

The Challenges of Land Rights in the Peri-Urban Agricultural Areas of Ethiopia in the Era of Urbanization: A Property Rights Approach

Achamyeleh Gashu Adam

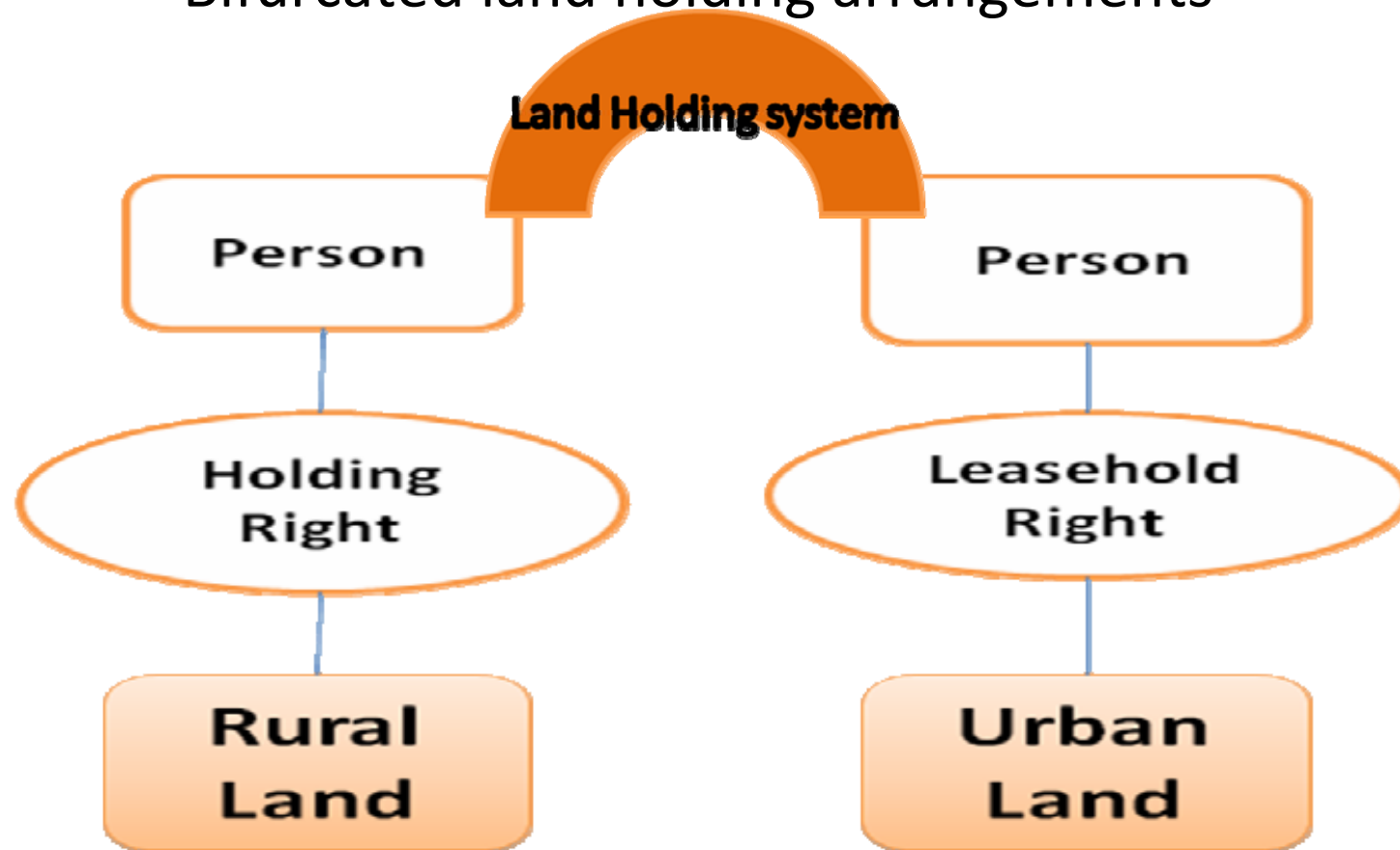
Institute of Land Administration, Bahir Dar University,
Ethiopia

2014 Conference on Land Policy in Africa

November 11-14, 2014, Addis Ababa, Ethiopia

1.Ethiopia – Property system

- All land belongs to the State and peoples of Ethiopia
Bifurcated land holding arrangements



Cont.....

