

OVERVIEW OF THE CURRENT NEEDS IN THE PARA TRANSIT / MATATU SUB-SECTOR IN KENYA, WITH A FOCUS ON NAIROBI COUNTY BASED ON THE SJ-PTWG PRINCIPLES AND APPROACH

Introduction

The Socially Just-Public Transport Working Group principles and approaches envision a public transportation system that adheres to the Five Pillars of Availability; Accessibility and Affordability; Inclusivity; Human Rights and Equity; and Sustainability.

The Paratransit / Matatu sub-sector in Kenya is the main mode of transportation that a majority of Kenyans depend on for their mobility needs. The sector is faced with a myriad of challenges that makes it difficult to adhere to the five pillars of a Socially Just Public Transport. The Paratransit subsector in Nairobi County being the Capital City of Kenya leads in the number of public service vehicles, routes, Paratransit Saccos and Companies. The sectors contribution to the GDP of the City County and the Country at large cannot be ignored. The sector employs thousands of people, a majority being young people. The sector in Nairobi is known for highly pimped vehicles and loud music known as “Nganya’s” and attracts many young riders. The old buses or vehicles are frequented by old passengers who prefer them because of the price charged and silent rides.

Objective of the Study

The objective of this study is to provide an updated overview of the current needs in the Paratransit /Matatu sub-sector with a focus on Nairobi County based on the Socially Just –Public Transport Working Group principles and approaches.

Study Methodology

The study undertook a qualitative approach that involved the analysis of existing literature on the Paratransit subsector to identify the needs of the sector over the years with a view of relooking at the needs in the spectrum of the five pillars of a socially just public transport.

Study Questions

The study sought to answer the following questions:

- i) How public is public transport in Nairobi more so the Paratransit sub sector?
- ii) How socially just is the Paratransit/Matatu sub-sector in Nairobi County and Kenya at large?
- iii) What are the current critical needs in the sector vis a vis the five pillars of a socially just public transport?

Study Findings

It is important to note there is a lot literature on the Paratransit subsector in Kenya. Many scholars have done a lot of work to understand the business model of the sector, the challenges of the sector, the environmental impact of its aging fleet, labour issues in the sector, the role of government in its attempt to transform the sector, safety and security in the sector and many more. However, it clear that the sector has been able to respond to various policy directions and has found a way to survive. The question of how public is the Paratransit /matatu sub-sector is founded on the belief that public transport is a public good and ought to be provided by public bodies or the government. However, the failure of the government of Kenya to provide its citizens with a well-organized public transportation system has given the Paratransit /Matatu subsector an opportunity to thrive and provide transportation services. The investment in the sector is by private entities thereby making the sector a private sector providing a public service that ought to be provided by the government. It is not bad for the private sector to provide a public service, but the same has to be done in manner that cushions the public from exploitation and poor service. In such setting, the role of government becomes that of a public protector through provision of incentives to the private providers that ensures quality of service provided.

Provision of public transport is an expensive undertaking. Without incentives, the private providers will be faced with high cost of operation. The cost will lead them to increase the fares charged, compromise on safety, workers' rights and compliance in order to minimize cost and increase profits at the expense of the public. The government of Kenya does not provide the Matatu sector with any known incentives to support it in the provision of transportation services to its citizenry. This makes the sector purely a private initiative filling the gap left by lack of government run or supported public transportation. Without incentives to the Paratransit sector, the Kenyan government lacks the moral ground to demand better services for its citizens. The citizen is left at the mercy of the providers who charge exorbitant fares, harass passengers and disregard safety and security and operate non-compliant vehicles.

However, not all is gloomy about the Paratransit sector in Nairobi and Kenya at large. The sector has continued to work and seek avenues of self-improvement. The introduction of Savings and Credit Societies (Sacco) and management companies has been hailed as a success in cushioning the public from extremely poor services. The Saccos/Companies cover the entire city routes and are able to reach even the informal settlements. The sector needs continued support to improve service delivery, safety and work towards sustainability.

With the foregoing, it is highly unlikely that the sector can be said to be socially just. One key component in the quest to make the sector socially just is the need to have the government and duty bearers to appreciate the concept of social justice. Social justice simply means putting people at the center of decision making and ensuring that everyone's need is met and their dignity upheld. The other part is to encourage the investors and operators in the Paratransit sector to embrace and appreciate the value of social justice.

