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MINISTRY OF AGRICULTURE

MANAGING FRAGMENTED INSTITUTIONAL ARRANGEMENTS IN ETHIOPIA

FINAL REPORT

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MINISTRY OF AGRICULTURE

Ethiopia

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Acronyms and Abbreviations

EPRDF	Ethiopian People's Revolutionary Democratic Front
KLAUC	Kebele Land Administration and Use Committee
LAIS	Land Administration Information System
LGAF	Land Governance Assessment Framework
MoA	Ministry of Agriculture
MoUDC	Ministry of Urban Development and Construction
NRLAIS	National Rural Land Administration Information System
SNNP	Southern Nations Nationalities and Peoples
UNDP	United Nations Development Program
VGs	Vulnerable Groups
VLAC	Village Land Administration and Use Committee

1. Introduction

In Ethiopia, rural land administration services are provided by regional states under the guidance, oversight, and support of the Federal Ministry of Agriculture, through its Land Administration and Use Directorate under the Natural Resource Sector. At regional state level, land administration services were originally provided by land administration offices under the Agriculture Bureaus in the six regional states of Amhara, Oromia, SNNP, Tigray, Gambela and Benishangul-Gumuz (the other regional states). The land administration office in Amhara and Afar region was later elevated to a separate Bureau for rural land. It is Rural land administration and use bureau in Amhara, Environmental protection, rural land administration and use bureau in Afar; and investment, rural land administration and use bureau in Benishangul-Gumuz regions. Whereas in Oromia and Tigray regions, it was elevated into a Bureau that combines both rural and urban land. In the other regions (including the newly emerged Sidama region), rural land administration is still part of the Agriculture Bureau. On the other hand, urban land services are provided at city level by regional states under the oversight and guidance of the federal Ministry of Urban Development and Housing. In general, the Ministry of Agriculture (the rural land administration and use directorate) is the lead institution in the countrywide implementation and oversight of rural land administration. The responsibility of rural land administration in the Ministry of Agriculture lies in two offices namely the rural land administration and use directorate and the Agricultural Investment support directorate. The first is responsible for land use and land tenure, while the second is responsible for support and supervision of large-scale agricultural investment lands. On the other hand, the ministry of urban development and construction (MoUDC) is responsible for guidance and oversight of urban land administration. However, the institutional separation between urban and rural areas is an essential weak point of the institutional setting in Ethiopian land administration as there are peri urban land holders whose land rights are not registered either by the urban or the rural land administration institutions.¹

Ethiopia's fragmented institutional arrangements pose major coordination challenges especially in the context of rapid urbanization. Despite the challenges, Ethiopia has done a good job in rural land administration, especially in securing rural land rights at scale and developing a computerized land administration information system (LAIS) called 'National Rural Land Administration Information System' (NRLAIS). Less success has been registered in the provision of urban land services although there is some progress in developing a computerized land information system, the Cadastre and Real Property Registration System (CRPRS), which has potential to improve services and could help reduce coordination problems if and when fully developed and linked with the LAIS. This report reviews the experiences, results, and plans of managing the fragmented institutional arrangements for land administration (both rural and urban); the lessons and challenges in improving institutional arrangements; and highlights key processes of the recommended institutional arrangements.

¹ Extended information is taken from LGAF summary country report produced in 2016

2. Description and Findings

Literatures indicate that there are formal and informal institutional arrangements that function to regulate society's interactions and development. The World Bank defines institutions as the "rules of the game" that emerge from formal laws, informal norms and practices, and organizational structures in a given setting². Institutions are the rules of the game in a society or, more formally, are the humanly devised constraints that shape human interaction³. However, definition endorsed for the purpose of this paper is the one synthesized by UNDP⁴ "Institutional arrangements are the policies, systems, and processes that organizations use to legislate, plan and manage their activities efficiently and to effectively coordinate with others in order to fulfil their mandate".

2.1. Historical Overview

Land continues to be a major political issue in Ethiopia and a defining factor contributing to and resulting from regime changes in the country. As a result, the land administration systems have evolved organically over time, usually in response to emerging political issues.

