

## Application Form

### CATEGORIES IN WHICH YOU WANT TO APPLY THE EXPERIENCE

**1: TYPE OF EXPERIENCE:** *choose the most important element (choose only one element which you consider the most outstanding of your practice).*

<b>A) Deliberation</b> Citizen assembly / deliberation workshop / lottery / legislative theater / participatory planning	
<b>B) Decision</b> Participatory budget / referendum / consultation / participatory process with vote	
<b>C) Citizenship</b> Citizenship / community action / permanent council / civic education / associationism / other initiatives to reinforce local democracy	Yes

**2: TYPE OF GOVERNMENT:** *choose one only.*

<b>A) Up to 50,000 inhabitants</b> (towns, small cities, rural areas).	
<b>B) Cities between 50,000 and 250,000 inhabitants.</b>	
<b>C) Cities between 250,000 and 1,000,000 inhabitants.</b>	
<b>D) Large cities or urban areas of more than 1,500,000 inhabitants.</b>	
<b>E) Supralocal, regional, provincial governments ....</b>	Yes

**Experience data:** *complete the information below in a clear and concise manner.*

<b>Title of the experience:</b> Citizens Meaningful Engagement: Informed To Uninformed.
<b>Name of the city or region:</b> Kenya
<b>Inhabitants of the city or territory:</b> Above 1.5 Million
<b>Country:</b> Kenya

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<p><b>Institution presenting the candidacy:</b> (name of the municipality, department, government, institution leading the candidate experience)</p> <p><b>Muthurwa Residents Welfare Association/ Muthurwa Housing Cooperative Society.</b></p>		
<p><b>Website of the experience or institution:</b></p>		
<p><b>Profiles in social networks of the experience or the institution:</b>  <a href="https://www.facebook.com/groups/muthurwadallassociahall">https://www.facebook.com/groups/muthurwadallassociahall</a>  <b>Blogspot:</b>  <a href="https://www.blogger.com/blog/posts/1984036613130685352">https://www.blogger.com/blog/posts/1984036613130685352</a></p>		
<p><b>Start date of the experience:</b> 2017</p>		
<p><b>End date of the experience:</b> Ongoing</p>		
<p><b>Budget of the experience:</b> (indicate the budget of the experience or the resources mobilized for its development and implementation) -----</p>		
<p><b>Type of candidacy</b> (mark with an X in the right column)</p>	New experience	
	Innovation on an existing experience	
	Continuity of an experience	X
<p><b>Type of experience</b> (mark with an X in the right column, you may choose more than one)</p>	Participatory budgeting	X
	Participatory planning	
	Standing council	
	Workshop / meeting for diagnosis, monitoring, etc.	
	Public hearing / forum	X
	Poll / referendum	
	Assemblies / Citizen juries / Deliberation spaces	X
	E-government / Open government / Digital platforms	

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	Citizen initiative		X
	Other (specify):		
<b>Objective of the experience</b>  <i>(mark with an X in the right column, you may choose more than one)</i>	To achieve higher levels of equality in terms of participation		
	Including diversity as a criterion for inclusion		
	Community empowerment		X
	To empower non-organised citizens		X
	To increase citizen's rights in terms of political participation		X
	To connect different tools of participation within a participatory democracy "ecosystem"		
	To improve the effectiveness and efficiency of the mechanisms of participatory democracy		X
	To improve the quality of public decision-making through the mechanisms of participatory democracy		X
	To improve the evaluation and accountability of the mechanisms of participatory democracy		
To improve any public policy through the active participation of the public		X	
<b>Territorial area</b>  <i>(mark with an X in the right column, you may choose more than one)</i>	All the territory	Local	X
		Regional	X
	District		
	Neighbourhood		X
	Governance		X
	Education		



