



**MINISTRY OF LANDS, PUBLIC WORKS, HOUSING AND
URBAN DEVELOPMENT**

State Department for Housing and Urban Development

Kenya Informal Settlements Improvement Project II

KISIP II

SOCIAL MANAGEMENT PLAN

(SMP)

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1. Introduction

1.1 Background

The Government of Kenya in partnership with the World Bank and the Agence Française de Développement (AfD) is implementing the Kenya Informal Settlements Improvements Project II (KISIP II) to consolidate the gains made under KISIP I and enhance the benefits of the project to more people in informal settlements. This Second Kenya Informal Settlements Project (KISIP II) will build on the successes and lessons learned in KISIP I, but also introduce new interventions to deepen its overall impact. It will support the interventions that have been successful under KISIP I: tenure regularization, infrastructure upgrading, and institutional strengthening. Unlike KISIP I, however, the proposed project will include new approaches and new activities to strengthen its impact on the participating communities.

1.2 Project Development Objective

The proposed project development objective is to improve access to basic services and tenure security of residents in participating urban informal settlements and strengthen institutional capacity for slum upgrading in Kenya. This will be achieved by investing in infrastructure based on plans developed in consultation with the community, by supporting planning, surveying and issuance of land documents for residents of informal settlements, and by strengthening capacity of county administrations to deliver on their mandates.

1.3 Project Components

The proposed project will comprise the following four components:

Component 1(Integrated Settlement Upgrading): KISIP2 has built on the lessons learned from KISIP1 and has combined tenure regularization and infrastructure into one integrated upgrading approach to save both money and time, ensuring better coordination between the two interventions in a settlement and deepening the project's overall impact on the participating communities by supporting tenure regularization and infrastructure upgrading in the same communities. Thus, two main interventions have been identified under this component: (i) tenure regularization; and (ii) infrastructure upgrading. Settlements will benefit from one or both interventions depending on the initial condition of the settlement.

Component 2 (Socio-Economic Inclusion Planning): This component will support the development of community-level socio-economic plans. The plans intend to identify together with the communities their socio-economic needs and then address how best the needs can be met.

Component 3 (Institutional Capacity Development for Slum Upgrading): The Project will support institutional and policy development at national and county levels. Activities will include supporting the review of the 2005-2020 National Slum Upgrading and Prevention Strategy, the development of county-specific slum upgrading and prevention strategies, developing financing mechanisms for slum upgrading at county level, and developing strategies to plan for urban growth, prevent crime and violence and to ensure adoptive planning in informal settlements.

Component 4 (Program Management and Coordination): This component will finance activities of the NPCT and the CPCTs related to national and county-level project management and

coordination, including planning, surveying, engineering, fiduciary (financial management and procurement), safeguards compliance and monitoring, monitoring and evaluation (M&E), and communication and community development.

1.4 Project Area

KISIP I was initially implemented in 15 towns located in 14 counties. Under revised guidelines, after mid-term review, the 15 counties were at liberty to propose activities in informal settlements in other towns within their jurisdiction. As a result, the number of towns participating in the project grew. In KISIP II, all the Counties are eligible to participate under a certain criterion.

1.5 Institutional Arrangements

Implementation of KISIP will involve a three-tier institutional arrangement (National, County and Community). Both the National and County PCT will have dedicated Safeguards Teams to address safeguard issues. Whereas, the National PCT will have a supervisory role in implementation of safeguards, the County PCTs will be in charge of implementation. The community through the Settlement Executive Committees (SECs) will be enabled to participate in the preparation of mitigation plans, implementation and monitoring as well as grievance redress.

2. Potential Social Impacts

KISIP II will support a chain of activities required to regularize tenure for people living on uncontested public lands. The regularization process involves:

- (a) development of a local physical plan for the settlement which lays out infrastructure (roads, drainage, walkways and the like), and private plots;
- (b) surveying with physical placement of beacons to demarcate the plots as per the plan; Movement of structures, fences and other assets to align with new boundaries;
- (c) preparation and issuance of letters of allotment based on the survey plan; and finally
- (d) issuance of titles.

The implementation of the tenure regularization interventions is expected to result in overall positive impacts on inhabitants who previously occupied government land informally and were at risk of evictions. The conferring of security of tenure compensates for any temporal losses resulting from the project activities. Negative social impacts are expected during implementation of this sub-component. However, the impacts, are expected to be minor, localized and manageable. Since planning will be done in-situ, it is not expected to lead to full displacement and relocation. The adverse social impacts as well as other positive impacts likely to arise have been summarized in Table 1 presented here:

