

Sustainable Gender Justice and Social Protection in Provision of Adequate and Affordable Housing Targeting Slums in Kenya

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ABSTRACT

Gender and social protection mainstreaming in the housing policies, laws, and urbanization agenda with respect to vulnerable communities in slums and informal settlements continues to still elude our African cities. This article demonstrates a gendered perspective challenges in respect to access to adequate and affordable housing in the slums of Mukuru. Concomitant housing amenities such as bathrooms and toilets are shared between a large group of people with no age, gender or sex differentiation. The common sharing of these utilities poses a risk to children who are exposed to dirt and germs in the use of the facilities. The access to these facilities especially at night or early morning poses a constant risk of assault on women and girls. The possibility of indecent exposure of adults to children is not only a precursor to deviant behavior but curiosity to premarital sex, prostitution and compromised health among young boys and girls. The central idea is to allow persons living in slum settlements especially women, children, persons living with disabilities, and minorities to: inform what safe housing is to them; inform research that proposes solutions to some of the issues that render unsafe, the areas in which they live; and inform the National discourse on finding sustainable safe housing solutions in line with sustainable development goals 5, 7, and 11.

Keywords: Slums, Gender justice, Safe and affordable housing, special interest groups.

INTRODUCTION

Housing is a basic human need and access to housing a fundamental human right for every individual. The right to housing comprises an intricate part in the realization of one of the most basic needs of a human being, shelter. Essential to the achievement of this standard is access to safe, secure, affordable and suitable habitat. Housing fulfills physical needs by providing security and shelter from weather and climate. It fulfills psychological needs by providing a sense of personal space and privacy. It fulfills social needs by providing a gathering area and communal space for the human family, the basic unit of society. Nonetheless, this basic human right remains unrealized in the lives of millions of women as well as vulnerable groups (UN Habitat, 2014). Adequate housing is yet to be realized especially in urban settings, where a large percentage of the urban population are slum dwellers. Women and other Special Interest Groups (SIGs) face general and contextual issues including unsafe housing conditions, degrading and unhygienic living conditions, overcrowding, pollution, inadequate hygiene facilities, and the non-recognition of women's cultural and religious rights to their accessing housing.

Numerous obstacles define the lack of diverse men's, women's and vulnerable groups equal and equitable access to adequate housing. They include cultural, political, economic and environmental factors. As these are not a similar group, their access to housing and other concomitant facilities is also facilitated by the connection between the social relations of race, culture, aboriginality, class, age, disability, sexuality, standing, gender identity and topographical location. This highlights the issue of vulnerability in the access to housing. Vulnerable groups include peoples that are at risk of living in deficiency without access to basic human rights and dignity because they are stigmatized, discriminated against, marginalized by society and even criminalized in law, policy and practice (UNDP, 2018). The mentioned social relations and vulnerability are defined by power which shapes privilege and disadvantage that also define housing and tenure policies and processes (UN-Habitat, 2014).

Thus, the concepts of gender justice and social protection have emerged in the quest to ameliorate challenges faced by vulnerable groups. Gender justice is defined differently among different groups globally. For some, it is the systemic redistribution of power, opportunities, and access for people of all genders through the dismantling of harmful structures including patriarchy, homophobia, and transphobia. Similar to terms like racial justice and climate justice, it signifies an intersectional approach that centers the needs, experiences, and leadership of people most impacted by discrimination and oppression. It is also the full equality and equity between women and men in all spheres of life, resulting in women jointly, and on an equal basis with men, defining and shaping the policies, structures and decisions that affect their lives and society as a whole.

On the other hand, social protection is the set of public measures that a society provides for its members to protect them against economic and social distress that would be caused by the absence or a substantial reduction of income from work as a result of various contingencies (sickness, maternity, employment injury, unemployment, invalidity, old age, and death of the breadwinner); the provision of health care; and, the provision of benefits for families with children (ILO, 2024). It can also be defined as public actions – carried out by the state or privately – that: enable people to deal more effectively with risk and their vulnerability to crises and changes in circumstances (such as unemployment or old age); and help tackle extreme and chronic poverty (World Bank, 2014).

Social protection has been implemented in Kenya for many years in various forms that include both non-contributory and contributory schemes. These schemes were given an impetus by the 2006 African Union meeting in Livingstone, Zambia, following which the Government of Kenya initiated a wide consultative process to formulate a national social protection framework. Through this process, the Government has identified several key social protection actions in the areas of social assistance, social security, and health insurance. However, the housing sector has not had any deliberate social protection measures.

The Constitution of Kenya 2010 establishes the right to housing as an enforceable socio-economic right. Article 43 provides for accessible and adequate housing, reasonable standards of sanitation and clean and safe water in adequate quantities. In Kenya, over 90 percent of existing housing is built incrementally by individual households, using own savings. However, special attention is needed for access to housing and basic services specifically for women and vulnerable groups living in slums. Children, the youth, women, minorities and marginalized groups and communities, older members of society, and persons with disability (PWDs) – hereafter referred to, Special Interest Groups (SIGs) – remain among the groups that have suffered most from historical marginalization and discrimination in Kenya (NGEC, 2016). In the same vein, their non-inclusion in the policy formulation and implementation is an enabler in the continued marginalization of these groups of persons in most sectors of life. The impact of this exclusion compromises the physical and psychological health of these vulnerable persons. This research paper seeks to inform the plight of women and other Special Interest Groups (SIGs) in pursuit of adequate and affordable housing and access to basic services within the current policy, legal and practices in the urban housing sector.

