

Land Registration and Certification:

## Experiences from the Amhara National Regional State in Ethiopia





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## Introduction

Historically, the Ethiopian farmer has had numerous restrictions placed on the use of his/her land. The crops to be cultivated were, for a long period of time, decided from above, and market prices were kept low. The then prevailing lack of security to land gave little incentive to farmers to improve productivity. This, together with high population pressure, resulted in unsustainable cultivation practices, overgrazing, and deforestation, leading to widespread land degradation.

Since 2002, the farming community in the Amhara Region of Ethiopia has gradually been provided with security over the land they farm. Today more than three million certificates guaranteeing such security have been issued to farmers, a most significant achievement. This means that around 98% of the farmers are safe on their land and do not need to fear eviction.

This rapid development has taken place with financial support from Sida of Sweden, technical support from ORGUT, a strong commitment from the Amhara National Regional State, as well as from BoEPLAU staff and, most importantly, the eager participation of the farmers. Other regions in Ethiopia and many donors have been hesitant to carry out a similar process, perhaps because the issue is both politically sensitive and administratively complicated. However, as the interest in land security among regions and international donors is now mounting, this briefing paper has been compiled to explain what has been going on, how far land administration has come in one region of Ethiopia, Amhara, and what remains to be done.

Ato Sharie Mekonnen proudly presents his Book of Holding, a little green book that identifies him and his wife W/o Alemeye, certifying their right over a one hectare piece of land.

Ato Sharie (47) and his wife are farmers and live together with their four children in Gezamin Kebele, a village in the Amhara Region of Ethiopia. Two years earlier, at a Sunday church service, the local development agent spoke about land demarcation and the advantages of a landholding certificate. The family had been farming this parcel of land since the 1997 land redistribution, but their right to it had never been formalised and disputes with neighbours were common.

The prospect of a formalised document excited Ato Sharie, so already the next day he applied for his land to be demarcated. A team from the woreda land administration office came together with the kebele committee and measured and demarcated his land, as well as that of his neighbours. The village then had a meeting during which all registration applications were discussed and agreed upon.

A month later, the family received its Book of Holding, containing the certificate, properly signed by the issuing authority and the village leader. The Book stated that the land could formally be used by the Mekonnen family and also explained their rights to and responsibilities of the land.



Ato Seid Hassan and his wife W/o Fatuma Seid from Kalu Kebele also have a Book of Holding for a piece of land they are farming on a nearby hillside. The land was previously farmed by Ato Seid's parents, but they abandoned it when problems with water logging and soil erosion had become too severe. Ato Seid and his wife wanted to take over the land and, after agreeing with Ato Seid's parents, they applied for a Book of Holding for the land. As soon as they received the Book, they cleared and started to farm the land and began to build terraces. Just three years later, they have over 20 terraces and have had bumper crops of maize and sorghum.

In the following pages, we present snapshots of Mekonnen and Hassan families and reflect on the changes in land administration that Ethiopia and, in particular, the Amhara Region, have gone through.

Ato Sharie Mekonnen, W/o Alemeye and their daughter



This booklet

The purpose of this booklet is threefold. It is to be informative as well as educational and is also meant to stimulate the debate on land use rights, especially certain about technicalities and details.

The booklet provides an introduction to experiences and successes in land administration gained in Amhara Region through the Sida-Amhara Rural Development Programme (SARDP). It targets individuals and officials both within and outside Ethiopia working with land administration and also staff of Sida and other donors.

The intention is that this booklet will have an educational value, without being too technical. It has been designed as a simple “toolkit” that can be used in an educational setting, such as the Sida International Training Program, providing students with practical ideas, inspiration and step-by-step instructions that they may be able to apply in their own work and in their own countries. In order to increase the value of the booklet for this purpose, four discussion topics that can be used in a classroom setting have been included, intended to illustrate the complexity of land administration issues, especially when seen from different perspectives. It is hoped that they will also provoke a discussion about ways to bring about changes; the obvious or straight-forward solution is not always the one that succeeds.

For quick reference and ease of reading, a glossary with definitions of some central concepts within land administration and about Ethiopia in general is found at the end of the booklet.

