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# AN EVALUATION OF URBAN REGENERATION EFFORTS IN KIBERA, KENYA THROUGH SLUM UPGRADING

*Collins Ouma AGAYİ*[*]
*Konya Technical University Graduate Education Institute, PhD. Student*
agaiagayi@gmail.com
*ORCID: 0000-0002-3533-1921*

*Asst. Prof. Dr. Neslihan SERDAROĞLU SAĞ*
*Konya Technical University Faculty of Architecture and Design Department of Urban and Regional Planning*
nssag@ktun.edu.tr
*ORCID: 0000-0001-8002-4499*

**Abstract**

Kibera, a slum in Kenya experiences social, economic, and spatial challenges arising from rapid urbanization and inability of the government to provide affordable housing. Located five kilometers from the city center, Kibera is home to approximately 185.000 people, the majority of whom are low-income earners. Besides housing challenges, Kibera lacks basic facilities like roads and clean water. Kenyan Government in partnership with UN-Habitat and other organizations has initiated Kenya Slum Upgrading Program (KENSUP) for the purpose of upgrading the infrastructure, housing, and supply of basic services. The pilot project was conducted in Soweto East village of Kibera and involved temporary relocation of the residents to a receiving area to provide room for upgrading. This research uses SWOT analysis method and scrutiny of past studies including interviews conducted in Soweto area to evaluate the KENSUP project in Kibera, to identify the gaps in the program implementation, and to make suitable recommendations for an effective slum upgrading program. The research also examines the historical context of the slum formation and past attempts to address the slum issues. To obtain data, this paper analyses previous research works, articles, government reports, postgraduate theses, policies and legal documents among others. The research establishes that lack of a specific law on urban regeneration impedes the upgrading process. Inadequate involvement of the community in project identification, planning, and implementation is also identified to have caused the residents to reject, rent or sell the new houses allocated to them, opting instead to go back to the slum.

**Keywords:** Housing, Informal Settlements, Participation, Slum Upgrading, Urban Regeneration.

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[*] Corresponding Author

## 1. Introduction

Urbanization is a global phenomenon driven by population growth and the need for better opportunities and services which are predominantly available in urban areas. United Nations (2018: 1) estimates that 55% of the world population currently lives in urban areas, which represent a 25% increase from the 1950 figures. This number is projected to reach 68% by 2050. The rate of urbanization is particularly highest in Asia and Africa (Sulemana ao., 2019: 1). In Kenya, rapid urbanization has led to the growth of slums in major towns due to a lack of affordable housing. The government of Kenya has applied various methods to address the housing and slum problem without much success. The non-intervention strategy by the government upon independence further encouraged proliferation of slums in Kenya. The high cost of housing made it difficult for low-income groups to access housing, whereas the 'low-cost housing program' strategy initiated in the 1960s and 70s did not succeed, owing to too much corruption. In the 1980s, slum eviction strategy became so rampant but ineffective and in the 90s 'self-help programs' were adopted by the government. Slum upgrading programs became popular government strategies in the 2000s.

Kenya Slum Upgrading Programme (KENSUP) was initiated in 2004 to improve the livelihood of 5.3 million people living in slums and other informal settlements in Kenya at a cost of USD 11.05 billion by 2020 (Muraguri, 2011: 2). The implementation of the slum upgrading process in Kenya has been successful in some aspects while there are other aspects that need to be improved on for future regeneration activities. The various slum upgrading strategies as applied in Soweto East Village of Kibera slum including public participation, financing of the projects, the actors, the achievement, and the laws and regulations upon which the upgrading efforts were based, have been elaborately discussed within this research. The research provides therefore an evaluation of the slum upgrading effort within the scope of Soweto Village and highlighting the key areas for the improvement of any future slum upgrading effort in other parts of Kibera and other slums in Kenya.

## 2. Slum and Urban Regeneration Concept

Urbanization in a country is directly tied to economic development with the rural population rapidly migrating to the cities and urban centres (Annez and Buckley, 2009: 19; Castells-Quintana, 2018: 564). The argument linking economic growth with increased urbanization is supported by the United Nations which identifies Africa and Asia as the regions with the highest rates of urbanization and expected to be 56% and 64% urbanized respectively by 2050 (Sulemana ao., 2019: 1). The increase in urbanization has also had an unintended consequence i.e. slums development. Despite recording a decline in the number of people living in slums in the developing regions from approximately 39% to 30% between 2000 and 2014, in 2014, more than 800 million people were found to be living in slums around the world compared to 792 million and 689 million in 2000 and 1990 respectively, with the sub-Saharan Africa having the highest number of people in slums (Way, 2015: 60). But what is a slum? According to the United Nations (Habitat), a slum refers to a settlement with a very high population, poor physical infrastructures, and bad conditions of living (Friesen ao., 2019: 99). Ezeh ao., (2017: 548) go-ahead to define these limited infrastructures to include insufficient clean water, poor sanitation, insufficient living space, poor quality structures for housing, and land tenure security problems. The population is very high beyond the supply of basic infrastructures and social facilities like housing, roads, sanitation, schools, hospitals, water, etc. When the demand for these facilities is far more than the supply, the living conditions deteriorate and could have socio-economic impacts on those living in the slums.

In response to the mushrooming of the slums in the cities and urban centres, many countries have tried many policies and urban planning interventions, most of which have been futile. Napier (2007: 22) describes some of the earlier attempts to solve the problems of the slums through state-run socialist programs of mass housing in the 1950s and 60s. The failure of the mass housing provision by the state gave way to partial provision (assisted self-help) programs through the core housing and sites and

service schemes throughout the 1960s and 70s. Neoliberalism led to increased participation of the private sector in housing provision thus reducing the burden of governments. Failure of sites and service schemes led to slum upgrading programs in the 1970s which was basically self-help with government intervention coming later in terms of direct infusion of funds to the projects. In the 1980s, sectoral intervention measures in terms of funding offered by intermediaries and structural adjustment programs were adopted to address the housing crisis issues.

