

ENABLING CHANGE AGENTS TO IMPLEMENT EQUITABLE LAND INTERVENTIONS



Land is critical to the economic, social, political and cultural development of Kenya. It is crucial to the attainment of economic growth, poverty reduction and gender equity. Of the 582,646 sq. km. of land that Kenya occupies, 68% is community land, 19% under private ownership and 13% is public land. Kenya's land sector has faced various challenges arising from highly centralized institutional governance set up, an outdated legal framework,

and the lack of a coherent policy framework. These challenges have led to insecurity of tenure, excessive land fragmentation and degradation, disparities in distribution, historical injustices in land distribution, proliferation of urban informal settlements and landlessness, among other issues. The promulgation of the new Constitution in 2010 and National Land Policy in 2009 brought new hope.

KEY CHALLENGES

As articulated in the National Land Policy, the management of land in Kenya faces various issues and challenges where, for example, rapid population growth coupled with rapid urbanization have led to intense competition for land. Systematic breakdown in land administration and land delivery procedures have led to gross disparities in land ownership, gender and trans-generational discrimination in succession, transfer of land and land decision making processes. Mega infrastructure projects as well as the discovery of oil and other minerals, have led to speculation and competing land uses.

Despite the recent launch of a National Land Information Management System (NLIMS), the absence of automation in most land offices, characterized by a manual land registry system which is weak and dispersed, has made it difficult to expedite land transactions. In addition, the presence of multiple players with overlapping mandates has led to legal and policy conflicts and poor sharing of information.

GLTN INTERVENTIONS

GLTN, as facilitated by UN-Habitat, was one of the founding partners of the Kenya Development Partners Group on Land (DPGL) in 2004 and chaired the group for five years. The Group supported the Government of Kenya, through the Ministry of Lands, in the development of a national land policy, among others. GLTN has partnered with Pamoja Trust, an NGO working with slum dwellers groups belonging to Muungano wa Wanavijiji, an affiliate of Slum Dwellers International (SDI), to advocate for improvement of tenure security in informal settlements in Mashimoni (Nairobi) and Kwa Bulu and Mnazi Moja in Mombasa County. Through the implementation of mapping and enumeration tools and community-driven processes, this initiative has contributed to the improvement of tenure security of urban dwellers in the target communities.

In addition, GLTN worked with the Food and Agriculture Organization (FAO) in Kenya to support the Ministry of Lands, Physical Planning and Urban Areas Management of the Turkana County Government (MLPPUAM) to



Participatory enumerations at Ndekia III Mwea Irrigation Scheme. Photo © Emmanuel Juma

establish a County Land Information Management System (LIMS). STDM provides a digital registry for recording communal rights and managing land rate payments in urban areas for MLPPUAM.

GLTN has also engaged with Resource Conflict Institute (RECONCILE) to strengthen the capacity of partners and advise policy implementation using GLTN land tools and approaches in securing land rights for agricultural resources in rural areas. This includes securing communal grazing land rights in Bomet County; strengthening management of land records for the irrigation water users in Mwea, Kirinyaga County and strengthening the agricultural monitoring and evaluation system in Embu County. These activities have been implemented as part of the IFAD-supported Tenure Security Learning Initiative for Eastern and Southern Africa (TSLI-ESA).

EMERGING OUTCOMES

- ❑ 3,710 households in 3 settlements (Mashimoni in Nairobi, Mnazi Moja and Kwa Bulu in Mombasa) have been profiled, enumerated, mapped. Assurances of tenure security were also made by relevant authorities during the course of undertaking these activities. So far, 944 certificates of occupancy have been generated and issued by Mombasa County Government.
- ❑ The Smallholder Dairy Commercialization Project (SDCP) is using GLTN tools to map and record communal grazing land resources with a target of 1,020 households. Upper Tana Natural Resources Management Project (UTaNRMP) is using GLTN tools to secure irrigation water rights for 832 farmers.
- ❑ Through the Kenya Informal Settlements Improvement Project (KISIP), Mashimoni settlement has accessed infrastructure in the form of access roads, water and sewer lines, based on plans developed in consultation with the community.



Participatory enumerations in Mashimoni settlement.
Photo © Pamoja Trust

Negotiations are on-going for potential tenure regularization of the settlement.

- ❑ 7 staff from MLPPUAM, Turkana County Government, have been trained on the use and application of the county LIMS and 1,200 records containing land ownership information in Turkana have been migrated to the county LIMS from paper-based sources (i.e. ledger book and survey plans).
- ❑ A country-level training workshop on GLTN tools, which brought together 65 staff and partners from IFAD-supported projects, was conducted in Mombasa. This is in addition to four staff from IFAD-supported projects and programmes who participated in a related workshop on tools for strengthening women's land rights which had been co-organized by GLTN and GROOTS Kenya.
- ❑ Pamoja Trust is now able to leverage the application of GLTN tools in its activities. An example is the Adaptive Settlements Planning Model (ASPM), a partnership between Pamoja Trust and the Civil Society Urban Development Platform (CSUDP), which heavily relies on the Social Tenure Domain Model (STDM) tool to collect settlement data and then use this data for planning purposes jointly with the community members.

Implementing Partners: Food and Agriculture Organization of the United Nations (FAO)-Kenya, International Fund for Agricultural Development (IFAD), Pamoja Trust, Resource Conflict Institute (RECONCILE).

In close collaboration with: Civil Society Development Platform (CSDP), Mombasa County Government, Mwea Irrigation Scheme (MIS) in Embu, Smallholder Dairy Commercialization Project (SDCP) in Bomet and the Turkana County Government.

NEXT STEPS

GLTN partners will continue to strengthen the capacity of change agents including government authorities in the implementation of pro-poor, fit-for-purpose and gender responsive land tools and approaches towards improving tenure security for urban and rural poor and in institutionalizing responsible land governance in policy and practice.

Building from existing work and experiences, several partners are already mainstreaming the use and application of tools into other projects and in other areas utilizing their own resources with little technical support from the GLTN Secretariat.

To build awareness and knowledge, partners are currently documenting success stories, lessons learned and experiences for sharing with other land stakeholders, government authorities, and other change agents. Capacity development initiatives will also continue.



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