Pre-1974 – Imperial Regime: A wide range of land tenure systems existed in the country. Ethiopia had one of the most complex combinations of land-use systems in Africa. Communal land ownership was the dominant system in the northern highlands.⁵ In the southern highlands two-thirds of the land was owned by the Ethiopian Orthodox church and large landlords,⁶ mainly civil and military servants of the imperial regime. In the lowland regions, the tenure system was characterized by communal ownership of land by pastoralists and governed through customary rules still evident in some places today.⁷

1975 – Nationalization of land: The origins of the current systems lie in the land reform instituted by the Derg. The 'Land to the Tiller' policy nationalized all land into public ownership (without compensation), took commercial farms into state control and redistributed land) - through the Public Ownership of Rural Lands Proclamation (31/1975).⁸ Later Derg took urban lands into state ownership through the Government Ownership of Urban Land Proclamation 47/1975 - this included nationalizing

²World Bank, 2000, Reforming public institutions and strengthening governance, a World Bank Strategy

³ Auzins, A. 2004, Institutional arrangements, A gate towards Sustainable Land Use, Nordic Journal of Surveying and Real Estate Research

⁴ UNDP, 2017 (http://ggim.un.org/ggim_20171012)

⁵ Crewett, W. & Bogale, B. A. (2008) Land Tenure in Ethiopia: Continuity and Change, Shifting Rulers, and the Quest for State Control, CAPRI Working Paper No 91, September.

⁶ LANDac (2016) Food security and land governance factsheet: Ethiopia. and Crewett & Bogale (2008)

⁷ LANDac (2016)

⁸ Hailu, Z. (2016) Land Governance Assessment Framework Implementation in Ethiopia Final Country Report. World Bank

all 'extra houses' and providing them as low-cost 'kebele housing'.⁹ The Derg also instituted a forced resettlement program that moved hundreds of thousands of people - initially from northern drought-affected areas to areas in the west and south that had more consistent rainfall.

Post 1995: The overthrow of the Derg and successful EPRDF-led revolution led to the 1995 Constitution, which built on aspects of the Derg land reform to reiterate public ownership. Under the constitution, land is not subject for sale or any other type of exchange; it is only the holding right that is given to individual citizens. For urban lands, the separation of ownership from use rights was established through the Urban Land Lease holding Proclamation 80/1993.

In 1997 the provisions of the Constitution were implemented through a Federal level umbrella framework (Federal Rural Land Administration Proclamation 89/1997 later amended in 2005), which was in turn implemented at a regional level through regional legislation. All regions currently have their own detailed rural land administration and use laws.

- ⇒ Tigray Region rural land administration and use proclamation number 239/2014 (first issued in 1997, amended 2002, 2007 and 2014)
- ⇒ Amhara Region rural land administration and use proclamation number 252/2017 (first enacted 2000, amended in 2006 and 2017)
- ⇒ Oromia Region rural land administration and use proclamation number 130/2007 (first issued 2002, amended in 2007)
- ⇒ SNNP Region rural land administration and use proclamation number 110/2007 (first enacted 2003, amended in 2007).
- ⇒ Afar Region rural land administration and use proclamation number 49/2009
- ⇒ Benishangul Gumuz Region rural land administration and use proclamation number 152/2018 (first enacted 2010, amended in 2018).
- ⇒ Gambela Region rural land administration and use proclamation number 185/2011
- ⇒ Somali Regional State rural land administration and use proclamation number 128/2013

The first attempt to establish an urban leasehold system preceded the 1995 Constitution with the Urban Land Lease holding Proclamation 80/1993. Failure to implement the urban lease system resulted in the 1993 act being replaced by the Re-enactment of the Urban Lands Lease holding Proclamation 272/2002.¹⁰ This implemented the lease system in selected towns for the first time, but only for newly created property rights.¹¹ The ambiguity of the status of 'old possessions' was also partly addressed by clarifying that all urban land should eventually be under leasehold tenure.

⁹ Hailu, Z. (2016) Land Governance Assessment Framework Implementation in Ethiopia Final Country Report. World Bank

¹⁰ Adamu, Z. Y. (2014) 'Critical Analysis of Ethiopian Urban Land Lease Policy Reform Since Early 1990s', paper presented at the FIG Congress 2014, Kuala Lumpur, Malaysia 16-21 June 2014.

¹¹ Burns, T. (2016) Review of the Legal Cadastre of the Government of Ethiopia. Issues & policy recommendations report. The World Bank.