Presently, many countries are pursuing urban regeneration strategies to respond to the ever-ballooning slums in the cities. The concept 'urban regeneration' has changed forms overtime with the post-war regeneration attempts in Europe using the terms redevelopment, renewal, reconstruction, and earlier on demolition and rebuilding all geared towards improving the urban environment (Shaw and Butler, 2020: 97). To ensure that the strategy is sustainable, it incorporates the three key dimensions of sustainable development i.e. social, economic, and environmental aspects in regeneration attempts. The strategy (urban regeneration), according to Uzun and Simsek (2015: 159) also involves comprehensive and integrated actions aimed at improving the social, physical, environmental, and economic conditions of the present state of urban space rather than planning and development of new areas. In Turkey, as a way of addressing the mushrooming of illegal housings built and occupied by poor residents (referred to as gecekondu) at the urban peripheries due to rural-urban migrations in the 1960s, the government initiated a number of urban regeneration projects since 2000 to improve poor living and environmental conditions prevailing in these squatter neighbourhoods (Korkmaz and Balaban, 2019: 3). In Kenya, various strategies have been adopted since independence to address the slum problems including: non-intervention, low-cost housing provision, slum demolitions and eviction, resettlement and relocations and finally, the slum upgrading programs. The low-cost housing program did not succeed as the targeted groups of low-income earners who could not afford the houses. Slum evictions on the other hand were met with local and international condemnations, due to social and economic damages they exposed the slum residents to. Consequently, the use of this policy has been limited to special circumstances like basic urban infrastructure development, but with the participation of the affected communities.

## 3. Methodology and Study Area Description

A lot of researches have been done in Kibera slum focusing on the social, economic, environmental, and spatial issues that are familiar in many slums globally. This research, however, focused on the specific issue of the effectiveness of urban regeneration effort as applied in Soweto East village of Kibera using a SWOT analysis instrument. The research, therefore, was conducted through a thorough qualitative analysis of previous academic research articles, government reports, reports compiled by Non-Governmental Organizations (NGOs), newspapers, national and international reports, conference papers, and postgraduate theses among many other secondary sources. The analysis of the materials, therefore, focused on: (1) The slum concept and regeneration efforts as applied around the world; (2) Understanding the historical development of Kibera slum in Kenyan context; (3) Analysing the current efforts to address Kibera slum problems through KENSUP and identify the areas of weakness in the upgrading strategy. Past researches conducted in Kibera had relied on primary sources of data like interviews, administration of questionnaires, focused group discussions among others. By analysing these researches and reports, and comparing the findings, this research was able to determine the gaps in the slum upgrading projects' designs, planning, implementation, and monitoring among other important phases of project planning. The study focused on key components of slum upgrading to evaluate how effective they were implemented against the set goal and objectives of the project. Of particular interest to this study were: a) Determination of the level of participation of slum residents, who were the direct victims and beneficiaries of the intended projects, in the identification, designing, planning, and implementation of different projects like housing, roads, sanitation, etc. This was in addition to the assessment of the degree of involvement and coordination by other actors in the project implantation because the regeneration efforts interested actors from different fields and institutions. b)

Examination of the adequacy, effectiveness, capacity, and applicability of the existing legal framework in supporting the slum upgrading projects. c) Evaluation of the slum clearance and eviction processes applied and their compliance with the planning laws and regulations, the relocation strategies used and the sort of support extended to the population if any. d) Assessment of the success rates of the project by comparing the slum upgrading project outputs against the goals and objectives defined earlier on. The study is limited to Soweto East village in Kibera slum, where the pilot project of slum upgrading in Kenya was conducted. Kibera was selected for the study due to its unique slum characteristics including poor housing conditions, overcrowding, lack of land-tenure security, inadequate safe water, and poor hygiene among others. Besides, several pieces of literature have described Kibera as the biggest slum in Africa and among the largest in the world. It was among the few slums selected for the slum upgrading pilot projects around the world and therefore offered a unique opportunity to evaluate the challenges and successes of the efforts. The slum (Kibera), is found in Nairobi, the capital city of Kenya and located 5 km from the Central Business District, occupying 2.25 square kilometres (225 ha) piece of land (Mukeku, 2018: 21 cited by UN Habitat, 2001). The exact population of the slum is in contention as different figures are quoted in different reports and researches. Desgroppes and Taupin (2011: 9) have described Kibera as the biggest slum in Africa, basing this on an estimated population. According to Ogundele (2014:11), these estimations put the population of Kibera between 170,000 and 1 million people. However, the official census report for the year 2019 as enumerated by the government of Kenya, found the official population of the slum to be 185,777 (GOK, 2019: 20). With this figure, Kibera slum remains big with socioeconomic challenges but not the biggest in Africa. The locational context of the slum in African continent, within Kenya and Nairobi City county is illustrated in figure 1 below.

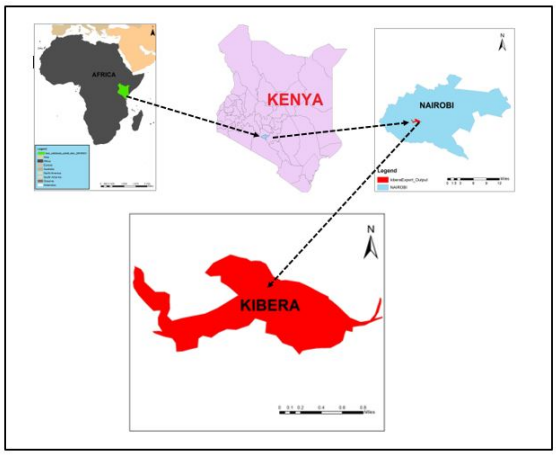


**Figure 1**. Kibera Location.

Kibera slum is further divided into 13 villages that are not homogeneous in levels of income, infrastructural development, and ethnic composition among other things (Kibere, 2016: 167). The villages include Kisumu Ndogo, Soweto East, Silanga, Makina, Mashimoni, Gatwekera, Kianda, Raila, Lindi, Gichinjio, Kiambi Muru, Laini Saba, and Soweto West (MacDonald, 2014: 18). The specific location of the 13 villages of Kibera is as shown in figure 2.