Table 1: Project Induced Likely Social Impacts

Project Activity	Possible Adverse Social Impacts	Positive Impacts
Land tenure regularization	<ul style="list-style-type: none"> • Adjustments of property boundaries may lead to minor displacements of structures used for own dwelling, rentals or business. • Setting aside of land for public purposes during planning e.g. road corridors, schools, health facilities, water, waste receptacles, social halls etc. may lead to minor displacements of structures. • Loss of crops, trees, fences, community assets • Temporary loss of livelihoods • Possible conflicts over land from competing claims/ community disenchantment 	<ul style="list-style-type: none"> • Security of tenure for inhabitants through issuance of land title deeds • Better spatial planning and improved settlement aesthetics • Supports provisions of basic services in future such as water, electricity, better drainages and street lighting • Reduced land conflicts from clearly defined property boundaries and rights • Increase in land and property values

3. Social Management Plan

3.1 Scope

This SMP, presents a mitigation and monitoring plan for potential social risks and impacts resulting from tenure regularization interventions. The SMP documents implementation modalities for the avoidance, minimization, mitigation and compensation of a full range of social risks and impacts occasioned by tenure regularization activities and not provided for in the Environmental and Social Management Plan (ESMP) and Resettlement Policy Framework (RPF). As such, the SMP will be implemented in parallel with the ESMP and the RPF. In case displacement impacts cannot be mitigated through this SMP, then the provisions of the RPF shall apply.

3.2 Purpose and Objectives

The primary purpose of this SMP is to identify, plan for and mitigate/reduce potential social impacts from tenure regularization activities and to ensure that all identified social risks and impacts expected to occur are minimized and compensated so as to avoid harm and destitution for project beneficiaries.

This will be achieved through continuous meaningful stakeholder and community engagements and consultations.

The specific objectives of the SMP are to:

- a) Draw together the measures proposed to avoid, reduce or mitigate negative, and to maximize positive, social impacts.
- b) Define the roles and responsibilities for carrying out the mitigation measures
- c) Define the monitoring framework for the proposed actions.

KISIP II will follow the experience of KISIP I to minimize displacement of residents by following an 'adoptive' planning approach. Adoptive planning is an approach that lays out infrastructure and plots in close alignment with the existing layout of the settlement. Under KISIP I, adoptive planning has reduced displacement by up to 85 percent in some settlements, compared with what would have occurred had the normal standards been applied. It is expected that use of the adoptive approach in KISIP II will result in minimal displacement.

KISIP II will:

- a) Avoid displacement of persons and livelihoods by choosing settlements with low potential for displacements during pre-project screening.
- b) Minimize displacement through exploring all viable planning and survey designs that minimizes displacement. This includes the use of adoptive planning approach where preparation of new Physical Development Plans (PDPs) will utilize existing way leaves. Thus, wherever permanent dwellings may potentially be affected by a proposed PDP, adoptive planning shall be employed to avoid/minimise displacement/relocation accordingly.
- c) Mitigate and compensate for the minor residual impacts through issuance of land ownership documents (titles).
- d) In addition to land titles, vulnerable persons affected by the project shall be assisted in their efforts to improve their livelihoods and standards of living or restore them to pre-project levels through one or a combination of; i) reconstruction and replacement of affected assets (fences, trees and structures), and; ii) offered post-impact support for a transition period based on a reasonable estimate of time required to restore their livelihoods and standards of living.

3.3 Social Management Plan (SMP)

The proposed SMP is presented in Table 2 below.

Table 2: Social Management Plan (SMP)

Potential Impact	Impact Mitigation		Impact Monitoring	
	Proposed Mitigation Measures	Responsibility	Indicators (OVIs)	MoVs
Minimal (less than 20%) reduction to parcel sizes- people are likely to occupy slightly less land sizes than before regularization	<ul style="list-style-type: none"> ▪ In-situ planning using the adoptive approach will ensure minimum changes to existing plot sizes and zero displacement of persons ▪ Surveying will ensure all the plots are viable and of acceptable sizes ▪ Involve the community in development of the physical development plans and surveying ▪ Grant of land title leading to increased land value will be demonstrated on a case by case basis as adequate compensation for reduction in land sizes ▪ No permanent loss of livelihood 	KISIP Consultants Community County Government	No. of people with less land than before regularization	Consultancy Reports Monitoring/Review reports
Adjustments of property boundaries and provision of public utilities may lead to minor displacements of structures used for own dwelling, rentals or business.	<ul style="list-style-type: none"> ▪ Minimize effect on structures by using the adoptive planning approach ▪ Grant of land title leading to increased land value ▪ Reconstruction and restoration for minimal structure losses of structures by the community. (Community readiness to support these activities is one of the determining criteria for settlement selection) ▪ Temporary loss of livelihoods occasioned by reconstruction and 	KISIP Communities	<ul style="list-style-type: none"> ▪ No. and types of structures affected ▪ Extent/magnitude of impact ▪ No. of affected persons 	Consultancy reports Community Consultation reports RAPs (for infrastructure upgrading)