In the constitution, it is proclaimed that land is not subject for sale or any other type of exchange in Ethiopia (Article 40/3). The ownership to land is exclusively vested to the state and to the peoples of Ethiopia. It is only the holding right that is given to individual citizens (Article 40/4). There are active legal instruments enacted by the Federal Government to administer and manage urban lands and urban development, which includes Condominium proclamation no.370/2003, Urban planning proclamation no.574/2008, Building proclamation no.624/2009, urban land lease holding Proclamation no. 721/2011 and urban land holding registration proclamation no. 818/2014. Many proclamations repealed and replaced successively.

The Rural Land Administration and Use Proclamation 456/2005 replaced the 1997 proclamation. Expropriation of Landholdings for Public Purposes and Payment of Compensation proclamation 455/2005 enacted later replaced by proclamation number 1161/2019 - covering both urban and rural expropriation and compensation issues.

The Urban Lands Lease holding Proclamation 721/2011. The Proclamation consolidated the permit and leasehold system - emphasizing leasehold as the default form of tenure and setting out processes for converting old possessions into leasehold. The 2011 proclamation did away with negotiation as a form of land allocation, as it was viewed as facilitating rent seeking - leaving auctioning and direct allotment as the only methods for government to allocate urban land. Management of land for investment and terms of redevelopment were delegated to regional government. It also set out a process for formalizing informal tenure (where in line with land use plans) and strengthened enforcement and compliance penalties.

2.2. Fragmented Institutional Arrangements in Ethiopia¹²

Institutional setup is one of the most important factors contributing to the success of land administration systems through transforming legal tools and policies into practice. It is believed that institutional mandates shall emanate from legal provisions. Since 1975, Ethiopia administers and manages rural and urban lands by different legal systems and different institutions. The country has Federal Government, ten Regional States and two chartered city administration.

The division of power between the Federal Government and the Regional States is asserted by the 1995 constitution. According to article 51(5) of the FDRE constitution the federal government is given the power to enact laws for the utilization and conservation of land and other natural resources. As per the same constitution article 52(2(d)) the regional governments are responsible to administer their respective lands based on the federal law enacted as per the provision. The Federal Government may, when necessary, delegate to the States powers and functions granted to it by Article 51 of the constitution (Art. 50(9)). Based on these constitutional provisions the federal government has enacted the rural land administration and use proclamation number 456/2005 and delegate regional states to

¹² Extended information is taken from LGAF summary country report produced in 2016

enact their own respective laws as per article 17 of the proclamation. As a result of this all regional states have legislated their own rural land administration and use laws. The same principle is applied for urban land administration.

Table 1: Different institutions Responsible for land administration at federal level

No.	Name of Institution	Responsibility
1	Ministry of Agriculture (Rural Land Administration and Use Directorate)	Mandated to oversee the rural lands administration
2	Ministry of Urban Development and Construction	Mandated to oversee the urban land sector.
3	Ministry of Agriculture (Agriculture Investment Lands Administration Support Directorate) ¹³	Provide support for regions for the administration of agricultural investment lands.
4	Ethiopian Geospatial Information Institute	Responsible for countrywide topographic mapping and for the establishment and maintenance of geodetic control points; to carry out aerial photography, surveying, and ortho-photo map production, which can be used for rural and urban land cadaster.
5	Ministry of Environment, Forest, and Climate Change Commission ¹⁴	Mandated to conserve and developed state owned forests and forest areas and to market forest products
6	Ethiopian Wildlife Conservation Authority (EWCA)	Responsible in managing protected areas for the purpose of developing fauna and flora of the country.
7	Ministry of Environment, Forest, and Climate Change Commission (National Integrated Land Use and Policy Project Office)	Responsible for enacting integrated land use policy and plan
8	Ethiopian sugar industries development corporation	Manage sugar cane plantation sites
9	Ministry of Mines and Petroleum	Manage public lands where mining operations are undertaken
10	Land Bank and Development Corporation	Tasked with creating a methodical and inclusive national landholding development, management, and administration system for maximization of socio-economic gains. ¹⁵

¹³ Initially it was in the MoA as a directorate, and later as an agency. After some time, it was merged with horticulture production and named as Ethiopian large-scale agricultural investment and horticulture Authority, accountable to the prime minister office. Now it under MoA named as “Agricultural investment lands administration support directorate.