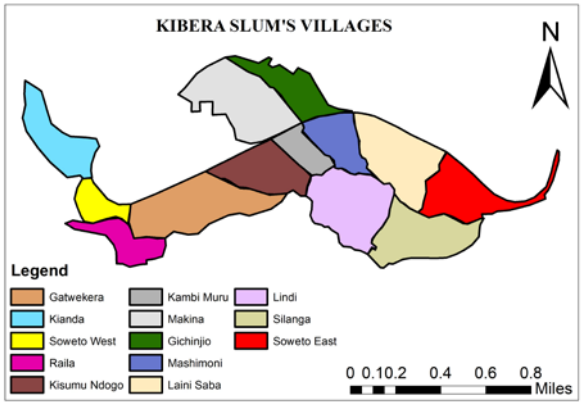


**Figure 2**. The Study Area in the Slum.

Soweto East with a total population of 19,318 was selected for the project ahead of other villages because it had more clear land ownership compared to other villages reducing problems during land acquisition and compensation, cohesiveness and good organization among its residents that made mobilization process much easier, the size of the population was also idea for a pilot project, many residents were structure owners and this would be important during negotiations as any improvement would benefit them (Ogundele, 2014: 16). Soweto, the project area is located on the Eastern part of the slum, next to Laini Saba and Silanga villages as illustrated in figure 3 below.

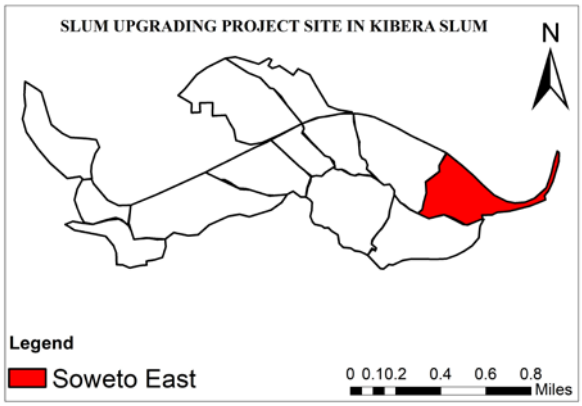


**Figure 3**. The Project Location.

## 4. Kibera Slum Development

The slum has its origin after World War 1 when the British government, which had colonized Kenya decided to settle the Nubians (war veterans of Sudan origin) in the area as a reward and compensation for fighting alongside the British soldiers. The Nubians' claim to the land was however revoked just after independence making them and other immigrants who flooded the slum after 1963 to be squatters on government property as they lack the title deeds for the land (Bird ao., 2017: 500).

The lifting of travel restriction on Africans by the government soon after independence in 1963, led to increase the migration of Africans from rural areas to Nairobi and this undoubtedly impacted Kibera. According to Smedt (2011: 90), the population of Nairobi almost doubled from 267,000 to 509,000 between 1962 and 1969. Kibera population on the other hand increased from 9,000 at independence to 17,000 in 1972. People continued to move and settle in Kibera which they considered cheaper than other parts of the city, proximity to their working places, and a sense of security. However, the question regarding the legality of their settlement emerged in 1969 when the Ministry of Lands declared Kibera to be state land belonging to the Republic (Smedt, 2011: 92). Despite the government adopting the National Housing Policy that called for slum clearance and provision of affordable housing to Kenyans

(ROK, 2004: 2), Kibera slum was not demolished for fear of creating a human catastrophe, besides political and economic interests being at play. According to Smedt (2011: 83) cited by Amis (1984), the government also considered informal settlements to be an alternative way to housing the residents of the city owing to inadequacy of affordable houses. The high rates of rural-urban migration have led to the formation of other slums in Kenya like Mathare, Huruma, Ngomongo, Kangemi, Fuata Nyayo, Baba Ndogo among others with at least 60% of Nairobi residents living in slums and informal settlements (Agayi and Karakayacı, 2020: 52). Presently, 185,777 people are staying in the 2.25 square kilometers slum in Nairobi, making it one of the most densely populated residential areas in Nairobi. The concentration of settlements in Kibera's informal housing is demonstrated in Figure 4.

**Figure 4**. The Aerial View of Kibera Slum in Nairobi.

## 5. Urban Regeneration Efforts (KENSUP)

Urban regeneration efforts in Nairobi are being conducted through The Kenya Slum Upgrading Programme (KENSUP) targeting Kibera and other major slums. Kibera fits the description of a slum i.e. lack safe water for drinking, sanitation, property and land tenure security, overcrowding, and poor quality of housing among others as described by the UN Habitat (UN-Habitat, 2003: 12). Lack of these basic infrastructures, therefore, makes life in the slums unbearable for slum dwellers. KENSUP was, therefore, meant to solve Kibera and other slums' problems through 'provision of security of tenure, housing improvement, income generation, and physical and social infrastructure (Balaton-Chrimes, 2017: 57). The general condition of houses in Kibera is as shown in Figure 5.

**Figure 5**. The Housing Condition in Kibera Slum.

Despite a very high population, Kibera has poor sanitation and hygiene due to inadequate supply of resources like water, toilets, garbage dump sites, sewage system, and the drainage systems among others. This exposes the slum residents to water and hygiene-related health problems and would, therefore, need to be prioritized for the improvement of projects in Kibera aiming to upgrade the slum. In Figure 6

below, the state of drainage system in Kibera slum is demonstrated with garbage blocking the flow of sewage, thus endangering the life of slum dwellers.

**Figure 6**. The State of Sanitation in the Slum.

After independence, Kenya had adopted a slum demolition policy when the National Housing Policy that advocated for slum clearance was formulated (ROK, 2004: 2). However, the slum demolition policy has since been discarded and can only be carried out if there is an overriding development reason for demolishing the slum and the existence of an alternative settlement area (Smedt, 2011: 115). Despite this, many slum demolitions and evictions have been conducted in Kenya without following the due process thus causing a lot of sufferings and losses to the residents. As noted by Kamete (2009: 907), demolition, slum clearance or clean-up campaigns targeting those occupying urban spaces in violation of the planning and property laws are always very destructive to properties and are likely to draw both local and international condemnations. This makes demolition as a method of slum clearance very unpopular. On the other hand, slum upgrading is widely accepted by many governments as it applies a multidimensional approach to the solution of slum problems by addressing the transportation, sanitation and other social and economic inadequacies instead of focusing merely on the housing provision, therefore, improving the lives of the community in their entirety (Cirolia ao., 2017: 472). The pilot project for slum upgrading under the Kenyan Slum Upgrading Programme (KENSUP), was initiated in Soweto (Kibera), in 2000 as a joint program between the Kenyan government and the United Nations Habitat (Huchzermeyer, 2008: 21). Kibera with a population of 185,777 (GOK, 2019: 20), is one of the biggest slums in Africa. Figure 7 shows the condition of housing in Kibera slum and the newly upgraded houses at the background.

