

Assessing Land Governance in Ethiopian Cities (2002-2011): Lessons for the Implementation of the 2011 Urban Land Management Policy

Berhanu Kefale ALEMIE, Jaap ZEVENBERGEN, Rohan BENNETT, the Netherlands

Keywords: Land Administration, Urban Land Governance, Land Policy, Cadastre, Ethiopia

SUMMARY

The people and lands of Ethiopia partake in the global movement towards urbanization. However, the *land-to-people* interfaces in urban Ethiopia are considered far from sustainable. This paper explores this assumption through the analytical lens of land governance and land administration. It considered the implementation of the urban land leasehold law from 2002-2011. Empirical data were collected from three case study cities in Ethiopia. A SWOT analysis technique with an additional priority component was employed. The SWOT analysis results indicated that the land administration and land governance situation in the case study cities during 2002-2011 were deterred by the lack of: an underlying land policy, independent responsible institution, coordination between different institutions, societal participation, and weak enforcement of laws and spatial plans. Priority areas that should improve these shortcomings and support future strategic planning and land development are identified. Overall, this study provides lessons for the implementation of the 2011 urban land policy to achieve its desired outcomes such as sustainable urban development.

Assessing Land Governance in Ethiopian Cities (2002-2011): Lessons for the Implementation of the 2011 Urban Land Management Policy

Berhanu Kefale ALEMIE, Jaap ZEVENBERGEN, Rohan BENNETT, the Netherlands

1. INTRODUCTION

Rapid urbanization is a recent phenomenon especially in the third world countries including Ethiopia: unprecedented demographic and spatial changes are evident over the last decades. Literature on urbanism discusses the two sides of urbanization: the positive and the negative effects (c.f. UN-Habitat (2012)). If urbanization is properly managed, it accommodates huge increase of urban population in relatively small land areas. In this regard, it saves extra land resources, respects land use plans and facilitates service and infrastructural delivery. Whereas, urbanization is poorly managed it causes different problems such as informal settlements, poverty, and poor waste management i.e. urbanization creates stress on the urban land and is detrimental to the urban development. Poorly managed urbanization in most cases is a feature of developing countries (Cohen 2006) including Ethiopia. Van der Molen (2014) made a summary of the current *status quo* of the rate of growth of the urban population, the number of slums, the role of the informal economies and the number of people evicted from their homes in different regions: all appeared to be rising in numbers (though there is a decline in slums percentage) in developing countries. The urban expansion in these regions are beyond the capacity of the existing land use plans and thus proliferate in unplanned way (c.f. Alemie *et al.* (2014)). Obviously, such problems in the ongoing urbanization in these countries are continued to be a challenge for both the central and local governments (UN-Habitat 2010).

Given the impact of urbanization to environment, poverty, governance and economic development, UN-Habitat in its urban vision for the post-2015 development agenda dictates the need for mainstreaming urbanization as a key driver for sustainable development (UN-Habitat 2013). UN-Habitat also suggests the need for an ‘urban paradigm shift’ to counteract and improve the existing challenges of institutional and organizational incapacity that become causes for proliferation of slums, poor urban waste management and urban poverty. In line with this, mainstreaming a governance approach in land management is often argued as a sustainable solution (Mauerhofer 2013, Palmer *et al.* 2009) to tackle contemporary challenges such as urbanization, climate change and others, where, land is central and the situation of equity in land access, security of tenure, land use among others contribute to these challenges.

This paper argues that assessing the strengths and weaknesses of land governance on urban land sector in Ethiopia during 2002-2011 is important for the implementation of the 2011 urban land management policy and its proclamation. This type of analysis provides lessons to ‘look back upon in order to better steer forward’ (Dyson 2004). The potential of such analysis are demonstrated in different works. For example, Zhong *et al.* (2014) assessed the success or failure of land use plans in China from 1997-2010 by considering the role of decision makers in plan implementation, policies development and the roles of local governments in the implementation of the plan. The results revealed that different uncertainties encountered

during the plan implementation and came up with recommendation that pointed out the need for improvement on the areas of poor coordination, governance redundancy, and weak ability of implementation monitoring is identified. Gossum *et al.* (2010) also assessed the success of implementation of forest expansion policy in the Netherlands from 1986-2007 and revealed that the internal and external communication and actors network play a role in the success of policy implementation. In the areas of cadastral system, Bennett *et al.* (2013) provided the concept of a ‘cadastral divide’ through the analysis of weaknesses and strengths of cadastres both in the developed and developing countries. The approach helped the authors to scrutinize the future focus of cadastral design and concept in order to narrow down the observed gaps in the two regions. Arguably, this type of analysis is also useful to identify the weaknesses and strengths in the land governance especially in countries where land policies and laws are subjected to changes (e.g., Ethiopia).

Ethiopia is a federal country. The constitution of the Federal Democratic Republic of Ethiopia (FDRE) under article 40 states the type of landholding as “*the right to ownership of rural land and urban land, as well as of all natural resources is exclusively vested in the state and the peoples of Ethiopia. Land is a common property of the nations, nationalities and peoples of Ethiopia*” (FDRE 1995). For urban lands, however, a leasehold system is introduced and for rural lands a usufruct type of land use right for unlimited time is applied. This shows that the rural and urban lands are independently administered and governed by different institutions.

The urban land leasehold proclamation in Ethiopia was modified two times since its first introduction in 1993 i.e. in 2002 and 2011. In 2011, a first urban land management policy was issued. Following this, proclamation 272/2002 was replaced by proclamation 721/2011. However, the practice in Ethiopia shows that proclamations are changed without any prior assessment of the strengths and weaknesses of the previous proclamation though it is important. For example, for the government - it informs the strengths and weaknesses of institutional frameworks at the national, regional and local levels to tackle the observed deficits (*c.f.* Albrechts (2006)); for the public and donor bodies - it is instrumental to evaluate government’s performance, which helps to decide the type and nature of support in the future.

