

DIGNITY DEMAND DIGNITY



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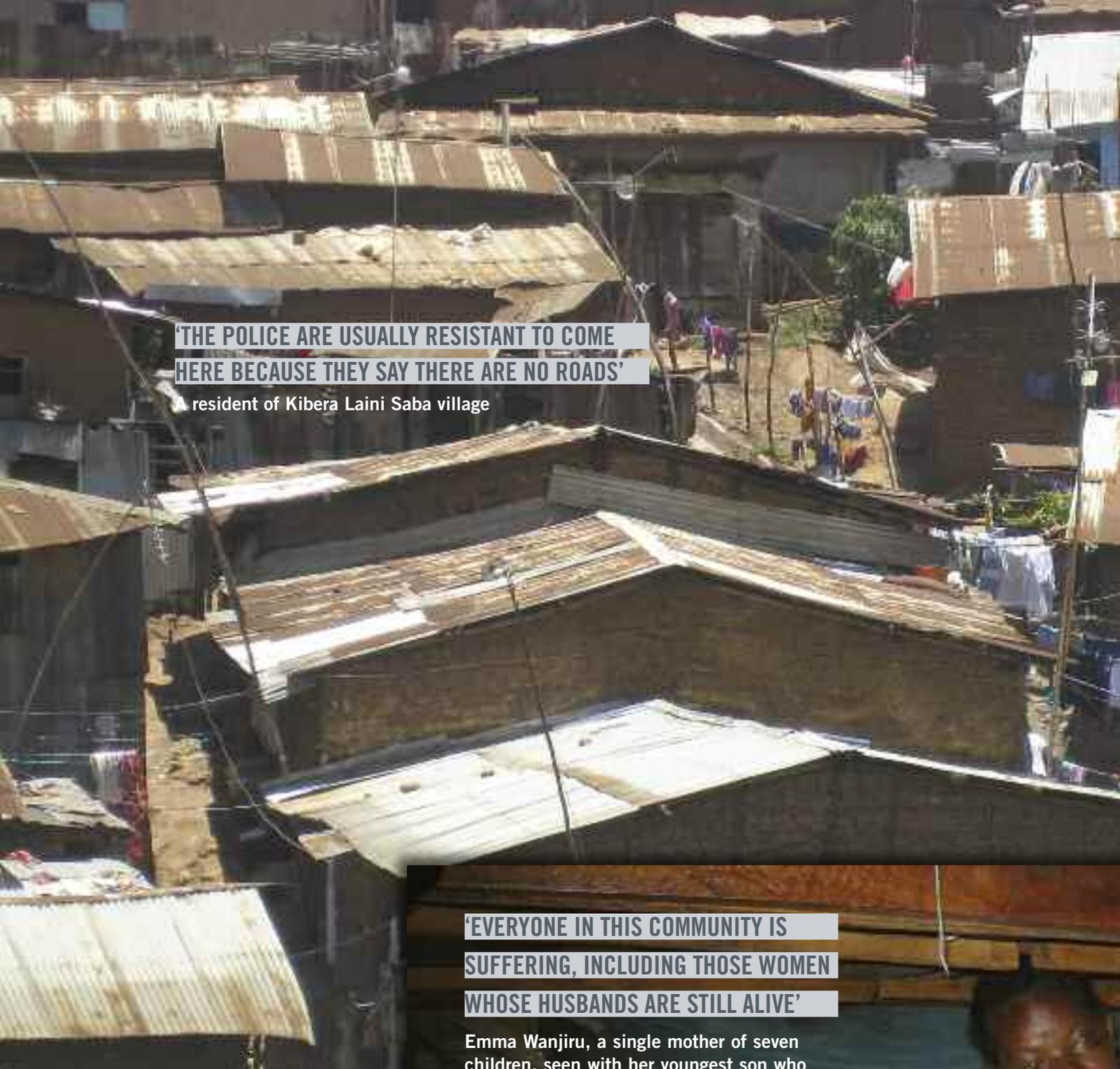
HOW THE OTHER HALF LIVES