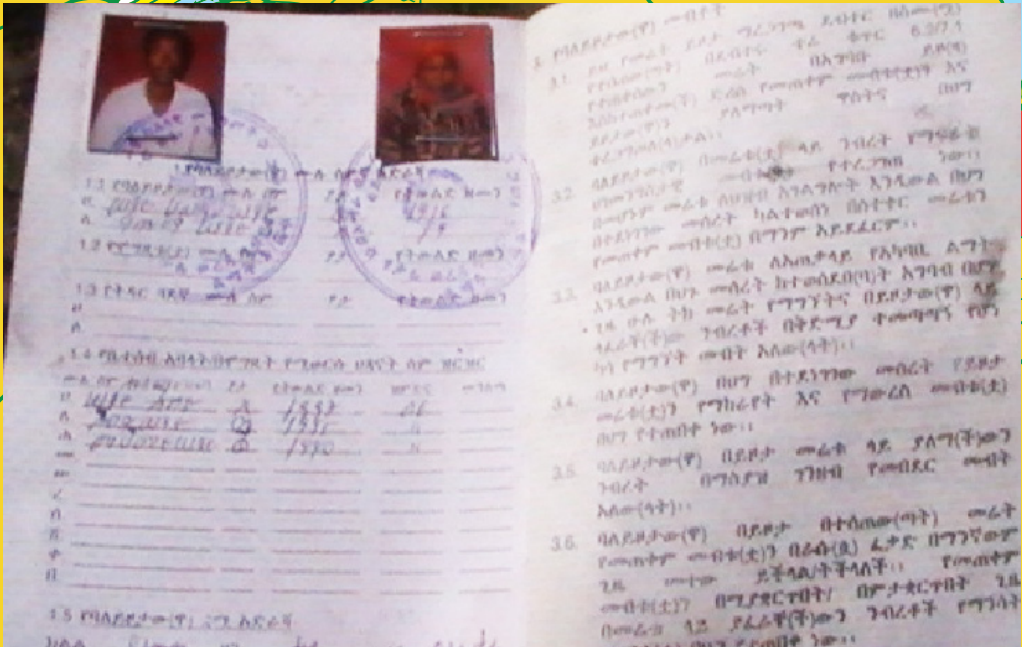
The Book of Holding

The land administration policy of Ethiopia states that land holders who have been granted the right to use land should be provided with a Book of Holding, which has legal recognition and acceptance. The Book of Holding (also known as the Green Book, due to its green cover) contains the official certificate showing that those named within are the rightful users of the land described in the book. The book has been designed in a format and layout similar to a typical Ethiopian bank book. The value of this new document is for this reason been immediately grasped by farmers.

The Book of Holding can be issued to individuals, to married couples or to other groups of people who have agreed jointly to use one or several parcels of land. For this reason the number of Books in an area may be larger than the number of households.

On the inside cover of the Book, there are photographs of those named as the registered users. There you will also find the stamp and signature from the Woreda Office of Environmental Protection, Land Administration and Use (WOoEPLAU) in Amhara, and of the chairperson of the kebele (village) land administration committee (LAC).

Inside the Book, a precise description of the parcels that together constitute the holding of the land user is given, including specifics of the area, such as the name of the place where they are located. In order to specify the location of the parcels even further, the names of the landholders to the north, east, south and west are recorded. The fertility and present use of the land are also described. The book further lists



Book of Holding

the responsibilities of the land user, for example to use the land in a sustainable manner. Later changes of land users or changes in the composition of the land holding can also be entered in the book.

In order to provide land use rights to as many land users as possible within a short time, the authorities in the Amhara Region have designed the certification process in such a way that each step in the process can be documented as soon as it is finished. First, after the land user has applied for a certificate for a piece of land and this claim has been verified by the Kebele Land Administration Committee (LAC), a temporary certificate is issued as a separate document. This temporary certificate can be seen as a claim to a piece of land, valid until contested by another land user.

Second, after it has been verified that no

other land user claims the land in question, a primary certificate of land use rights is issued and entered in the Book of Holding.

Third and finally, when more detailed data from additional surveying of the land plot are available, the secondary certificate is issued and entered in the Book. For this certificate, the geographical coordinates of the plot boundaries are indicated and plotted on a parcel map. Both the primary and secondary certificates are thus entered in the same Book of Holding, in consecutive, pre-printed pages. Except for the difference in spatial description, the contents and legal value of the primary and secondary certificates are the same.

A more detailed description of the steps in the certification process is given in page 14 below.



Ato Seid considers the Green Book hawilt, literally meaning a stone monument. This shows that he considers the document as a guarantee for his rights as a land user, allowing him to invest time and energy on the land without fear of losing it.

## Land in Ethiopia and in the Amhara Region

Ethiopia is a landlocked country situated in the Horn of Africa. It has often been associated with famine, but also with its numerous UNESCO World Heritage Sites, rock-hewn churches, long-distance runners, the cradle of mankind and as the origin of the coffee bean.

There are more than 80 ethnic groups in the country, but the Oromo, Amhara, Tigray and Somali groups make up three-quarters of the population. The country is divided into nine national regional states and three chartered cities, Addis Ababa, Dire Dawa and Harari. The Amhara National Regional State (ANRS), the homeland to the Amhara people and where the Mekonnen and Hassan families live, is located in the northwest of the country. The Region is characterized by rugged mountains, extensive plateaus and scattered plains separated by deep gorges, with altitudes ranging from 600 to 4600 meters. Water is plentiful in the region and the rivers have a high potential for irrigation, hydro-power and commercial fisheries.

In Amhara, about 90% of the population lives in rural areas and is engaged in agriculture. The population is very young with 55% below the age of 20 years.

The Amhara Region is densely populated and has a rapid population growth (1.7%). With a population of about 17 million over an area of 170,000 km<sup>2</sup>, it has a population density of 100 per km<sup>2</sup>. In combination with the rugged terrain, this means that little or no unused arable land is left.