Based on the principles and approaches of the Socially Just –Public Transport Working Group, the study sought to find out how socially just the Paratransit sub-sector is. The study analyzed each of the five pillars against the current state of the sector. Below are the study findings;

i) Pillar 1: Availability

The study found out that the Paratransit sub-sector covers almost all routes within the city with an exception of few routes that pass through affluent residences where the Paratransit operators are seen as a nuisance. Therefore, the Paratransit vehicles are available and they connect to a majority of the residents in the city of Nairobi. The operators fell short of ensuring that their services do not delay peoples travel. The delay is occasioned by the need to fill the seating capacity of the vehicle before departure from a terminus, which is characteristic of all Paratransit operators across the globe. However, the Nairobi Matatus are known to violate most traffic rules to beat the traffic to ensure they spend so little time on the road. Majority of the vehicles are old and not well-serviced and frequent breakdowns while on the road often tend to delay people’s travel. The current route design, where the passenger has to change two or three vehicles to reach their destination contributes to delays in the sector. Government policies have tried to restrict the access of Paratransit vehicles to the central business district with a view of decongesting the city. The push to have the Paratransit vehicles operate from outside the central business district is still under consideration and it yet to be seen the exact impact on ensuring the availability of the services to passengers.

ii) Accessibility and Affordability

The ability of the Paratransit sub-sector to provide an accessible and affordable public transportation system is hampered by the kind of facilities and infrastructure that the sector operates in. Majority of the termini, stages and routes are in a state of disrepair. This contributes immensely to ware and tare that compounds the cost of operation making the Paratransit unaffordable to the city’s majority poor. Every available space in downtown Nairobi, has been taken up as a pick and drop areas by Paratransit operators due to lack of better facilities that are well lit, properly designed and safe for users. The area is considered as one of the most unsafe areas in the city due to congestion and overcrowding. Safety is a major concern in the sector. Going by the current figures on death toll from road crushes, Paratransit operators are culprits when it comes to violating road safety protocols. Sexual harassment especially directed at women and girls is also a major concern in the sector. Many women and girls feel unsafe when using Paratransit and continue to suffer sexual harassment in the hands of Paratransit operators.

iii) Inclusivity

The Paratransit/Matatu sector has tried to offer services to all without any discrimination. Despite the challenges with infrastructure design and planning, the operators are able to assist person with disabilities, children, pregnant women and the elderly to access their services. That is commendable. However, the design of Paratransit vehicles falls short of catering for the needs of PWDs, children,

pregnant women, the elderly and care givers. Policy makers have to rethink how the vehicles are designed to take into account the needs of all persons especially, the vulnerable ones.

iv) Human Rights and Equity

The components of the human rights and equity pillar demand a transportation system that is non-discriminatory, provides safe alternatives, provides routes that cover all areas including informal areas and promotes decent work to the public transport workers. The sector has been able to promote all the above except decent work for its workers. Majority of Paratransit workers are employed informally without social protection and other attending benefits. It is imperative that sector is sensitized and encouraged to offer decent work for its workers. The sensitization should focus on both the investors who are the employers and the workers.

v) Sustainability

The sustainability pillar demands of a transportation systems to ensure that it does not pollute the environment, gives space for non-motorized transport users and conserves the environment for future generations. The Paratransit sector in Nairobi can be said to be violating the provisions of the sustainability pillar. One the sector is fully dependent on diesel propelled engines. Coupled with aging and poorly serviced engines, the fumes emitted contribute immensely to emission of greenhouse gases thus contributing to contributing global warming and climate change. Noise pollution due to idling engines, loud music, and touting does contribute to pollution of the environment. The operators are culprits of driving on pedestrian walkways, overlapping and disregard to other road users especially pedestrians and bicycle users.

Therefore, what needs to be done to make the sector socially just? The following section looks at the critical needs in the sector, that if addressed they will help to make the sector socially just:

1. Legal and Institutional Reforms

The sector is governed by a plethora of laws and regulations. The National Transport and Safety Authority is the main Act of Parliament that governs the sector. The current legislative framework needs urgent review to take into account the emerging concept of social justice. The sector urgently needs a Public Transport Act that will define various aspects of public transportation, ensure continued government investment in the sector and embed the Socially Just Principles in the sector.

2. Training and Capacity Building

Key stakeholders in the sector lack the basic understanding of all facets of public transportation. Investors, operators and key government officials require continuous training in order to

improve their competencies and enhance their skills. The most critical group is the workers in the sector whose skills and competencies need urgent attention.

3. A better financing and business model

Financing a socially just public transport in Kenya is an expensive affair that requires collaboration between the government, financing institutions and investors in the sector. A better financing and business model based on incentives, tax holidays and low interest loans will reduce the cost of operation, improve safety in the sector, promote decent work and help in improving the quality of services provided to the passengers without discrimination. Furthermore, this will render the target system obsolete that only serves to benefit the investor at the expense of the passenger and the workers.

4. Better infrastructure and facilities

The sector needs well planned, designed and built infrastructure. The current state of termini, stages and roads makes the cost operation to skyrocket which makes public transportation unaffordable to many.

5. Strong Leadership

The Paratransit sub-sector requires selfless leadership within itself to champion the progressive transformation of the sector. A leadership development program that will help the leaders embrace social justice will go a long way in helping improve the sector and make it socially just.