NAIROBI'S SLUM-DWELLERS, KENYA

HOUSING IS A HUMAN RIGHT

AMNESTY
INTERNATIONAL





**'THE POLICE ARE USUALLY RESISTANT TO COME
HERE BECAUSE THEY SAY THERE ARE NO ROADS'**

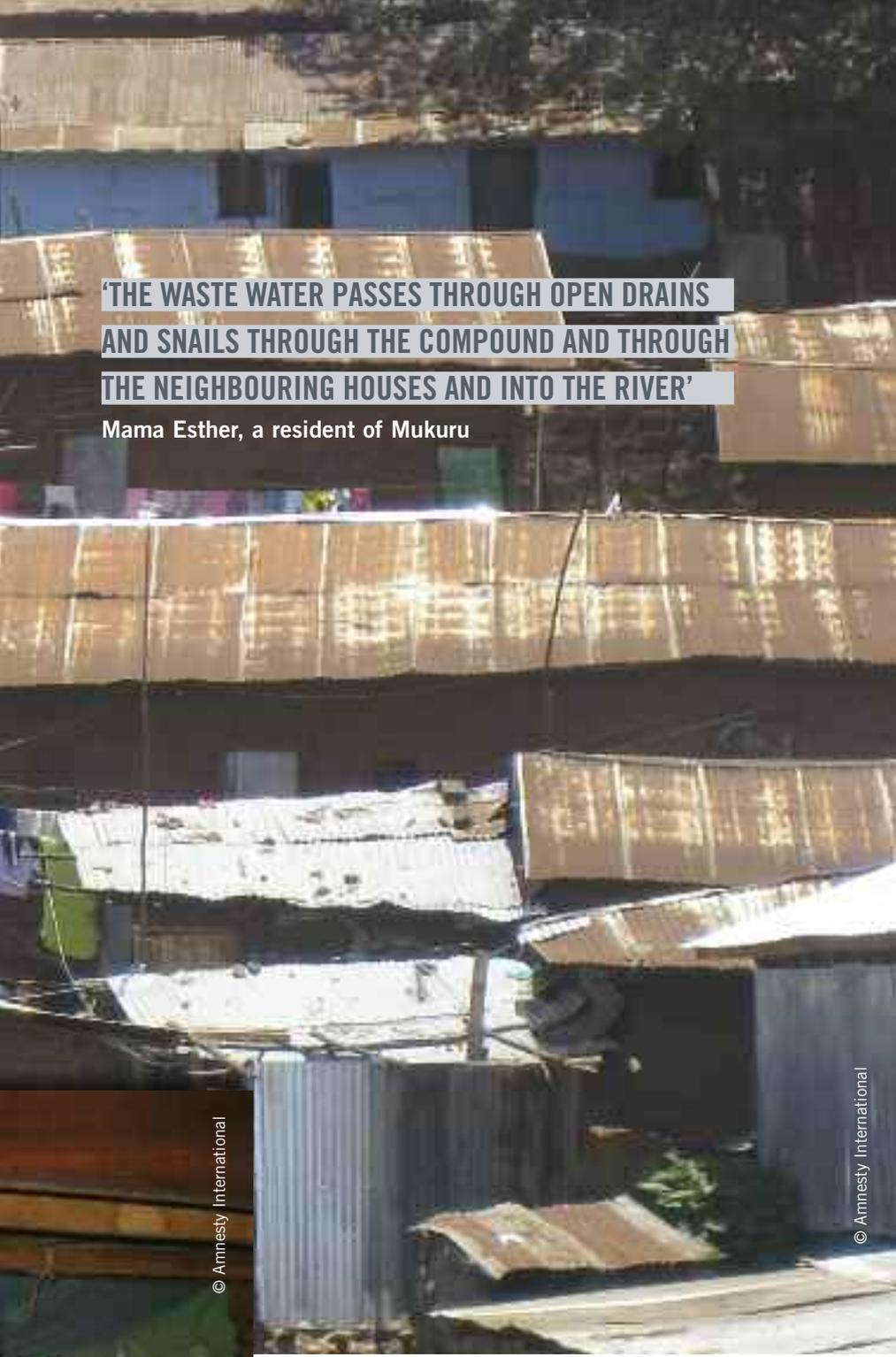
A resident of Kibera Laini Saba village



**'EVERYONE IN THIS COMMUNITY IS
SUFFERING, INCLUDING THOSE WOMEN
WHOSE HUSBANDS ARE STILL ALIVE'**

Emma Wanjiru, a single mother of seven children, seen with her youngest son who was just three days old when the family was forcibly evicted from their home in Deep Sea settlement. They spent the following month living and sleeping in the open until they found alternative shelter.