Ethiopia is one of the most populous countries in Africa. Its population has grown from 34 million in 1983 to 74 million in 2007, and another doubling to approximately 160 million is expected by 2040.

## Land Administration and land laws in Ethiopia

Landlessness, especially among the young, is a serious and growing problem in the countryside. In the past, the problem of landlessness was addressed through periodic land re-distributions. In Amhara, the last one was carried out in 1997.

Land management problems, like soil erosion, overgrazing and deforestation have steadily increased in Ethiopia despite numerous interventions. In a situation where the government owns all land and farmers have user rights to the land,



the lack of tenure security was one reason why farmers did not make improvements in their land. The assumption is that when farmers feel they have a secure right to their land and know that their efforts will bear fruit for themselves and their family also in the future, then they are prepared to invest in the land.

The government's main justification for land registration and certification was to provide tenure security to farmers. It was launched cautiously in a limited number of localities in the latter part of the 1990s and has since been turned into a massive program undertaken at an accelerated rate throughout the country.



#### Historical timeline over Ethiopia and Land Administration

- 1974 – Overthrow of Emperor Haile Selassie, nationalisation of all land; beginning of the Derg military regime.
- 1991 – Ousting of the Derg military government.
- 1995 – Inception of SARDP, the Sida-Amhara Rural Development Programme.
- 1997 – Formulation of the Federal Land Administration and Use Proclamation.
- 2000 – New land proclamations are endorsed and EPLAUA in Amhara is legally established.
- 2002 – EPLAUA's land certification programme begins with support from SARDP.
- 2009 – Practically all rural farmland in the Amhara Region is registered and 3 million certificates have been issued, giving almost all households formal right to a piece of land. EPLAUA is legally upgraded to bureau and renamed to BoEPLAU.

Land and the administration of land have had a central and often contentious role in Ethiopia's history. The allocation of land to individuals was often used as a political instrument and sudden reallocations of land were common. For centuries, peasants were exploited by feudal landlords, land tenure was highly insecure and very complex. Discontent with the system was one of the triggers for the 1974 revolution.

The overthrow of Haile Selassie in 1974 was followed by a period led by the Marxist military Derg regime. "Land to the tiller" was a major catchphrase of the regime. Customary and formal rights to land were abolished and all land, along with industrial and commercial enterprises, were nationalised. The new legislation gave all young men and women who came of age the right to a plot of land in their kebele. However, even though equal rights were given to men and women, traditional male dominance still persisted. Tenancy and other forms of subordination based on land ownership were not allowed. In order to obtain user rights to land, a person had to permanently reside in a rural kebele. A household could not have rights to land in more than one kebele.

Even if the Derg land reforms had many positive elements they did not benefit all peasants equally. For landless peasants, the reforms provided access to land and for tenants it removed the burden of exploitation by landlords. For the small owner-cultivators, a quarter of all rural households in the country, it signified loss of some of their land. The holders' restricted rights over their plots dampened initiatives and reduced investments. Since rights to land were based on residency, the reforms in effect blocked rural out-migration because of fear of losing land use rights. However, the most serious problem was insecurity of tenure. The promise of land to all meant that periodic redistributions were necessary in order to accommodate new claimants. In the 1980s, for example, there were three redistributions of farm land in many rural communities in Wollo. In the Amhara Region, land was taken from those holding large plots and distributed to the landless or the land poor. In addition, tens of thousands of peasants were forced into hastily organized producer cooperatives and lost their individual rights to land.

Following the overthrow of the military government in 1991 and as part of the devo-

lution of power within a federal framework, the regions of Ethiopia were given wide administrative and legislative powers, including land administration. Today, the Federal Government's land policy is quite similar in many respects to that of the Derg. As stated in Article 40 of the Constitution, "the Right to ownership of rural and urban land... is exclusively vested in the State and in the Public".

It further states that land is "not subject to sale or to other means of exchange." Even more specifically, the Ethiopian land legislation states (art.13) that land must be used according to the land use plan and failure to do so could be grounds for eviction (art.12).

Like the Federal Land Law, the Amhara Land Law affirms the principle of public ownership of land, prohibiting its sale and mortgage. The certificate holder has the right to use the land but can also bequeath it and give it to dependants. Parcels may also be exchanged. Further land can be rented for up to 25 years and the contracts can be renewed. This provision is in practice used more or less as a transfer of the user right. Finally the right to land is dependent on residency in a rural area and engagement in agricultural pursuits.

The Environmental Protection and Land Administration and Use Authority (EPLAUA) was established by ANRS Proclamation 47/2000



in 2001. It was recently upgraded to a Bureau (BoEPLAU) and according to the law is to: ensure the implementation of the regional land and environmental laws and policies, design and implement a land registration program, draft policy and legal instruments having to do with land administration and environmental protection, and establish systems for effective environmental impact assessment.

However, the high level of regional autonomy, combined with unclear directives from the federal level, has led to the development of different land administration systems in different parts of the country and for rural and urban areas. This has, of course, its drawbacks, but also advantages, as lessons learned and mistakes made in one area can be used to improve the system in another.



