

KOROGOCHO INFORMAL SETTLEMENTS ENUMERATION REPORT

JULY 2001

Introduction

As we approached the 17th of July, the date that we had initially anticipated for the commencement of the enumeration in the Korogocho slums, several issues arose that delayed the start to the 20th of July and may have derailed the process all together. And despite efforts to resolve these issues, many of them were beyond the scope of Pamoja Trust's role. Below is a background to the issues in Korogocho and a brief report of the activities that have took place before and during the enumeration.

Background and rationale of the enumeration

In December 2001 the President of Kenya, Daniel Arap Moi, issued a directive that the residents of Korogocho slums should be permanently settled on the land that the slum sits on, (which is government land). The settlement of the slum dwellers was entrusted to the office of the Nairobi Provincial Commissioner.

Right from the outset it was generally acknowledged that the issue of entitlement to land was key to settlement and that it would have to be addressed early. Further it was accepted that there was need to get information as the basis of addressing the issue and resolving the potential of conflict between structure owners and tenants. In order to do this effectively it was important to work closely with the office of Provincial Commissioner.

Currently the enumeration is complete and this will ensure the approximately 100,000 residents of the slum are empowered to negotiate with the government on settlement. The enumeration has shut off some of the loopholes for derailment of the process by outsiders, and provided opportunities for further organizing. There is no doubt now that the settlement of residents of Korogocho would have been corrupted without our intervention

Having faced great challenges to get the enumeration done it is evident that there was indeed a need for a quick intervention in Korogocho.

Parties involved in Korogocho

It is estimated that over 100,000 people live in the seven slum villages that make up Korogocho: (Grogan A, Grogan B, Korogocho A, Korogocho B, Highridge, Gitathuru Central and Kisumu Ndogo). The majority of these people are tenants, who rent the structures they live in. Secondly there are actual squatters or people who own the structures that they live in. Some of these resident structure owners have more than the one house they live in. Thirdly there are absent structure owners, who are people who own structures in Korogocho as investments but do not live in Korogocho.

There are two associations that in general terms represent the aspirations of these three groups of people:

- a. The Korogocho Owners Welfare Association (KOWA), which represents the interests of its membership that comprises of 2,584 structure owners (both resident and absentee structure owners). KOWA holds that "all the government land in Korogocho location was allocated to them (KOWA) by the government of Kenya between the 1970s and 1999", (An extract of a letter from their legal counsel addressed to the Government of Kenya and the United Nations Center for Human Settlement Slum Upgrading Project).
- b. The elected Korogocho Village Committee – Following a local election in December 2000 the residents of Korogocho elected 28 members as their community representatives. Each of the seven Korogocho villages has four represents in the committee – two tenant and two structure owner representatives. The elected committee holds that they represent the people of Korogocho and that all the residents should be considered in any settlement or slum upgrading schemes.

Background of the issues in Korogocho

1. Land Entitlement

Korogocho sits on government land, as opposed to private land. Following a Presidential directive (November 22nd 2000) that the residents of Korogocho be settled on the land that the slums are built on, there arose the issue of entitlement. Some of the structure owners under the umbrella of KOWA claim to have the sole right to the land, while tenants claim the presidential directive included them.

KOWA through their legal counsel, Kamau Kuria & Kiraitu Advocates filed a civil suit to compel the Provincial Commissioner Nairobi and the Commissioner of Lands to facilitate the issuance of title deeds to KOWA members. And to prohibit the defendants from removing KOWA members from their Korogocho plots, building permanent houses on the land and allocating the houses to tenants, some structure owners and other residents of the city. (Miscellaneous Civil Application No. 621 of 2001 in the matter of KOWA versus the Provincial Commissioner Nairobi and the Commissioner of Lands).

The enumeration of the people of Korogocho has been seen by either party as a process directly linked to the allocation of land. Whilst the enumeration is intended to establish information on the population size, the ownership patterns and the state of infrastructure in Korogocho. How the information is used thereafter is a secondary issue at present. It is appreciated however that the information will be used to inform the government's process of settling the people of Korogocho. It will also assist in development planning for the slum. The information gathered should further leverage the people's ability to negotiate with the government or other partners.

The erroneous dragging of entitlement issues into the enumeration therefore became a major disruptive factor.