Cover and above: Kibera



**'THE WASTE WATER PASSES THROUGH OPEN DRAINS
AND SNAILS THROUGH THE COMPOUND AND THROUGH
THE NEIGHBOURING HOUSES AND INTO THE RIVER'**

Mama Esther, a resident of Mukuru

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MORE THAN HALF OF NAIROBI'S POPULATION – SOME 2 MILLION PEOPLE – LIVE IN SLUMS AND INFORMAL SETTLEMENTS. CRAMMED INTO MAKESHIFT SHACKS ON JUST 1 PER CENT OF THE CITY'S LAND, THEY LIVE WITHOUT ACCESS TO WATER, HOSPITALS, SCHOOLS AND OTHER ESSENTIAL PUBLIC SERVICES, AND UNDER THE CONSTANT THREAT OF FORCED EVICTION.

Up to a million people live in Kibera alone, Nairobi's largest slum, crammed onto 550 acres of sodden land that straddles the main railway line. Most earn barely enough to rent a mud-floored, tin-roofed wooden shack with no toilet or running water.

The muddy alleys are strewn with litter and bags of human excrement. Brown streams of water contaminated by sewage dribble down well-worn paths.

Kibera does not appear on official government maps. It is an unseen city where the state does almost nothing. Residents' access to essential public services, including water, electricity, public access roads, sanitation, garbage collection, health care and education, is severely limited. They have little or no protection against violent crime or raging fires.

Vast pipes criss-cross Kibera, delivering water to wealthier parts of the capital. Those living beside the mains have to buy water at up to 20 times the price of the piped water. Many cannot afford to buy all that they need.

In Kibera and Nairobi's other forgotten settlements, residents live in constant fear. Fear of forced eviction and destitution. Fear of violence. Fear of water-borne disease. Fear that they will be trapped forever in festering and fetid slums because their voices are never heard and because they are excluded from the routes out of poverty.

The denial of their human right to adequate housing is the direct consequence of government policies and official indifference to the urban poor. The proliferating informal settlements have been excluded from Nairobi's planning and budgeting processes, effectively treating them as if they didn't exist. State provision of decent low-cost housing has been sacrificed in the pursuit of greater profits in more up-market housing.

The resultant dire shortage of affordable housing has left millions of people with no alternative but life in the slums.

FORCED EVICTIONS

The burgeoning slums and the unacceptable living conditions for their residents are testament to the government's failure to uphold the right of adequate housing for all.

The key obstacle to realizing this right is the lack of legal security of tenure for most slum-dwellers, which leaves them without protection from arbitrary rent rises, unreasonable restrictions on the use of their homes and land they occupy, and dispossession.

Residents of these settlements are particularly vulnerable to forced evictions, which are illegal under international human rights law and are often carried out on a huge scale with catastrophic consequences for the victims.

Sometimes private developers are behind forced evictions. These evictions have led to the destruction of homes, property, businesses and livelihoods, the separation of families and deep trauma.

Residents of the Deep Sea settlement, for example, have suffered waves of forced eviction by government authorities and companies. On 25 September 2005 alone, the homes of about 850 families were bulldozed without warning, without consultation, without the provision of alternative housing or compensation – in short, without any of the safeguards required by international human rights law.

'PEOPLE WERE SCRAMBLING TO GET ALL THEY COULD FROM THEIR HOUSES... THE BULLDOZER STARTED FLATTENING OUR HOUSES WITH ALL THE BELONGINGS INSIDE.'

Jane Atieno, speaking about the forced evictions in Deep Sea during the night of 23 September 2005

Mass protests stopped further demolitions and the High Court later ruled that the evictions had been illegal.

Despite the ruling, Deep Sea's residents continue to live in constant fear of the bulldozers.

Other forced evictions have been carried out in preparation for government infrastructure projects, such as the construction of roads and railways. In February 2004, around 2,000 people watched their homes being demolished in Kibera's Raila village to make room for a road bypass. Schools, kiosks, clinics and small businesses were also destroyed. As usual, residents were not properly warned or offered new homes or compensation. Five years later, the bypass has yet to be built.

FORCED EVICTIONS AND THE LAW

Forced evictions are a violation of human rights that governments are obliged to prohibit and prevent.