Within the framework of the above discussion, land administration is defined as “*a process of determining, recording, and disseminating information about the ownership, value and use of land during the implementation of land management policies*” (UN-ECE 1996). In this research, the comprehensive and widely accepted definition of land governance from the FIG/World Bank joint conference is used. Thus, land governance refers to “*the policies, processes, actors and institutions by which land, property and natural resources are managed through decisions on access to land, land rights, land use, and land development*” (FIG/World Bank 2009). In the context of urban land, it is basically about determining and implementing urban land policies and establishing a strong relationship between urban people and urban land.

The objective of this work is to assess land governance in several cities of Ethiopia during 2002-2011 when proclamation 272/2002 was implemented and identify key areas of focus for the implementation of proclamation 721/2011. First, a description of the research

methodology is presented. Conceptual understandings on (urban) land governance follow. City level assessment results are provided. Discussions points are extracted, explained, and lead to the conclusions.

2. RESEARCH METHODOLOGY

This research applied literature review and an exploratory case study in several cities. The case study data were analyzed using a SWOT technique. SWOT represents Strengths, Weaknesses, Opportunities and Threats of that prevail during operationalizing a system or an organizational activity (Dyson 2004). It is pertinent to assess both the internal, such as legal aspects, human capacity, management, and resource availability, and external factors such as political, economic, social, and technological situations affecting the system implementation (Dyson 2004, Houben *et al.* 1999): both significantly affect the success of land administration and land governance. Steudler and Williamson (2005) classified the internal processes into three levels: policy, management and operation levels. This study also considers these three levels: the policy level is represented by federal urban land leasehold proclamation and its regional versions named as regulations; the political body and decision makers commitment and capacity in implementing the lease proclamation and regional regulations are considered as a management level; and the case study situations such as informal settlements are considered as an operational level. The study from UN-Habitat on urban profiling in different countries considered priority as an additional component in the SWOT analysis (*c.f.* UN-Habitat (2008a)). Basically priority refers to the action that can be taken to build the strengths, eliminate the weaknesses, exploit the opportunities and mitigate the effects of the threats in the existing systems (Dealtry 1992). A priority component is added in this research to identify activities that need special considerations for the implementation of the 2011 urban land management policy.

A SWOT analysis has been used in the realm of cadastre and land administration systems at the national level (*c.f.* Steudler and Williamson (2005), analysis of strategic urban development Planning (Halla 2007), understanding the land allotment decisions in urban growth versus agriculture (Gala and Hadasb 2013) and assessing governance in biosphere reserves in Central Europe (Schliep and Stoll-Kleemann 2010)). These works showed the potential of the SWOT analysis to understand the existing systems from the perspective of strengths, weaknesses, opportunities and threats. Therefore, the SWOT analysis can also be applied to meet the objective of this work defined earlier.

The works of Houben *et al.* (1999) suggested the need for underpinning the SWOT analysis on a knowledge based information. In this regard, Kumar (2005) explained that an exploratory case study is a useful source of information. This method is a frequently applied method in the field of land governance and land administration. (*c.f.* Arko-Adjei *et al.* (2010) and Ali *et al.* (2014)). Therefore, in order to build the SWOT analysis on a real case knowledge, three case study cities in Ethiopia were considered. Selection of case study cities was based upon: 1) the city having a functional municipality; 2) the city implementing the urban land leasehold proclamation 272/2002 (FDRE 2002): as some towns and cities did not implement the lease law yet, 3) the requirement to include one federal city with comparable area and population

size with other selected cities (the capital Addis Ababa is excluded due to this criterion); and 4) having the cities distributed across the country, and minimized in number. Consequently, the selected cities were Bahir Dar (North West); Dire Dawa (East) and Hawassa (South of the country) (Figure 1). It should also be noted that each of these cities also experienced rapid urbanization accompanied by fast economic development.



Figure 1 Location map of the case study cities

Data were collected through observations, questionnaires, interviews, and group discussions in 2011 when proclamation 272/2002 was implemented. A total of 63 questionnaires were distributed to experts working on land issues in the three cities (Table 1). In addition, two group discussions with a maximum of six participants were conducted and heads and managers of the departments in municipalities were interviewed. Overall, respondents were asked to identify the strengths, weaknesses, opportunities, and threats of the existing land administration and land governance in their respective cities. In addition, it was also asked to identify the priorities that need special focus during the implementation of the 2011 urban land management policy (Figure 2).

Table 1 Distribution of questionnaires in different organizations

Target organizations	No. of questionnaires
- Bahir Dar city municipality and Bureau of Industry and Urban Development	21
- Dire Dawa city administration Bureau of Land Development and Management	21
- Hawassa city municipality and Bureau of Trade, Industry and Urban Development	21

The data collected through the different means discussed earlier were triangulated to derive the common facts (see the results section 4). Triangulation is a commonly applied qualitative data analysis techniques (Thomas 2003) and has been applied in the realm of land administration and governance (Bennett *et al.* 2012). In the three case study cities, strengths and weaknesses in terms of implementing legal procedures and the capacity of organizations in terms of human resources and harmony between organizations to implement the proclamations and regulations were assessed. In addition, discussing with the government officials in municipalities on the areas of, for example, the memorandums they have signed with academic institutions, the availability and support of academic institutions for the municipalities, the availability of international funds to run municipal projects, availabilities of technologies such as GIS software, access and availability of short and long term training in land administration and related fields, staff turnovers, rent-seeking amongst others were used to assess the available opportunities and threats. These results together with the government's key visions towards economic, social and environmental developments as both mentioned in the 2011 urban land policy and the five year growth and transformation plan of the country (FDRE 2010) were used to identify the major priority areas for the execution of the 2011 land policy.