¹⁴ Some regions, such as Amhara and Oromia, have established forest enterprises to manage their forest resources

¹⁵ proclamation no. 916/2015 by the Land Bank and Development Corporation council of Ministers regulation no 431/2018.

Un-coordinated approach of these institutions is the characteristics of the land administration sector in Ethiopia. The Roles and responsibilities of all these institutions are not well coordinated. For instance, Ethiopia's urbanization and industrialization is taking large tracts of lands from rural areas. In this process there is no coordination between the rural and urban land administration institutions. There is always conflict in the process.

For regional level, responsibility to administer and to manage land and natural resources is given to the regional states. Accordingly, regional states have enacted regional land laws and established land administration and management institutions for rural and urban lands following the federal pattern of institutional arrangement. Although the regional implementing institutions for rural land administration are varying between regional states, in naming and organizational setting, there are offices at regional, zonal, woreda and Kebele administrative levels in all the ten regional states. Some regions, such as Amhara, Oromia, Tigray, SNNPR and Benishangul Gumuz, extended their office to the Kebele level, which is the lowest administrative structure. It is only Amhara, Tigray, Oromia, Afar and Benishangul-Gomuz regions that have bureau level institutional arrangement. In Oromia and Tigray, the land administration bureaus are responsible to manage and administer both rural and urban lands. In these regions, there is not a separate institution for rural and urban lands administration unlike the federal and other regions.

Table 2: Current Rural Land Administration institutions in Regional States

Regional State	Institution at Regional Level	Institution at Zonal Level	Institution at Woreda/District Level	Institution at Sub-District/Kebele Village Level
Afar	Bureau of environment, rural land administration and use	No structure	Line woreda office	KLAUC, VLAC
Amhara	Bureau of Rural Land Administration and Use	Zonal Rural Land Administration and Use Office	Woreda Rural Land Administration and Use Office	KLAUC, VLAC
BG	Bureau of Investment, Rural Land Administration and Use	Similar Structure as the region	Similar Structure as the region	KLAUC, VLAC
Dire Dawa	Bureau of Agriculture, Natural Resources Directorate, Land Administration Case Team	No Structure	No Structure	KLAUC, VLAC
Gambella				KLAUC, VLAC
Hareri				KLAUC, VLAC
Oromia				KLAUC, VLAC

SNNPR	Land Administration and Use Agency under Bureau of Agriculture		Land Administration and Use Process owner under office of Agriculture	KLAUC, VLAC
Tigray	Bureau of Land Administration	No Structure	Land Administration and use office	KLAUC, VLAC
Somali				KLAUC, VLAC
Sidama				KLAUC, VLAC

At kebele level, there are land administration and use experts (professionals) supporting the land administration activities in the kebele. They are also used as front offices for subsequent transactions to reduce the travel time of landholders from travelling to woreda offices for updating of land transactions. Besides, at kebele level and sub-kebele level, Land Administration and Use Committees are elected directly by landholders to implement the land administration system. They handle land related conflicts using customary dispute resolution mechanisms and the law as well.

For urban land administration, at regional level, there are different institutional arrangements. In some regions, urban land administration and management is established as trade, industry and urban development, such as in the case of SNNPR and in some regions it is organized as industry and urban development, such as in the case of Amhara National Regional State. Keeping the regional level arrangement, the structure goes down to Zonal level. Below zonal level, city administrations are responsible for urban land administration and management.

Under the overall public ownership as stipulated in the constitution, subsequent proclamations recognize different tenure types. Proclamation No. 456/2005, defines three tenure types. In article 2 sub article 11, it defines private holding as rural land in the holding of peasants, semi-pastoralists and pastoralists and other bodies entitled by law to use rural land. Article 2, sub article 12, gives definition of communal holding as rural land, which is given by the government to residents for common grazing, forestry, and other social services. State holding is defined in article 2 sub article 13 as a rural land demarcated and those lands to be demarcated in the future at federal or regional states holdings; and includes forest lands, wildlife protected areas, state farms, mining lands, lakes, rivers, and other rural lands. The same proclamation (Art. 5:4:a) recognize private investors to acquire and use agricultural land, which is stated as - Private investors that engage in agricultural development activities shall have the right to use rural land in accordance with the investment policies and laws at federal and regional levels.

