CONSULTANCY CALL

STATE OF HOUSING IN KENYA

About The Organization
Founded in 2004 and registered in 2007, Economic and Social Rights Centre- Hakijamii is a national human rights organization that works with marginalized groups to support them to claim and realize their economic and social rights and improve their livelihoods. It is registered as a Non-governmental organization (NGO) under the NGO Coordination Act. It is has it’s Secretariat in Nairobi, with strategic community partners in Nairobi, Kisumu, Kitale, Garissa, Kakamega, Isiolo, Kwale and Mombasa.

Hakijamii envisions a society that is free from discrimination, exploitation and injustice. Its mission is to strengthen the capacity of people’s organizations to effectively and directly participate in advocating and realizing their economic, social and cultural rights in Kenya. Throughout its existence, the organization has been guided by the goal of promoting social movements to engage in realizing and promoting human rights-centered practices and policies. The organization has four main result areas namely: Health, water & sanitation, Land & housing, education, public interest litigation, research and budget analysis.

Background
The objective of this report is to understand the dynamics around urbanization, urban vulnerability and to reflect on current trends and challenges related on the right to adequate housing in Kenya. It is intended to be a shadow report to the government Annual State of Housing Report released in February 2016.

The country has been experiencing an annual shortfall of housing, exceeding 250,000 units. There has also been an occurrence of rapid urbanization which is as a result of devolution and realization of vision 2030. However, there are challenges that come with housing in Kenya. Such are; expansive growth of slums and informal settlements, distorted access to land, high cost of housing finance, existence of rigid
building laws and regulations and the deterioration of housing stock due to lack of a maintenance framework.¹

The implementation of housing rights is increasingly in the hands of county government, and it is at the county level that new approaches and initiatives for government accountability to the right to adequate housing are emerging including the increasing cases of urban renewal. There are significant advantages to county governments developing such approaches, given they are best placed to respond to the distinctive challenges of implementing the right to housing at the county level and to enable residents’ empowerment and participation.

Historically, the obligation of States to take steps or positive measures to realize the right to adequate housing has not received as much attention in the development of legal norms as other aspects of States’ obligations. Legal norms have focused more often on state action that interferes with the right to adequate housing. As a result, at the international and national level there is more clarity about legal norms applied to forced evictions and comparatively less about the positive obligation to allocate the resources necessary to ensure access to housing for marginalized groups. For instance, the country has reviewed a number of legal policies like The Housing Policy, The Housing Bill which proposes a Housing Fund, The National Slum Upgrading and Prevention Policy (NSUPP), Land Laws Amendment Act which have guidelines on evictions and resettlement procedures. Similarly, our courts nationally have dealt with cases and developed jurisprudence on evictions and service disconnections than on failures to prioritize the development of services for informal settlements. Housing policies have increasingly been reduced to housing finance systems to promote homeownership. This however is incompatible with the full realization of the right to adequate housing for low-income households, as they fail to supply habitable and affordable housing to the poor that is secure and well located.

If the SDG target 11.1 to ensure access for all to adequate, safe and affordable housing and basic services is to be achieved by 2030 and the NUA implemented to the latter, it is essential to consider the role of international finance and financial actors in housing systems. That will help to identify and address more effectively patterns of systemic exclusion, to ensure more meaningful human rights accountability for issues of displacement, evictions, demolitions and the engagement of all relevant actors in the realization of the right to adequate housing in Kenya.

**Specific Objectives**

i. Assess the extent of tenure insecurity in Mombasa, Nairobi and Kisumu Counties and how they affect housing rights especially for marginalized communities in urban informal settlements.

ii. Asses the existing housing finance policies and how they promote or interfere with access to adequate housing for people living in poverty

iii. Examine the extent to which Urban renewal and informal settlement upgrading programs have taken into account the rights and participation of tenants.

iv. Determine the extent of compliance by government during planning, budgeting and implementation of infrastructural development projects on housing rights.

**Deliverables**
The Consultant will be required to submit a well-researched report on “State of Housing in Kenya” that should have a gender lens to it and recommend practical solutions to challenges identified.

¹[http://www.ardhi.go.ke/?p=121](http://www.ardhi.go.ke/?p=121)
**Geographical scope:** Nairobi, Mombasa and Kisumu Counties.

**Specifications**
This consultancy assignment shall require:

i. At least 5 years’ experience in research on socio-economic rights and background on housing rights in Kenya

ii. Proven experience in project planning and management.

iii. Linkages with County and National governments.

iv. Human rights background on advocacy and research

v. Experience working, at technical and or policy level, on Housing rights in Kenya or in the East Africa region.

vi. Good verbal and writing skills with proficiency in both English & Kiswahili.

vii. Ability to work with minimum supervision and in a multicultural setting

viii. Experience in working with community partners.

**Qualifications**

i. Masters’ degree in social sciences particularly Human Rights, Law or Sociology.

ii. Strong analytical skills

**Timetable**
The entire assignment should take approximately **20 days** spread over a period of maximum 60 days, with clear key timelines.

**Consultancy Process**
Hakijamii is sourcing for Individual consultants. Those interested in the process should send:

i. Detailed response to the TOR.

ii. Application letter with the resume giving their profile and evidence of technical expertise, experience in carrying out policy and human rights research analysis. This should be addressed to:-

**The Executive Director**
Economic & Social Rights Centre - Hakijamii

Email: esrc@hakijamii.com

The Email Subject should appear as: “State of Housing in Kenya”

Deadline for receiving applications is on **5th February 2018**, Kindly note that due to the huge applications received only shortlisted candidates will be contacted.