**Figure 7**. Kibera Slum with a Section of Upgraded Houses at the Background.

The various aspects of slum upgrading efforts in Soweto East Village of Kibera including the policy and legal frameworks, the stakeholders and sources of funds, relocation process, public participation, demolition of structures, and compulsory acquisition of land are as discussed in this section.

### 5.1 Policy and Legal Framework

Despite the existence of several laws aimed at addressing the housing problem in Kenya, no specific legislation has been enacted to address the regeneration efforts of slums. Past experiences have shown that too many pieces of laws may be vague in addressing the specific issue of slum development as the population keeps shifting to the urban areas. In Kenya, efforts to upgrade the slums are a response to the constitutional provisions in article 43 on right to accessible and adequate housing, and a reasonable standard of sanitation, and article 42 that guarantees citizens the right to clean and healthy environment (GOK, 2010: 24). These requirements of the constitution are implemented through slum regeneration programs contained in various policies and legislations. The latest effort by the government to address the slum problem in Kenya was through the enactment of The National Slum Upgrading and Prevention Policy draft (NSUPP). The NSUPP characterizes the Kenyan Slums as lacking adequate safe water, having inadequate sanitation, poor quality housing, overcrowding, insecure, lacking security of tenure, low employment rates among others (GOK, 2013: 4). The draft policy recommends enactment of a Comprehensive Slum Upgrading and Prevention Law to be the basis for slum regeneration programs and addressing issues of security of tenure, tenure regularization, institutional arrangement, regulations, environmental protection, planning and development control, the participation of all stakeholders especially the vulnerable groups, infrastructure development and maintenance, security and safety (GOK, 2013: 10). This recommendation has never been implemented until today, therefore, urban regeneration continues to rely on many vague and general pieces of law that are not effective. Besides, NSUPP remains merely as a draft policy, as the ministry in charge has been unable to complete it.

Slum regeneration programs have also been implemented based on the goals of the National Housing Policy adopted by the Kenyan government in 2004. The policy is geared towards helping Kenyans achieve their right to housing by developing low and middle-income housing units in the urban areas, improving condition of the slums and informal settlements, and by encouraging rental housing construction. This policy also intended to reduce the housing deficit in the urban and rural areas by facilitating an annual production of 150,000 and 300,000 units every year (ROK, 2004: 3). According to Habitat for Humanity (2018), Kenya has a housing deficit of 2 million and this grows every year at a rate of 200,000. Besides, the policy establishes crucial institutions responsible for housing in Kenya including the National Housing Corporation, Housing Development Fund, and Ministry responsible for Lands and Settlement. Slum proliferation problems and intervening measures to address the land rights in the informal settlements including the slums are addressed in the National Land Policy, 2009. The act (GOK, 2009: 48), proposes slum upgrading modalities like the development of genuine squatters' inventories, assessment of the land occupied by the squatters to determine suitability for upgrading, strategies for consultation during upgrading and resettlement among other measures. Kenya has also domesticated some international treaties and conventions which are crucial to protecting human beings by ensuring that they live in a clean and healthy environment. Kenya is therefore among the 190 countries determined to attain the Sustainable Development Goals (SDGs) that are crucial in the fight against poverty, inequalities, and obstacles to human development. Goal number 11 intends to build cities that are safe, inclusive, sustainable and very resilient taking into account that over and above 50% of the global citizenry lived in urban areas in 2015 and urbanization continues to grow especially in developing countries (Owino, 2017: 2). This would be achieved if governments ensured that citizens have access to adequate, safe, and affordable housing, basic services, and slum upgrading programs. Finally, the Vision 2030 policy through its social pillar contemplates building a society that relishes equitable social development and lives in a clean and safe environment. The policy aims at ensuring an

adequately and decently housed nation in a sustainable environment by 2020 besides annual housing units' production from 35,000 to 200,000 to offset the housing deficit in Kenya (Kenya, 2007: 19).

### 5.2 Actors and Funding

The Kenya Slum Upgrading Programme (KENSUP) is an initiative programme between the Kenyan government and the UN-Habitat targeting 5.3 million people living in slums and other informal settlements in Kenya (Ogundele, 2014: 12). These two, the Kenyan Government and UN-Habitat remain as the primary funders of the project. A pilot project was implemented in Kibera Slum (Soweto East Village) under two different initiatives i.e. Kibera Slum Upgrading Initiative (KSUI) and Kibera Integrated Water, Sanitation and Waste Management (K-WASTAN). These projects were initially intended to cover 12 'villages' of Kibera but were later revised to cover Soweto East only 'village' upon a detailed situational analysis (Huchzermeyer, 2008: 21). While the KSUI was aimed at upgrading the infrastructure and housing facilities, K-WASTAN targeted community-based small-scale initiatives like sanitation, waste management, water, and capacity building among the residents. Other than the national government and the UN-Habitat, other actors in the project included: The Cities Alliance, Nairobi City Council (Now Nairobi City County), Maji na Ufanisi (Implementation Partner), Civil Society Organizations, Faith-Based Organizations, Kibera residents and leading groups of the area (political and interest groups). The initial funding for situational analysis of Soweto village and preparatory phase was provided by the Cities Alliance, Government of Kenya through the then Ministry of Roads, Public Works and Housing, and UN-Habitat at the equivalent of US$240.000, US$60.000, and US$110.000 respectively (UN-Habitat, 2007: 1). Under the KSUI, a total of 822 units were constructed in Soweto East and 1.800 households successfully relocated from Soweto East Zone A. Besides, there was a construction of approximately 600 housing units in the Kibera receiving area to temporarily accommodate residents who had been evicted from Soweto East to create a space for upgrading programs under the national slum upgrading and preventive initiative. Provision of basic infrastructures like roads, sewerage systems among others was made possible by opening up a total of 200 acres of land. The first phase of the project was completed successfully and houses occupied by selected residents.