Attainment of Constitutional Rights to Housing in Kenya

Several human rights instruments have over time drawn attention to the effects of gender inequality and discrimination on women's and vulnerable group's enjoyment to different human rights (UNHCR, 2012).. The right to housing is usually provided for under the umbrella economic, social and cultural rights. Economic, social and cultural rights (ESC rights) are human rights recognized and embedded in the International Bill of Human Rights. Together with civil and political rights (C&P rights), ESC rights constitute part of an integral, interrelated, interdependent, and indivisible international human rights corpus enshrined in important legal instruments such as the Universal Declaration of Human Rights (UDHR), International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Covenant on Civil and Political Rights. Socio-economic rights mandate a fair distribution of resources and opportunities, prioritization of and addressing the needs of the vulnerable and disadvantaged groups. These rights therefore aim to ensure that people have access to those resources, opportunities and services that would support their development.

Affordability, accessibility, adequacy and legal security of tenure are just a few of the issues affecting vulnerable people's enjoyment of the right to adequate housing, enshrined in Article 25 of the UDHR and

Article 11 of ICESCR. Article 25 of the UDHR provides that everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.¹ While underscoring similar provisions as contained in Article 25 of the UDHR, Article 11 of ICESCR provides that States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.² Similarly, the revised European Social Charter explicitly recognizes the right to adequate housing, including the provision of appropriate housing.³

Internationally accepted ideas of the various obligations engendered by human rights indicate that all rights - both civil and political rights and social and economic - generate at least four levels of duties for a state that undertakes to adhere to a rights regime, namely the duty to respect, protect, promote and fulfill these rights. These obligations universally apply to all rights and entail a combination of negative and positive duties. Adequate shelter and services are a basic human right which places an obligation on Governments to ensure their attainment by all people, beginning with direct assistance to the least advantaged through guided programmes of self-help and community action. Governments should endeavor to remove all impediments hindering attainments of these goals. Of special importance is the elimination of social and racial segregation, inter alia, through the creation of better-balanced communities, which blend different social groups, occupation, housing and amenities.⁴

In the Kenyan context the international obligations are contained in article 21 of the Constitution, which provides that "it is a fundamental duty of the State and every State organ to observe, respect, protect, promote and fulfil the rights and fundamental freedoms in the Bill of Rights" (GOK, 2010). All State organs and all public officers have the duty to address the needs of vulnerable groups within society, including women, older members of society, persons with disabilities, children, youth, members of minority or marginalized communities, and members of particular ethnic, religious or cultural communities (Ibid). To realize the above, "the State shall take legislative, policy and other measures, including the setting of standards, to achieve the progressive realization of the rights guaranteed under Article 43." (Ibid) By providing that the general rules of international law shall form part of the law of Kenya, the Constitution, under Article 2 (5) expressly buttresses the international norms on housing rights on the Kenyan legal jurisprudence.

The main provisions in the Constitution incidental to socio-economic rights – to which housing is part of - are found under articles 21, 22, 27 (6-7), 42, 43 and 53. Specifically, it is Article 43 that outlines a raft of socio economic rights to include the right; (a) to the highest attainable standard of health, which includes the right to health care services, including reproductive health care; (b) to accessible and adequate housing, and to reasonable standards of sanitation; (c) to be free from hunger, and to have adequate food of acceptable quality; (d) to clean and safe water in adequate quantities; (e) to social security; and (f) to education. (Ibid).

The fundamental question that arises is if the socio-economic rights in the Constitution 2010 are justiciable. Justiciability entails three related factors: first, the nature of the claim - meaning that the claim must be based on the infringement of a clear, subjective right; secondly, the setting within which the claim can be resolved - meaning that the claim must be resolved by a judicial body or a body with judicial characteristics; and, thirdly, the consequences of a successful invocation of the claim by a petitioner - meaning that should the judicial body positively determine a violation of the subjective right in question, it must remedy the violation (Orago, 2013). Based on article 22, these criteria of the justiciability of socio-economic rights are met by the 2010 Kenyan Constitution, which encompasses these rights as an integral part of the Bill of Rights, providing standing to a

¹ Article 25(1) of Universal Declaration of Human Rights

² Article 11(1) of International Covenant on Economic, Social and Cultural Rights

³ Article 23; Article 31 calls for "Parties undertake to take measures designed: 1. to promote access to housing of an adequate standard; 2. to prevent and reduce homelessness with a view to its gradual elimination; 3. to make the price of housing accessible to those without adequate resources."

⁴ Section 3.8, of the Vancouver Declaration on Human Settlements

wide array of parties to access the courts in instances of the violation, infringement, denial or the threatened infringement of these rights. Moreover, article 23 as read with article 165 of the Constitution, which gives jurisdiction to the High Court to hear and determine applications for the violation of rights and to redress such violations through the adoption of effective remedies, further give credence to the justiciability of these rights.

Chapter Eleven on Devolved Government, under section 174 stipulates that the objects of devolution of government include among others; to promote democratic and accountable exercise of power; to give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them; to recognize the right of communities to manage their own affairs and to further their development; to protect and promote the interests and rights of minorities and marginalized communities; to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya; and to ensure equitable sharing of national and local resources throughout Kenya. Therefore, the County governments also have an obligation to facilitate affordability, accessibility, adequacy and legal security of tenure in realization of the right to adequate housing. Whereas under the Fourth Schedule the Constitution obligates the national government with the responsibility of spearheading in matters of housing policy, the county governments have the responsibility of County planning and development, including housing.