Under international standards, a forced eviction is the removal of people against their will from the homes or land they occupy, without the provision of or access to certain forms of legal protection, including adequate notice, consultation, due process and assurance of adequate alternative accommodation.

Evictions may only be carried out as a last resort, once all other feasible alternatives have been explored.

Governments must also ensure that no one is made homeless or vulnerable to human rights abuses as a consequence of an eviction.

Kenya's laws do not prohibit forced evictions, although in individuals cases courts have ordered alternatives to eviction.

Right: The rail track that runs through Kibera
Far right: Mathare settlement



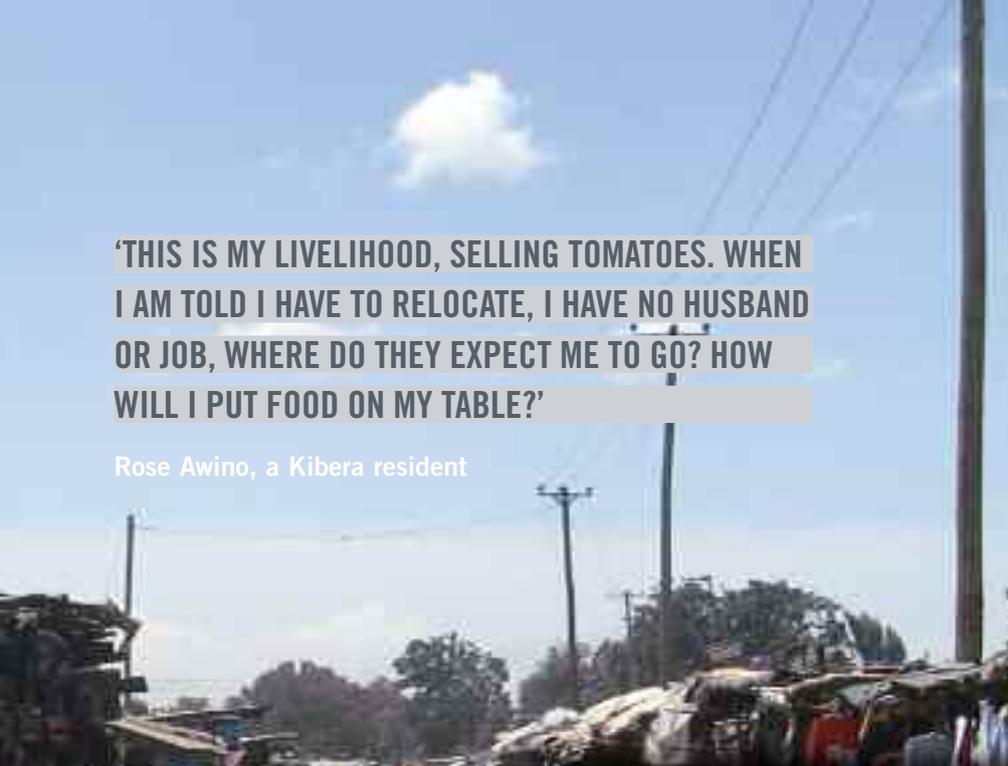
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'THIS IS MY LIVELIHOOD, SELLING TOMATOES. WHEN I AM TOLD I HAVE TO RELOCATE, I HAVE NO HUSBAND OR JOB, WHERE DO THEY EXPECT ME TO GO? HOW WILL I PUT FOOD ON MY TABLE?'