- Urban areas in Ethiopia has been growing very fast which has led to ever increasing demand of land from peri-urban areas for housing and other non-agricultural activities.
- Most of large urban centers are expected to grow more than four times by 2040 (UN-Habitat, 2010)
- The property system in the transitional peri-urban areas is lacking stability
 - The demographic and spatial changes in the urban areas
 - Rural-urban dichotomy of land holding arrangement, results in urbanization in Ethiopia involves largely compulsory acquisition of peri-urban land

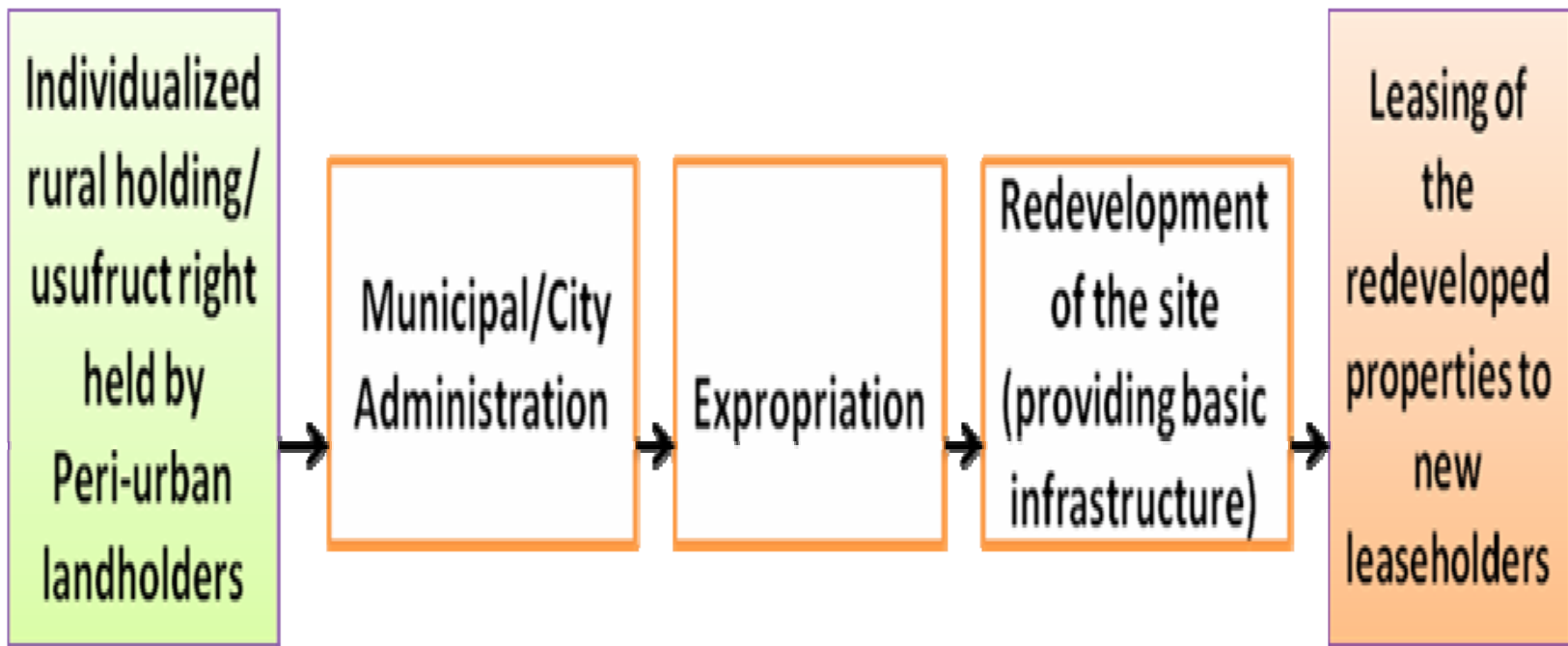
Cont.....