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<p><b>Thematic area</b></p> <p><i>(mark with an X in the right column, you may choose more than one)</i></p>	Transport	X
	Urban management	X
	Health	
	Security	
	Environment / Climate change and/or urban agriculture	
	Civic associations, grassroots and new social movements	X
	Culture	
	Housing	X
	Job creation	
	Decentralization	x
	Local development	x
	Training / learning	
	Economy and/or finances	
	Legal regulations	X
	Social inclusion	X
All		
Other (write the topic)		
<p><b>Sustainable Development Goals (SDG) associated with the practice</b></p> <p><i>(mark with an X in the right column,</i></p>	SDG 1 - No poverty	X
	SDG 2 - Zero hunger	
	SDG 3 - Good health and well-being	

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<i>more than one option can be chosen, you can also add the specific target)</i>	SDG 4 - Quality education	X
	SDG 5 - Gender equality	
	SDG 6 - Clean water and sanitation	
	SDG 7 - Affordable and clean energy	
	SDG 8 - Decent work and economic growth	X
	SDG 9 - Industry, innovation and infrastructure	X
	SDG 10 - Reduced inequality	X
	SDG 11 - Sustainable cities and communities	X
	SDG 12 - Responsible consumption and production	
	SDG 13 - Climate action	X
	SDG 14 - Life below water	
	SDG 15 - Life on land	
	SDG 16 - Peace, justice and strong institutions	X
SDG 17 - Partnership for the goals		

## PART 2: DESCRIPTION OF THE EXPERIENCE

*Fill in the following fields clearly and concisely. You can add links, images or graphics if you consider it appropriate.*

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### Context:

In a **maximum of 300 words**, present the cultural, geographical, historical, institutional and socioeconomic context of the city, region or territory in which the experience takes place.

British government granted Kenya its independence in 1963 through a spirited resistance mounted by Mau Mau a war that lasted over 7 years, leaving over 12,000 Kenyans dead and a trail of destruction. Kenya is located in the East Africa region its population stands at almost 50 Million, it shares boundaries with Indian Ocean, Somalia, Ethiopia, South-Sudan, Uganda, Tanzania. The nation is famous for its world renowned athletes. In the year 2010 the country achieved a new constitution. Precipitated by a devastating, disputed year 2007 National and Presidential elections which left over 1500 people dead and massively uprooted thousands from their homes, the national scar will take years to heal, at the same time the nation found itself in International Criminal Courts (ICC) where several of its leaders were charged and later controversially acquitted. The international bodies UN intervened the governance structure was restructured paving way for creation of a President and a Prime Minister position and later a referendum.

A referendum to change the constitution was supported by majority of Kenyan and passed in the year 2010. The governance structure is two tier (National Government and 47 County Government led by 47 Governors ) 290 Members of parliament, 47 Women Representatives, 60 Senators and 1650 Members County Assembly.

The land speculation is so rife in Nairobi City County Government due to its glowing middle class of 5 Million population.

Muthurwa estate is a 72 Acres land belonging to the colonial East African Railways and Harbours, located within proximity of the (Nairobi Central Business District) stone wall houses built around 1<sup>st</sup> World War, built in rows similar to nearby railway lines. The estate boasts of a National Museum gazetted Mosque constructed in 1901 (Shaffie Mosque) and 13 years community quest to reclaim Muthurwa Dallas Social Hall-For recreational and educational amenities.

Muthurwa names was coined by the Asian Railway workers in the year 1910 The name is similar to "Mithra" a goddess which loosely means "To make covenant with" the border between India and Pakistan has an area with similar name.

Muthurwa estate has severally been earmarked for gentrification even after the courts gave a landmark judgement on right to housing Petition No 65 of 2010 <sup>1</sup> a landmark matter which the then United Nation - Special Rapporteur on Right to Housing, Mithun Kothali submitted his views and were incorporated in the verdict, among other notable individuals and networks which contributed to the landmark outcome were International constitutional lawyer Professor Yash Pal Ghai, Jill Ghai and Davider Lamba.

### Precedents:

Explain the precedents and origins of the experience: if it is the innovation of an existing experience, what are its origins; if it is a new experience, what are the antecedents in participation in your city, region or territory. You can also indicate if you have been inspired by experiences in other cities/countries. (In a **maximum of 300 words**).