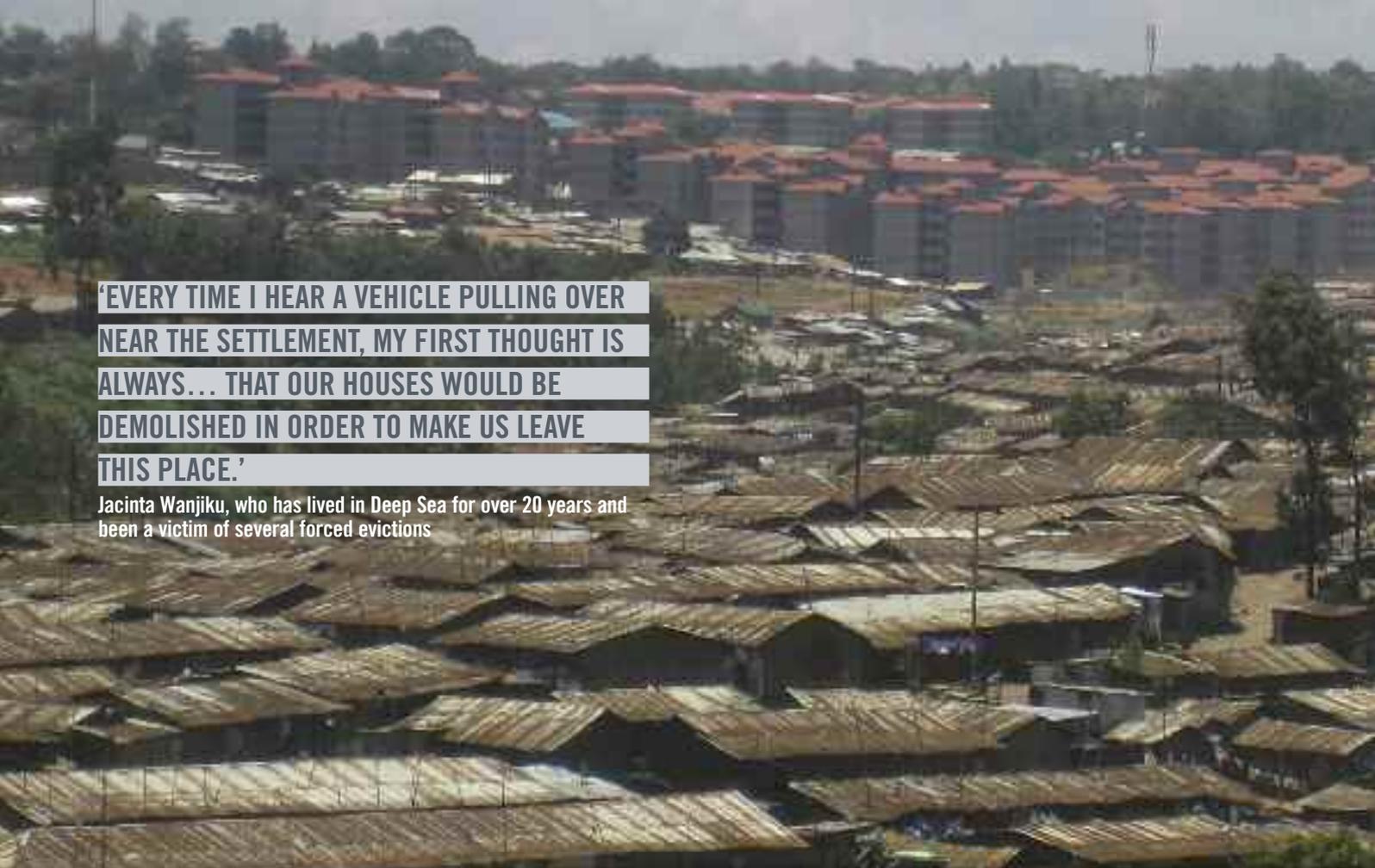
Rose Awino, a Kibera resident

'I HAVE LIVED HERE FOR ABOUT 20 YEARS AND ONE OF THE MAIN PROBLEMS IS THE HIGH FREQUENCY OF CHOLERA, DYSENTERY AND OTHER WATER-BORNE DISEASES, ESPECIALLY FOR OUR CHILDREN'

Millicent, a resident of Mathare Valley



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'EVERY TIME I HEAR A VEHICLE PULLING OVER NEAR THE SETTLEMENT, MY FIRST THOUGHT IS ALWAYS... THAT OUR HOUSES WOULD BE DEMOLISHED IN ORDER TO MAKE US LEAVE THIS PLACE.'

Jacinta Wanjiku, who has lived in Deep Sea for over 20 years and been a victim of several forced evictions



