A Reality Check on the Quest for Tenure Security and Land Administration in Ethiopia

SOLONMON Abebe Haile

Institute of Surveying, Remote Sensing and Land Information
Department of Spatial, Landscape and Infrastructure Sciences
University of Natural Resources and Applied Life Science
Presentation outline

1. The nation & the land sector at a glance
2. Macrolevel ambivalence: land issues & the SDPRP
3. Mesolevel practice: piloting LA, institution building
4. Grassroots realities: unmets needs
5. Rights documentation: new tools?
6. Conclusion
Ethiopia: the Nation at a glance

Development diamond*

- Life expectancy
- GNI per capita
- Gross primary enrollment
- Access to improved water source

Life exp. 45.5
Literacy 41.5
Poverty % 44.2
IMR 112/000
HDI 170/177
GNI PC 100

Area 1.1 m. sq km

GDP 41.8 10.7 47.4

Agriculture Industry Service

*GDP graph showing proportions of GDP in Agriculture, Industry, and Service sectors.

SOLOMON Abebe Haile: Expert Group Meeting on Secure Land Tenure: new legal frameworks and tools
The land sector at a glance

THE PROBLEMS: tenure insecurity, land scarcity, fragmentation, degradation, landlessness, disputes

- Arable land person ratio: 0.17 ha
- Average holding size: 0.97 ha
  - 36.30% HHs 0.5 ha or less
  - 62.34% HHs 1.0 ha or less

Landlessness
- Degefa (44-53%)
- Workneh (21-36%)
- Zegeye (37%)
- Pender & Berhanu (140% increase in 8 years)
Land policy: the basic provision

Article 40(3) of the Constitution

The right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange.

Responsibility assignment

Federal government: legislative framework
Regional/State governments: Land Administration
Some aspects of the land policy debate

1.1 The confinement thesis

- State ownership
- Land to resident farmers
- No mobility
- Shackled farmers

1.2 Benefits/efficiency Framework

- Free hold
  - Tenure security
  - More investment
  - Improved productivity
  - Land market liberalization
  - Efficient land/labor allocation

1.3 Protection of assets?

- Free hold
  - Distress sales
  - Loss of asset/landlessness
  - Social disruption
SDPRP: some breakthroughs

Tenure insecurity recognized

Redistribution free years

Protection of property rights (thru the admin. of justice)

Leasehold reforms (urban)

Relaxed collateralization: large-scale agriculture

Land use planning

Nation-wide land certification
The SDPRP: weaknesses

References to land: few & far between

Lacks coherence & strategic vision

Weak regional/states’ synergy

Complete rural-urban partitioning

Conflicting signals
Mesolevel Practice

Region specific legislations & LA agencies in place

LA piloting

Some new LA arrangements

- Detailed directives to implement LA proc
- Relaxed rules for rights transfer
- Minimum threshold for parcel size
- Redistribution bans
- LA Piloting & donor engagement
- Detailed directives to implement LA proc
Registration & Certification: a new initiative

‘Nation-wide’ effort

A scaling-up of a regional program

Well-received among donors, civil society, farmers

No legislative framework

No spatial framework
## Registration & certification: content of the land register

<table>
<thead>
<tr>
<th>Serial No</th>
<th>Entry header</th>
<th>Illustration Of specific info entered</th>
<th>Generic info</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Parcel ID</td>
<td>A E 001 01 0002 4</td>
<td>Region, zone, district, subdistrict codes; land holder and no. of holding codes</td>
</tr>
<tr>
<td>2</td>
<td>Name of owner</td>
<td>A E 001 01 0002</td>
<td>Region, zone, district, subdistrict codes; land holder</td>
</tr>
<tr>
<td>3</td>
<td>Central coordinates</td>
<td>North</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>East</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Names of farmers Having rights on Neighbouring parcels</td>
<td>East Mr. X</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>West Mr. Y</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>North Mr. Z</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>South Mr. A</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Parcel area</td>
<td>Local unit</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Timad, gemed, etc</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Current Land use/cover</td>
<td>Area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Crop, woodlot, grazing, homestead</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Fertility status</td>
<td>High, medium, low</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Means of acquisitions</td>
<td>Redistribution, inheritance</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Agric. Income and Rural land use tax</td>
<td>Flat rate according To parcel size &amp; FS status</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Area (ha)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Parcel Address</td>
<td>Village name</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>District</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Zone</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Region</td>
<td></td>
</tr>
</tbody>
</table>
### PRIMARY BOOK OF HOLDING