### 5.3 Relocation of Slum Dwellers

The implementation of the project required the relocation of the slum residents from the upgrading site (Soweto East village) to a nearby receiving area (Langata). The first phase of the relocation process thus began in 2009 with 5000 of the total 6,288 residents of Soweto East Zone A being moved to the decanting site (Fernandez ao., 2011: 5). Construction in Soweto village thus began in 2012 with single, double- and three-bedroom houses to be sold at a market rate of ($5000 - $11,250) (Anderson & Mwelu, 2013: 3). The Langata receiving area was to act as a temporary holding site for the slum dwellers as the Soweto East village was undergoing upgrades. They would then be allowed to move into the new quality houses constructed in Soweto East. The receiving area was located across the slum in a nearby neighbourhood as shown in figure 8 below, sat on a 2.00 hectares land and consisted of 17 blocks of 5 story flats. Despite having good quality houses, hygiene, security, and a good drainage system, the residents, offered temporary houses in the receiving area which were outside Kibera, felt socially and economically secluded as there was more social cohesion in Kibera and they could easily access their income-generating sites due to proximity to their residences (Mitra ao., 2017: 111).

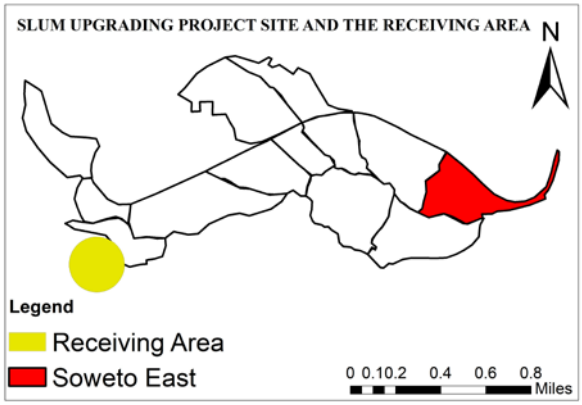


**Figure 8**. Soweto East Village and the Receiving Area.

Lack of proper consultation about the cost of the project also caused some slum residents to reject temporary accommodation in the receiving area. According to Fernandez ao., (2011: 5), only 5,000 residents were successfully relocated to Langata receiving area while the remaining opted to go to other zones of Kibera due to high rents fixed with insufficient consultation. The relocation was also considered a failure due to the lack of consultation with the residents about the most appropriate location with more importance being attached to the availability of public land rather than the socio-economic needs of the residents. Figure 9 is an illustration of the receiving area houses that hosted the slum residents temporarily to create space for slum upgrading in Soweto East.

**Figure 9**. The Housing Types at the Receiving Area.

The criteria to be followed while relocation or rehousing a population is discussed by Amado ao., (2016: 67) and includes: proximity to the original site so as to reduce social and economic problems, the type of settlement (urban or rural), the social bond within the community so as to reduce social exclusion and availability of housing. Clearly, not all these factors were considered. The receiving area was however a temporary settlement location created to host slum residents relocated from Soweto East to create room for the upgrading process.

**Figure 10**. The Newly Built Houses in Soweto, Kibera.

Upon completion of the upgrading process, the residents were allowed to move back to the newly built houses in Soweto East as shown in figure 10. The original slum dwellers were given priority in house allocation.

### 5.4 Public Participation

Hasan ao., (2018: 13) define public participation as the involvement in a meaningful way of the relevant members of a targeted population in various policy development stages. The level of involvement of the members of the public in a project is likely to determine the degree of success of a project. As Pimoljinda and Siriprasertchok (2017: 332) point out, the participation of the community from below to the top not only offers legitimacy to the project by raising its acceptability but also ensures that the final outcome of the project reflects the need of the people. Mwau (2013: 58) states in her thesis that UN Habitat's roles in the slum upgrading project emphasized the importance of all urban actors with stakes in Kibera slum to be involved in the project to include their views in a project that would impact their lives. Anderson and Mwelu (2013: 5), however, finds little evidence of public involvement in the project. Besides, they argue that the project appeared to have adopted a top-down approach whereby the policy implementers were not in any way involved in the formulation process.

When interviewed by Amnesty International about the KENSUP program and their opinion about the process in the year 2009, 45 out of 50 residents of Soweto East who took part in the interview cited inadequate involvement of the residents in the project implementation that denied them access to important information about the project including the cost of housing, the construction plans, and other crucial details about house allocation process in the receiving site (Fernandez ao., 2011: 3). This could perhaps explain why more than half of the 821 families resettled into new good quality houses with water, electricity opted to move back to the slums while renting or selling their homes to others (Kajilwa, 2017).

### 5.5 Compulsory Acquisition, Demolition and Forceful Eviction

The law of eminent domain (compulsory acquisition) has been a crucial part of many states to undertake huge development projects for public use on private property. Lai (2014: 558) argues that the laws allow the state confiscation of privately owned land for the use of public upon payment of fair compensation at the prevailing market value. In Kenya, the constitution of Kenya defines circumstances under which the state could deprive an individual of the right to own a private property for public use or public interest. Even if done for public use or interest, compulsory acquisition in Kenya requires prompt payment in compensation to the person whose property has been acquired (GOK, 2010: 23).

While this provision applies to rightful owners of the lands with land title deed, the constitution of Kenya also proposes a fair compensation to people occupying a piece of land, but who may not hold the title of lands they occupy. This compensation is made in good faith (GOK, 2010: 23). This is particularly significant considering that many slum dwellers are invaders of public land and therefore, lack the title to the lands they occupy. Kibera for instance was declared to be state land in 1969 by the Ministry of Lands (Smedt, 2011: 92). Slums upgrading and urban renewal process are some of the development programs that are done for public use and interest and would, therefore, warrant compulsory acquisition. Whereas the KENSUP project didn't involve permanent displacement and eviction of residents, other projects conducted in Kibera slum have resulted in forceful eviction, destruction of properties without fair compensation in good faith considering that the residents are not legitimate owners of the lands. Table 1 provides the summary of the Kibera Slum Upgrading in Soweto, Kibera and the important parts of the integrated process.

