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## Pioneering Study Aims to Increase Slum-Dwellers' Access to Justice and Services: Launch of Participatory Action Research from Mukuru, Nairobi

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A path-breaking research project in Mukuru has revealed the essential links between slums' insecure land tenure, minimal service delivery, and usually informal, unjust governance institutions. This innovative project was conducted by a team of Kenyan experts working closely with residents, who together discovered a complex nexus between service delivery, governance, and land tenure in informal settlements. With funding from the International Development Research Centre (IDRC), the investigation was jointly spearheaded by urban planners at University of Nairobi, grassroots organisers and pro-poor financial strategists at Akiba Mashinani Trust (AMT), legal and finance professors at Strathmore University, and lawyers at the Katiba Institute. Their research sought to explain the relations between slums' land tenure and settlement dynamics; to analyse the links between settlement typologies and service provision; and to investigate alternative models of basic service delivery. Mukuru is located on highly-contested private land in Nairobi's industrial area, and researchers argued that providing secure land tenure will be imperative in improving service delivery. Furthermore, the project proposes holistic recommendations that can support equitable legal, planning, and financial solutions for slum-dwellers within and beyond Mukuru.

**Key findings and recommendations from the report will be disseminated at a breakfast launch event, held at the Boma Inn from 8AM-11AM on 5<sup>th</sup> February 2015.** Reflecting the project's notable synthesis of legal, financial, and planning perspectives, the event aims to attract an array of Kenyan officials, judicial and human rights advocates, civil society and grassroots groups, and development partners all engaged in more inclusive urban strategies. Drawing upon extensive data gathered from 2012-2014 in partnership with residents, the project offers a model of rigorous, collaborative, and interdisciplinary research. Alongside a thorough situation analysis, the team developed a range of pro-poor finance models, upgrading solutions, and legal strategies that can advance sweeping improvements in residents' well-being. Study recommendations can also foster several broader policy goals, including strengthening public partnerships, enhancing their legitimacy, and promoting accountability in land allocation and service delivery for Kenya's urban poor. The action research project thus encompasses a range of equitable financial policies, legislation, and planning interventions in slums, offering timely recommendations that may help to realise the significant potential of Kenya's Constitution and ongoing devolution reforms.

As in other slums, Mukuru residents must cope with ill-health, deepening poverty, gender inequality, and frequent threats to dignity stemming from their paltry housing and services. Home to over 500,000 people, Mukuru is a rapidly-expanding settlement and residents are usually crowded into tiny iron shacks with only minimal service provision. As one resident noted, *'I have never seen*

*latrines or toilets where I live. The water that is brought to us is so dirty that it is green in colour. We just survive by the grace of God.*' The study's surveys indicated that just 3.6% of Mukuru households have access to adequate bathrooms, 7% have adequate toilets, and 29% have adequate water. Although 78% had electricity, these tenuous illegal connections often exposed residents to other challenges such as regular blackouts and elevated risks of electrocution. Moreover, in a staggering 'Poverty Penalty,' Mukuru residents can only access higher-cost, lower-quality services than residents of Nairobi's formal estates. For instance, researchers calculated that the average structure in Mukuru (a 10-by-10-foot rented metal shack) is *10% to 26%* more expensive per square-foot than neighbouring formal estates with all services provided. Similarly, Mukuru households must pay *45% to 142%* more for their monthly electricity bills than those enjoying formal KPLC provision. For water, the poverty penalty is especially crippling as Mukuru residents typically pay *172% the rates of formal water connections.* These inequitable burdens in service delivery are often gendered: women and girls are disproportionately affected, particularly when they risk rape or assault to use Mukuru's inadequate toilets after nightfall.

The study not only offered highly detailed data for one of Nairobi's largest slums, but also examined the intricate relations between tenure insecurity and inadequate service provision. Drawing upon their interdisciplinary expertise, the study team carefully analysed slums' informal governance and concomitant challenges of land tenure insecurity, poor services, and lack of access to justice. As argued in the report, *'The contestation and uncertainty of land ownership and service delivery in many of Nairobi's informal settlements increases the insecurity, creates gaps in structures of governance and limits access to justice for slum communities.'* In particular, the report illuminates the often-neglected but critical role of informal actors in slums' service delivery. Private electricity, water, and sanitation providers help fill the glaring holes in official service delivery, yet these informal groups may only deepen slum-dwellers' entrenched insecurity, poverty, and social exclusion. The report argues powerfully that *'Slum cartels, gangs and other informal institutions in Nairobi subject residents to **double tragedy**: firstly, the threat of violent evictions, insecurity and forced demolitions linked to insecure tenure; and secondly, inadequate and high-priced delivery of basic services. Most basic services in the slums are controlled by slum cartels that exploit the community by charging exorbitant fees and therefore further marginalizing the community. These informal mechanisms in turn undermine state legitimacy and reproduce violence and exclusion.'*

The proposed upgrading strategies aim to support liveability, affordable shelter, and safety for all Mukuru residents, particularly vulnerable groups such as tenants, women, or youth. Strategies include a menu of upgrading options that can meet the needs of both structure-owners and tenants. The partners' holistic initiatives combine improving land tenure security, providing adequate shelter and services, and facilitating access to justice, thereby helping to fulfil the promise of Kenya's constitution and ongoing devolution reforms.