METHODS

A gendered lens was incorporated into addressing the research paper objectives. Figure 1 illustrates this gendered approach highlighting three main principles that formed the basis of data collection and analysis. These components include habitability, affordability and adequate housing for SIGs. Housing must be habitable by providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind and other threats to health, structural hazards and disease vectors. Aspects of habitability include protected and recognized tenure security, availability of community services, facilities and infrastructure, accessibility to those entitles to it and cultural adequacy. Rent, personal or household associated costs should be at a level that attainment and satisfaction of other basics are not threatened or compromised. Housing costs should be commensurate to income levels. Disadvantaged groups should be accorded full and sustainable access to adequate housing and resources. Disadvantaged groups should be accorded some degree of priority consideration in the housing sphere.

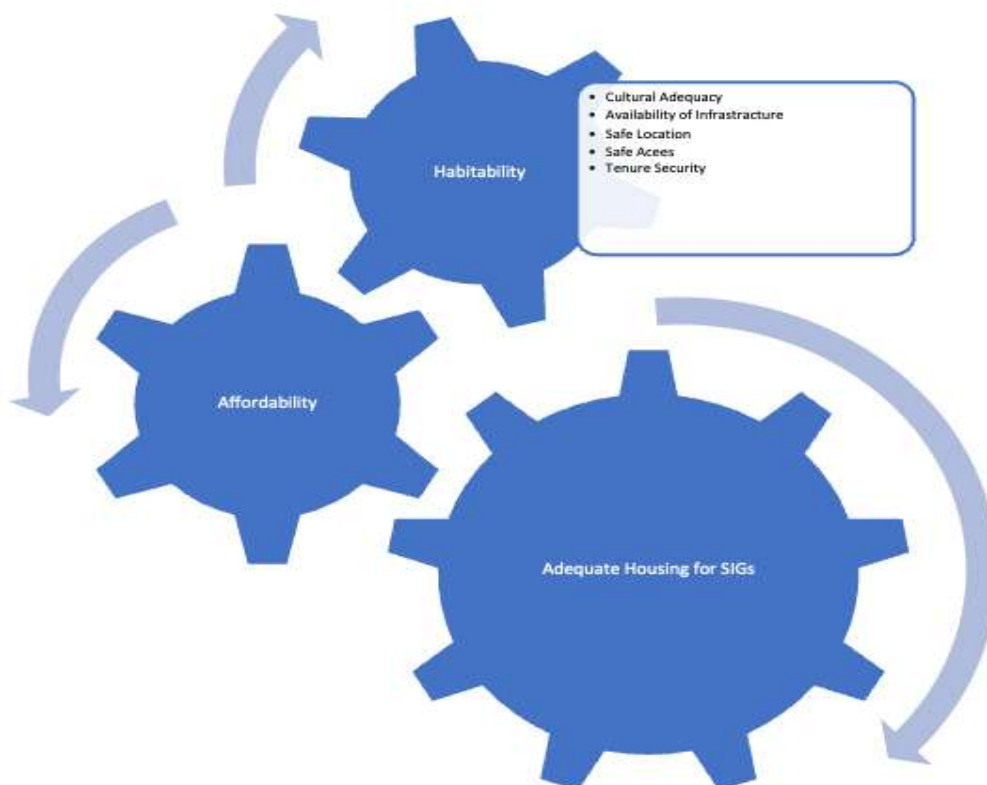


Figure 1: Conceptualization of gendered approach to assessment of housing provision

In undertaking this research, a mixed method approach was used, with a focus on understanding gender justice and social protection in provision of affordable housing. We conducted four (4) In-depth interviews with community actors in low-income households in Mukuru informal settlement. The respondents varied by active roles they play in the community such as landlords, community activists working on gender and housing and CBOs. Additionally, we conducted key informant interviews (KII) with non-state actors working in informal settlements. We also undertook secondary data analysis, using academic and grey literature on gendered perspective on tenure security, housing affordability, habitability, access to basic services and cultural adequacy. The study approach had 3 major phases summarized in Figure 2.

The research participants were fully informed on the purpose and nature of the research, scope and use of the information provided, and their right to withdraw from the process. The participation in the study was voluntary, anonymous and its' participatory nature guarantees that it remains under the informants' control. Another ethical consideration concerns the way research outputs are applied. The close engagement from the inception of the research with community members, key informants and the client facilitated ownership and influence in the interpretation and utilization of findings to avoid sub optimal outcomes for the research participants. In terms of scope, the research was limited to women and other Special Interest Groups (SIGs) in urban informal settlements in Nairobi.

