Programmes
  - Facilitate sustainable access to land and security of tenure for all social and economic groups
- c) **Environmental management**
- Support environmental management and training programmes
  - Support the implementation of Environment Action Plans
  - Support infrastructure and services programmes in urban informal settlements
  - Support education and information programmes to facilitate community participation
  - Support appropriate technology and research programmes
  - Promote minimization of wastes, re-use and re-cycling
  - Strengthen sustainable energy use
  - Support approaches for environmentally sustainable land-use in Arid and Semi-Arid regions that cover about 80% of Kenya's land area
- d) **Infrastructure and services**
- Develop infrastructure and services in rural areas to strengthen rural-urban linkages in a bid to promote economic activities capable of alleviating poverty
  - Support approaches for environmentally sustainable land-use in the ASAL regions
- e) **Refugees/displaced persons**
- Support Kenya to improve conditions of refugees and undertake rehabilitation of refugees for return to their homes
  - Encourage and undertake conflict resolution to reduce the number of refugees and displaced persons
- f) **Monitoring and Evaluation Programmes**
- Support the implementation of indicators and City Data programmes

### **Capacity building**

239. In order to implement the National Plan of Action, Kenya requires to build capacities at all levels, and establish institutions in order to consult/inform actors in the shelter sector on a regular basis. The support of the international community will be required in the following key areas:

a) **Management of Settlements**

- To strengthen the capacity of central government and local authorities in managing human settlements, improving and maintaining infrastructure and services both in rural and urban areas especially with respect to participatory approaches.

**b) Technology**

- Establish appropriate mechanisms for north-south and south-south transfer of appropriate technology; avoiding dumping of environmentally unsustainable technologies, and utilizing Best Practices.

**c) Dissemination of information**

- Establish and support a mechanism for dissemination of information and data, including dissemination of Best Practices.

**d) Participation and Civic Engagement**

Support the strengthening of participatory mechanisms by all actors in the shelter sector by:-

- Disseminating information through media campaigns, sharing Best Practices, among others, to promote civic responsibility.
- Developing facilitating institutional and legal frameworks.
- Education and training for administrators, planners to ensure participation of all actors in the shelter sector, particularly the poor, women, youth, elderly, disabled and other vulnerable groups.



## 11.0 MONITORING PROGRESS

### Introduction

240. The implementation of the National Plan of Action aimed at achieving desired goals, both in the short-term and long-term, will require continuous monitoring and evaluation. This will be a necessary dynamic process whose outcome will feed back into policy formulation, programmes and projects implementation in order to respond, in a timely manner, to any constraints that may be identified.

241. It will therefore be imperative to strengthen National Human Settlements Secretariat (NHSS). The Secretariat will co-ordinate the implementation of National Plan of Action. It will also monitor and evaluate the performance of the shelter and human settlements sector. This will be based on the set of shelter and human settlement indicators that have been adopted by the Government of Kenya during the consultative process. The data on indicators will be collected at three levels: National, Urban and Rural. To the extent possible, the data will be obtained from published reports and statistics. Where necessary, specific surveys will be undertaken to assess specific impacts.

### Objectives

- To set up a National Human Settlements institution to co-ordinate, monitor and evaluate shelter and human settlements sector.
- To strengthen mechanisms for monitoring and evaluation

### Tools for Monitoring and Evaluation of Adequate Shelter for All

#### a) Housing policy

242. In order to measure progress in this area, it is necessary to establish inter-alia:

- the level of interaction between the various actors
- the number of seminars, workshops, etc. on housing policy in any one year which have been held.
- the number of policy reviews which have been done with clear outcomes.
- Housing Production
- Housing Investment

#### b) Efficient shelter markets

243. To measure the efficiency of shelter markets, the following indicators can be used inter-alia:

- House Price to Income Ratio
- Rent to Income Ratio
- House Price Appreciation
- Down-Market Penetration

#### c) Land for Shelter Development

244. The indicators which can be used to measure progress in this area are:

- The Land Development Multiplier
- The Land Conversion Multiplier
- Land Concentration
- Public Land Ownership
- Land Registration Coverage
- Land Development Controls
- Saleable Land Ratio
- Number of regularized informal settlements

**d) Finance for Shelter Development and Maintenance**

245. The indicators which may be used to measure progress in this field include the following:

- Housing Credit Portfolio
- Credit to Value Ratio
- New Housing Credit
- Mortgage to Prime Difference
- Mortgage to Deposit Difference
- Mortgage Arrears Rate
- Existence of a maintenance policy
- Funds set aside for maintenance by the various actors

**e) Basic Infrastructure and Services**

246. A house is not complete if it is not complemented by adequate infrastructure and services. To measure progress in this area, the following indicators are used:

- Water Connection
- Journey to work
- Main type of sewage disposal
- Main type of lighting
- Main type of cooking fuel
- Infrastructure expenditure per capita

**f) Building Materials, Construction, Maintenance and Rehabilitation**

247. The following indicators can be used to measure efficiency in this area:

- Construction Cost
- The Skill Ratio
- Construction Time
- Import Share of Construction
- Permits Delay
- Permanent Structure