## SARDP and BoEPLAU – the pilots in land registration

The planning phase of Sida-Amhara Rural Development Programme (SARDP) was initiated in November 1995 and implementation began in 1997. In June 2002, land administration became a component of SARDP, with the goal of establishing a system for enhanced security of holding rights. As of mid-2002, the developing land administration system began piloting in two areas, in East Gojam (Adisena Gulit) and in South Wollo (Gerado Endodober). Land Administration Committees (LAC) were formed in the pilot kebeles to participate in defining each kebele's boundary, common use areas, service areas and individual farmers' plots. The LAC members are kebele residents elected by the communities and responsible for many of the practical land certification aspects.

Technical assistance was provided by ORGUT to BoEPLAU, especially in initiating pilot operations, used to develop and test custom-made management models and identify methods for scaling up the land administration system in the region. They were continually modified in light of experience from the field. Local development of the methods facilitated their wide-scale acceptance by the land users.

The land administration system is based on a set of principles and a unique combination of governmental and local influence. The system is managed by BoEPLAU and controlled by LAC, a body trusted by the farmers.

Ato Sharie experienced the old land tenure system first hand and explains the key differences compared with the new system, where land is formally registered. In the old system, when one rented land, the agreement was informal, made in the presence of local elders selected by the two parties. However, one of the parties could alter the agreement, often leading to lengthy disputes and local conflicts. The advantage of the current system is that all agreements are made in writing, with a copy submitted to the Land Administration Committee. This has created a sense of confidence among both parties.

In his opinion, disputes over land boundaries or ownership have been significantly reduced, a relief for the land users. The amount of time spent in resolving land related conflicts has also been reduced.



Ato Seid Hassan and W/o Fatuma with their Book of Holding

### The key strengths of the system:

- A strong political commitment, leading to the preparation of strategies and promulgation of supportive laws.
- Support from a specialised and decentralised governmental institution (BoEPLAU).
- Public awareness about the land registration - strongest at the local kebele level.
- The farmers' right to land is evaluated, confirmed and registered by the local Kebele Land Administration Committee (LAC) which has been given a clear mandate.
- Members of the local Land Administration Committees are trained and supported by district staff of BoEPLAU.

### The most important principles:

- Registration is systematic and methodological, covering the whole area, kebele by kebele.
- The registration is based on applications from the farmers.
- Members of the local Land Administration Committee, LAC, are elected by the farmers in a process based on the land law.
- BoEPLAU staff in the woredas compile the registration and issue Books of Holdings.
- Certificates in the Book of Holding are authorised jointly by the district BoEPLAU head and the local LAC chair-person.
- The temporary certificates are rapidly issued, thus providing a large number of land users with tenure rights.



# The 7 steps in land registration in Amhara

## 1. Preparation and awareness raising

The kebele land evaluation and registration process starts with information to the woreda and kebele administration and awareness campaigns among the farmers. Land Administration Committees (LAC) are then established and members are elected and trained

## 2. Application and identification

All farmers are encouraged to apply to the LAC for registration of their land by filling in their names, number of parcels and total area claimed (given in traditional measurements, timad). The application also contains a description of present land use and gives the names of the neighbours east, west, north and south. The LAC verifies the information in the field and enters the checked information in a field sheet.

## 3. Temporary certificate

Based on the field sheet, the woreda EPLAUO (Environmental Protection, Land Administration and Use Office) issues a temporary certificate to the farmer. This gives farmers proof of their tenure rights at an early stage.



## 4. Public hearing

After the temporary certificate has been issued to the land users in a kebele, the results are publicly displayed for one month. The LAC also invites all concerned farmers to a public hearing during which all the applications are read out aloud for discussions and, hopefully, agreement. Any justified corrections are added to the field sheets and approved by the LAC chairperson and the woreda EPLAUO head.

## 5. Registration

Information from the field sheets is registered in the Land Registry Book, which is kept at the woreda office. Cases of conflicts will be documented, but the registration process will proceed while the conflicts are resolved.

## 6. Book of Holding and Primary Certificate

Based on the information entered into the Land Registry Book, the woreda administration office issues a Book of Holding for each registered household. This booklet contains the name and picture of the owners, list of family members and address, as well as basic rights and obligations according to the law. It also contains the official certificate of a household's right to use their land, the Primary Certificate.

## 7. Secondary Certificate and Mapping

A detailed description of the parcels is still needed for the secondary certificate, so a survey is carried out, which gives the geographical coordinates of the parcel. Boundary corners are marked by permanent corner stones. This survey is carried out using modern surveying techniques and equipment. Based on this information, maps of the area are created and distributed to the landholders.



## Land certification outputs

	East Gojjam	South Wollo	Amhara
Households (estimated 2008)	435,859	564,561	3,278,906
Temporary certificates registered	426,449 (98%)	596,461 (106%)	3,447,267 (105%)
Primary certificates issued (80% target)	239,186 (55%)	550,030 (97%)	1,974,881 (60%)
Secondary certificates issued	773 (0.2%)	839 (0.1%)	1,612 (0.0%)

Land certification outputs (Source: BoEPLAU)

In less than four years, BoEPLAU has registered rural land in almost the entire Amhara Region. As stated in a BoEPLAU report from February 2009, over three million landholders have received temporary certificates and almost two million have received a primary certificate. In total over 98% of the land using households have received a certificate.