- All new urban based developments and changes are concentrated in the peri-urban areas
- Little has been investigated about the impacts of urbanization on land rights of the local peri-urban communities whose livelihood is primarily based on farming.

2. Urban growth strategy

- Urban growth strategy of the country is solely dependent on expropriation
- Transitional peri-urban areas in Ethiopia are places where expropriation measures are being largely implemented as a response to the growing demands of land and housing imposed by rapid urbanization
- Expropriation decision is the single way of trading between the strictly dichotomized rural and urban tenure systems.

- Urban expansion and development in the peri-urban areas is a four step phenomenon
 1. Including the area into the city's master plan;
 2. Expropriation
 3. Redevelopment
 4. Reallocation



Cont.....

- Land issues in the peri-urban areas of Ethiopia involve at least three parties:
 - land provider or the government;
 - land acquirer or new recipient of land and
 - land losers- local peri-urban land holders or small farmers

3. Urbanization and land rights of the local peri-urban communities

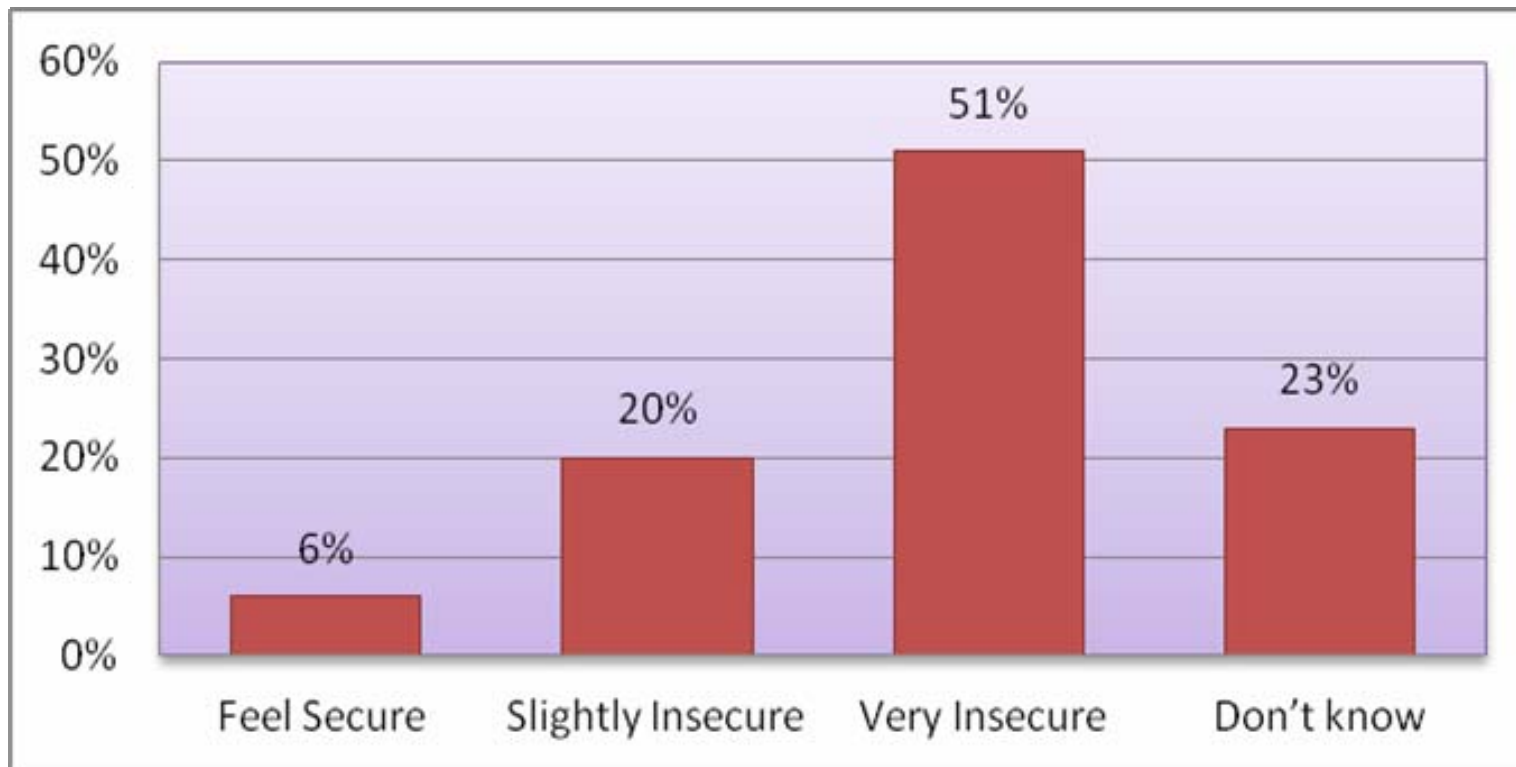
- Land tenure relations in the peri-urban areas are in a state of continuous and rapid change
- The use right of the local peri-urban landholders supposed to be exercised for lifetime can cease at any time by expropriation decision when the land is needed for urban expansion and other development purposes.
- The mechanism to convert peri-urban/rural land rights held by local peri-urban farmers into urban rights in the process of urbanization is non-existent.