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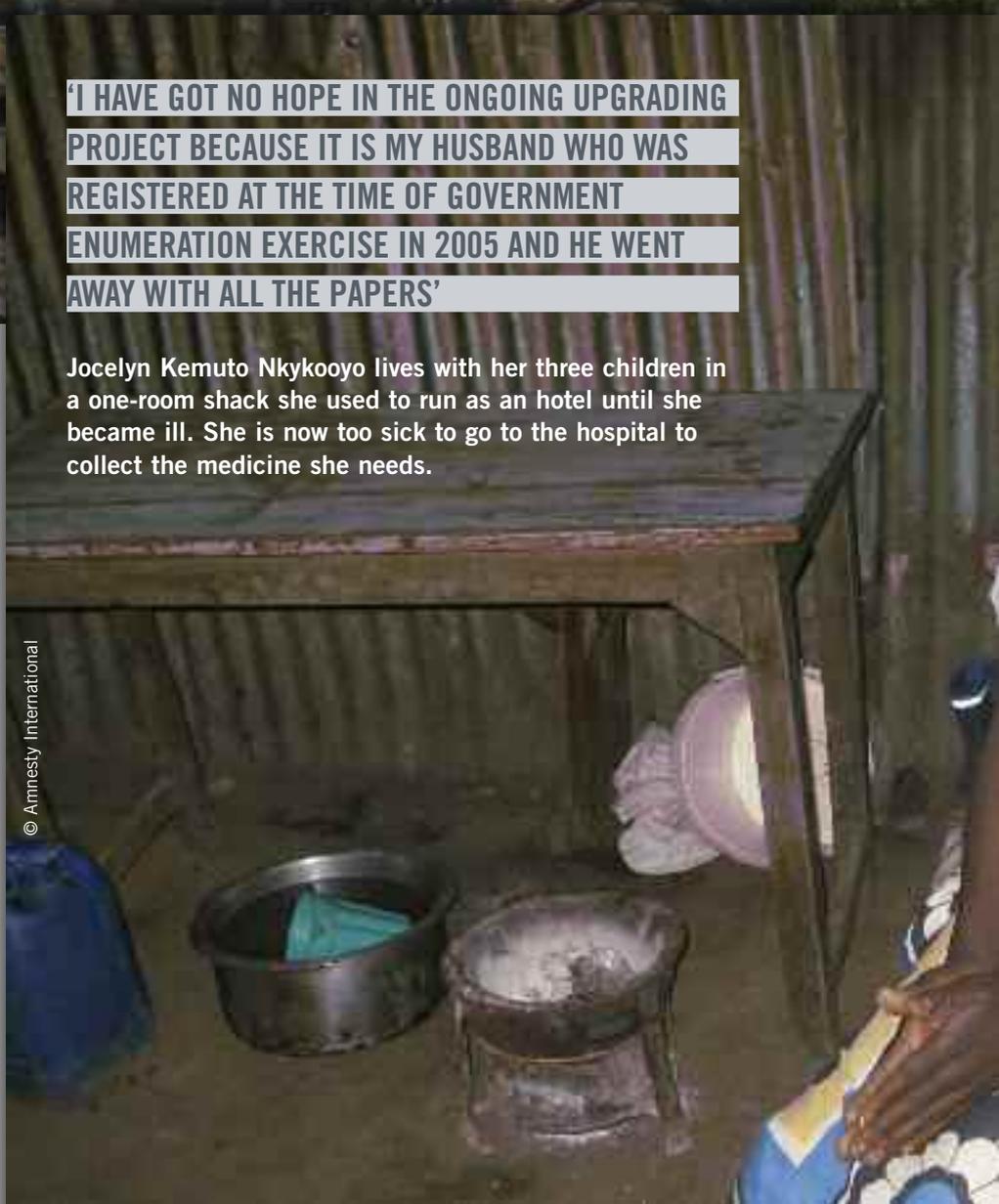
'I HAVE GOT NO HOPE IN THE ONGOING UPGRADING PROJECT BECAUSE IT IS MY HUSBAND WHO WAS REGISTERED AT THE TIME OF GOVERNMENT ENUMERATION EXERCISE IN 2005 AND HE WENT AWAY WITH ALL THE PAPERS'

Jocelyn Kemuto Nkykooyo lives with her three children in a one-room shack she used to run as an hotel until she became ill. She is now too sick to go to the hospital to collect the medicine she needs.

'THE NEAREST HEALTH FACILITY IS ABOUT FIVE KILOMETRES AWAY. WE WALK THERE IF WE ARE SICK. IF WE ARE TOO ILL TO WALK, WE MUST TAKE HUMAN AMBULANCES, PEOPLE TO CARRY US, OR CARTS.'

Kinyanjui, a resident of Kibera's Lindi village

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GOVERNMENT RESPONSES

Nairobi's informal settlements emerged in the colonial period when Africans were barred from the city's residential areas. The colonial government treated the slums as if they did not exist, thereby allowing the local authorities to avoid providing essential services or access roads. As a result, Nairobi became a segregated city.