One of the first steps Ato Sharie took after being assured of his long-term rights to land was to plant trees around his parcels, carefully selecting the species so that he would get a good fence but also a source of both fodder and fuel. Ato Seid also spent much labour in constructing terraces.

### Some effects of land certification in Amhara

Studies have shown that in areas where landholdings have been registered and certified:

- There are increased investments in farming equipment.
- People are aware of the value of certified rights to a piece of land.
- Tree planting has increased.
- The number of land disputes has declined.
- The self esteem of the farmers has been strengthened. Farmers now dare complain to authorities and politicians.
- Because both the husband and the wife are named as land users, women's rights are strengthened.
- More land is rented to other users.
- Agriculture production has increased.

Since the 1997 land redistribution, the family of Sharie Mekonnen has been farming one hectare of land, growing teff, faba beans and wheat. The land, however, is not enough to grow all the food the family needs, so every year Ato Sharie rents an additional 1,5 hectares from another landholder.

Data clerks enter the information from the Land Registry Book into ISLA



In addition to the manual system described above, ISLA (Information System for Land Administration), a computerized land administration system designed to operate in the woreda offices, started to be developed by BoEPLAU in 2003. It was initiated in the pilot areas and is today running in 40 of the 130 woredas in Amhara. ISLA supports the registration of property and possessions, transfers of possession, transfers and divisions of parcels, leases and easements, and facilitates statistical reporting.

Staff capacity remains a major problem. It takes time to train staff and a lot of resources have been devoted to training, especially for BoEPLAU and woreda staff. Training has been given in the use of surveying equipment, land administration in general, the legal system in Ethiopia and in Amhara, management practices, mapping and Geographical Information Systems, and in computers and the use of ISLA.

High staff turnover has been a constant problem, especially at woreda and kebele levels. Many people, trained by BoEPLAU, have left for better paid jobs, making the continuous training of staff crucial for the future of the land administration system. One contribution in this direction has been the establishment of the Land Administration Institute at Bahir Dar University. This is now an independent project funded by Sida that will continue until the end of 2012, with the first BSc students expected to graduate in 2010.



Training at BoEPLAU



The Seid family no longer worries about having enough food. Instead, they now plan to improve their house, dig wells and buy more animals. They are also going to plant forage crops along the terraces to supplement the fodder for their livestock, thus reducing the need for grazing further away from the homestead.

### A look ahead

The issue of women's rights to land is regulated by law, affirming the equality between the sexes in land matters. The land registration system has in itself strengthened women's rights to land, reducing their vulnerability. In the Amhara Region, the names of both the husband and wife are entered into the Book of Holding issued to land holders, giving them equal right as landholders. Even during feudal times, in most of the Amhara Region, the old rist system allowed women to hold land in their own name.

However, certifying and registering land in the Amhara Region encountered many difficulties along the way. Practical problems that occurred were solved as they turned up. For some farmers simply to obtain photos for the Book of Holding proved difficult. Parcel measurements were difficult in some parts of the country because even the simplest measuring tape was not always available. Several different methods of measurement were employed in kebeles in the Amhara Region. In some cases, ropes, strings and sticks were used to measure parcels, in others estimates were made by using the traditional timad. But always, a way forward was found.

The land registration system has been met with unreserved approval and enthusiasm by the farming community. The farmers who have received Books of Holding are proud of being recognized as the true land holders that they are.



The farmers trust the system and they feel that they need it.

The precondition for trust is that the system works, something which largely is vested in BoEPLAU. Records need to be constantly updated, to ensure the entire system's reliability and trustworthiness. This is a time consuming, never-ending process involving a number of transactions.

Another key actor to ensure sustainability is the Land Administration Committees in the kebeles, whose unpaid members have important duties. Recently the government has decided to assign one Land Administration expert in each kebele.

In recent years a new phenomenon has appeared



in Ethiopia in the form of foreign investors looking for land for commercial farming.

The importance of the certificates in the Land Administration system has been demonstrated by the fact that farmers who have given up their land have been compensated.

Issuance of temporary certificates in Amhara has now been completed. Security of land has led to improvements in the management of individual holdings. The achievements made must be sustained, so secondary certification now needs to move forward to strengthen the legal status of the farmers' right to land. Furthermore, a system for cost recovery must be introduced, so that the land administration system can become self-financed. In addition, systems for the man-

agement of communally-held rural land, often under tremendous pressure, must be developed, tested and introduced.

The benefits of addressing these challenges are obvious, already in the short term. The system has already come a long way and solutions to many technical problems have been found. Ethiopian policy makers recognise the importance of these issues and solutions to resource constraints are constantly explored. The work of BoEPLAU is laid out for the near future and will provide numerous areas where valuable contributions can be made.



## Discussion topics

### 1. Tenure security without geographical coordinates

If the aim is tenure security, why bother with secondary certificates?