Cont....

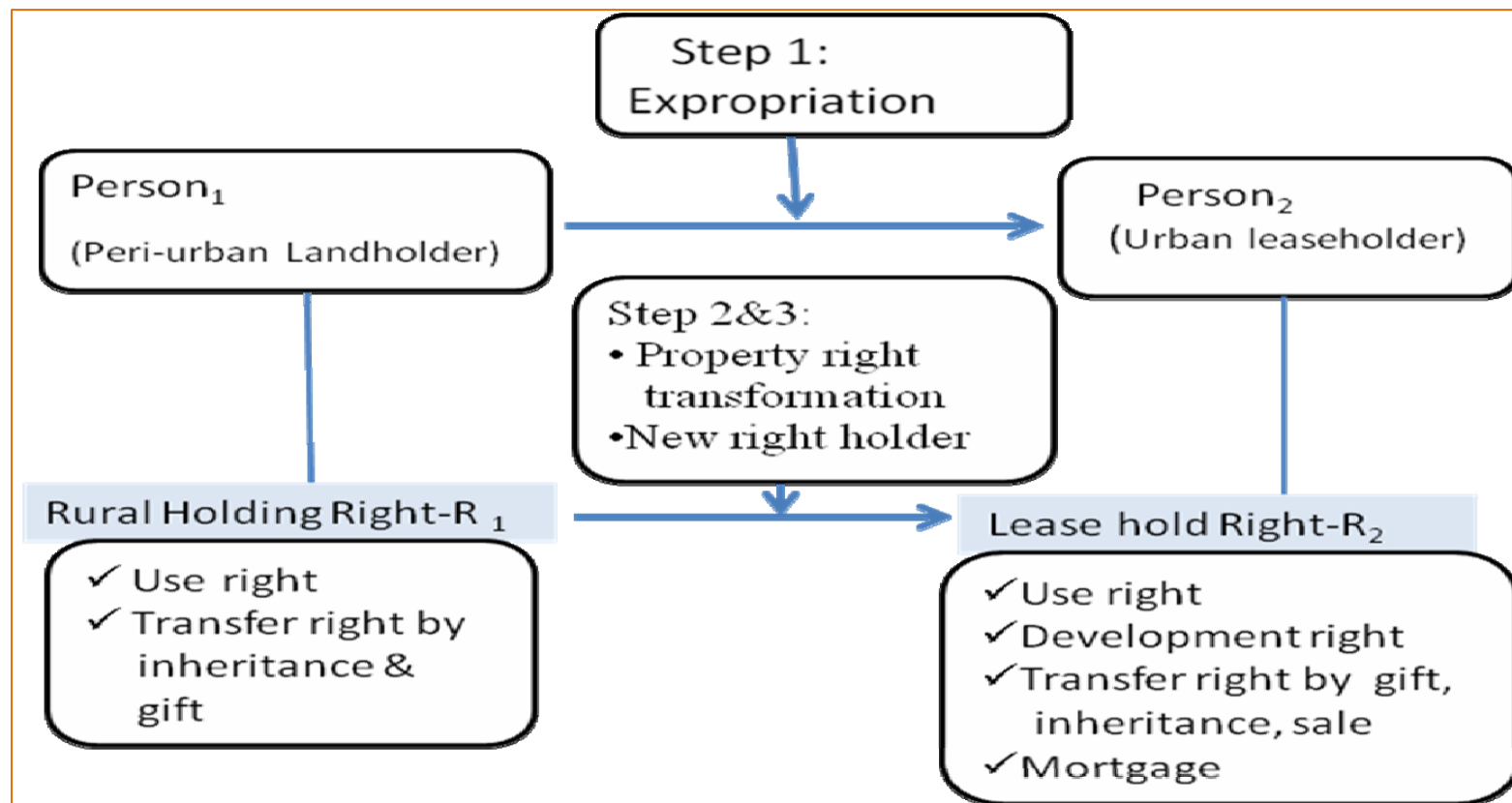
- As urban boundary approaches to the peri-urban territory, local landholders at this territory are assumed to be subjects of expropriation.
- Land tenure insecurity is more visible in the transitional peri-urban areas than any other geographic area
- About 94% of the local peri-urban landholders in one way or the other feel insecure for their land right
- They expect that their land shall be taken by city administration at any time when the land is needed for urban expansion programs. That means the largest proportion of local peri-urban communities are not certain for how long their land would stay with them.