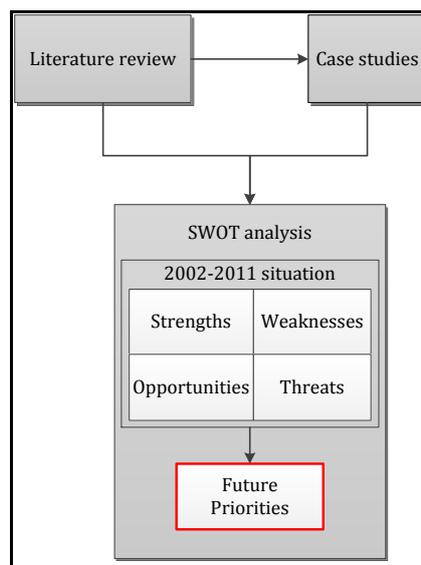


Figure 2 The research design

3. URBAN LAND GOVERNANCE

Urban lands in most parts of the world face unprecedented stress: the ongoing urbanization along with the increasing population create huge demands of urban land (UN-Habitat 2012) for different uses including residential, greenery, business, infrastructure, and social services. This becomes more problematic if there is a problem of identifying who holds what land, which lands are private, which are government, and the various land use types. Such problems are common in the urban areas of developing countries including Ethiopia (Alemie *et al.* 2015a): the urban cadastres are poor to serve for such functions. van der Molen (2014) discussed the effect of not having a functioning cadastre system. In this regard, it is difficult to manage the people-to-land relationships. Obviously, this impacts the ongoing urbanization to be accompanied by slums, informal settlements and poor waste management and others. This implies that urbanization is the key area where governance can play a great role in dealing with such multitude problems of people-to-land relationships.

Governance as a contemporary academic concept emerged in the late 1980s (Kemp *et al.* 2005, Frahm and Martin 2009) from social science disciplines. The concept has been commonly used by international organizations such as the World Bank, United Nations and International Monitoring Fund (IMF) especially following the overarching agenda of sustainable development, which came in global agenda in connection with the rising impacts of urbanization, climate change and others: governments and international organizations were convinced that the existing approaches were not responsive enough to tackle the possible impacts of these contemporary challenges (Palmer *et al.* 2009). In this regard, the existing approaches were characterized by one actor dominated (e.g., government), highly centralized, exclusive and top-down approaches of decision making (Kombe and Kreibich 2000, Camarinha-Matos and Afsarmanesh 2004). Focusing on a single actor alone (e.g., only government) was not realistic because one single actor does not have the resources and knowledge to solve the complex and diverse problems (Lockwood *et al.* 2010, Ostrom 2009, Sehested 2003). Involving a wide range of interdependent actors in decision making during formulation and implementation of policies, on the other hand, fosters greater interaction and harmony among actors. In this case, decision making becomes shared, transparent, equitable, accountable and sustainable (Bezlepkina and Brouwer 2014). In other words it enables a bottom-up decision making: pivotal for identifying the root causes of the problems and ensuring decisions that equally benefits more citizens and their livelihoods. In the complex case of densely populated urban land and multi-uses, the concept is crucial.

In sum, this section made clear the contemporary challenges faced in urban areas such as the people-to-land relationships can be tackled through the establishment of a governance system that is underpinned on a participatory, transparent, equitable and accountable decision making during policy formulation and implementation.

4. RESULTS

As it is made clear earlier the SWOT analysis is applied in three case study cities to identify the Strength, Weakness, Opportunities and Threats of the existing land administration and land governance. The results for each case study city are now presented.

Bahir Dar

General information

Bahir Dar is the capital city of Amhara National Regional State government located North West of the country (Figure 1). Bahir Dar received UNESCO Cities for Peace Prize in 2002 (UNESCO 2002).

Table 2 General information about Bahir Dar

General information	Facts
Population ¹	191016
Area	28 km ²
Location	North Western Ethiopia
Function	Capital city of Amhara National Regional State government
Number of urban <i>Kebeles</i>	Nine

SWOT analysis

Figure 3 shows the findings from the SWOT analysis derived from triangulating the empirical data collected in Bahir Dar on existing systems of land administration and land governance during the implementation of proclamation 272/2002.

Strengths	Weakness
<ul style="list-style-type: none"> - Federal urban land leasehold proclamation - Regional urban land leasehold regulation - Information desk and complaint hearing offices in the municipality and regional bureaus 	<ul style="list-style-type: none"> - Lack of an underlying national urban land policy - Inefficiency of organizations due to lack of human resources and weak administration - Lack of transparency during land lease auctions and land allotment - Fragmented actors function - Lack of societal participation - Lack of commitment to improve the existing systems

¹ The population number is based on the Central Statistical Agency of Ethiopia 2012 - http://www.csa.gov.et/images/documents/pdf_files/nationalstatisticsabstract/2011/2011%20population.pdf

Opportunity	Threats
<ul style="list-style-type: none"> - Donors support to modernize the land administration system. - Theories and models on cadastre and land governance existed. - ILA² of Bahir Dar University provided trainings on technical aspects to Bahir Dar city municipality and the regional bureaus. - The CORS GPS workstation installed recently in ILA will enhance accuracies in and around Bahir Dar city. - International best practices were available - Capacity buildings were accessed from national universities (e.g., ILA) and international such as ITC, the Netherlands and KTH Sweden. 	<ul style="list-style-type: none"> - Lack of responsible and independent organization both at the national and regional level - Court cases related with land were rising (80%) - Rent-seeking in land sector were rising - Inequity exists between the rich and the poor - The issues of informal settlements increased and became sources for disputes

Figure 3 SWOT analysis of land administration and governance in Bahir Dar

Dire Dawa

General information

Dire Dawa city is the second largest city in Ethiopia located in the Eastern part of the country (Figure 1). Like Addis Ababa, Dire Dawa is also a chartered federal city, which is directly accountable to the federal government.