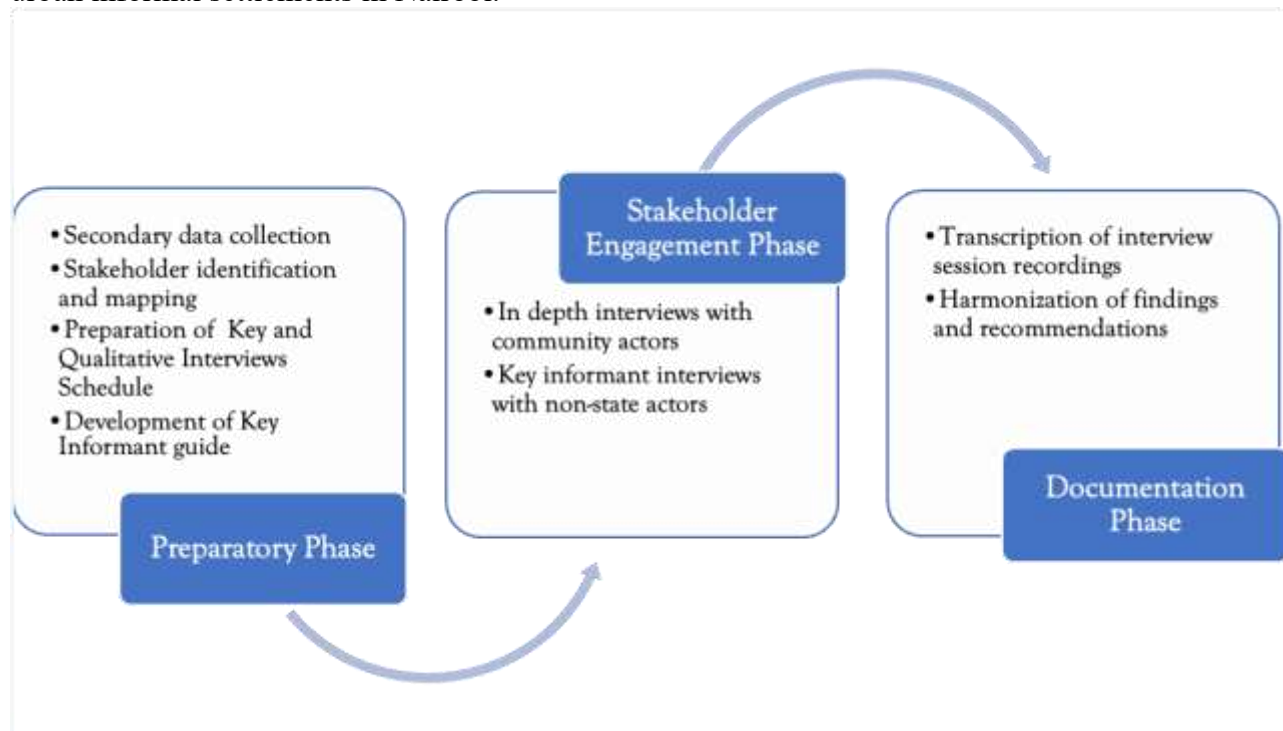


Figure 2: Research Approach

RESEARCH FINDINGS

Tenure rights and gender issues in the provision of adequate housing

Land rights refer to socially or legally recognized entitlements to access, use and control areas of land and related natural resources (UN Habitat, 2008). Property rights are commonly referred to as “bundle of rights” and determine the actual possibility of people’s access to land (Ogolla and Mugabe, 1996). Property rights involve combinations of various elements and can be disaggregated into: **use rights** such as rights to grow crops, make permanent improvements, bury the dead; **control rights** encompassing rights to make decisions about how the land should be used and how benefits should be allocated and **transfer rights** conferring right to sell or mortgage land, convey land to others, transmit the land through inheritance and re-allocate use.

Land and property rights have broad impact on people’s lives and livelihoods. Secure rights of access to land are basis for entitlements which can ensure an adequate standard of living, economic independence and full realization of human rights such as; right to shelter, the right to earn a livelihood and the elimination of discrimination against women, the vulnerable, indigenous groups and other minorities. However, access to

adequate tenure security is still limited by ineffective land administration, incomplete or outdated property registries, inappropriate zoning, cumbersome and complex building codes, and corruption (USAID, 2014). The result is the proliferation of slums and informal settlements characterized by temporary housing due to the existing insecure tenure as demonstrated in figure 3.



Figure 3: Temporary housing in Mukuru slum due to insecure tenure

Insecure land and housing tenure exposes the vast majority of urban residents especially in informal settlements, particularly marginalized citizens including women, children and the poor to constant discrimination and disadvantage due to: overcrowding, poor quality or insufficient housing, inadequate access to water and proper sanitation, high exposure to disease, violence and natural disasters and threats of eviction (UN Habitat, 2003). Illegal land occupation not only discourages poor people's investment in better quality housing, it also makes them vulnerable to eviction, even from public lands that they have occupied for decades. Living in such conditions undermines the ability of the urban poor to fully contribute to or benefit from economic development and denies them rights they may hold under national constitutions or through international conventions.

Women's access to, use of and control over land and other productive resources are essential to ensuring their right to equality and to an adequate standard of living (United Nations, 2013). While women's rights to land and property are protected under the Kenyan Constitution of 2010 and in various national statutes, in practice, women remain disadvantaged due to various limitations relating to; discriminatory norms, customary laws and cultural practices, domestic violence and economic obstacles (Musangi, 2017). In many societies, gender discrimination in land rights is culturally engrained. Women ordinarily do not own land or movable property only have secondary rights to land. Mostly, their rights are hinged on their relationship to men either as their husbands, fathers or brothers who own and control land, while women are relegated to the right of use only. Women's insecure property rights contribute to; deterioration of household welfare, underemployment, poverty and exclusion of women in decision making processes. Women's right to land is a critical factor as it not only empowers women but also improves their social status and economic well-being (Musangi, 2017).