The experience from Amhara shows that farmers feel that they have security of tenure even without formal geographical coordinates of the parcel boundaries. Most important, as the starting point, is that the situation on the ground is clear and known to all, i.e. with agreed boundaries that are marked and visible and with no disputes over land remaining. As soon as farmers have their primary certificate, even temporary ones, they invest time and labour in improving their land.

However, a secondary certificate provides the details needed in a modern land administration system. This is costly, time consuming and needs specialised equipment and technical expertise. However, at the same time, given the number of parcels and transfers of parcels, the information such a certificate provides is perhaps the only way to ensure accuracy and to build a system that is sustainable.



### 2. Surveying technology

Rope measurement; compass and chain; handheld GPS; total stations; precision GPS or High Resolution Satellite Images; all are tools for surveying and measuring land. Which one should be used in what circumstances? The consequences are also different depending on who you ask: the farmer whose land was just measured or a decision-maker who has to find the budget for registering many thousand plots of land.

The USAID-funded Ethiopia Land Tenure and Administration Program (ELTAP) and the Sida-funded SARDP both support land registration and titling within BoEPLAU. The two programs, however, use different technologies and this has had clear effects in the field and, even more so, in the office.

SARDP has invested in total stations and precision GPSs - instruments that are accurate to the millimetre. These are, however, costly investments, with one precision GPS costing around USD 40,000 and further requiring specialised training. Moreover, the equipment also needs to be transported by car. ELTAP has supported BoEPLAU with hand-held GPSs, a much cheaper investment, not to mention a more easily transported piece of equipment. A hand-held GPS can be bought for between USD 100 and 1000 and can be used with minimal training. The low cost and ease in handling of such a GPS is, however, offset by its lower accuracy, by 5-15 meters, which can be serious for the farmer who loses out, e.g. in land disputes or when land is reallocated in irrigation projects. Experiences at BoEPLAU also show that editing and updating of data from a hand-held GPS is more difficult and time-consuming.

### 3. Manual or computerized land records?

Why computerise land records?

In 2003 BoEPLAU decided to develop a computerized system for land registration in Amhara, called ISLA. The discussion about the advantages of this system compared to the manual one is ongoing. It has been argued that the difficult physical and environmental conditions in most woreda offices, the unreliable power supplies, the low human resource capacity, frequent staff turnover, unplanned reductions in staff, and the past experience of data not being entered into the computers all combine to make computerisation of the land registry in rural Ethiopia unsustainable, at least for the time being. In addition, for the advanced equipment, the costs as well as the needs for training, maintenance and upgrading are also quite high.

However, one can also find a number of reasons for the computerization of land records, especially in the woredas. Backup systems can provide increased safety from fire, rodents and water. It also has built in mechanisms for quality control and for enhanced transparency. Computerization has less need for secure storage space, can give immediate and easy access, allows more rapid processing and a basis for data sharing and analysis (especially useful for decision makers).

### 4. User rights or ownership?

What are the advantages and disadvantages of holding rights or ownership of land?

The Ethiopian land use right does not allow for the sale of land or its use as collateral for loans. Land is not a market commodity. This principle has been a source of contention and debate.

Those in favour of the restriction argue that they hamper agricultural development and land consolidation. True ownership is the basis of good land management and gives alternative coping strategies for farmers, who, at the end of the day, make rational choices.

Those against argue that since most Ethiopians live from the land, a free market would tempt many farmers to sell their land, migrate to urban areas, and lose their money before they can find a way of earning their living. This would further increase the number of landless and poor people. Moreover, they argue that the tenure security achieved in Amhara by the land registration, i.e. without outright ownership of the land, has led to a market for renting land. Users are said no longer to fear doing so since they know they will not lose land to their tenants. In addition, the shortage of land makes tenants eager to maintain rented land well since they want to satisfy the formal owners of the land and thus be allowed to keep it as long as possible.



# Glossary

**Amhara National Regional State (ANRS):** ANRS is divided into 11 administrative zones (units comparable to a "province" in other countries), 130 woredas (districts) and 3,000 kebeles (sub-districts). The kebeles are further divided into three sub-kebeles (villages). The region has a population of 17 million over 170,000 km<sup>2</sup> or 100 persons per km<sup>2</sup>.

**Ato:** The title for a man, i.e. Mr.

**Book of Holding:** Also known as Book of Possession or "Green Book", it contains the official certificate of a household's right to use land. It lists basic rights and obligations provided in Proclamation number 133/2006. The Book also contains personal data, such as name, sex, age, photograph, and address of the land user(s) as well as a list of family members. It bears the signature of the land administrator in the woreda and the chairman of Land Administration Committee in the kebele.

**Bureau of Environmental Protection, Land Administration and Use (BoEPLAU, previously Authority):** Established by law in 2000, responsible for land administration in Amhara Region. The Bureau's main focus is planning and implementation of the land certification and registration program. BoEPLAU in Amhara is the most advanced in the country and sets an example for land development in other Regions. From the outset the organisation was part of the Bureau of Agriculture. In 2002 it became independent under the regional President and in 2009 achieved the status of a Bureau. This strengthening of the organisation shows the importance given to land issues by the regional government.