Table 3 General information about Dire Dawa city

General information	facts
Population	262884
Area	29.24 km ²
Location	Eastern Ethiopia
Function	Chartered federal city
Number of urban <i>Kebeles</i>	17

SWOT analysis

Figure 4 shows the results of the SWOT analysis derived from triangulation of the empirical data collected in Dire Dawa on the existing systems of land administration and land governance during the implementation of proclamation 272/2002.

² ILA – Institute of Land Administration

Assessing Urban Land Governance in Ethiopian Cities (2002–2011): Lessons for the 2011 Urban Land Management Policy Implementation (7477)

Berhanu Alemie, Jaap Zevenbergen and Rohan Bennett (Netherlands)

Strengths

- Federal urban land leasehold law
- City administration urban land leasehold regulation
- City administration formalization regulation (2007)
- Information desk and complaint hearing offices in the city municipality
- Local development plans were prepared for each *Kebele*

Weakness

- Lack of an underlying national urban land policy
- Inefficiency of organizations due to lack of human resources and weak administration
- Lack of transparency in lease land auction and land allocation decision making
- Fragmented actors function
- Societal participation is forgotten
- Both the federal and city government lacked commitment to improve land administration systems

Opportunity

- Donors were keen to support to modernize the land administration.
- Robust theories and models on cadastre and land governance were come to the discourse.
- Different spatial technologies were available.
- International best practices were available.
- The federal government support was high.
- Capacity buildings were accessed from national universities (e.g., ILA) and international such as ITC, the Netherlands and KTH Sweden.

Threats

- Lack of responsible organization at the federal level
- Corruption in land sector was rising
- Court cases related with land were rising
- Inequity exists between the rich and the poor and the issues of informal settlements increased disputes from time to time

Figure 4 SWOT analysis of land administration and governance in Dire Dawa city

Hawassa

General information

Hawassa is the capital city of SNNP³ Regional State government. It is located in the Southern part of Ethiopia (Figure 1).

Table 4 General information about Hawassa

General information	facts
Population	212665
Area	27.65 km ²
Location	Southern Ethiopia
Function	Capital city of SNNP Regional State
Number of urban Sub-cities	Eight

SWOT analysis

³ SNNP – Southern Nations, Nationalities and People

Assessing Urban Land Governance in Ethiopian Cities (2002–2011): Lessons for the 2011 Urban Land Management Policy Implementation (7477)

Berhanu Alemie, Jaap Zevenbergen and Rohan Bennett (Netherlands)

Figure 5 shows the findings from the SWOT analysis derived from triangulating the empirical data collected in Hawassa on existing systems of land administration and land governance during the implementation of proclamation 272/2002.

<p>Strength</p> <ul style="list-style-type: none"> - Urban land leasehold law - Regional urban land leasehold regulation - Information desk in municipality and regional bureaus - Relatively better municipality, regional bureau and sub-cities integration as compared with the other two cities 	<p>Weakness</p> <ul style="list-style-type: none"> - Lack of an underlying national urban land policy - Inefficiency of organizations due to lack of human resources - Lack of transparency during land auction and land delivery - Few and fragmented actors function - Weak societal participation - The federal government lacked commitment to support the land administration activities
<p>Opportunity</p> <ul style="list-style-type: none"> - Donors support to modernize the land administration was high. - Theories, technologies and models on cadastre and land governance were available - Capacity buildings were accessed from national universities (e.g., ILA) and international such as ITC, the Netherlands and KTH Sweden. - Best practices were available 	<p>Threats</p> <ul style="list-style-type: none"> - Lack of responsible organization at the federal and region levels - Court cases related with land were rising - Rent-seeking in land sector was rising - Inequity exists between the rich and the poor - The issues of informal settlements increased and became a source for disputes

Figure 5 SWOT analysis of land administration and governance in Hawassa

In sum, through the application of the SWOT analysis, the strengths, weaknesses, opportunities and threats of the three case study cities land administration and land governance during 2002-2011 are assessed. The results in the three cities, however, appeared to be almost similar in all aspects: only minor differences are exhibited (see Figures 3, 4, 5). meanwhile, the results are in agreement with the UN-Habitat urban profiling studies, where governance was considered as one component, conducted in three urban areas of Ethiopia namely Addis Ababa, Ambo and Dire Dawa (UN-Habitat 2008a, 2008b, 2008c).

5. DISCUSSION

This section discusses the SWOT analysis results presented above. The discussion on key priority areas to be considered during the implementation of proclamation 721/2011 follows.

Strengths

The combined results in Figures 3, 4, 5 showed that the strengths in the case study cities land administration and land governance appeared to be almost similar. All the three cities applied the national land leasehold proclamation 272/2002. In addition, the regional version of this proclamation were proclaimed and applied. In this case the existence of the land leasehold laws and regulations are foundational to land governance and hence can be conceived as a strength (*c.f.* Steudler and Williamson (2005)). Apart from these, Dire Dawa issued a

formalization regulation to deal with issues of informal settlements whereas Bahir Dar and Hawassa did not issue during 2002-2011. In all the three cities, front desk offices were available to provide basic information regarding the municipal functions including basic requirements to be fulfilled, the maximum hours a given service could take and other information. These combined can be considered as a good start to facilitate municipal service delivery and land governance. In addition, in Hawassa the commitment of officials at the region, municipality and sub-cities levels was appeared to be relatively good and the different levels undertook their responsibilities relatively in an integrated and transparent way. This was witnessed due to the fact that documents such as Land use plans, Local Development Plan (LDP) reports and others were easily accessible formally without any bureaucratic processes. Whereas, in Bahir Dar and Dire Dawa, it was difficult to access these documents formally, though, they were easily obtained from the experts in informally way. These marked the minor differences existed in the strength of the case study cities.