<sup>1</sup> Petition No.65 of 2010 Satrose Ayuma and others vs KRSRBS  
<http://kenyalaw.org/caselaw/cases/view/90359/>

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Right to Housing and affordable sanitations is an enshrined Bill of Rights in Kenya constitution, over 7500 residents of Muthurwa estate faced forceful evictions, where the community organized itself and filled for a petition No.65 of 2010 which later got a landmark case on Right To Housing motivated by a similar court case in South Africa titled-Grootboom Case<sup>2</sup>.

In the year 2011 during the International UNHABITAT-Expert General Meeting <sup>3</sup> , Muthurwa Residents stormed, picketed and petitioned the then UNHABITAT-President Mr. Acciolly whom acknowledged the petition highlighting among others, pushing Kenya country policy formulation on evictions and resettlement laws.

The collapse of Kenya Railway Cooperation due to IMF -Structural Adjustment Program paved way for massive rip off and mismanagement of Kenya Railway Cooperation and its assets<sup>4</sup>

### Objectives of the experience:

*What is the objective listed in Part 1 that you think is the most important, and indicate other outstanding objectives of the experience. (In a **maximum of 100 words**).*

A greater desire with coordinated efforts towards establishment of an effective Public Participation and Meaningful Engagement Act (PP2MEA)

Failure to have a meaningful engagement framework or an act of parliament have led to revocation of several governments and county government plans, among them halting the national government in its efforts to register for Huduma Namba a government process where each and every citizen was to be registered afresh incorporating their details and wealth.

The Chief Justice of Kenya gave the President Advisory Opinion in regards to dissolution of Parliament due to failure to enact gender parity and Public Participation Act.

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<sup>2</sup> South Africa precedent court case on Right To Housing

<https://archive.crin.org/en/library/legal-database/government-v-grootboom.html>

<sup>3</sup> UNHABITAT procession and Photos and copy of the submitted petition

<https://1drv.ms/f/s!Anz22AEY9A8VvAwzgKDgkAc5XSvP?e=Efb3LQ>

<sup>4</sup> The collapse of Kenya Railways Cooperation Parliament Resolutions.

<https://1drv.ms/f/s!Anz22AEY9A8VvA7TVrReoovsiElh?e=iflw9q>



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### Methodology:

Describe the methodology of the experience: phases of the process, participation channels. (In a **maximum of 300 words**).

Through online/desktop research and physical convergence, vast knowledge is harnessed and automatic engagement harnessed.

Planning and development of plans, partnerships and collaborative efforts with state and non-state actors.

Mobilizing the affected communities in participation of Court Cases and legal process.<sup>5</sup>

Participating and contributing to County Integrated Development Plans and Annual Development plans.

### Innovation:

Explain what you consider as the most innovative aspect(s) in the practice. (In a **maximum of 150 words**).

Having engaged the World Bank in disputing the bank funding the Railway City Project, an opportunity emerged where the Bank did agree if approached with a sub- project they have capacity to finance.

The Community quest to reclaim Muthurwa Dallas Social Hall<sup>6</sup> a historical and recreational facility which continues to be elusive to date.

### Inclusion:

Point out the importance of including as many groups and diverse populations as possible, and how you have achieved it. (In a **maximum of 150 words**).

Collaborative efforts between our organization has had greater impact, being member to Kenya Political Truth and Justice, being member to NGO council, members of Bunge La Mwanainchi social movement. Participating in their activities and working closely with local and international partners.

Women and Children within the affected region embraces the networking and opportunities to share.

<sup>5</sup> Procession photos and court engagements

<sup>6</sup>World Bank Inspection Panel Muthurwa estate recommendation report.

