

Women, Land and Homes Project

Description of incidents of Housing and Land Rights Violations

The case for incidents of dispossession through Infrastructure Development

By Diana Wachira

Background

One of the significant consequences of infrastructural projects is upheaval and displacement of local residents and communities. Such infrastructural projects are often carried out to serve the public good or interest, but, more often than not, do not provide protection for the most vulnerable, procedural guarantees or due process. This results in loss of land, income and employment, social structure, traditional living patterns and culture, and control over natural resources such as forests and rivers.

The Impoverishment, Risks and Reconstruction Model (IRR) identifies risks that are linked to developmental displacement as: landlessness; homelessness; increased morbidity and mortality; loss of access to common property; joblessness; marginalization; food insecurity; and social (community) disarticulation.

While dispossession affects both men and women in different ways, women face more lasting impacts of this dispossession than men. The reality of dispossession and displacement places various challenges on women as they lose their economic security and power.

The incidents selected as case studies include:

- 1) Displacement by proposed SGR dry port, Naivasha
- 2) James Gichuru Road- Rironi (Kiambu County)
- 3) Expansion of Ring Road Parklands, Deep Sea settlement, Nairobi City County

The dispossession in these three cases took place during and post-construction phase of the project. The following gives a brief summary of these three projects:

Incident	Characteristics				
<p>Missing Link’ road project (Deep Sea Settlement)</p>	<p>Implementation led by Kenya Urban Roads Authority (KURA) and funded by the European Union (EU) and the Government of Kenya.</p> <p>Deep Sea is an informal settlement in Nairobi with close to 12,000 residents. Since 2009, this community has been under the threat of forced eviction, triggered by the KURA with funding of the European Union (EU) and the Government of Kenya through the planned construction of the ‘Missing Link’ road project.</p> <p>The road would pass through the trading centre and main road at Deep Sea affecting about 3,000 residents. It will be 1.6 km in length and is being built to connect two major roads, Limuru Road and Thika Road.</p>				
<p>Section of A104 highway starting at James Gichuru Road Junction and ending at Rironi (A104/B3 Junction) on the Nairobi-Nakuru highway</p>	<p>The project implemented by KENHA is funded by World Bank and Government of Kenya.</p> <p>The 25km stretch will affect various settlements, markets and institutions as summarized below:</p> <table border="0" data-bbox="553 1079 1421 1381"> <thead> <tr> <th data-bbox="553 1079 852 1115">Informal Settlements</th> <th data-bbox="1003 1079 1247 1115">Informal markets</th> </tr> </thead> <tbody> <tr> <td data-bbox="586 1125 852 1381"> <ul style="list-style-type: none"> • Kaptagat • Church Grounds • Dam • NITD Kabete • Sugar Board • Molo </td> <td data-bbox="1024 1125 1421 1331"> <ul style="list-style-type: none"> • Harambe • Kinare • NITD market • NITD mountain view market </td> </tr> </tbody> </table>	Informal Settlements	Informal markets	<ul style="list-style-type: none"> • Kaptagat • Church Grounds • Dam • NITD Kabete • Sugar Board • Molo 	<ul style="list-style-type: none"> • Harambe • Kinare • NITD market • NITD mountain view market
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<p>Proposed SGR dry port at Naivasha that includes 120km Nairobi-Naivasha standard gauge railway</p>	<p>Construction of the Naivasha Port was intended for storage of cargo, especially those destined for Uganda, S. Sudan, Northern Tanzania, Rwanda, Burundi and DRC: in order to relieve the port of congestion, create more space for handling more cargo, improve efficiency which would attract more trade including transshipment business at Mombasa Port.</p> <p>Land acquisition issues were identified to be one of the main factors affecting the construction process of the SGR.</p> <p>i.e. Muhotetu Farmers Company, Nyahururu Farmers</p>				

Specific Cases

Women of Kangawa

When the government bought their land to make way for a new railway line, the residents of Kangawa village were promised compensation. Two years on, the women of the village are staging a sit-in protest, demanding fair pay for the loss of their land and livelihoods.

a. The Case of Mary Mwihaki

Mary Mwihaki, 60 years, had lived on the same piece of land in Kangawa village, keeping cattle and goats and making Ksh. 7,000 a month selling fruits and vegetables to her neighbors. In 2016, the government bought her land for construction of the standard gauge railway, an agreement in which she was to receive more than 30 million Kenyan shillings.

However, Mary has only received Ksh. 250,000 from the agreement.

Since she lost her land, Mary also lost the **economic power and security** she previously enjoyed.

She now spends her days in the construction site parking lot, protesting against the new railway that she says took everything from her: she is jobless and at the age of 60, she can't find work therefore, left with no source of money or food.

b. The case of Beatrice Wacuka

Another protester at the Ngong train station construction site, 70-year-old Beatrice Wacuka, left her home months ago after China Road and Bridge Corporation (CRBC) covered her young crops with soil and uprooted her water pipes. Tremors from the construction also had caused cracks to appear in the walls of her house.

She accepted the small facilitation fee of 200,000 shillings offered by the government and moved out to a rental home. The place she lives in now is the second house she has rented since being made to move.

The above cases give an insight into the different effects of land dispossession that women face due to infrastructural developments. These include: Loss of property, Displacement of informal businesses which result to loss of livelihood, Loss of access to work, school, health and transport, Safety Loss and Interference with socio-cultural set up. This is an indicator that there could be many more untold stories of such dispossession in the country

- **Background to general type of incident.** (50 words max):

1. Displacement by proposed SGR dry port, Naivasha
2. James Gichuru Road- Rironi (Kiambu County)

3. Expansion of Ring Road Parklands, Deep Sea settlement, Nairobi City County

- **What are the characteristics of the particular incident?**
- **What are the effects (direct or indirect) of the type or particular incident on women?**
- **What is the scale of the type or particular incident (any numbers)?**
- **Mention of specific losses, costs and/or damages for women affected by the incident:**
- **Remedy sought by quantifying loss, costs and damages:**