2. Insecurity

Over the last couple of months Korogocho slums have been in the public limelight because of numerous incidences of crime. The occurrences of robbery, violence, rape, stabbing and shooting are disturbingly frequent. In the last month alone, riots erupted following what one slum village perceived to be a deliberate attempt by another village to protect criminals.

An association of stake-holders has come together as Korogocho Peace and Reconciliation Committee to look into the security of the area. However, efforts to seek solutions from the police and the provincial administration have not turned out positive results.

The state of insecurity was a major area of concern in the enumeration and looked posed to have a disruptive effect on the process. At the start of the counting members of the enumeration teams were exposed to dangerous situations. Staff members of Pamoja Trust were threatened with violence and death if the process continued. Further the security of the visiting Slum Dwellers International teams from India, Zimbabwe, Tanzania and Mombasa was not guaranteed and they were unable to participate on the field. Instead they remained on the sides advising on the situation, which meant the process did without their technical and logistical input.

3. Effectiveness of Awareness Building

Little community organizing work had been done in Korogocho when the need for the enumeration arose. From the outset it was therefore appreciated that there was a need to build community ownership of the process. In order to achieve this efforts were made to build awareness for the enumeration. The elected villages committee in Korogogocho did a commendable job in awareness building. Yet the effectiveness of the awareness campaign was undermined by several factors:

A. There were erroneous press reports that said that the Government of Kenya and India had agreed to construct highrise residential buildings in Korogocho. This brought serious doubts on the purpose of the enumeration and the roles played by the Government and Pamoja Trust. This is significant because it directly jeopardized the communities ownership of the enumeration.

B. The Korogocho Owners Welfare Association held several meetings with its members, and a public meeting on the weekend preceding the commencement of the enumeration. At the meetings they told members that the enumeration was intended for construction of residential houses and Korogocho would go the way of Mathare 4A. They further claimed that Jane Weru and Fr. Alex (who has worked in the community for over 15 years) had an interest in acquiring land in Korogocho. KOWA further claimed to have obtained prohibitive orders against the continuation of the enumeration. None of the above claims are true and were aimed mainly at scuttling the enumeration process.

C. As resolution to the conflict with KOWA was sought, it became apparent that their opposition was not based on honest misgivings about the objectives of the enumeration. According to the elected village committee, KOWA has collected money over time from structure owners by giving assurances of land allocation or to provide protection against eviction. Any process therefore that touches on the issue of land allocation is seen as a rival effort. It was the view of the elected committee that in spite of any awareness efforts or attempts at reconciliation, KOWA is unlikely to change their stand, nor account or refund money collected from the association's members.

Report on events in week preceding the enumeration

Sunday 8th July

The elected village committees hold awareness-building meetings in the villages. Reports from the village committees indicate that many questions were asked and answered and that the enumeration was well supported by the residents. However, the meetings in two Korogocho villages, Grogan and Highridge did not materialize, because of threats of violence from structure owners.

Monday 9th July

Jane meets with the Provincial Commissioner to brief him on progress. The PC indicates his support but does not see the need to visit Korogocho again. The PC also promises to look into providing security and transport for the enumeration forms to Pamoja Trust offices.

Tuesday 10th July 2001

A meeting is held between a Pamoja Trust team led by Jane and representatives drawn from structure owners. These do not include the secretariat of KOWA who have retained the services of a lawyer to seek for prohibitive orders against the enumeration and have consequently decided not to attend the meeting. Several issues arise from the meeting:

There are efforts underway to stop the enumeration. There is a serious threat of violence from structure owners who do not wish the enumeration to recognize the tenants.

The role of Pamoja Trust and the government are misunderstood by some structure owners. There are rumours that visiting teams are considered to be surveyors from foreign contracted construction firms planning to build high-rise residential buildings in the slum.

The structure owners do not think that the elected village committee represents or recognizes their interests.

Structure owners inform the meeting that two villages, KB and Highridge, have been surveyed by the government and therefore should not be enumerated.

That the state of insecurity in Korogocho is still bad and two rape cases are cited to have happened the previous evening.

The meeting also reveals that there are political interests at stake in Korogocho and arranged with the councilor and the Member of Parliament for the area.

The structure owners wish the enumeration to be postponed until several conditions are met: That the Structure Owners are recognized either by special forms or by identity cards.

That written commitments on the intended objectives of Pamoja Trust and those of the Government be produced.

That the PC addresses the structure owners and the residents to clarify the Government's position.