<https://documents1.worldbank.org/curated/en/710401566246689329/pdf/Kenya-Nairobi-Metropolitan-Services-Improvement-Project-Request-for-Inspection-Notice-of-Registration.pdf>

Railway City Project Photos and engagement

<https://drive.google.com/.../1h-oH45KXMeagUKpliDNyMR4BVM...>

Muthurwa Dallas Social Hall photos and google link

<https://www.facebook.com/groups/muthurwadallassociahall>



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### Communication:

*What has been the strategy and communication channels of the experience for engaging the population? (In a **maximum of 150 words**)*

Open Public Forums-Organizing public forums (Baraza)<sup>7</sup> and discussing emerging issues, documenting and sharing of the experience and issues via social media i.e residents WhatsApp groups, social movements forums.

Showcasing the quest on right to housing in National and International Forums.

Publishing the plight of residents in newspaper and social media

### Articulation with other actors:

*Explain how the experience was articulated with different actors and simultaneous or pre-existing processes. What roles did these participants assume? Explain the degree of success of this articulation. (In a **maximum of 150 words**)*

Right To Housing and affordable sanitation is a must for every Kenyan, through the interventions of best Kenya and International lawyers, scholars, such as Professor Yash Pal Ghai<sup>8</sup>, (Credited with development of 18 Commonwealth Countries constitution making).

Fundraising and house to house engagements on issues related to housing rights, other opportunities emerges such as security improvement and wellbeing of residents.

Drafted and submitted request to the Area Member of Parliament for the formulation of Public Participation and Meaningful Engagement Act (**PP2MEA**)

Unity and purposes of the community led to the establishment of Muthurwa Residents Welfare Association which birthed the Muthurwa Housing Cooperative Society<sup>9</sup>.

As a layman did designed and filed for a constitutional court case, which gave a landmark ruling on Right to a Clean Environment<sup>10</sup>

Fundraising and ownership of the processes by community is achievable.

Negative reactions following the petition to impeach the Nairobi City County Governor for gross misconduct, and embezzlement of county funds, Nairobi citizens took to the street in protest against the petitioner<sup>11</sup> A rejoinder petition to the Minister for Devolution<sup>12</sup> paved way for the Transfer of Functions between the County Government of Nairobi and National

<sup>7</sup> Muthurwa Residents Welfare Meetings Photos. More photos of Muthurwa Community [https://1drv.ms/u/s!Anz22AEY9A8Vlxj9cW4udYvK75\\_n?e=6GlvsN](https://1drv.ms/u/s!Anz22AEY9A8Vlxj9cW4udYvK75_n?e=6GlvsN)

<sup>8</sup> Petitioned the Kenya Senate for the impeachment of the then Deputy President currently the President Republic of Kenya.

Professor Yash Pal Ghai Profile

<sup>9</sup> Muthurwa Resident Welfare Association/Muthurwa Housing Cooperative Society registration.

<sup>10</sup> Petition No 228 of 2016 on Clean Environment.

<sup>11</sup> Petition for the impeachment of the Nairobi City Governor

<sup>12</sup> Petition to the Ministry of Devolution calling for the transfer of function between the government.

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government where the President of Kenya<sup>13</sup> established the Nairobi Metropolitan Services where four functions were transferred that is Health, Road and Infrastructure, Education and finance.

Through the above intervention the Nairobi City saved billions of monies which were being embezzled, service delivery was achieved and prudent utilisation of resources was established.

Follow up petition to the Senate in Access to Information pertaining to the entire Nairobi City Governor impeachment process<sup>14</sup>

With an effective Public Participation law there is greater chance of minimizing corruption and embezzlement of resources and funds countrywide.

### Evaluation:

*What evaluation mechanisms have been implemented? Develop whether the citizenry has participated in the evaluation of the practice. (In a **maximum of 300 words**).*

The main impediment in having a meaningful engagement, between the government and those being governed is the failure to have laws guiding the public participation process.

The lack of standards, measures and tools to use towards evaluating a process is somehow skewed.

There is a lack of evaluation mechanism in Kenya, while Access To Information is a major impediment, thus the desire and need to have an effective Public Participation which captures among other areas evaluation mechanism, validation and rewarding scheme.

