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**P.S. State Department of Public Works , representing Cabinet Secretary  
Ministry of Land, Housing & Urban Development**

**TALKING NOTES DURING THE KARA BI-MONTHLY TALK FORUM**

**VENUE: LAICO REGENCY**

**DATE: 25<sup>th</sup> APRIL, 2016**

**➤ LAND**

**PLATFORM FOR SOCIO-ECONOMIC & AGRICULTURAL FUNCTIONS**

**GRANTS SOCIO SPATIAL IDENTITY**

**HOME, SELF KNOWLEDGE BEING BACKGROUND FOR FUTURISTIC  
PERSPECTIVES**

- Pre-independence :- Land was communally owned
- During colonization :- displacement of people from their own land
- Post independence :-
  - Land was state owned
  - Land had to be purchased by some displaced squatters who didn't have money
  - Resettlement and distribution was marred by irregularities like nepotism, corruption and greed

### **Challenges**

- Automated Systems :-
  - Use of colonial manual filing recording, registry and storage system.
- Awareness for need for Land Reforms

- Civic awareness and participation possibly partisan by politicians
  - 70% of Kenyan citizens are aware of land reforms being a contentious issue
  - 43% of citizens are aware that land reforms issues are covered under the constitution
- Political will:-
- All bills and law have to be enacted through parliament
  - A survey done in 2011 on parliament ratings reveals an average of 51% Kenyans find proceedings unsatisfactory while 25% are of a pro opinion.
  - Sensitization of public on legislative process therefore necessary
- Efficacious Legislative Roadmap
- Strengthen institutional capacity to implement key reforms
  - Improve policy framework

- Ensure a robust comprehensive implementation framework including clear monitoring and review mechanism

## Gains achieved so far

- Various bills and policies created, passed and awaiting approval:-
  - **Physical Planning Act**- Registration and moderate operation of physical planners
  - **Land Act 2012**-deals with subdivision, ownership & change of user
  - **Land Registration Act 2012** – deals with land registration issues
  - **National Land Commission Act**-deals with public land (acquisition and registration)
  - **Community Land Bill ( awaiting approval)**-Deals with establishing ownership of communal land
  - **Urban Cities Act**-Deals with establishing urban, municipal and towns in Kenya
- Digitization and Re- organization of all land registries to improve service delivery
  - Target set of 10 registries per annum

- Nairobi is complete
- 13 other registries are at 90% completion
- 23 out of 56 registries are complete in organization
- Promulgation of the new constitution in 2010
  - Chapter 5 is purely dedicated to land issues
  - Clear defined legislation on land e.g. part one states  
To prescribe maximum and minimum land holding acreages,  
Specifically Article 40
  - Introduction of National Land Commission, Constitution  
implementation Commission (CIC), KACC, Land Reform  
Transformation Unit (LRTU)
  - Targeted issuing of 3 million titles by 2017 is currently above  
average at 2.4 titles issued so far.
- Development of National Land Information System by NLC
- Development and maintenance of Geospatial Data- Ruaraka
- Development of National Spatial Plan ( both Urban and rural) using  
geographic information system (GIS)

**Way forward:**

- Public spaces and land reforms: Community plus citizen participation in enforcement and monitoring
  - Efficient, transparent processes and improved customer care that is output oriented – MOLHUD Service Charter, complaints handline, indexing etc
  - Judiciary – uniformed verdicts, delayed verdicts
  - Political opportunism
  - Investor interests
  - Government exchequer – dwindling budget
  - Rapid response website based interactive automated platforms
  - Capacity building for service providers
  - Devolution of services to counties
  - Complete land registry inventory/issuance of titles to schools,
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