In the face of the threat Pamoja Trust reviews whether the enumeration should continue and decides to consult with the elected village committee.

Later in the day, Pamoja Trust holds a meeting with the Chief of Korogocho to discuss the issue of security for enumeration. The Chief tells us that he has written to the District Officer on rumours that thugs may have been hired to disrupt the enumeration and that he has recommended the de-registration of KOWA and the withdrawal of a police permit allowing KOWA to hold a public meeting on Saturday 14th July. The Chief further suggests that the enumeration should be done in villages that are supportive and not in all villages.

Wednesday 11th July

Pamoja Trust holds a meeting with elected village committee who feel that the enumeration should not be postponed and that all threats can be dealt with. The committee further indicates support of the exercise by the community. Jane has a further meeting with the District Officer who reassures us of security during the process and says he is aware of the threats made by structure owners.

Thursday 12th July

Pamoja Trust has another meeting to update the Provincial Commissioner on progress. The PC feels that KOWA and the structure owners are just testing waters and are unlikely to incite any violence and therefore do not present a real threat. The issue of security of the visiting SDI teams is raised and the PC gives an assurance that he will brief the District Officer and security will be provided.

The PC does not think that a written commitment from the Government on its objectives in the enumeration is necessary. He also indicates that a meeting with the residents of Korogocho is not necessary at this particular stage.

Friday 13th July

Pamoja Trust has an internal meeting to review the state of affairs. The community workers on the ground in Korogocho feel that the enumeration should go on as planned. Fears are expressed about the security of the visiting SDI teams and the possibility of the enumeration sparking riots in Korogocho. Members of the team however express support for continuance of the exercise.

The meeting appreciates that Pamoja Trust could suffer an image blow if violence erupted in Korogocho and part of the blame would fall on us. However, cancellation or postponement may be considered a bigger failure on Pamoja Trust's part and give credence to the claims of opposing parties. The meeting decides to continue pending a final decision after consultations with the visiting SDI teams from India, South Africa and Zimbabwe.

Meanwhile Posters and Handbills are dispatched to Korogocho to reinforce the awareness building process.

Saturday 14th July

In spite of the Chief's assurance to cancellation of a KOWA meeting, the meeting goes ahead and KOWA members are urged to arm themselves and resist the enumeration. KOWA further tells members that Jane and Father Alex would like to take the land of Korogocho and should be resisted by all means possible. The members are also asked to contribute towards the legal fees to stop the enumeration and KOWA further falsely claims that the PC had been served with a court injunction.

Reports from the residents of Korogocho say that KOWA proceeded to give its youth an oath of resistance to the enumeration.

Sunday 15th July

The Korogocho Peace and Reconciliation committee hold a demonstration to demand better security in the area. The demonstration gathers support from the slum residents. However, when the peaceful

procession approach the areas police station (Ruaraka), the police react violently by throwing tear gas and shooting at the protesters. The demonstration seems to have further alienated the police further from the residents, which may affect the security situation during the enumeration.

The demonstration provides an opportunity for Pamoja Trust to speak to the residents who say they understand the need for enumeration but are afraid of what KOWA members may do.

Monday 16th July

Pamoja Trust have another meeting with the PC who has since the last meeting consulted with several stakeholders on the enumeration. The PC says that Korogocho has many powerful structure owners, including the area Member of Parliament and who felt threatened by the enumeration. The PC says he will hold a public meeting on Tuesday to clear the air for structures owners. The Member of Parliament and the District Officer would also attend the meeting.

The PC requests that the commencement date be pushed a day further to allow for his meeting that should provide an assurance of security for the enumeration. The PC says that negotiated security is better than security assured by heavy police presence.

Following the meeting Pamoja Trust dispatches community workers to Korogocho to pass on the PC's message to individual structure owners and announce the new developments. The PC further says that he will meet the visiting SDI teams soon after the meeting in Korogocho.

Tuesday 17th July

The PC fails to hold the public meeting in Korogocho citing a court order served on him by KOWA barring the government from continuing with the process. A meeting is held at the Pamoja Trust offices between the SCI visitors, the elected village committee and Pamoja Trust. The meeting resolves to see the PC for clarification on the court order. The committee also decides to proceed with the enumeration with or without the support of the government.

A delegation proceeds to see the PC who fixes an appointment for Wednesday 12: am when he will see the village committee. Meanwhile the enumeration, planned for the Wednesday 18th, is temporarily put off pending the meeting with the PC.