	<p>restoration to be compensated as per the RPF provisions</p> <ul style="list-style-type: none"> ▪ Physical or economic displacement will adopt the RPF provisions where full replacement for lost assets will be considered including relocation assistance and restoration of livelihood/standards of living 			
<p>Tenants/leaseholders of affected structures may need to relocate temporarily to allow for reconstruction of structures or permanently if the structures are substantially affected.</p>	<ul style="list-style-type: none"> • Where there's no immediate need to relocate, discussions between the structure owners and tenants should allow for adequate time (preferably three months) to find alternative and suitable accommodation or business premises. Moreover, since the projects are located in urban centers, there exists an active rental market. • Temporary loss of livelihoods occasioned by reconstruction and restoration to be compensated as per the RPF provisions 	<p>KISIP Communities</p>	<p>No. of affected tenants</p>	<p>Reports RAPs (for infrastructure upgrading)</p>
<p>Structures owned or rented by vulnerable persons (with reduced ability to restore their livelihoods or standards of living). Applies to; •minor displacements of structures</p>	<ul style="list-style-type: none"> • Grant of land title leading to increased land value • Reconstruction and restoration for minimal structure losses of structures by the community. ▪ Community initiatives through local Settlement Executive Committees (SECs) to help in the reconstruction and restitution 	<p>KISIP County Government Social Development Department</p>	<p>No. of vulnerable persons affected and assisted Type of help extended to the vulnerable</p>	<p>Reports</p>

<ul style="list-style-type: none"> •loss of trees and or crops •Loss of livelihoods 	<ul style="list-style-type: none"> ▪ Where possible, support in alleviating the respective vulnerability may be offered. This will include forwarding of names of e.g. elderly PAPs to the Local administration i.e. chiefs and relevant County Government departments of for consideration in other national and county level social protection programmes. • Temporary loss of livelihoods occasioned by relocation to be compensated as per the RPF provisions 			
<p>Trees, crops may not fall outside the owners boundary after planning and survey to realign boundaries</p>	<ul style="list-style-type: none"> ▪ For perennial crops, community engagement to agree for the crops to reach maturity and allow the previous owner to harvest or an agreement to sell the crop to the new owner of the plot. ▪ For trees, agreement to transfer trees to new owners. Harvesting of trees discouraged ▪ Loss of livelihoods occasioned by loss of trees to be compensated as per the RPF provisions ▪ Project may consider to provide tree seedlings for community re-forestation if a large number of trees is affected. Care will be taken to ensure that mass cutting of trees and fruit crops do not happen 	<p>KISIP Community</p>	<p>No. of trees affected Crops and acreage affected No. of affected persons</p>	<p>Reports</p>

Community resources Common property resources (community building, water pipes, culverts, bridge etc.)	<ul style="list-style-type: none"> ▪ The common property resources and the community infrastructure shall be relocated in consultation with the community. ▪ Repairs and restoration will be undertaken by the project. 	KISIP Community	No. of community resources affected and restored/protected	Reports
Community conflicts/disenchantment	<ul style="list-style-type: none"> ▪ Maintain a grievance redress system that is accessible for the community to register complaints and act in a timely manner ▪ GRM procedures as outlined in the RPF, ESMF and SEF to be followed. ▪ Continuous implementation of the Stakeholder Engagement Plan that provides for opportunities to discuss community issues and participation. 	KISIP GRCs	No. of grievances, lodged and resolved on time	Grievance Logs, forms, and reports

3.4 Community Participation in Mitigating Potential Impacts

Community participation will be key in the mitigation of residual impacts from tenure regularization. Experience from KISIP I has shown that communities are ready and willing to help each other, especially the most vulnerable Project Affected Persons cope with project impacts. For example, in Nyeri, communities helped PAPs to move fences, reconstruct houses and other affected structures, providing shelter to the affected for the period their houses are undergoing repairs.

As a guide, communities will be involved in:

1. **Needs assessment** – identifying the needs of the affected persons in the community with special attention to the needs of the most vulnerable persons.
2. **Mitigation measures** – identifying community solutions through consultations to mitigate the identified adverse impacts.
3. **Mobilization**- raising awareness in the communities about the impacts, the needs and solutions and mobilizing support and participation.
4. **Implementing** – implementing the proposed solutions using community approaches e.g. in provision of labor for repairing structures, moving fences, offering temporal shelter to the affected until their structures are repaired, giving adequate time to the affected to adjust their boundaries in a way that does not create an emergency, and linking the affected to social protection programs run by the government or local NGOs etc.
5. **Monitoring** – The community through the SEC will ensure that the agreed community solutions are implemented and raise any difficulties with the Project Coordination Team for furthest assistance if any.

The County Safeguard Team will monitor and ensure the effectiveness of these community approaches with special focus on the most vulnerable PAPs and may recommend further mitigation actions as per the RPF.

4.0 Budget

Since this Social Management Plan (SMP) will be implemented in parallel with the Resettlement Policy Framework (RPF) and Environmental and Social Management Framework (ESMF), the costs of associated activities e.g. community engagement, grievance redress mechanism, administrative support to community structures, capacity building, and monitoring and evaluation; have already been factored for in the RPF, ESMF, VMGF, and SEF.