**Table 1**. Kenya Slum Upgrading Matrix

**Kibera Slum Upgrading Initiative (KSUI)**

| | |
|---|---|
| **Goal of the projects** | Upgrading the infrastructure, housing and basic services |
| **Location of project** | Soweto East Kibera |
| **Milestone** | 822 housing units constructed in Soweto East (570 two roomed units, 144 three-roomed units, 108 one-roomed units).<br>0.5 km access road constructed<br>200 acres open up for housing development.<br>1,800 successful relocation from Soweto East |
| **Actors** | UN-Habitat<br>Cities Alliance<br>Government of Kenya<br>Nairobi City Council (Now Nairobi City County)<br>Kibera Residents. |
| **Policy and Legal Framework** | Lack of a specific law on urban regeneration meant that general laws were applied in the upgrading process. Including; Constitution of Kenya, National Housing Policy, National Land Policy, the Vision 2030 among others. |
| **Funding** | USD 240,000 from Cities Alliance<br>USD 110,000 UN-HABITAT<br>Total cost Kshs 2.9 billion |
| **Relocation** | The affected slum dwellers were temporarily moved to a receiving site in Langata |
| **Public Participation** | The projected adopted a top-down approach despite claims of public involvement. |
| **Compulsory acquisition** | Kibera slum sits on public land, therefore no compulsory acquisition was needed. |
| **Status** | First Phase Complete. A total of 822 housing units were completed in 2016.<br>Phase two is ongoing targeting 3000 housing units at a cost of KSHs 6.5 billion |

## 5.6 Slum Upgrading SWOT Analysis

An assessment of both the slum upgrading process and the project area determined that the willingness of donors and development partners like the World Bank, UN-Habitat and other Non-Governmental Organizations to fund, facilitate and coordinate the slum upgrading project was key to its success. This was additionally complemented with the technical, financial and human resource assistance from the government of Kenya. The involvement of the public in project implantation also legitimized the project thus making it acceptable to the residents and preventing conflicts and sabotage. Besides, Kibera slum is public land and the government would not incur extra cost of purchasing the land for upgrading. This reduced both the cost and conflict over land compensation. The proximity of the slum area to the city center made it very accessible while the slum residents, the majority of whom are not employed offered

cheap labor services for the project realization. Table 2 is a summary of the SWOT of the Kibera slum upgrading efforts.

**Table 2**. Kibera Slum SWOT Analysis

| **STRENGTHS** | **WEAKNESSES** |
|---|---|
| ▪ Close proximity to the city center thus accessibility.<br>▪ Involvement of public members even though less satisfactorily.<br>▪ Slum land being public land reduces cost of resettlement and conflict over compensation. | ▪ Poor housing quality.<br>▪ Poor state of roads in the slum.<br>▪ Narrow paths hampering accessibility.<br>▪ Congestion as houses are built in zero proximity.<br>▪ Poor sanitation and drainage systems.<br>▪ Lack of security of tenure exposing residents to risk of eviction and forceful demolition.<br>▪ The slum area is relatively small leaving less room for development.<br>▪ Poor public participation.<br>▪ The far distance between the project site and relocation site disrupted social and economic order. |
| **OPPORTUNITIES** | **THREATS** |
| ▪ The readiness and willingness of donors and international development partners to assist in slum upgrading. E.g. UN Habitat and World Bank.<br>▪ Immense government financial and human resource support.<br>▪ High slum population makes labor easily, available and cheap.<br>▪ Being a government land reduces cost of slum upgrading as the land doesn't require compensation. | ▪ High rural to urban migration.<br>▪ Occupation of the newly built houses by middle income groups (gentrification).<br>▪ Lack of a specific law on urban regeneration.<br>▪ High poverty levels in Nairobi<br>▪ Political interferences in the slum upgrading processes.<br>▪ Too much reliance on donor funding is unsustainable and unreliable.<br>▪ Absence of a specific law for physical, economic and environmental planning for urban areas and slums.<br>▪ Tribalism which is a threat to social cohesion and stability in the slum. |

However, project implementation also faced problems ranging from the poor state of infrastructures including houses, sanitation, and inaccessible roads. Low levels of public participation also left the residents with less information concerning the technical design aspects of the houses as well as the cost expected to be incurred by residents during relocation and resettlement to the new houses. Lack of security of tenure in the slums exposed the residents to risks of forceful eviction and demolition of structures. The high rates of urbanization also threaten the upgrading process as new slum structures are constructed to accommodate those arriving into the city.

## 6. Conclusion

The first phase of KENSUP project implementation is largely successful. However, the execution experienced a range of challenges that need to be tackled for the success of subsequent slum upgrading programs. First, while the relocation of residents to a receiving area to clear the slum was a good step, little consideration was paid to the likely spatial, social, cultural, and economic impacts such an action would have on slum residents. An analysis of past studies about the relocation process and its impacts on the residents revealed that the relocation to the receiving area that was located very far away from the eviction site caused social and economic disruption to the life of the slum dwellers. Socially, the strong and close cultural bonds among neighbors and relatives that had been built over a long period of their settlement in the slum were suddenly cut off. Building a new sense of social security and trust with new neighbors in the receiving area would, therefore, be a big challenge to most of the relocated families considering the lack of homogeneity among the slum residents. Also, the economic life of the residents was affected when they were caused to move away from their established areas of business. Since a majority of the slum residents in slums engage in informal activities like selling goods along the roads and in close markets areas with specific types of buyers who are mainly the low-income earners staying

in those slums or settlements around, moving them away from these areas not only affected their main source of income by separating them from their customers and established business locations, but also made them incur extra costs for transportation to reach the business sites. This just made their conditions worse. This study recommends that subsequent slum upgrading programs in Kenya and other parts of the world undertake a thorough analysis of the social, economic, and spatial characteristics of the community and the areas before any eviction and relocation to minimize the suffering among the affected residents. The selected receiving or relocation sites should not be too far to disrupt the basic life of the residents. Second, whereas the physical aspects goals for the first phase of the project were achieved by the construction of 822 housing units, the study established that more than half of the families to whom these houses were allocated, had either sold, rented, or deserted them. This was attributed to the high rent or the monthly fee installment charged on the residents to purchase the houses. A majority of the residents did not have adequate information about the project implementation including the cost of housing. This, they thought was due to the top-down approach to KENSUP project implementation that had been adopted by the high-level decision-makers, and that consequently denied the residents the opportunity to adequately participate in the process at all stages. To avoid future project dereliction and lack of legitimacy among the community, this study proposes an integration of public participation as a mandatory component for future slum upgrading programs at every phase. The involvement of the members of the public not only legitimizes the projects but also guarantees security to the projects thus avoiding disruptions and sabotage from the dissatisfied residents. Third, it was assessed that the Kibera Slum Upgrading Program focused mainly on the physical upgrading of the slum by improving the roads, constructing new houses, supplying clean drinking water, providing sanitation among others. Largely ignored was the economic welfare of the slum residents whose living conditions were supposed to be improved at the end of the project implementation. Despite the constructed houses being affordable, many still could not pay the monthly rent or fee requirement for ownership due to the lack of a stable source of income. This study, therefore, recommends that future slum upgrading programs should not only focus on the physical but also integrate the economic aspect of it by ensuring that the residents are empowered economically through the initiation of income-generating activities in the slums. This would make the houses affordable to the residents while improving their economic well-being at the same time.