Wednesday 18th July

The village committee goes to the PC's office early where they find the area Member of Parliament and members of KOWA. Fearing the PC may have been influenced by the KOWA members, they decide to seek assistance of other leaders including the minister of Energy. The appointed meeting fails to materialize and instead Jane speaks to the PC who indicates that he will hold a baraza on Thursday to clear the air.

Thursday 19th July

A meeting to discuss the logistics and plan the way forward is held between Pamoja, the SDI teams and the elected village committee. The village committee says that the residents of Korogocho are ready and willing to be enumerated and have been confused by the failure of start as planned. The meeting also established that the court order does not specify the enumeration and only addresses the issue of eviction and demolition of houses in Korogocho by the government. The village committee feels that they should be enjoined in the case because they are representative of the residents of Korogocho.

The PC meets the elected village committee who push for his support. The PC promises to either go down on Friday or to send his deputy to Korogocho. The committee leaves to prepare to start the enumeration on Friday.

Friday 20th July

The enumeration is set to start, however the entire morning period is disrupted by KOWA protesters who want the exercise called off and have placards accusing Jane and Pamoja Trust for trying to grab land in Korogocho. The District Officer and the deputy PC are present at the community hall in the Korogocho Chief's camp where the enumeration will be based. The heavy police presence quells the protests and the threat of violence. Enumeration starts after lunch with each team of enumerators guarded by the police. By the end of the day over 5000 households have been counted. The SDI

visitors attempt to visit the counting teams but there is a lot of resistance from the KOWA protesters and they have to leave Korogocho. The PC and DO say that the SDI teams cannot be guaranteed security so they should not go to Korogocho. There are reports of violence the previous night at Kisumu Ndogo where several people on both sides were injured. The enumerators ask for police security through out the night fearing a resurgence of hostilities.

Saturday 21st July

The enumeration starts early and goes on with little interruption. Over 2500 households are counted. The SDI teams except for Celine from SPARC in Bombay, cut short their visits and leave for their home countries.

Saturday 22nd – Sunday 29th July

The enumeration goes on uninterrupted average 2500 households counted per day. Police presence is reduced and the deputy PC is stationed in Korogocho to oversee the counting. It is necessary for the deputy PC to set up a system of handling complains and disputes. A record is kept of the disputes concerning the ownership status of the structures. The village committee plays an important role in arbitrating and trying to resolve these ownership disputes.

Of more concern are claims of cheating by some residents and abetted by some enumerators. The most common claim is that enumerators are bribed to register people as structure owners of structures they do not own or of empty spaces in the slums. It is difficult to establish the truth in cases of cheating and therefore a proper record of the incidences. Several suspect forms have been set aside for investigation and the names of the enumerators who administered them noted for further action. It is also apparent that while there is a need to act strong and swiftly on suspected cases of cheating, it is likely to disgruntle many other enumerators. Therefore the claims have to be handled cautiously so that justice is seen to have been done.

It is encouraging that as the process goes on, residents who were previously opposed to being enumerated seem to have changed their minds and they start to come forward to be properly registered. This is a positive sign of growing community ownership of the process. However, we are left under no illusion about KOWA's intentions when on the 23rd of July Pamoja gets a copy of a letter addressed to the Government/ Habitat Slum Upgrading project. The letter from KOWA lawyers, Kamau Kuria & Kiraitu Advocates, claims that, "all the government land in Korogocho location was allocated to them (KOWA) by the Government of Kenya between 1970s and 1999".

On Sunday 29th July the enumeration is complete. In total 18, 300 households have been identified and enumerated. However, our preliminary analysis of the forms being returned show that over 30% of the forms only have plot and house numbers. Majority of these forms are for houses that the enumerators found locked. An almost insignificant number of forms indicate that the structure owner or tenant refused to be enumerated.

It is decided that all forms should be entered into the computer and then returned to the field so that all incomplete forms may be properly filled in. The 120 strong team of enumerators will be reduced into smaller teams to handle the form data verification.

After completion of enumeration there is an air of anxiety among the elected village committee and the enumerators about the next course of action.

The enumeration has opened up a number of avenues for building savings schemes and further organizing the community. Some of the Pamoja Trust Community Organizers have taken the opportunity to hold meetings and start laying the groundwork for saving schemes. This is a significant spin off of the enumeration.