The Urban Land lease holding proclamation No. 721/2011, defines two tenure types. In article 2 sub article 1 Lease is defined as system of land tenure by which the right of use of urban land is acquired under a contract of a defined period. Article 2 sub article 18 defines old possession as a plot of land legally acquired before the urban centers entered the leasehold system or a land provided as

compensation in kind to persons evicted from old possession. Although not clearly defined in the proclamation, the rest is assumed under public holding. The same proclamation clearly stipulates that all land in urban areas shall in future be transferred in to lease system. It emphasized that lease system would be the principal landholding system in the country in the urban context.

Land Administration systems (updating of transactions) are conducted at kebele and woreda level, which is close to landholders. There is a land information system called "National Rural Land Administration Information System." The system is used for land recording, storing data, updating of land related transactions and provide reports which will be crucial for decision and policy making.

2.3. Main Challenges

- ✦ There are many institutions responsible for the administration of land in Ethiopia. Among others the main actors are the MoA and the MoUDC. Un-coordinated administration of urban and rural lands mainly by two different institutions is creating serious problems in the country as explained below.
- ✦ Procedures, methodologies, and technologies used to document land rights are different for rural and urban areas which is the result of uncoordinated administration of these lands. Internationally this is unusual arrangement. The processes, methodologies, and procedures for registering and maintaining property rights should be the same for both urban and rural land.
- ✦ Urban expansion is a world-wide phenomenon which takes rural lands and includes them in urban areas. This can lead to two-fold problems: (1) rights can be recorded in two separate institutions and the records may conflict, which could be costly later to bring the two information systems together; and (2) peri urban land holders' land rights may not be registered either by the urban or the rural land administration institutions. It also makes it difficult to agree on overall land policies and strategies as the two key Ministries have different objectives and perspectives.
- ✦ Weak institutional setups, specifically on the Rural Land Administration and Use, is the manifestation of the land administration sector. Inadequate institutional capacity limits the federal land administration directorate ability to cope with the demands of an expanded land administration development program. Institutional capacity at the federal level to implement and continuously improve and amend the federal land administration and use laws and to provide technical support to and coordinate land administration programs in the regional state needs to be built. As stated earlier, the institutional arrangement of the federal directorate is under the ministry of the natural resource sector and it is not an independent institution. As a result, the directorate is unable to supervise and support regional states. Regional states are better in human resources than the federal in the case of both number and variety of experts. In other countries land institutions are independent and organized as ministry or commission level.
- ✦ In the rural sector, weakness is not only at federal level, but the weakness also goes down to many of the regional land bureaus and woreda offices as well. The Ministry of Urban Development and Construction, at Federal level, is better institutionalized compared to the Rural Land Administration and Use directorate at the Ministry of Agriculture. The MoUDC has many bureaus,

agencies, and corporations. Land Governance Assessment Framework study conducted in 2016, gave strong recommendation on the need for institutional reform of the land sector of the country.

- ✚ Salaries of experts working in urban and rural land administration sectors are different, and this has caused staff turnover, with movement from rural to urban land administration sectors.



2.4. Recent Initiatives and Plans in Land Management and Administration

- The federal government is preparing national land use policy and integrated national master land use plan, even though responsibility is given to a project office established under Environment, Forest, and Climate Change Commission.
- The NRLAIS is developed, piloted, and now scaled up in different woredas. This system is important in strengthening the institutional capacity of the sector. Every transaction is performed based on the system. This system has been customized for agricultural investment lands and there is an initiative to customize it for the urban sector.
- Land use rights are used as a guarantee to access credit from micro finance institutions. Land is not owned by individuals in Ethiopia, as a result, the “land per se” could not be used as a collateral for loan. But the land use right, for a specified period, is used as a collateral. Because of this, landholders are diversifying their sources of incomes to include both on-farm and off-farm activities. Landless youths have also benefited from this initiative, by taking loans from micro finance institutions in the names of their families.