Fourth, it can be said that there is a gap in the legal framework which guides slum upgrading programs in Kenya, and this had an impact on the project implementation. Relying on general laws for urban development, housing, and settlement with no clearly defined roles, mandates, and actions for specific institutions leads to the complexity of functions among institutions undertaking development projects in the same area. In the case of poor coordination, this is likely to cause wastage of resources and may prolong the project's implementation period. The complexity of roles was witnessed in Kibera slum with many institutions taking part in the improvement efforts within the slum. The Nairobi City County, the National Youth Services, ministries of housing, transportation, and lands, international development partners among others were all involved in various slum upgrading activities. This study recommends the formulation of a comprehensive urban regeneration law or policy framework to guide the coordination of institutions and define the roles of each to avoid complexity of functions. The formulated laws and policies should also incorporate the social, economic, environmental, and physical concerns of an urban environment for sustainability. This should be in consultation with experts from different disciplines like urban planners, architects, economists, and the input of the members of the public. In conclusion, for the implementation of the remaining phases of the Kibera Slum Upgrading Program and in future upgrading programs in other parts of the country, this study proposes the formulation of an integrated slum upgrading policy that is sensitive to social, economic, political and environmental needs of the targeted population.

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**Conflict of Interests**

The Authors declare no conflict of interest.

**References**

Agayi, C. O., Karakayacı, Ö. (2020). The Role of Changing Housing Policies in Housing Affordability and Accessibility in Developing Countries: The Case of Kenya. Journal of Contemporary Urban Affairs, 4(2), p.49-58. https://doi.org/10.25034/ijcua.2020.v4n2-5

Amado, M. P., Ramalhete, I., Amado, A. R., Freitas, J. C. (2016). Regeneration of Informal Areas: An Integrated Approach. Cities, 58, p.59-69. https://doi.org/10.1016/j.cities.2016.05.015

Amis, P. (1984). Squatters or Tenants: The Commercialization of Unauthorized Housing in Nairobi. World Development, 12(1), p.87-96. https://doi.org/10.1016/0305-750X(84)90037-8

Anderson, M., Mwelu, K. (2013). Kenyan Slum Upgrading Programs: KISIP & KENSUP. UC Berkeley Center for Global Healthy Cities.

Annez, P. C., Buckley, R. M. (2009). Urbanization and Growth: Setting the Context. Urbanization and Growth, 1, p.1-45.

Balaton-Chrimes, S. (2017). Recognition, Coloniality and International Development: A Case Study of the Nubians and the Kenya Slum Upgrading Project. Postcolonial Studies, 20(1), p.51-67. https://doi.org/10.1080/13688790.2017.1355878

Bird, J., Montebruno, P., Regan, T. (2017). Life in a Slum: Understanding Living Conditions in Nairobi's Slums across Time and Space. Oxford Review of Economic Policy, 33(3), p.496-520. https://doi.org/10.1093/oxrep/grx036

CastellsQuintana, D. (2018). Beyond Kuznets: Inequality and the Size and distribution of cities. Journal of Regional Science, 58(3), p.564-580. https://doi.org/10.1111/jors.12368

Cirolia, L. R., Görgens, T., van Donk, M., Smit, W., Drimie, S. (2017). Upgrading Informal Settlements in South Africa: Pursuing a Partnership-Based Approach. Johannesburg: Juta and Company (Pty) Ltd.

Desgroppes, A., Taupin, S. (2011). Kibera: The Biggest Slum in Africa? Les Cahiers d'Afrique de l'Est/The East African Review, (44), p.1-10.

Ezeh, A., Oyebode, O., Satterthwaite, D., Chen, Y.-F., Ndugwa, R., Sartori, J., . . . Watson, S. I. (2017). The History, Geography, and Sociology of Slums and the Health Problems of People Who Live in Slums. The Lancet, 389(10068), p.547-558. https://doi.org/10.1016/S0140-6736(16)31650-6

Fernandez, R., Rosa A., Calas, B. (2011). The Kibera Soweto East Project in Nairobi, Kenya. Les Cahiers d'Afrique de l'Est/The East African Review, (44), p.1-13.

Friesen, J., Taubenböck, H., Wurm, M., Pelz, P. F. (2019). Size Distributions of Slums across the Globe Using Different Data and Classification Methods. European Journal of Remote Sensing, p.99-111. https://doi.org/10.1080/22797254.2019.1579617

GOK. (2009). Sessional Paper No. 3 of 2009 on National Land Policy. Nairobi: Government Printer.

GOK. (2010). The Constitution of Kenya, 2010. Nairobi: Government Printer.

GOK. (2013). Background Document: The National Slum Upgrading and Prevention Policy. Nairobi: Government Printer.

GOK. (2019). Kenya Population and Housing Census Volume i: Population by County and Sub County. Nairobi: Government Printer.

Habitat for Humanity. (2018). The Proliferation of Slums. https://www.habitatforhumanity.org.uk/country/kenya (7.7.2020).

Hasan, M. A., Nahiduzzaman, K. M., Aldosary, A. S. (2018). Public Participation in EIA: A Comparative Study of the Projects Run by Government and Non-Governmental Organizations. Environmental Impact Assessment Review, 72, p.12-24. https://doi.org/10.1016/j.eiar.2018.05.001

Huchzermeyer, M. (2008). Slum Upgrading in Nairobi within the Housing and Basic Services Market: A Housing Rights Concern. Journal of Asian and African Studies, 43(1), p. 19-39. https://doi.org/10.1177%2F0021909607085586

Kajilwa, G. (2017). Why Kibera Residents Opted to Give out New Houses. Standard Digital. https://www.standardmedia.co.ke/article/2001252370/why-kibera-residents-opted-to-give-out-new-houses (7.7.2020).

