



2020



Going Beyond Safeguards: Leveraging Community
Participation for Sustainable and Inclusive Informal
Settlements Upgrading

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Situating Safeguards in Tenure Regularization: The debate

The extent to which OP4.12 is applicable to land tenure regularization given the following:

Land	Land to be regularized is government land
Costs of regularization	Government meets all costs(planning, surveying, registration, titling) – approx. 1000USD/person
Benefits	The benefits of land tenure are more “individualized”, positive, long-term
Efficiency and Effectiveness	Project cuts bureaucracy- consolidating planning, surveying, registration, and titling
Timing of compensation	Should impacts be mitigated at planning stage or during infrastructure upgrading?
Cost of compensation	High cost to meet OP4.12 – disincentive to government, limit the number of settlements for upgrading

Linking Safeguards and Tenure Regularization

Conventional tenure regularization

Could lead to unsustainable outcomes from:

- a) Displacement of people and livelihoods
- b) High resettlement costs
- c) Scarcity of alternative land for resettlement



Innovative Planning Approaches

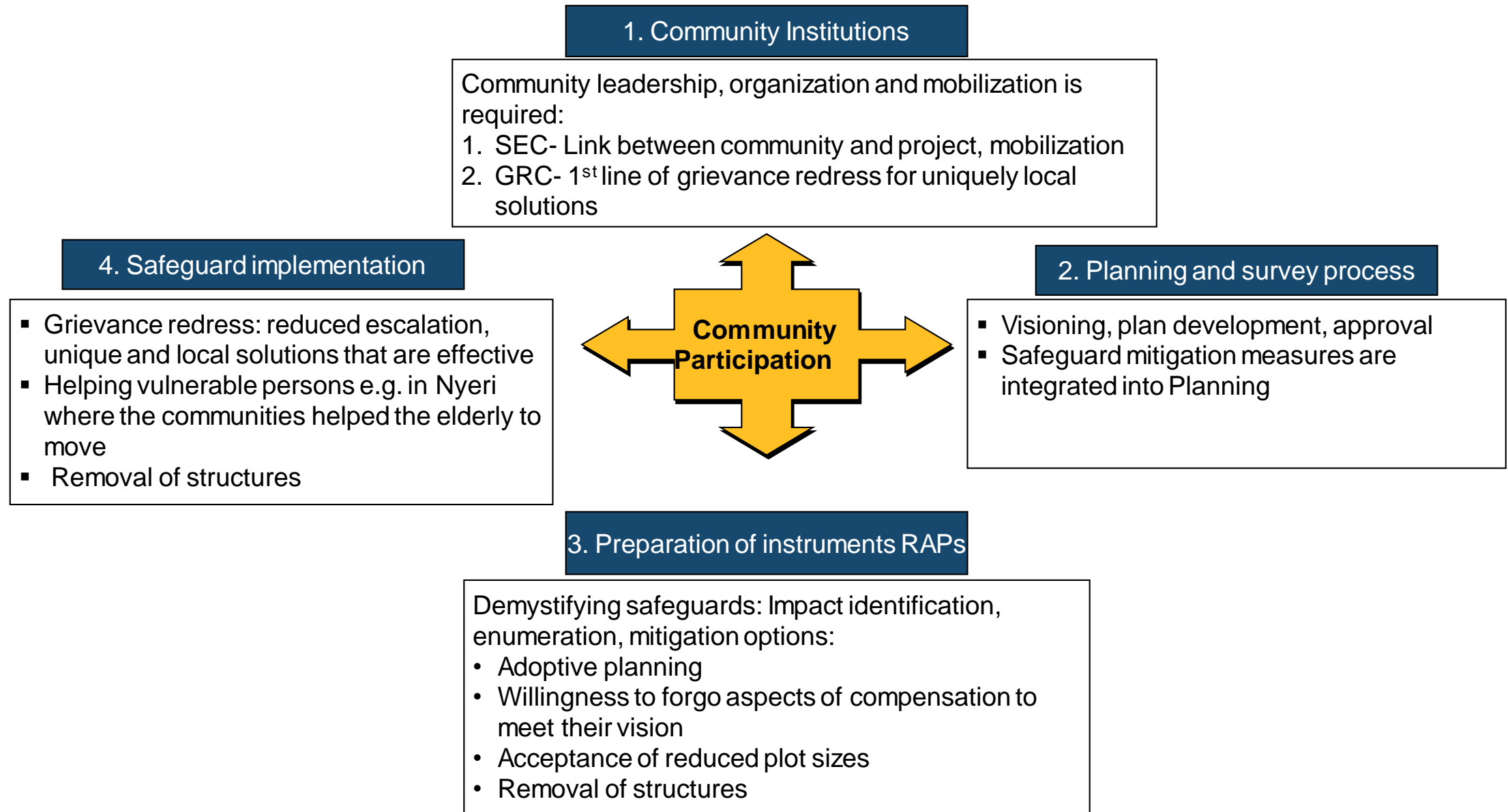
Driven by the need to:

- a) meet safeguard compliance requirements
- b) Address gaps between OP4.12 and Kenyan frameworks
- c) Find acceptable, inclusive and sustainable solutions

Mitigation for unsustainable outcomes: In-situ Adoptive Planning:

- Reduces displacement by almost 85% e.g. Kwa Ndomo (reduced 211 PAPs to 14PAPs), Muyeye (reduction of PAPs from 699 to 103)
- Considerable reduction of compensation budget e.g. Kwa Ndomo (reduced costs from 1M USD to 0.02M USD)
- Maintains community social fabric

Beyond Safeguards: Pathways for Community Participation



Conclusion

4. Empowerment and inclusion:

- ✓ A more informed community - information shared, processes, disclosure of information
- ✓ Gender inclusion in titling
- ✓ Inclusion – Youth, women, disability, religion

1. Impact:

- ✓ Less harm realized- minimal displacements
- ✓ Less conflicts – community participation in resolving grievances
- ✓ Community cohesion- planning together- an opportunity that brings the whole community together

Outcome: Community sustainability achieved

3. Decision Making:

Community participation in making decisions about their own development- sustainable solutions/mitigation measures, grievances resolution

2. Community capacity to engage enhanced:

- ✓ Community institutions (SEC and GRC)
- ✓ Community Leadership developed
- ✓ Capacity to participate in development discourse is enhanced
- ✓ Institutional memory left in the community of how the process was conducted