As one strategy to prevent corruption in Bahir Dar, clients were not allowed to directly contact the experts in charge of their issues. Communication between the expert in charge and the clients took place via the expert assistants. However, it was criticized in the group discussion that this type of communication mostly created misunderstanding between the clients and the experts and led to a decision that dissatisfied the clients.

Overall, the strengths discussed here need to be enhanced and build on further especially during the implementation of proclamation 721/2011 to achieve the desired goals of the 2011 urban land management policy.

Weaknesses

AUC (2010) suggests an underlying land policy before the issuance of enforcement proclamations and regulations. However, before the end of 2011, there was no urban land policy in Ethiopia. Proclamation 272/2002 and its version of the regional regulations were issued without underlying policy goals and planned activities. According to the respondents, this might be the reason for the existence of lack of clarity and harmonization between the different proclamations.

According to the combined results in Figures 3, 4, and 5, weak capacity of implementing laws and regulations appeared to be the major weakness in all the case study cities. This is associated with different factors. For example, as observed during the three cities visit, all the three municipalities had shortage of professionals especially in the area of land administration - key land issues were dealt by people unrelated professions. This problem was more pronounced at local levels including municipalities and *Kebeles*: the local levels deal with land issues at a grass root level such as land delivery, zoning and conflict resolution. The case in Ginbot 20 Kebele of Bahir Dar was mentioned during the group discussion as an example. There was an open space in Ginbot 20 *Kebele*. The community that lives around the open area asked the Ginbot 20 *Kebele* administration about the type of the land use of this particular open space and the *Kebele* administration told them that it is a greenery area. Following that the community requested the *Kebele* administration to get permission to develop it to greenery

through the participation of the community. Their request got accepted by the *Kebele* administration. Following this a committee to lead the different activities was established and money for different activities such as planting trees and grass, fencing, guarding and other future activities were contributed. However, after a year or so the *Kebele* administration told the committee organizers to stop all the ongoing activities of the greenery development mentioning. The reason mentioned was the open space is not designated for greenery in the land use map.

The municipal activities in the three cities were also deterred by shortage of materials including lack of computers and equipped offices. There was also lack of participation of the society and diverse stakeholders, which obviously impacted the levels of transparency in decision making regarding the governance of the people-to-land relationships. Specific to the issues of transparency, the respondents mentioned that it was the main problem especially during lease land auction. In this regard, information about the plot to be on bid was not equally accessible to all the citizens: only few people with special relations accessed this information.

The multipurpose cadastre development of Bahir Dar in 2008 by the fund from the World Bank and its implementation also showed different weaknesses. Here, the multipurpose decision was made without any prior need assessments, societal participation and appropriate technology selection in line with the requirements of multipurpose cadastre (Alemie *et al.* 2015a). Different problems were also observed during the course of its development. These include: lack of supervision, follow up and control of the consultants hired to develop the cadastres. The respondents from the municipality of Bahir Dar also mentioned that due verification and checking of the quality were not done when the municipality received the cadastre from consultants. Finally, the cadastre remained behind locks and was not used to serve its desired aims due to the above mentioned administrative, organizational and technical reasons.

Overall, the weaknesses discussed here imply that during the implementation of proclamation 272/2002, the urban land governance was poor. These weaknesses have to be minimized during the implementation of proclamation 721/2011 to improve urban land governance in Ethiopia.

Opportunities

The connection of the people-to-land relationships with the contemporary challenges such as climate change and urbanization opened different opportunities to support and research in the arenas of cadastre and land administration. In this regard, donors have been keen to fund and support the different schemes that aimed the modernization of land administration systems especially in developing countries including Ethiopia. For example, in 2008 the World Bank funded urban cadastre developments in Amhara region including Bahir Dar, whereas, USAID supported the rural land certification programs for rural Ethiopia. With respect to capacity building, different specialized trainings have been available especially in the areas of geo-information science, land administration and land management. In this regard, international

academic institutions such as ITC of the Netherlands and KTH of Sweden are pioneers: large numbers of students from Ethiopia trained from these universities. Since 2008 ILA of Bahir Dar University, Ethiopia also started both short and long term training in land administration and related fields.

Another opportunity for the case study cities in particular and the land administration and governance discourses in general was the availability of best practices to get lesson from the success and failure stories. According to interviews of the officials in the municipalities, best practice visits were organized to the Netherlands and Sweden. These two countries are considered by Williamson *et al.* (2010) as managed to establish efficient land administration and governance practices. Another opportunity was that the availability of different technologies such as satellite images to support the land administration process. The work of Lemmen *et al.* (2009) demonstrated that the use of satellite image in rural land certification in Ethiopia was an efficient and low cost process for land administration operations. It was also evident that different cadastral and land administration theories came to the discussion to further sharpen and scrutinize the concepts and implementations of cadastre and land administration systems to tackle future challenges (Bennett *et al.* 2010). These opportunities were available to any cities including the case study cities.

Specific to Dire Dawa, being a federal city created an opportunity to get a significant support from the federal government during its cadastre, land use and local development plan preparation. As a result, all the Kebeles in the city have their own local development plans. In addition, the municipality has well-equipped offices and other facilities such as access to internet. Particular to Bahir Dar, the availability of ILA of Bahir Dar University in the city can be considered as an opportunity: ILA supported the Bahir Dar city municipality especially in technical aspects including training on surveying instruments and GIS software. In addition, the CORS GPS station installed at ILA could help to improve fast measurement accuracies that is crucial to deal with boundary disputes resolution and infrastructural mapping.

Overall, though there were many opportunities during 2002-2011, they were not exploited enough to improve the land administration and land governance in the case study cities due to the complexities of the weaknesses discussed earlier. These opportunities are also contemporarily available, perhaps more than ever before, and the government could make use of them during the implementation of the 2011 urban land management policy and proclamation 721/2011 to improve the weaknesses identified during 2002-2011 and realize improved land governance.