### Impacts and results

*Describe the impacts and results of the process. How many people have participated, and what are their profiles? What have been the impacts on public policies, the functioning of the administration, and the citizenry? (In a **maximum of 300 words**).*

Successive government i.e 290 newly elected members of parliament have to inform/publish for the nomination of members composing the National Government Constituency Development Fund, this is mainly due to the complaint raised during the constitution transitional period addressed to National Government Constituency Development Fund Board<sup>15</sup>.

Petition to impeach the governor city of Nairobi led to the formation of Nairobi Metropolitan Services which was effective in its mandate and service delivery achieved in the shortest period ever seen, i.e timely waste management, creation of thousands jobs, smooth and fully equipped hospitals in Nairobi City County Government.

Petition to the World Bank led to a consultative meeting between the Bank Inspection Panel and the urban poor people of Muthurwa Estate, a resolution touching on meaningful engagement, resettlement and relocation plan for over 7500 residents of Muthurwa estate.

<sup>13</sup> President Speaker of the Senate, Minister for Devolution and Nairobi Governor transfer deed.

<sup>14</sup> Senate Petition on Access to Information pertaining to Impeachment of Governor City of Nairobi.

<sup>15</sup> Correspondence with National Government Constituency Development Fund Board.



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The impeachment petition on the Nairobi City Governor was later adopted and he was impeached by the Kenya Senate and a new interim governor took over, saving Nairobi from massive plunder and failure to adhere to national values and principles of governance.

The Kenya Attorney General have directed for a meaningful engagement between the residents and the Kenya Railways in regards to the proposed Railway City Project which is being financed by the British Government among others partners ([Link](#)).

2018 Petitioned the National Housing Commission for Ksh 5 Billion Resettlement and redevelopment ([Link](#))

2018 Petitioned the Kenya Parliament for the formulation of “Yearly 4 Month Residential Rent Waiver “ ([Link](#))

2019 Petitioned for the Impeachment of then Deputy President currently the President Republic Of Kenya ([Link](#))

2019 Petitioned the Parliament for the Impeachment of the Nairobi City County Governor. ([Link](#))

2020 Petitioned Senate for the Transfer of Functions between the County and National government ([Link](#))

2021 Petitioned Senate for Access to information in regards to Impeachment of Nairobi Governor ([Link](#))

2022 Petitioned for the delimitation of boundary and formulation of Public Participation Act. ([Link](#))

2023 Petitioned the British Government copied to Kenya Attorney General requesting for the feasibility study into multi Billion Railway City Project. ([Link](#))

## PART 3: EXPERIENCE SUMMARY

*A summary of the experience: origins, objectives, operation, results, monitoring, and evaluation. (Do not hesitate to repeat aspects that have already been written before. This summary will be shared on the digital platform for open evaluation and in the publication of the award). (In a **maximum of 500 words**).*

African leaders, governments and institutions strategy on “One size fits all” towards development is outdated, modern world demands inclusivity, effective and accountable institutions based on national values and principles of governance.

“A small stone thrown in still water, creates huge ripple effects” it only takes an individual strong belief in making the government and institutions to work effectively. To reduce inequality, achieve gender equality, a cleaner environment within and among people and their country, mechanisms such as effective Public participation and Access to Information is paramount to the betterment of society and its people.

Open societies have effective and strong values which are simple and understood by all, judicially in their society is above reproach and citizens engagements are adhered to.

Invited by UNHABITAT Assembly (June 5<sup>th</sup> to 9<sup>th</sup> 2023) to showcase and exhibit community meaningful engagement in regards the Proposed Railway City Project. Exhibition at the 2nd UN-Habitat Assembly, 5 - 9 June 2023 [www.unhabitat.org](http://www.unhabitat.org)



**17<sup>th</sup> AWARD**  
BEST PRACTICE  
IN CITIZEN  
PARTICIPATION



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***We invite you to share annexes that allow you to better illustrate your experience: videos, photographs, documents... These can be sent through a file transfer service, such as WeTransfer, Dropbox or Google Drive.***

**Thank you for participating!**