**Cadastre:** A part of a land information system that records land parcels. The term covers: juridical cadastre (a register of ownership of parcels of land), fiscal cadastre (a register of properties recording their value), land-use cadastre (a register of land use) and multi-purpose cadastre (a register including many attributes of land parcels).

**Collateral:** The use of property as a guarantee for a loan.

**Easement:** A limited right to make use of a property owned by another, e.g. a right of way across that property.

**Ethiopia Land Tenure and Administration Program:** ELTAP, funded by USAID. It has supported the land registration process in Amhara, Oromiya, SNNPRS and Tigray from 2005 to 2008. A revised program called ELAP continues from 2009.

**Global Positioning System (GPS):** Originally created by the US military, it is now also available for civilian purposes in most parts of the world. GPS equipment uses signals from satellites, preferably more than eight, to obtain positions. Actual accuracy for precision equipment can be as high as correct to five millimetre.

**Handheld GPS or navigation GPS:** A small GPS equipment used for navigation and positioning when high accuracy is not needed. It receives radio signals from satellites orbiting the earth from which directions to the satellites can be calculated, thereby giving the position of the GPS.

Normal accuracy is around 5-10 meters but in industrial countries it is often as good as 2 meters, due to support from land-based stations. Research from the Amhara region, however, revealed that errors up to 10 meters could occur. Prices for the devices start at around USD 100 and range up to USD 1,000 depending on features. This makes the handheld GPS useful for reconnaissance surveying (approximate maps for general planning), for surveying large parcels with diffuse borders (e.g. some investment areas), surveying generally diffuse borders (common grazing land bordering mountain areas) and for navigation purposes.

**ISLA:** Information System for Land Administration, the computerized land administration system developed by the BoEPLAU in Amhara Region, designed to operate in woreda offices. ISLA supports the basic processes of property and possession registration, transfer of possession, transfer and division of parcels, registration of leases, registration of easements and statistical reporting. The system has a security and audit functionality, which makes it possible to trace when and by whom data were entered or modified. Users of ISLA can be assigned different roles such as "read only", "data entry" or "desk officer". The latter has the authority to approve the entered data. By 2009 ISLA was running in 40 of the 130 woredas.

**Kebele:** Equivalent to a sub-district but also described as "neighbourhood" (see Amhara Region) having around 1,000 households each with an average of 5.5 family members each.

**Land administration:** The process of determining, recording and disseminating information about land, rights under which it is held, its uses and valuation. An effective land administration system should provide reliable and current information on land matters to public agencies, private sector interests, the farming community and other concerned groups, institutions and individuals. Land use planning, on the other hand, falls within the domain of natural resource or land management.

**Land Administration Committee (LAC):** LAC is a body responsible for all the practical matters of land administration and use at kebele level and for individual farmers. The committee is elected by the kebele residents through a non-political, democratic process on both kebele and sub-kebele level. At least two members in the committees should be women. The members work on a volunteer basis.

**Land certification:** The issuance of an official written document certifying that the person(s) named are the legal users and holders of the land described therein.

**Land registration:** The process of recording rights in land either in the form of registration of deeds or else through the registration of title to land.

**Land registry book:** A big book, one for each kebele, where each page contains the same information as a book of holding, with additional space for changes.

**Land tenure security:** The confidence with which farmers hold the land and are prepared to invest their time, labour and capital in production and improvement of the land.







**Land tenure:** The terms and conditions on which land is held, used and transacted

**Land Rights:** Land rights may include one or more of the following: rights to occupy a homestead, to use land for annual and perennial crops, to make permanent improvements, to have access for gathering fuel, poles, wild fruit, thatching grass, rights to transact, give, mortgage, lease, rent and bequeath areas of exclusive use, rights to exclude others from the above-listed rights, at group and/or individual level, and, linked to the above, rights to enforcement of legal and administrative provisions in order to protect the rights holder.

**Measurement by tape or chain:** This method involves measuring the parcel borders with a measurement tape or chain and could include a compass to acquire approximate directions for area and shape calculations. The method is simple, quick and inexpensive regarding the field work, but calculations might be time consuming. It has mainly been used for area calculations and remarcation of lost parcel corners and for modern cadastral mapping.

**Precision GPS:** Advanced GPS equipment that uses satellite signals, via an advanced technique measuring the phase of the radio wave. It can give the position down to a few millimetres. The method and equipment used at BoEPLAU is accurate down to a few centimetres. These instruments have almost completely replaced the total station (see term below) in cadastral surveys in rural areas. The combination of speed and accuracy makes it the most suitable instrument for cadastral surveying in normal conditions. The drawback is that when the sky above the measured object is obstructed by a building or a tree, the GPS will often not work or occasionally even give wrong positions. In forests and cities, the total station is instead the recommended instrument when the sky visibility is poor. These instruments also demand training and general surveying knowledge, but are normally much easier and quicker to use than the total station. The price level is around half of the total station, so it is still an expensive tool.

**Primary certificate:** A land use certificate for the Amhara Region, included in the Book of Holding and issued after the registration.