Cont....

Land tenure security level of peri-urban land holders



- Comparison of contents/attributes of rights in the bifurcated urban and rural land holding systems was made
- The analysis of the attributes of rights reveals that the new recipients of land from peri-urban areas through urban land lease system are permitted to enjoy better and thicker bundles of land rights than the indigenous local peri-urban landholders.



4. Peri-urban land right conversion/transformation through the informal channel

- The boundaries of peri-urban areas keep moving not only by the government's formal decision but also by the unauthorized actions of local landholders themselves
- Local peri-urban landholders are the principal actors
- The largest proportion of the land occupied by informal settlers was privately possessed for agricultural purpose . Example:
 - 78% of informal plots are bought from rightful local peri-urban landholders
 - 8% of plots are received as a gift
 - 9% of informal houses are built on plots bought from previous informal buyers with profit.
 - The remaining 5% of sub-standard houses are constructed by local landholders themselves on their own agricultural field.

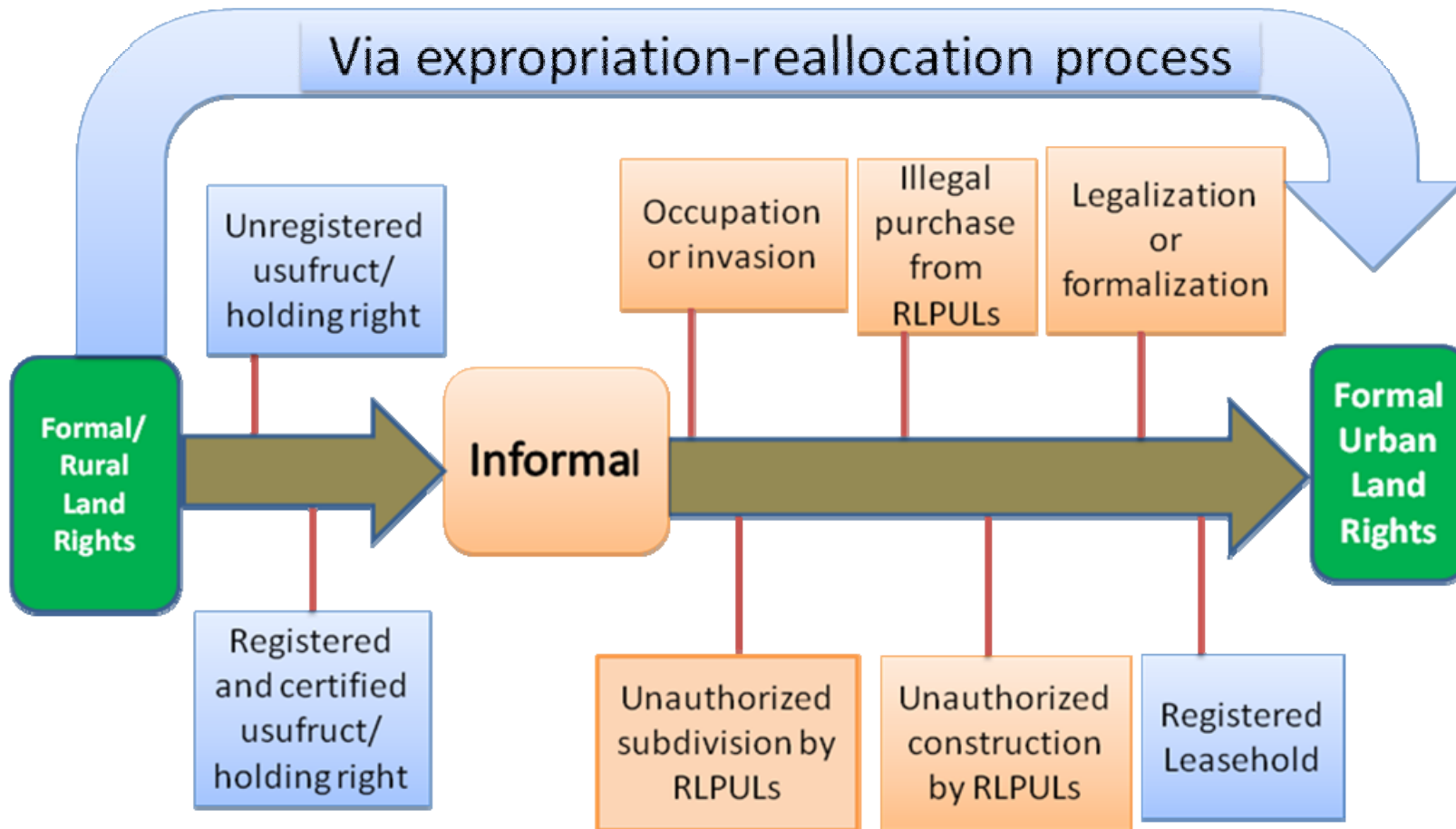
Cont....

- The mushrooming of informal settlement areas in the transitional peri-urban areas of Ethiopia are driven by the pull and push factors.
 - The expectation of peri-urban local landholders on the one hand,
 - The inefficiency to provide affordable houses to the low income people in the inner-city. Factors such as
 - Unregulated rising of housing rent and
 - Inability to buy a condominium flat in the inner city are the most significant factors that expelled them to the peri-urban areas in search of shelter.