**g) Vulnerable Groups**

248. The following indicators can be used to measure vulnerability:

- The proportion of the aged
- The number of the physically disabled
- The number of the poor
- The proportion of Women and disabled in decision-making
- The number of poor female-headed households
- The number of the homeless
- The number of school drop-outs
- The income levels
- Homelessness
- Unauthorized Housing
- Squatter Housing
- Persons per Room
- Households per dwelling Unit
- Floor area per person
- Owner Occupancy

## Tools for Monitoring Sustainable Human Settlements in an Urbanizing World

### a) Urbanization Policy

249. To be able to measure progress in this area, one needs to, inter-alia, look at the following:

- The level of interaction between various actors
- Responsiveness of legislative mechanisms in place
- Viability of urban local authorities
- Impact of sectoral performance in urban human settlements

### b) Population and Settlement Patterns

250. The indicators which are used to measure progress include:

- Total population
- Proportion of the rural population
- Proportion of the urban population
- Life expectancy at birth
- Infant mortality
- Infectious diseases mortality
- Fertility rate
- Population growth rates
- Net migration
- Population densities
- Per capita income
- Economically active population

### c) Balanced Regional Human Settlements Development

251. The indicators which are used to measure progress are among others:

- Number of the underdeveloped regions
- Number of institutions created to address the specific needs of the various regions
- The level of technology promotion
- Number of jobs created per year

### d) Land Use Sustainability

252. The indicators which are used to measure efficiency in this field are, inter-alia:

- Built up area
- Agricultural land
- Forest and other wooded land
- Open land
- Land ownership
- Land registration
- Land use regulations
- Land price index

### e) Social Sustainability

253. The indicators used to measure progress in this area include, among others:

- Households below poverty line
- Poor household's expenditure on food
- Income disparity
- Employment growth
- Informal/undeclared employment

- Per capita income
- Crime rates
- Single parent households
- Adult literacy rate
- School enrollment rate by region
- Hospital beds by region
- Household connection levels to water, sewerage, electricity and telephone by region
- Access to potable water by region
- Median price of water

**f) Environmentally Sustainable Management and Healthy Human Settlements**

254. The indicators used to measure progress in this area include:

- Percent of waste water treated
- Percent of Biochemical Oxygen Demand (BOD) removed
- Cost of waste water treatment
- Solid waste generated
- Disposal methods for solid waste
- Regular solid-waste collection

**g) Sustainable Energy Use and their Impact on Natural Resources**

255. The indicators which are used to measure progress are:

- Energy consumption per capita
- Household energy consumption by source and end use

**h) Conservation and Rehabilitation of Historical and Cultural Heritage**

256. The indicators which are used to measure progress in this area include:

- The presence of a relevant policy
- The presence of institutions
- Level of funding

**i) Improving Urban Economies**

257. The indicators which are used to measure progress here include:

- Presence of legal and institutional framework
- Presence of relevant research, training and education institutions

**j) Disaster Preparedness and Disaster Rehabilitation Capabilities**

258. The indicators which are used to measure progress in this area are:

- Presence of a policy on disaster management
- Presence of legal and institutional framework
- Disaster training facilities and capacity
- Presence of disaster facilities
- Level of dissemination
- Presence of corrective and restorative facilities

**k) Decentralization and Strengthening of Local Government**

259. Useful indicators in this field include:

- The level of sharing experience and technology transfer with other governments effecting decentralization
- The presence of a decentralization policy

- The number of local government legislation reviews
- Control by higher levels of government

**l) Participation and Civic Engagement**

260. The indicators which are used to measure progress in this field include:

- Elected and nominated councilors
- Presence of facilitating institutional and legal frameworks
- Presence of regular broad based consultative techniques for involving NGOs, CBOs, youth and other groups
- Level of promotion of gender considerations and those of vulnerable groups
- The level of utilizing information, media campaigns, and new information technologies to promote civic spirit and responsibility

**m) Human Settlements Management Capacity**

261. The indicators which are used to measure progress in this field include:

- Presence of a core capacity for continued institutional strengthening and capacity building
- Presence of enhanced educational and training programmes in the administration and management of human resources and finances
- Presence of extension services in technical areas such as settlement planning, community development, service provision and project design, implementation and supervision

**n) Financial Resources and Economic Instruments**

262. The indicators which are used to measure progress in this area include:

- Major sources of finance
- Local government per capita income
- Percentage of local government income by source
- Per capita capital expenditure
- Ratio of debt service charge to total expenditure
- Local government employees
- Personnel expenditure ratio
- Contracted recurrent expenditure ratio

**o) Information and Communication**

263. The following indicators could be used to measure progress in this field;

- The intensity of training programmes for key actors in the use of information technology
- Presence of developed methods of sharing experiences through such methods as electronic networks of local authorities and dissemination of best practices

**E: ANNEXES**

<b>Annex 1</b>	<b>Acronyms</b>
<b>Annex 2</b>	<b>List of members of the National Steering Committee on Habitat II</b>
<b>Annex 3</b>	<b>Statistics and Indicators</b>
<b>Annex 4</b>	<b>List of Tables</b>
<b>Annex 5</b>	<b>List of Maps</b>

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