Kamete, A. Y. (2009). In the Service of Tyranny: Debating the Role of Planning in Zimbabwe's Urban Clean-up Operation. Urban studies, 46(4), p.897-922. https://doi.org/10.1177%2F0042098009102134

Kenya. (2007). Kenya Vision 2030: Government of the Republic of Kenya. Nairobi: Government Printer.

Kibere, F. N. (2016). The Capability of Mobility in Kibera 'Slum', Kenya: An Ethnographic Study of How Young People Use and Appropriate New Media and ICTs, Doctorate Thesis, University of Leicester.

Korkmaz, C., Balaban, O. (2019). Sustainability of Urban Regeneration in Turkey: Assessing the Performance of the North Ankara Urban Regeneration Project. Habitat International, 95, p.1-14. https://doi.org/10.1016/j.habitatint.2019.102081

Lai, L. W. (2014). Private Property Rights Not to Use, Earn from or Trade Land in Urban Planning and Development: A Meeting Between Coase and Buchanan. Habitat International, 44, p.555-560. https://doi.org/10.1016/j.habitatint.2014.10.014

MacDonald, M. (2014). Community Perception of Slum Upgrading Initiatives in Soweto East, Kibera (Nairobi, Kenya). Master Thesis, McGill University Libraries,

Mitra, S., Mulligan, J., Schilling, J., Harper, J., Vivekananda, J., Krause, L. (2017). Developing Risk or Resilience? Effects of Slum Upgrading on the Social Contract and Social Cohesion in Kibera, Nairobi. Environment and Urbanization, 29(1), p.103-122. https://doi.org/10.1177%2F0956247816689218

Mukeku, J. (2018). Urban Slum Morphology and Socio-economic Analogies: A Case Study of Kibera Slum, Nairobi, Kenya. Urbanisation, 3(1), p.17-32. https://doi.org/10.1177%2F2455747118790581

Muraguri, L. (2011). Kenyan Government Initiatives in Slum Upgrading. Les Cahiers d'Afrique de l'Est/The East African Review, (44), p.1-9. https://journals.openedition.org/eastafrica/534

Mwau, D. M. (2013). A Critical Analysis of the Implementation of the Slum Upgrading Policies in Kenya, Master Degree, University of KwaZuluNatal, Pietermaritzburg.

Napier, M. (2007). Informal Settlement Integration, the Environment and Sustainable Livelihoods in Sub-Saharan Africa. Council for Scientific & Industrial Research in South Africa. http://www.grif.umontreal.ca/pages/i-rec%20papers/napier.pdf (14.07.2020)

Ogundele, A. (2014). Decanting and Social Sustainability: Kenya Slum Upgrading Programme (A Case Study). Master Thesis, University of Waterloo.

Owino, K. (2017). Housing Policy as an Agenda for Elections 2017. Nairobi: Institute of Economic Affairs.

Pimoljinda, T., Siriprasertchok, R. (2017). Failure of Public Participation for Sustainable Development: A Case Study of a NGO's Development Projects in Chonburi Province. Kasetsart Journal of Social Sciences, 38(3), p.331-336. https://doi.org/10.1016/j.kjss.2016.08.016

ROK. (2004). Sessional Paper No.3 of 2004 on National Housing Policy for Kenya. Nairobi: Government Printer.

Shaw, K., Butler, T. (2020). Urban Regeneration. International Encyclopedia of Human Geography (Second Edition), p.97-103. doi:https://doi.org/10.1016/B978-0-08-102295-5.10349-X

Smedt, J. V. A. d. (2011). The Nubis of Kibera: A Social History of the Nubians and Kibera Slums. Doctorate Thesis, Faculty of the Humanities, Leiden University.

Sulemana, I., Nketiah-Amponsah, E., Codjoe, E. A., Andoh, J. A. N. (2019). Urbanization and Income Inequality in Sub-Saharan Africa. Sustainable Cities and Society, 48, p.1-8 https://doi.org/10.1016/j.scs.2019.101544

UN Habitat & Government of Kenya. (2001). Nairobi Situation Analysis: A Collaborative Slum Upgrading Initiative (Consultative Report). Nairobi: UN Habitat

UN-Habitat. (2007). Briefing Note on Gok/UN-Habitat. Kenya Slum Upgrading Programme (KENSUP). https://mirror.unhabitat.org/downloads/docs/4628_12787_GC%2021%20Kenya.pdf (14.07.20)

UN-Habitat. (2003). The Challenge of Slums: Global Report on Human Settlements 2003. London and Sterling, VA: Earthscan Publications Ltd.

United Nations. (2018). World Urbanization Prospects: The 2018 Revision (ST/ESA/SER.A/420). New York: United Nations.

Uzun, B., Simsek, N. C. (2015). Upgrading of Illegal Settlements in Turkey; The Case of North Ankara Entrance Urban Regeneration Project. Habitat International, 49, p.157-164. https://doi.org/10.1016/j.habitatint.2015.05.026

Way, C. (2015). The Millennium Development Goals Report 2015. New York: United Nations.

**Figure References**

**Figures 1, 2, 3, 5, 6, 8, 10:** The images and maps belong to the authors.

**Figure 4:** Odenyo, A. (2020). Overcrowding, Water Scarcity Makes Slums Vulnerable to Covid-19. The Star. https://www.the-star.co.ke/news/2020-03-18-overcrowding-water-scarcity-make-slums-vulnerable-to-covid-19/ (23.08.2020).

**Figure 7:** Wanzala, J. (2018). Experts Poke Holes on Uhuru's Housing Plan. The Standard. https://www.standardmedia.co.ke/business/article/2001289009/experts-poke-holes-on-uhuru-s-housing-plan (19.08.2020).

**Figure 9:** Muungano wa Wanavijiji. (2013). KENSUP: Inside the Ministry—On Site in Kibera. https://www.muungano.net/browseblogs/2013/03/19/kensup-inside-the-ministry-on-site-in-kibera (19.08.2020).