2.5. Recommended Land Administration Institutional Arrangements

Every country in the world has a land administration system. The system could be well organized and sophisticated, or it can be rudimentary. Less well developed and less functional land administration systems that evolved in timespan of decades can be improved with extracted relevant experiences from well-developed systems and adapting them to the existing situation of the country. Countries that are engaged in developing a well-functioning system have to take the latest approach in putting functional systems taking into consideration a fit for purpose approach. This helps to shorten the time needed to reach at a level of a well-functioning system. But care must be taken to ensure that copying and implementing other countries experiences does result in a catastrophic end.

A unified and reinforceable conceptual approach developed by Enemark, 2009, and Williamson, 2010, is found to be a better conceptual framework to suggest for the land sector of Ethiopia. The conceptual framework includes all rights, restrictions, and responsibilities (3Rs). Envisaged institutional establishment of the land sector of Ethiopia aims to enable the land sector to contribute to an inclusive sustainable development (economic, social, and environmental). As illustrated, contribution to sustainable development must come through efficient land market and efficient land use

management, Figure 1. As known, land management is the art or science of making informed decision about the allocation, use and development of the earth's natural and built resources. Land management includes resources management, land administration arrangements, land policy and land information management.

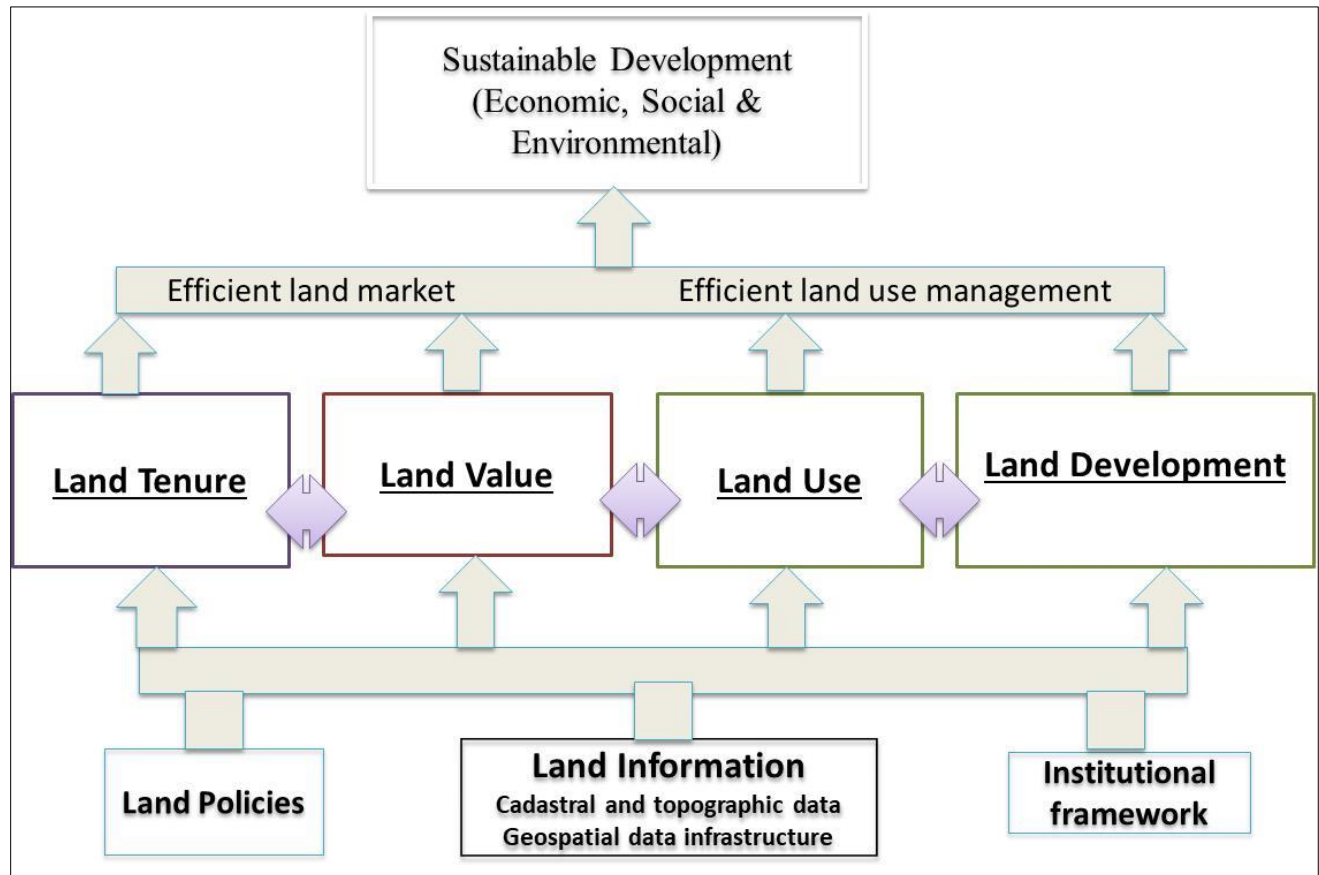


Figure 1: A unified and reinforceable conceptual approach for land administration developed by Enemark, 2009, and Williamson, 2010

In modern land administration and land management system, commonly known land administration functions are land tenure, land value, land use and land development. The four functions must work in tandem to bring desired economic social and environmental development in the country. To enable these functions to operate in demand driven and need oriented fashion and to satisfy the people's need, enabling environment that support the functions has to be established. The enabling elements are land policy, institutional framework, and land information. The four functions and the three enabling elements of the land administration systems have to be made operational in equal importance and equal emphasis. On one hand, land tenure and land vale functions enabled to operate in transparent and professional manner can lead to an efficient land market. On the other wing, properly functioning of the land use and land development functions can lead to efficient land use management. The combined effect of an efficient land market and efficient land use management can enable the land administration system to contribute to an inclusive sustainable development that

includes economic, social and environment dimensions. The future land administration and land management system of the country is expected to be a unified system as illustrated in Figure 1 above. It would guide the development of standard operating procedures which would enhance efficiency and effectiveness in land management and administration in both the rural and urban sectors.