Housing typologies and safety concerns among the SIGs

Housing in Mukuru informal settlement is low quality, mostly temporary in nature and in poor condition. The housing situation is strongly defined by land tenure security which dictates the decisions that pertain to the type of housing. Due to the insecure tenure discussed above, structure owners in the informal settlement supply housing made of low quality material such as iron sheets that do not guarantee occupants especially women and children of adequate security. The most common housing typologies in Mukuru are low-lying non-

permanent structures characterized by single-roomed iron sheet walls & roofs and concrete floors. In other cases, stone, mud, mesh and wood are also used for construction. Most of the houses are organized into communal living spaces where each plot has a range of 6-12 single rooms (average of 10 rooms). The communal single room raw housing organization is preferred for safety and security reasons as well as maximization of the limited space.



Figure 4: Interior Partitioning of a House in Mukuru Slums

The standard housing type in Mukuru settlement is a ten by ten-foot, one story structure with walls and roofs made of iron sheets. The structures often have metal doors with earth or concrete floors. Ten rooms/'structures' form a plot which may or may not be serviced with a toilet and bathroom. In most cases, they lack both sanitary and water supply facilities. The internal partitioning of the one roomed structure is by use of cloth curtains which do not provide privacy for women and young girls as demonstrated in Figure 4. To further demonstrate the safety concerns, one of the women interviewed argued that the iron sheet used as walling material in her house, just like majority of the other houses, had holes which she suspects that strangers could be using to peep through her house infringing on her privacy. She lamented that her children have already been exposed to adult sexual activities due to the widespread habit of people especially the young peeping through the holes on the iron sheet walls. She argued that her children must have peeped through the iron sheet wall separating her house and the neighbor whom she believes were engaging in sex.

Population pressure and the resultant housing needs have also resulted in a new trend in which the iron sheet structures are transformed to two story structures in order to accommodate more people. The challenge is that, the upper structures always lack ventilation and windows and are not easily accessible by the aged and persons with disability including women. the houses are often inaccessible or unsafe for people with disabilities, children, and the elderly while also imposing gender-inequitable care burdens. Majority of them lack design considerations and building installations suitable for people with disabilities. The high levels of crowding in tenements also create risks for children, who must use narrow corridors, rooftops and balconies as risky playgrounds. Additionally, the spaces between the rows of houses are narrow and so squeezed yet still serve the function of an open space, being used to hang the clothing lines, as a laundry area and for children to play. The narrow spaces are a source of insecurity to women and girls as they are vulnerable to attack or even assault.

Forced evictions and gendered impacts on housing

Women are often exposed to violence and intense emotional stress before, during and after an eviction, because of their close ties to the home and their role as caregivers for the entire family (COHRE,2002). Before

an eviction, the psychological stress on learning about the eviction can destabilize the family atmosphere and cause emotional trauma. Sometimes, rape is also used by the evictors to break resistance. Women's role in managing the household means that they may be the only ones at home at the time of the eviction, having to argue, negotiate and confront the evictors. They are also more exposed to violence as they are deliberately targeted by those carrying out the eviction. According to the residents interviewed, during evictions verbal abuse and beatings, rape and even killing are common. Following an eviction, women are also often rendered more vulnerable to abuse. The lack of shelter and privacy can lead to increased exposure to sexual and other forms of violence. Loss of self-esteem among men, resulting from the loss of housing, land or livelihood also manifest itself in violence against women. Women's lowered self-esteem, feelings of helplessness, increased tension and fear also tend to intensify following forced evictions.

Income levels as a determinant to a choice of housing

Low-income households in cities of Africa and other developing regions are faced with an acute housing affordability challenge. In these cities, housing has become unavailable and unaffordable (World Bank, 2107). This is partly because housing markets have become distorted and dysfunctional, working against the interests of the urban poor (El-hadji, 2018). Providing affordable housing for Kenya's populace especially women and other vulnerable groups is a sure way of actualizing Article 43 of the Constitution. Affordable housing is defined as that dwelling unit whose total selling/construction cost is considered reasonably priced and within the means of those who have a low/medium household income. A commonly accepted guideline for considering a house affordable is a housing cost that does not exceed 30% of a household's gross income.

It is however important to note that cost alone is not an exclusive parameter for defining affordable housing. The challenge usually lies in customizing the concept of cost in defining what affordable housing means for a particular economy and from a vulnerability point of view. Nairobi's formal housing market is vibrant but often inaccessible to lower-income households. The price of the cheapest formal unit is (Kshs. 1.155m or US\$ 11,500) a level that is still completely unaffordable to low-income residents. (CAHF, 2018). Majority of housing in Nairobi is rented (90.6%) and approximately 70% of Nairobi residents live in single-room units in informal settlements and tenements. (GOK, 2018). According to Key informant interviews conducted in Mukuru, the monthly rent for a single-room dwelling ranges from Kshs. 1500 to 2000 for Mabati structures and from Kshs. 4000 to 5,000 for stone houses. Women living in the slums typically work in low-wage and low-skilled jobs which pay them less than their male counterparts (COHRE, 2008).