**Outcome of 1st phase certification**

- No spatial framework; relative location
- Traditional area measurements

**The PBH: an overview**

<table>
<thead>
<tr>
<th>Se. No</th>
<th>Parcel ID</th>
<th>Land use</th>
<th>Neighbouring parcels</th>
<th>Parcel area</th>
<th>Fertility level</th>
<th>Means of acq.</th>
<th>Village name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>east</td>
<td>west</td>
<td>north</td>
<td>south</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>X, Y, Z...</td>
<td>X, Y, Z...</td>
<td>X, Y, Z...</td>
<td>X, Y, Z...</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- High Med.
- Low
- Redist.
- Inherit.
Registration & certification: Secondary Book of Holding (SBH)

Outcome of a 2\textsuperscript{nd} phase exercise
Spatial framework using orthophotos
Would involve two-levels of surveying
1\textsuperscript{st} level (District, kebele, sub-kebele, communal & service area boundaries);
2\textsuperscript{nd} level (parcel boundaries)

Secondary Book of Holding: an overview

<table>
<thead>
<tr>
<th>id</th>
<th>Land use</th>
<th>Neighbouring parcels</th>
<th>Central Coordinates</th>
<th>Area (ha)</th>
<th>Fertility level</th>
<th>Means Of acq.</th>
<th>Village name</th>
</tr>
</thead>
</table>
Grass roots facts

Worsening Land Problems
- Degradation
- Fertility decline
- Fragmentation
- Landlessness, etc

Demand for land registration certification

Redistribution fear
- Unmet LA Needs
- Consolidation
- Land transfers
- Dispute resolution
- Fragmentation monitoring

High Willingness To Pay (WTP)

Preferred Spatial framework

Image map
- Line map
- Certificate

SOLOMON Abebe Haile: Expert Group Meeting on Secure Land Tenure: new legal frameworks and tools
Earning tenure security: Williness To Pay

WTP is not related with ability to pay!

<table>
<thead>
<tr>
<th></th>
<th>Bugna</th>
<th>Dera</th>
<th>Tehuledere</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;50</td>
<td>1</td>
<td>14</td>
<td>6</td>
</tr>
<tr>
<td>51-100</td>
<td>5</td>
<td>62</td>
<td>34</td>
</tr>
<tr>
<td>101-200</td>
<td>12</td>
<td>19</td>
<td>8</td>
</tr>
<tr>
<td>201-300</td>
<td>36</td>
<td>8</td>
<td>0</td>
</tr>
</tbody>
</table>

Birr/ha
Land Rights Documentation
New data source?? – Satellite Image (Quickbird pan)
Land Rights Documentation
GPS Measurement
Land Rights Documentation
GPS Measurement & Satellite image (QuickBird MS)
Land Rights Documentation
GPS Measurement: accuracy (code, relative)
Land Rights Documentation

GPS and Total Station Comparison

SOLOMON Abebe Haile: Expert Group Meeting on Secure Land Tenure: new legal frameworks and tools
Land Rights Documentation
The Social Aspect – Phase 1: Skepticism
Land rights documentation
The Social Aspect – Phase 2: building confidence
Land rights documentation
The Social Aspect – Phase 3: gadget demystified & role reversal??
Conclusion & the way forward

Registration & certification: a welcome development

Free registration & certification: unsustainable

Favorable legal framework for the registration & certification

What rights are recognized and how? (holding/use rights, rental, mortgage, etc)
Duration/assurance of rights (total/provisional ban on redistribution, elimination of residency requirement)

Formalization of land transactions

Gradual dev’t of spatial framework: start small-HP areas
Conclusion & the way forward

National consensus on the land issue

Comprehensive land policy

Federal level coordination/oversight mechanism
  Urban-rural coordination
  Coordination among Regions/States
  Mapping synergy (cadastral, urban, general)
  Support to less developed regions

Resolve conflicts in the legal regime