Table 1: Examples of some African Countries who have unified land administration institution

No.	Country	Land administration Institution Arrangement	Remark
1	Ethiopia	Ministry of Agriculture and Livestock	Land Administration and Use Department Under the Ministry
2	Kenya	Ministry of Lands and Physical Planning	
3	Uganda	Ministry of Lands, Housing and Urban Development	
4	Rwanda	Ministry of Lands and Forestry	
5	Tanzania	Ministry of Lands and Human Settlements	
6	Zambia	Ministry of Lands and Natural Resources	
7	Ghana	Ministry of Lands and Natural Resources	
8	Nigeria	Ministry of Lands, Housing and Urban Development	

The above table shows that there are many African countries who have unified land administration systems and institutions for the rural and urban land administration system. Besides, there are several examples and experiences of countries that have successfully unified and improved SOPs of disparate land administration in rural and urban sectors. Perhaps China and Vietnam could be taken as a role model which have done a good job on this. Both China and Vietnam had used an approach in which land was registered in one registration system while the attached buildings were registered in a separate system, with rural land registered separately from urban land as well. The development of unified registration systems, involving organizational, operational and digitization components, took about 15 years from vision to full implementation in both Vietnam and China.¹⁶

The current weak standard operating procedures (SOPs) for land administration especially (but not only) in the urban sector would be reformed and improved, following adoption of the recommended conceptual framework that has been recommended for the unification of the land administration systems in the rural and urban sectors. Unified institutional framework needs to be followed by unified policy and capacity building programs as well as the mainstreaming of gender to increase the participation rate of women to at least 50 percent. While the government has decentralized land

¹⁶ Byamugisha, F. F. (2021)

administration to the regional authorities, little effort has gone into providing systematic support to these institutions to develop their capacity to effectively manage and administer land.

3. Impacts (of the change) on effectiveness and efficiency, and any other benefits:

The impacts could be considered alongside the preparation of SOPs after adoption of the conceptual framework for the unification of land administration systems in the rural and urban sectors. But it would be good to raise some of the impacts of having a strong and unified land administration system and institution. One of the inefficiencies in the governance of land is related with weak institutional arrangement prevailing in the different tiers of land administration institutions. Furthermore, the difference in the governance of land between urban and rural land administration institutions affect data sharing, among others cause redundancies and contradictions, which lead to ambiguous information use and reliance.