A structure owner in Mukuru noted that factors that influence ability of the residents/tenants to pay their rent on time is attached to; their source of livelihoods and social factors such as gender, disability, migration status. Households headed by women and children struggle to remit their rents on time due to the fact that majority have no sustainable sources of income. There are no special considerations given to women or people living with disability by structure owners in regard to rent payment. Housing provision and the acceptability of the structure owner to rent their premises to a potential tenant is purely dependent on one's ability to pay rent.

Urban infrastructure and services inequalities

Urban infrastructure and services such as the availability of transit facilities and employment centers, are important factors impacting housing. Infrastructure provision in informal settlements is highly skewed, resulting in the complete neglect of low-income group needs. A redistributive strategy to provide roads, water and sewerage (at minimum) should be prioritized in Nairobi's development expenditure, as well as by its public utilities and development partners. Figure 5 shows an access road and power lines hanging over houses and informal businesses. The private informal sector is largely responsible for supply of services such as garbage disposal and electricity. In the informal settlement set up, specifically, there is no proper laid out mechanism or system of garbage disposal and collection, rather, the community members pay the youth to collect and dispose the garbage on open dump sites within the settlements.

Sanitary facilities such as toilets are privately owned and operated to generate income as well. There are 4681 toilets. 4,469 are functional while the rest are not. Out of the 4681 toilets in the Mukuru 624 are private, 194 are public whilst 3863 toilet facilities in the area are yard toilets. For yard toilets, the general practice is that

one toilet serves one plot. Residents of informal settlements have to part with some amount of money to be able to use these facilities. Each adult pays Ksh. 10 and a child pays Ksh. 5 every time they visit the toilet. Bathroom charges are Ksh. 10 for a cold bath and Ksh. 20 for a hot one. Women and young girls are affected in use of toilets because in some cases there is no toilet at the plot level and they have to use the facility at night and may encounter insecurity, rape, mugging and sexual assault. The lack of privacy afforded by shared latrines affects women differently, particularly during their menstruation. In general, women do not dare access sanitation facilities at night because of the high risk of violence, including sexual violence. Women also bear the brunt of the health consequences of inadequate sanitation, having to care for children and other family members who become ill and pay for health care. The PWDs suffer too because some cannot walk and do not even have wheelchairs to use. In addition, the design of the facilities does not support access by the PWDs based on the nuances of universal access.

The adequacy of these services within the settlement is wanting in the sense that they are highly scarce. For instance, only 1% of residents in Mukuru Informal settlement have access to a private toilet, the rest of the population are forced to share one public toilet for up to 547 households. On average, 550 individuals share a single water point in Mukuru, as compared to only four persons per water point in Nairobi's formal housing units. Water access points can be categorized as household taps, yard-shared taps and public facilities. Approximately 80% of Mukuru residents pay for water to a public facility (privately or independently operated kiosks that function as small-scale service provider) on a daily or per use basis. Household and yard-shared water taps are only accessible to a few of Mukuru residents while the majority of residents are relying on public water access points.



Figure 5: A section of a road in Mukuru

On average, a household of three persons in Mukuru purchases about three 20 litres containers daily at a cost of KES 3 to 5 per jerry can. This translates into a monthly expenditure of between KES 270 and 450. This monthly water cost is about nine times higher than that spent by residents of Nairobi's formal housing units, representing a significant poverty penalty. This poverty penalty exemplifies the complex barriers to water access that exist in informal settlements, as the willingness to pay for water services by slum dwellers is often comparable to those with formal housing. Women suffer disproportionately as they require more water to maintain hygiene and to carry out daily household chores such as cooking and laundry. They are also the ones who have to make numerous trips to the communal water points to fetch water for the entire household.

Another amenity that limits access to adequate housing by women and other vulnerable groups is proximity to health and medical services. Health facilities in urban slums including Mukuru lack adequate medicine and medical supplies to offer proper standard of care to the residents. For example, Ruben Centre, which is one of

the main health facilities in Mukuru lacks essential services such as maternity facilities and women are forced to go outside of the settlement to either Mama Lucy or Mareba Clinic to be able to get care. These two facilities are relatively far and not easily accessible from the housing occupied by the women and vulnerable groups in the slums.

Motivation for choosing culturally inadequate housings

Space constraints and abject poverty were listed as the key factors that have led to non- observation of cultural norms/integrity in respect to housing in Mukuru Informal Settlement. Current housing layout and arrangements in Mukuru puts no consideration for adolescent boys like in the case of Makongeni Estate in Nairobi where shared cubes were included in the housing design and set apart from the main house to conform to African culture. The single room dwelling is shared by all irrespective of age and sex and this has led to increase of incest pregnancies. However, those with monetary power, rent two rooms with one room set aside for adolescent boys.

With regard to cultural perspective on access to affordable housing, the study noted that many residents in Nairobi perceived their stay in the urban area as transitional (during their working age) with an eventual plan to retire elsewhere in their ancestral homes. A key informant who works with vulnerable groups in the slums noted that “not all persons in the slums are interested to buy a house, some will want to rent and develop a house in the village.” Therefore, government projects on affordable housing should not only focus on the element of purchasing homes but also renting as a measure to ensure housing affordability.