 - They claimed that the initial (down) payment they were asked to pay for condominium flats was unrealistically high as compared to their ability to pay.

5.The co-existence of formal and informal land tenure systems in the peri-urban areas

- The property right system in the peri-urban areas is always in the process of continuous change both through the formal and informal channels
- Peri-urban areas are characterized by co-existence of formal and informal land transaction and development practices.
 - New forms of interests/rights

The binary ways by which peri-urban land can be transformed into individualized rights



6. Conclusion, Policy Implications and Recommendations

- This study has revealed several critical issues that need urgent policy attention.
 - The urban development strategy seems be skewed to the urbanities
- Urban expansion and development and expansion to the peri-urban areas is accompanied by problems such as:
 - Wide spread sense of tenure insecurity or fear to loss land;
 - unregulated land development;
 - informal transaction of land and proliferation of informal settlements.

- The major policy issues and recommended actions which can help to address the constraints of urbanization and urban development in the peri-urban areas from the perspective of land rights of local peri-urban agricultural communities are the following:
 - Incorporating peri-urban land right and livelihood issues as a priority agenda
 - Introducing participatory and inclusive land development tool
 - Avoiding hostile measures and moving towards formalization/regularization
 - Improving land administration institutions and establishing an independent peri-urban land administration unit

Thank You !!!