**SARDP:** The Sida-Amhara Rural Development Programme, initiated in 1995. It is essentially a budget support to the Amhara Region, with most funds being channeled directly to 30 rural woredas, with approximately 4.8 million inhabitants in the East Gojjam and South Wollo Zones. It supports local government activities, in particular decentralization of planning, decision-making and resource allocation rights from the regional to woreda and kebele levels. Program components include agriculture and natural resources management, infrastructure and social service, economic diversification and good governance. One of SARDPs major achievements has been strengthening the land administration system through BoEPLAU.

**Satellite images:** A kind of photograph (covering all areas of the world) used for map making purposes.

**Secondary certificate:** Additional parcel information from modern surveying that is entered into the book of holding.

**Second stage certification:** Surveying of parcels and the addition of a plan or map to the book of holding, the geographical coordinates and the placement of permanent border markers.

**Sorghum:** Species of grasses, some of which are raised for grain or fodder, particularly in dry, tropical areas.

**Teff:** A traditional and staple food plant; a fine-grained annual grass species native to the northern Ethiopian Highlands. It is the main ingredient in the national dish injera.

**Temporary certificate:** A land (use) certificate issued soon after completion of fieldwork, pending the issuance of the primary certificate

**Timad:** A traditional form of measurement that equals the area an ox can plough in one day, around ¼ ha.

**Total station:** An electronic/optical instrument used in modern surveying for measurement of distances and angles. The built-in computer makes it possible to calculate positions already in the field and show them in a map in the panel display. The total station has millimetre accuracy, but demands the line of sight to all objects and a minimum of two reference points with known coordinates. The instrument is expensive (around \$50,000), but is the best choice when the sky is obstructed (e.g. by buildings or trees) above some parcel corners or details. The instrument needs both training and general surveying knowledge to be used properly.

**Theodolites:** These older instruments are optical/ mechanical and measure angles. Combined with measurement tapes they can also give positions. Nowadays, they have been replaced by total stations in most applications.

**Weizero (W/o):** W/o is a title used to denote married women, i.e. Mrs.

**Woreda:** Also seen spelled wereda, is equivalent to a district (see Amhara Region)



# References

Bäckström Lennart, July 2005, *Report by the Technical Advisor for Development and Implementation of a Land Administration System in the Amhara National Regional State*. Sida Amhara Rural Development Programme, ORGUT Consulting AB.

Ethiopia Land Tenure and Administration Program (ELTAP), March 2007, *"A Manual on Hand-held GPS for Cadastral Surveying."* USAID and the Ministry of Rural Development, Addis Ababa.

Federal Democratic Republic of Ethiopia, Population Census Commission, December 2008, *"Summary and Statistical Report of the 2007 Population and Housing Census: Population Size by Age and Sex."* Addis Ababa.

Hailu, Zerfu, 2008, *"Land Administration in Amhara: From where to where"*

Jerome Salvat, 2006, *"Experiences in Application of Hand-held GPS in Projects in Ethiopia."* In Standardization of Land Registration and Cadastral Surveying Methodologies, Edited by Solomon Bekure, Gizachew Abegaz, Lennart Frej and Solomon Abebe, pp 143 – 150, Addis Ababa.

Nathum, Fasil, 1997, *Constitution for a Nation of Nations: The Ethiopian Prospect*, Red Sea Press.

Okoth-Ogendo, H.W.O. and Almaz Woldetensaye, April 2007, *"Documenting the Amhara Land Administration Reform Experience and Drawing Lessons for the Tigray Certification."* Consultancy report, Sida, Embassy of Sweden, Kenya.

Palm, Lars, June 2009, *"BoEPLAU – Technical Advisor's Final Report: 2005–2009."* Sida Amhara Rural Development Programme, ORGUT Consulting AB.

Tengnäs, Bo, Eva Poluha, Seán Johnson, Sosena Demissie and Yared Fekade Mandefro, June 2009, *"Sida Evaluation: Sida–Amhara Rural Development Programme: 1997–2008."* Sida, Embassy of Sweden, Ethiopia.







Commercialisation of agriculture in a globalised economy, food security concerns, climate change mitigation and an expanding bio-fuel production make land an ever more important asset in Africa.

Lack of land security has traditionally prevented the much needed increase in agricultural productivity in Ethiopia. Certified land tenure is also a key factor for sustainable land management, reduces conflicts and promotes female land ownership. Since 1997, the integrated 'Sida Amhara Rural Development Programme' has reached over 4,8 million people. The Environmental Protection, Land Administration and Use Authority, today called BoEPLAU, has received support from SARDP and was instrumental in introducing a transparent and user-friendly land registration system in Amhara Region. More than 3 million temporary certificates have been issued since 2002. The majority of male and female farmers in Amhara no longer fear eviction and invest in agricultural production and other forms of sustainable land use.

National and international ORGUT experts provided overall technical support to BoEPLAU and the establishment of the Institute of Land Administration at Bahir Dar University.

This booklet summarises practical experiences made in successful land tenure initiatives in Amhara and offers insights into crucial legal, institutional and technical aspects in Ethiopia's land sector.



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