CONCLUSION AND RECOMMENDATIONS

Based on these findings, the key recommendations advanced include: provision of adequate housing finance for women and vulnerable groups; promoting self-help housing models; ensuring land tenure security for women and vulnerable groups; leveraging alternative materials and technology; ensuring inclusivity in the housing programmes; enforcement of affordable housing quotas in new developments to specifically target women and other vulnerable/special interest groups; promoting public private partnerships in housing provision i.e. the government should service plots for housing development thus considerably reducing the overall cost of the house; providing housing vouchers to low-income residents and especially the disadvantaged groups such as persons with disabilities, the elderly and those who are terminally ill, to pay to private landlords to supplement rent; promotion of social rental housing and implementing adaptable urban planning and development control. These are discussed below:

- a) **Adaptable urban planning and development control:** There's need for efficient planning to allow the best use of land in a sustainable manner to cater for fully integrated communities with a work-play-live environment. The National and county government can further relax zoning and developing control regulations but without negatively jeopardizing human health. Zoning regulations and “not-in-my-backyard” mindsets often block or raise the cost to affordable housing. Waivers on specific zoning rules will make it easier for low-income housing developers navigate the city's building processes and build more cost-effective dwellings. Use of creative and innovative designs for affordable housing is a strategy that is overlooked but goes a long way in creating the best affordable settings for housing that

is sustainable and cheap for women and vulnerable groups. Innovative designs and layouts can help to use space efficiently, effectively and also provide some modicum of privacy to the occupants. There have been many interesting experiments with creative designs for affordable housing communities that save on cost and space as well as create more community interaction and reduce the risk of ghettoization. Most affordable housing communities that fail to increase quality of life do so because master planning and design were overlooked. They ignore the benefits of creating mixed-use developments with community spaces and commercial areas. The importance of design should not be underestimated.

- b) **Ensure land tenure security for women and vulnerable groups:** Land is so expensive in urban Kenya that it alone can make affordable housing unviable. Additionally, banks in Kenya are reluctant

to finance the purchase of land. Therefore, creative methods often need to be used to secure land in a way that makes sense for the project. Some of the ways include: using land as equity, use of concessionary land through organizations interested in low-income housing, land banking and alternatively developing in smaller towns or cities.

- c) **Promotion of social rental housing:** Policy options need to explore (social rental sector) and owner-occupied (low-cost housing) solutions as a strategy to providing affordable housing for all classes of vulnerable groups. This can be realized through promoting public private partnerships in housing provision i.e. the government should service plots for housing development thus considerably reducing the overall cost of the house.
- d) **Need for inclusivity in the housing programmes:** In order to boost home-ownership, it is necessary to set up and adhere to strict rules and eligibility measures for house-purchase such as minimum occupancy periods and housing to income ceilings, so as to restrict to prospective home-owners only as opposed to speculative buyers. This will also ensure equitable allocation of housing based on income and need. The government should also facilitate beneficiaries' engagement in the conceptualization, design and possibly construction of their own housing units. This can be by them providing labour or financing the project through saving schemes. More importantly, the government should enforce affordable housing quotas in new developments to specifically target women and other vulnerable groups.
- e) **Provision of adequate housing finance for women and vulnerable groups:** Women and other vulnerable group households' access to home ownership is constrained by several factors. Firstly, they rely on informal economy which is characterized by intermittent incomes thus raising minimum amount of savings to make a down payment may be a challenge and secondly access to long-term mortgages is a struggle. Social housing and slum upgrading programmes requires strong support and capacities from local governments to mobilize their resources efficiently and to work in tandem with various partners who have vested interest in promoting housing affordability for women and vulnerable groups. NGOs and the private sector can assist in terms of building up skills and other capacities, negotiating on-site land sharing agreements and subsidizing relocation as compromise solutions. The government should also consider providing housing vouchers to low-income residents and especially the disadvantaged groups such as persons with disabilities, the elderly and those who are terminally ill, to pay to private landlords to supplement rent.

The conclusions of this paper are aligned to access of affordable housing to women and vulnerable groups living in informal settlements. They are based on the current government interventions implemented and discussions held with community and non-state actors in civil society organizations. These are primarily that women and other vulnerable group households' access to home ownership is constrained by several factors. Firstly, they rely on informal economy which is characterized by intermittent incomes thus raising minimum amount of savings to make a down payment may be a challenge and secondly access to long-term mortgages is a struggle. Social housing and slum upgrading programmes requires strong support and capacities from local governments to mobilize their resources efficiently and to work in tandem with various partners who have vested interest in promoting housing affordability for women and vulnerable groups. NGOs and the private