Independence in 1963 did not herald improvements for slum-dwellers. The new government first responded to the proliferation of slums by trying to stem migration to the city, and then resorted to slum demolitions. Neither policy stopped the relentless expansion of informal settlements.

In the 1970s and 1980s the government's approach shifted away from clearances towards efforts aimed at improving living conditions in the settlements. Projects undertaken as part of bilateral and multilateral donor initiatives reflected this new approach, as did projects developed by non-governmental organizations (NGOs), churches and slum-dweller alliances.

The involvement of NGOs and international development agencies in informal settlement improvement projects increased in the 1990s. By the government's own admission, however, these initiatives "tended to exclude target groups from the planning process".

In 2004 the government formally adopted slum upgrading as its main response to improving living conditions in slums and settlements.

The government also announced plans to integrate settlements into the formal framework of the urban centres, although this is yet to happen.

The ambitious Kenya Slum Upgrading Programme began in 2000 and its pilot project in Kibera's Soweto East is currently

Main picture: Behind the shacks of Kibera lies the decanting site for the upgrading project, still not habitable due to lack of sewerage services when photographed in March 2009.

being implemented. Despite some positive developments, the government has failed on many fronts to ensure the project complies with the requirements of international human rights on the right to adequate housing.

Of 50 residents interviewed by Amnesty International, 45 said they had been kept in the dark about a project that will have a profound impact on their lives. None had been consulted about the design or location of the temporary relocation site or the upgraded units, and all feared that they would not be able to afford to live in either.

Many fear that the temporary relocation will cut them off from their only source of income, often small local businesses.

The most vulnerable, including single mothers and people living with disabilities or illnesses, fear that they will be excluded from the project or will find the new housing unsuitable or unaffordable.

All those who spoke to Amnesty International fear that the upgrading process will involve forced evictions, which the government has failed to prohibit.

Above all, the slum upgrading programme is doing little or nothing to address the immediate and desperate needs of slum-dwellers in Nairobi. Despite government promises to ensure provision of affordable housing outside the slums, its housing policies, including schemes for low-cost public housing, have not prioritized people living in slums and settlements or other groups who may face the greatest difficulties in accessing their right to adequate housing.

As a result, millions of people with little or no regular income are condemned to more years in woefully inadequate housing without security of tenure, without running water or other essential services, without odour-free air, and without much hope that they will ever escape the poverty trap of slum life.

Right: After her legs were injured, Mama Toto established an informal childcare centre in the Deep Sea settlement. She has been made homeless twice, first by a forced eviction and then when a fire was intentionally lit around her house while she was sleeping.



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CAMPAIGNING FOR A BETTER FUTURE

Amnesty International has joined with the Kenyan Housing and Land Coalition to campaign for an end to forced evictions, the enactment of eviction guidelines, and the provision of basic services to residents of informal settlements.

Through Amnesty International's Demand Dignity campaign, which is combating violations of human rights that deepen and drive poverty, we will amplify the voices of slum-dwellers to help end their exclusion from the decisions that affect their lives and deny them their rights.

On the campaign website, demanddignity.org, a mechanism allows settlement residents to send pre-paid text messages and share their views on what living in dignity means to them.

Amnesty International members around the world will continue to put pressure on the Kenyan government to provide basic services in the settlements and to stop forced evictions, especially those threatened by the Nairobi river clean-up project. We will also provide solidarity to communities who face violence and intimidation when trying to defend their right to adequate housing, and demand alongside them the right of everyone to live in dignity.

TAKE ACTION NOW

CALL ON KENYA'S PRESIDENT, MWAI KIBAKI, TO:

- Immediately stop all forced evictions and adopt guidelines for essential evictions that comply with international human rights law.
- Ensure genuine consultation with the affected communities about the planned mass evictions related to the Nairobi River Basin Programme and proposed infrastructure projects to identify all feasible alternatives to eviction, and develop a comprehensive relocation and compensation plan.
- Ensure that implementation of the slum upgrading programme complies with Kenya's obligations in relation to the right to adequate housing, including to consult adequately affected communities and to ensure the affordability and accessibility of housing for all.
- Ensure that the slum upgrading programme and policies address immediate needs in relation to security of tenure and access to essential services.

Please write to:

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**AMNESTY
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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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