Threats

Threats are obstacles to exploit the opportunities and building on the strengths. In this work, different threats were identified during the implementation of proclamation 272/2002. The first one was the lack of independent institution both at the federal and regional levels to responsibly lead the land sector. In the existing situation, urban lands are institutionally placed

in the Ministry of Urban Development, Housing and Construction, whereas, rural lands are in the Ministry of Agriculture. In the regions, with the exception of Dire Dawa, urban lands are merged with distant related sectors of urban development, trade and industry and rural lands with the Bureau of Environmental Protection and Land Use. Such isolated institutional arrangements also contemporary create a gap in the management of peri-urban area: there is institutional vacuum here.

During 2002-2011 the urban land sector was exposed to corruption. Land was perceived as the only means to be rich. In addition, land became unreachable to the urban poor: the lease prices were soaring from time to time. Thus, the urban poor prefer to get access to land through illegal means. This was demonstrated by the work of Alemie *et al.* (2014) that informal settlements in Bahir Dar increased during 2004 - 2012. Formalization laws to deal with informal settlements were not ready in Bahir Dar and Hawassa, whereas, in Dire Dawa though the first formalization law was issued in 2007, it felt to address the different problems due to inefficiency of implementation though.

The escalating problems in the people-to-land relationships in the case study cities also created an impact of other institutions such as the court. It was possible to understand during the course of this research that the majority of the cases in courts in the case study cities were related with land issues: compensation, boundaries dispute, and subdivisions, and others. According to Tamrat (2010), 50% in SNNP and 75% in Oromia of the court cases were land related. In Amhara it was estimated to be 80%. These put extra burden on the courts' other activities and demand huge human and financial resources to handle all the cases. According to the respondents, disputes in the three case studies especially in connection with informal settlements were rising during the course of implementing proclamation 272/2002.

Overall, the SWOT analysis was useful to critically identify and understand the different aspects of the land administration and governance in the case study cities during 2002-2011. It provided an all-encompassing analysis of the strength, weakness, opportunities and threats of the existing system. The results can be useful to decide on the need for system reforms or improvements to enhance the strengths by making use of the opportunities through minimizing the weaknesses and risks of the threats. However, the SWOT analysis results in the three case study cities showed minor differences. A similar study by UN-Habitat on urban profiling analysis the issues of slums and urban governance in three urban areas in Ethiopia including Addis Ababa (UN-Habitat 2008a), Ambo (UN-Habitat 2008b) and Dire Dawa (UN-Habitat 2008c). Alemie *et al.* (2015b) also discussed such similarities in Bahir Dar, Dire Dawa and Hawassa. These minor differences between the three case study cities, however, are inconsequential to make a major difference in altering the urban land governance situations in these cities during the implementation of proclamation 272/2002. The combined SWOT analysis results pointed out that key priority need to be made to improve the implementation of the 2011 urban land management policy of Ethiopia.

Priorities

Some of the priorities identified in this work are now discussed.

Establishment of an independent institution is required to efficiently govern the land sector

This helps to solve some of the weaknesses discussed earlier. An independent ministry or agency for land sectors makes land issues such as policies and laws to be well dealt with and their implementations to be well supervised and evaluated. This fosters a quick decision making system. For example, the different activities regarding cadastre, land administration and governance issues get close supervision, evaluation and monitoring. Apart from these, contemporary socio-economic developments in the global contexts show that interconnection between rural and urban lands are crucial. Establishing such an independent institution thus improves and facilitates integration between the two settings. This is also important to bridge the existing gaps especially in the peri-urban areas. Rahmato (2009) also suggested the need for establishing a responsible institution for land affairs both at the federal and regional levels to improve land administration and governance.

Participation of societies and stakeholders should be encouraged at all levels of the government

Participation is crucial to enhance transparency, trust and empowerment of citizens. According to UN (2014b) empowerment and participation are necessary to tackle inequality and promote social inclusion. Participation also helps to explore the indigenous and traditional way of dealing with conflicts and combating corruption to be considered in decision making in dealing with people-to-land relationships. Meanwhile, during 2002-2011 societal and stakeholders participation was low. Thus, it should be considered a vital element for the successful implementation of both the 2011 urban land management policy.

Focus on strengthening and retaining the capacity of human resources

Human resources in organizations are implementers of policies and laws: the achievement of the desired goals of policies and laws is entirely dependent on the capacity of the human resources. In addition, human resource is crucial for the sustainability of systems such as cadastral and land administration systems. Thus, this should also be prioritized in future implementation.

Effective implementation of cadastres and land use plans are of prime important

Information regarding the land-to-people relationship is crucial for land governance and land management. The results in this research shows that cadastral information and land use plans are poorly utilized in the case study cities. Land use plans are obsolete in most cases and current formal and informal developments are not in line with it especially in Bahir Dar (Alemie *et al.* 2014). To control informal settlements, rent-seeking and many other problems, cadastres and land use maps need to be efficiently implemented.

Increase integration and collaboration while reduce overlap among institutions and involved actors

Fragmented activities of policy formulation and implementation are generally counterproductive (Africa Union Commission (AUC) 2010). However, the results in this research show that most organizations perform in a disjointed way. There was no information exchange among organizations. This led to a duplication of activities and information by the different actors. Integration reduces the tasks of each organization and enhances efficiency. In addition, responsibilities of each task can be shared in an integrated system: overlapping can then be minimized. Establishing a mechanism for collaboration fosters integration between the different layers of land governance.

Best practices are good but should be contextualized to the country's situation

Best practices are good lessons in cadastre and land governance. The urban cadastres development of some cities of Ethiopia in 2008 were donor driven (Alemie *et al.* 2015a). Other similar studies in Africa (*c.f.* Lancea *et al.* (2013) and Akingbade (2012)) showed that donors has the power to influence the actions of policy making in recipient countries. This counteracts the sustainability of such systems when donors are not there. Apart from this, decision makers at the region and city level in the case study cities were fascinated by the best practices they visited including cadastral models (e.g., the multipurpose cadastre) and the GIS technologies used. This influenced the interests of the decision makers to be inclined to the multipurpose cadastre. Thus, such decisions should consider the technical, managerial and financial capacities of the country. In other words, best practices should be contextualized to the country of application.