Absence of unified land administration system and institution in urban and rural systems caused the existence of overlapping policies and duplication of efforts specially on peri-urban areas. Besides, it causes a competitive feeling rather than working cooperatively. The urban institution tries to take land from the rural area for urban expansion and industrialization even without taking in to account the land use policy or even in its absence. For instance, The Urban Planning Proclamation No. 574/2008 gives urban centers at all levels the power to revise their respective structure and local development plans. When they revise their plans, they are planning on rural lands. At the same time, the rural land will also have another plan on those similar lands. Similarly rural land institutions seem they are against urban expansion and industrialization. Such inconsistencies, discrepancies, and deficiencies could be avoided through harmonization and unification of the rural and urban systems and institutions.

In non-unified institutional setup information sharing among rural and urban institutions is for peri-urban lands is weak. This is because the fragmentation of information repositories makes data sharing and dissemination complex and ineffective. Additionally, it makes the institutional representation of the peri-urban areas very weak. An effective and workable land information system within a unified institution is more than urgency, especially in areas where urban sprawl is taking place. In peri-urban areas of Ethiopia informal settlements are day to day activities which creates disputes over land in these areas. These needs managing the settlement patter through unified policy and institutional setup of urban and rural issues.

Effective, unified, and well-functioning institutions that govern rural lands are highly imperative so as to regulate rights in land. These are crucial to have reputable governance on land sector and reputable governance on land in turn can ensure the rights of landholders in land.¹⁷

¹⁷ Wabelo, T. S. (2020)

4. Recommendations

- Especially for rural land governance, there is no independent federal institution, except the rural land administration and use directorate, which is responsible for land administration to support and coordinate regional efforts. There need to be a unified institutional arrangement for both rural and urban land administration which should have separate sections for the four functions of modern land administration and land management. Not only at the apex level but independent and unified land institutions are a must up to the lowest administrative level.
- The land sector (Both urban and rural) should have one sector policy and one overarching strategy, and a unified registration system. Spatial data generation should be unified.
- Making the service accessible to landholders and decentralizing the institutions. For households located in remote areas of a woreda, the time and costs involved in travelling to the woreda offices to formally register a land transaction often results in many resorting to informal transactions instead. This undermines the tenure security of both parties. To address this barrier, making land administration services more accessible to remote landholders is crucial. The woreda land administration office can establish mobile back-office center so that team members to visit remote locations frequently so that landholders can formally transact land at these mobile centers. The institutional decentralization should be until down to the local area where landholders can access services with labor, cost and time efficient manner.
- When institutions are arranged, emphasis should be given for women and VGs land rights.
- Still more focus is needed for capacity building and close collaboration with academic institutions
- There is a need for a gender mainstreaming strategy to be prepared along with the strategy for unifying the land administration systems in the rural and urban areas.

5. Lessons and challenges for other Member States

- ⇒ Decentralizing land administration institutions is very vital for effectiveness and efficiency. Most of the land administration services (if not at all) are provided at district (woreda level).
- ⇒ Bringing the services close to customers – kebele – sub kebele – Kebele land administration experts at kebele level- some regions have kebele land administration offices
- ⇒ There are local level KLAUC committees to administer land whereby members are directly elected by the people. These Committees have been established all over the country at kebele¹⁸ and sub-kebele level.
- ⇒ The institutional separation between urban and rural areas is an essential weak point of the institutional setting in Ethiopian land administration as there are peri urban land holders whose land rights are not registered either by the urban or the rural land administration institutions
- ⇒ Strong Linkage with research and academic institutions is very crucial for capacity building and research. There are universities, among others are Bahir Dar University, Woldia University, Ambo University, Hawassa University..., which are providing training on land administration and governance from short term to PhD level; and researching on the matter.
- ⇒ Land information system for data storage, processing, updating of transactions, report generation for policy making is critical.
- ⇒ Emphasis should be given for women and other VGs land rights to make the process inclusive. Unless special focus is given for these groups, the process will not benefit all.
- ⇒ Conducting research for policy making is vital. Every policy making or decision should be based on research information. For this research, the land administration institutions need to work closely with universities and research institutions.
- ⇒ Land administration activities require a multi-disciplinary professional. It is not only land administration experts but lawyers, surveyors, GIS experts, valuers, economists and so on. For this reason, the land administration institutions need to work closely with academic institutions (universities and TVETs).

¹⁸ Kebele is the lowest administrative structure in Ethiopia.

6. References

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7. Annexes:

Reports, Guidelines, Manuals and Laws

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