

Providing Secure Land Rights in Informal Settlements: A Case Study from Mombasa, Kenya

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SUMMARY

This paper looks at providing urban land tenure security in developing countries with a special focus on informal settlement using a case study from the Kwa Bulu settlement in Mombasa, Kenya, as an example.

The objective of this paper is to investigate how components of the Social Tenure Domain Model (STDM) and the Fit-For-Purpose Land Administration approach have been used to improve security of tenure for the residents. As part of the case study, interviews were conducted with resource persons and stakeholders involved in the formalisation process. This included community members, the settlements land committee, land professionals from the county government, and employees from a local NGO.

The results show a rather complex setup of stakeholders and rights in land. The settlement is sited on privately owned land held under registered freehold tenure. Housing structures occupied by the structure owner are designated as owner-occupied structures. Structures occupied by tenants are designated rental structures but the tenants are not designated any rights. The county government acted as an intermediary between the landowner and the structure owners.

These rights of occupancy were acknowledged by the local community, the surrounding external community, and the county government, although not by the national government. The tenants' names were recorded in the STDM database, while any renting agreements were not registered and the tenants did not receive formal proof of rights.

The study revealed that more attention should be paid to embracing all residents, including tenants, when formalising urban informal settlements in developing countries. Furthermore, the study is

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significant in the way that it investigates five overall evaluation areas, based upon several indicators and elements. The overall evaluation areas include the country context, the registration process, capacity needs, the time and costs, and the output in terms of impact on the local community, and benefits to the society.

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