Overall, much of the priorities discussed here are still lacked in the contemporary implementation of proclamation 721/2011. However, the decision to start from a legal urban cadastre and undergoing effort of organizational reforms are some of the contemporary strengths. Taking into account the priorities discussed here will improve implementation of the 2011 urban land management policy.

6. CONCLUSIONS

Managing the people-to-land relationships are recognized as an inevitable solution to deal with the different contemporary challenges the globe has faced including urban poverty, expansion of slums and climate change. In this regard, formulating and implementing policies and laws through the prime consideration of the principles of governance are important to create a harmony between urban people and urban land. Thus, evaluating policies and laws is useful to assess the situation of land governance in a nation at a specific time.

This research shows the land administration and land governance situation in the three cities in Ethiopia from 2002-2011. The SWOT analysis shows that land administration and land governance was generally weak and surrounded by a growing number of weaknesses and threats. Overall, the SWOT analyses helped to scrutinize the different shortcomings in the land administration and land governance in the case study cities. These include: the absence of independent responsible institution at the federal and region level, lack of underlying urban land policy, lack of coordination of the existing institutions, lack of societal participation and transparency, and weak capacity for implementation and monitoring of laws and spatial plans. Meanwhile, there were a number of opportunities to be used to improve land administration and land governance; however, efforts put to exploit these were low.

From this study potential priorities for the implementation of the 2011 urban land management policy are identified. These priorities are instrumental to improve the weaknesses and threats observed during 2002-2011.

REFERENCES

- Africa Union Commission (AUC) 2010. *Land Policy in Africa: A Framework to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods*. Addis Ababa, Ethiopia.
- Akingbade, A. O. 2012. *E-land administration in the context of e-government in Africa: An evaluation of Nigeria's Abuja Geographic Information Systems (AGIS)*. PhD Dissertation, University of Twente.
- Albrechts, L. (2006). Bridge the Gap: From Spatial Planning to Strategic Projects. *European Planning Studies*, 14(10), 1487-1500.
- Alemie, B. K., Bennet, R. & Zevenbergen, J. 2014. Socio-spatial synergy in land governance: A case of informal settlement in Bahir Dar, Ethiopia. 'Proceedings of Annual World Bank Conference on Land and Poverty 2014, 24-27 March 2014', Washington DC, United States of America.
- Alemie, B. K., Zevenbergen, J. & Bennett, R. (2015a). Evolving urban cadastres in Ethiopia: the impacts to urban land governance. *Land Use Policy*, 42, 695–705.
- Alemie, B. K., Zevenbergen, J. & Bennett, R. (2015b). Integrating the layers: an analysis of urban land governance in contemporary Ethiopia. *Administration and society*, Under Review.
- Ali, Z., Zevenbergen, J. & Tuladhar, A. (2014). Assessing the Quality Land Administration System in Pakistan Using Systematic Approach of Case Study Methodology. *American Journal of Rural Development*, 2(3), 40-45.
- Arko-Adjei, A., Jong, J. d., Zevenbergen, J. & Tuladhar, A. 2010. (2010). Customary Tenure Institutions and Good Governance. In: Fig, ed. 'Facing the Challenges - Building the Capacity', Sydney, Australia. FIG.
- Bennet, R., Gilse, H. V., Zevenbergen, J., Lemmen, C. & Wallace, J. 2013. Continuing to bridge the cadastral divide. 'Annual World Bank Conference on Land and Poverty', April 8-11, 2013, Washington DC. The World Bank.
- Bennett, R., Rajabifard, A., Kalantari, M., Wallace, J. & WILLIAMSON, I. 2010. Cadastral Futures: Building a New Vision for the Nature and Role of Cadastres 'Developing Cadastre from Cadastre 2014', Sydney, Australia.
- Bennett, R., Rajabifard, A., Williamson, I. & Wallace, J. (2012). On the need of national land administration infrastructure. *Land Use Policy*, 29(1), 208-219.
- Bezlepkin, I. & Brouwer, F. (2014). Impact assessment of land use policies: Introduction. *Land Use Policy*, 37, 1-5.
- Camarinha-Matos, L. M. & Afsarmanesh, H. 2004. Processes and foundations for virtual organizations. In: Dold, C., Mauro, P., Nøstdal, R. & Pierpaoli, F. (eds.) *Development and management of East-West European extended enterprises*.
- Cohen, B. (2006). Urbanization in developing countries: Current trends, future projections, and key challenges for sustainability. *Technology in Society*, 28, 63-80.
- Dealtry, T. R. 1992. *Dynamic SWOT Analysis*. Birmingham, UK, Dynamic SWOT Associates.
- Dyson, R. G. (2004). Strategic development and SWOT analysis at the University of Warwick. *European Journal of Operational Research*, 152, 631-640.
- FDRE 1995. The Constitution of the Federal Democratic Republic of Ethiopia. *Proclamation No. 1/1995*. Addis Ababa, Ethiopia: Negarit Gazeta.