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REFERENCES

1. African Union (AU) (2015). Agenda 2063: The Africa We Want. First Ten-Year Implementation Plan (2013-2023).
2. CAHF (2018). 'Kenya', in Africa Housing Finance Yearbook 2018, pp161-164.
3. Corburn, J., (2017). Situational Analysis of Mukuru Kwa Njenga, Kwa Reuben & Viwandani. Technical paper. UC Berkeley, University of Nairobi, Muungano Alliance, Strathmore University, and Katiba Institute, Nairobi. (<https://www.muungano.net/publicationslibrary/2018/1/22/mukuru-spa-situational-analysis-phase-2-report-mukuru-kwa-njenga-kwa-reuben-viwandani>)
4. CORHE. (2002). *The impact of forced evictions on women in Palestine, India and Nigeria*
5. COHRE, C. O. (2008). *Voilation of Women's Hosuing rights in Kenya's slum Communities* .
6. El-hadj, M.B.; Issa, F.; Zekebweliwai, F.G. Housing Market Dynamics in Africa. M Macmillan Publishers Ltd., 2018. Available online: <https://link.springer.com/content/pdf/10.1057%2F978-1-137-59792-2.pdf>
7. Fernandez and Calas. The Kibera Soweto East Project in Nairobi, Kenya. Les cahiers d'Afrique de l'Est, IFRA Nairobi, 2011, 44, pp.129-146.
8. FIDA, Women's land and property rights in Kenya a training handbook Retrieved from: <http://www.fidakenya.org/dr7/sites/default/files/Women%20Land%20rights%20Handbook.pdf>
9. Government of Kenya (2007). Kenya Vision 2030. Government Printer, Nairobi, 2007.
10. Government of Kenya (2010). The Constitution of Kenya. Government Printer, Nairobi, 2010.
11. Hakijamii (2012). Assessment of the Realization of the Right to Housing in Kenya.
12. Heller, P, K Harilal and S Chaudhuri. (2007). 'Building Local Democracy: Evaluating the Impact of Decentralisation in Kerala, India', World Development, 35 (4).
13. IBAN, (2016), Inclusive Business Action Network
14. Women's Land and Property Rights in Kenya, Federation of Women Lawyers in Kenya<<https://land.igad.int/index.php/documents-1/countries/kenya/gender-3/625-women-s-land-and-property-rights-in-kenya/file>> accessed June 30, 2023
14. IGAD, 2023. Women's Land and Property Rights in Kenya, Federation of Women Lawyers in Kenya.
15. Kenya National Bureau of Statistics (KNBS) (2018). Economic Survey, Nairobi.
16. Little, J. (1994). Gender, Planning and the Policy Process, London: Pergamon.
17. Malaza, N. (2009). Gender in planning and urban development.
18. Musangi, P (2017). Women Land and Property Rights in Kenya: Paper Prepared For Presentation at the "2017 World Bank Conference on Land and Poverty."
19. NGEC (2016). Status of Equality and Inclusion in Kenya. Published by National Gender and Equality Commission Headquarter with support from KIPPRA
20. NGEC, (2014). Participation of vulnerable Populations in their own programmes: the cash transfer programmes.
21. Ogolla, D. and Mugabe, J., 'Land tenure systems and natural resources management' in Juma C. and Ogwang J. B. (eds) In Land We Trust: Environment, Private Property and Constitutional Change (ACTS 1996)
22. Orago, NW, 2013. "Limitation of Socio-Economic Rights in the 2010 Kenyan Constitution: A Proposal for the Adoption of a Proportionality Approach in the Judicial Adjudication of Socio-Economic Rights Disputes" PER / PELJ 2013(16)5
23. PASGR (2007). Policy Brief on Strengthening Kenya's Social Protection Agenda through research, programming and policy.
24. Rosa Flores Fernandez, Bernard Calas. The Kibera Soweto East Project in Nairobi, Kenya. Les cahiers d'Afrique de l'Est, IFRA Nairobi, 2011, 44, pp.129-146.
25. Sharma, A.K. (2018), 3rd Affordable Housing Forum: Towards new cultures of affordable housing.
26. The Kenya CT-OVC Evaluation Team (2012): The impact of Kenya's Cash Transfer for Orphans and Vulnerable Children on human capital, Journal of Development Effectiveness, 4:1, 38-49

27. UNDP. (2018). *Vulnerable and Key populations*. Retrieved November 26, 2020, from United Nations Development programme: <https://www.undp-capacitydevelopment-health.org/en/legal-and-policy/key-populations/>
28. UN Habitat (2008). *Secure Land Rights for All*.
29. UN Habitat (2011). *Affordable Land and Housing in Asia*. [Online] Available at: <https://unhabitat.org/wpdm-package/affordable-land-and-housing-in-asia>
30. UN Habitat (2014). *The Right to Adequate Housing*. Fact Sheet No. 21/Rev.1.
31. UN Habitat. (2014). *Women and Housing: Towards Inclusive Cities*. Nairobi.
32. UN Habitat (2012). *Gender Issue Guide. Urban Planning and Design*. Nairobi.
33. UN-Habitat, *State of the World's Cities 2006/2007* (2006). Available at www.unhabitat.org.
34. UN-Habitat, (2003). *The Challenge of Slums: Global Report on Human Settlements 2003*; Earth scan Publications: London, UK, Available online: <http://www.google.com.au/url?sa=t&rct=j&q=&esrc>
35. United Nations, (2013). *Realizing Women's Rights to Land and Other Productive Resources*.
36. United Nations, (2017). *New Urban Agenda. Conference on Housing and Sustainable Urban Development. Habitat III, 17-20 October, Quito. A/Res/71/256*.
37. USAID (2014); *Land Tenure in Urban Environments*, Available at: <http://usaidlandtenure.net/>
38. United Nations, (2015). *Sustainable Development Goals*
39. Geoffrey Payne, 1996. *Urban Land Tenure and Property Rights in Developing Countries: A Review of the Literature*
40. Watson, V. (2009), *Seeing from the South: Refocusing Urban Planning on the Globe's Central Urban Issues*, *Urban Studies*, 46, 2259-2275
41. World Bank (2015). *Overview of Social Protection, Pensions Core Course*.
42. World Bank (2017). *Housing: Unavailable and Unaffordable; Kenya Economic Update*. <http://documents.worldbank.org/curated/en/988191491576935397/pdf/114115-revised-publicKenyaEconomicUpdatefinalMay.pdf>