- FDRE 2002. A Proclamation to provide for the re-enactment of Lease Holding of Urban Lands. *Proclamation No. 272/2002*. Addis Ababa, Ethiopia: Negarit Gazeta.
- FDRE 2010. Growth and Transformation Plan. Ministry of Finance and Economic Development, Addis Ababa, Ethiopia.
- FIG/World Bank 2009. *Land Governance in Support of The Millennium Development Goals - A New Agenda for Land Professionals*. Washington DC, USA, The International Federation of Surveyors (FIG).
- Frahm, K. A. & Martin, L. L. (2009). From Government to Governance: Implications for Social Work Administration. *Administration in Social Work*, 33, 407-422.
- Gala, Y. & Hadasb, E. (2013). Land allocation: Agriculture vs. urban development in Israel. *Land Use Policy*, 31, 498– 503.
- Gossum, P. V., Arts, B., Laar, J. v. & Verheyen, K. (2010). Implementation of the forest expansion policy in the Netherlands in the period 1986–2007: Decline in success? *Land Use Policy*, 27, 1171–1180.
- Halla, F. (2007). A SWOT analysis of strategic urban development planning: The case of Dar es Salaam city in Tanzania. *Habitat International*, 31, 130-142.
- Houben, G., Lenie, K. & Vanhoof, K. (1999). A knowledge-based SWOT-analysis system as an instrument for strategic planning in small and medium sized enterprises. *Decision Support Systems*, 26, 125-135.
- Kemp, R., Parto, S. & Gibson, R. B. (2005). Governance for sustainable development: moving from theory to practice. *Int. J. Sustainable Development*, 8(1/2), 12-30.
- Kombe, W. J. & Kreibich, V. (2000). Reconciling informal and formal land management: an agenda for improving tenure security and urban governance in poor countries. *Habitat International*, 24, 231-240.
- Kumar, R. 2005. *Research Methodology; a step by step guide for beginners*. London, Sage Publishing.
- Lancea, K. T., Georgiadoua, Y. P. & Bregt, A. K. (2013). Opening the black box of donor influence on Digital Earth in Africa. *International Journal of Digital Earth*, 6(2), 1-21.
- Lemmen, C., Zevenbergen, J., Lengoiboni, M., Deininger, K. & Burns, T. 2009. First experiences with High Resolution Imagery Based Adjudication - Approach for Social Tenure Domain Model in Ethiopia 'FIG – World Bank Conference: Land Governance in Support of the Millennium Development Goals – Responding to New Challenges ', Washington D.C., USA.
- Lockwood, M., Davidson, J., Curtis, A., Stratford, E. & Griffith, R. (2010). Governance Principles for Natural Resource Management. *Society & Natural Resources: An International Journal*, 23(10), 986-1001.
- Mauerhofer, V. (2013). The ‘Governance-Check’: Assessing the sustainability of public spatial decision-making structures. *Land Use Policy*, 30, 328-336.
- Ostrom, E. (2009). A general framework for analysing sustainability of social-ecological systems. *Science*, 325, 419-422.
- Palmer, D., Fricska, S. & Wehrmann, B. 2009. *Towards improved land governance*. Rome, Italy: FAO/ UN-Habitat
- Rahmato, D. 2009. The Need for a National Agency for Land Affairs (draft). Addis Ababa: Forum for Social Studies.

- Schliep, R. & Stoll-Kleemann, S. (2010). Assessing governance of biosphere reserves in Central Europe. *Land Use Policy*, 27, 917-927.
- Sehested, K. 2003. Cross-sector partnerships as a new form of governance. In: L. & Kjaer (eds.) *Local partnerships in Europe: An action research report*. Copenhagen: The Copenhagen Center.
- Stuedler, D. & Williamson, I. P. (2005). Evaluation of national and administration systems in Switzerland: Case study based on a management model. *Survey Review*, 38, 317–330.
- Tamrat, I. 2010. Governance of large scale agricultural investment in Africa: the case of Ethiopia. 'the World Bank Conference on Land Policy and Administration', Washington D.C.
- Thomas, D. R. 2003. A general inductive approach for qualitative data analysis. New Zealand: School of Population Health, University of Auckland.
- UN-ECE 1996. Land Administration Guidelines: With Special Reference to Countries in Transition. In: Europe, E. C. F. (ed.). New York and Geneva,.
- UN-Habitat. (2008a). Ethiopia: Addis Ababa urban profile.
- UN-Habitat 2008b. Ethiopia: Ambo urban profile. Nairobi, Kenya: UN-Habitat.
- UN-Habitat 2008c. Ethiopia: Dire Dawa Urban Profile. Nairobi, Kenya: UN-Habitat.
- UN-Habitat 2010. The State of African Cities 2010: Governance, inequality, and urban land markets. Nairobi: United Nations Human Settlements Programme.
- UN-Habitat 2012. State of the world's cities 2012/2013: Prosperity of Cities. Nairobi: United Nations Human Settlements Programme.
- UN-Habitat 2013. Urbanization as a driver for sustainable development. *UN-Habitat urban visions 2: Visions for post-2015 agenda*. Nairobi, Kenya: UN-Habitat.
- UNESCO 2002. UNESCO Cities for Peace Prize. Marrakesh: UNESCO.
- van der Molen, P. (2014). Rapid urbanisation and slum upgrading: What can land surveyors do? *Survey Review*, [In Press].
- Williamson, I. P., Enemark, S., Wallace, J. & Rajabifard, A. 2010. *Land Administration for Sustainable Development*. Redlands, California, ESRI press academic.
- Zhong, T., Mitchell, B. & Huang, X. (2014). Success or failure: Evaluating the implementation of China's National General Land Use Plan (1997-2010). *Habitat International*, 44, 93-101.

BIOGRAPHY

Berhanu Kefale Alemie is currently doing his PhD at the University of Twente, Faculty of ITC, the Netherlands. He received his MSc in Geoinformation Science and Earth Observation from the same institute. He is a lecture at the Institute of Land Administration, Bahir Dar University, Ethiopia. His research interests include integrating GIS and Remote Sensing with evaluation of policy implementation, land governance, environment and climate change.

CONTACTS

Berhanu Kefale ALEMIE
University of Twente, Faculty of Geo-information Science and Earth Observation (ITC),
Hengelosestraat 99, 7500 EA
Enschede, the Netherland
Email: b.k.alemie@utwente.nl
Web site: www.itc.nl