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An Assessment of the Development and Implementation of Regulations on Informal Settlements

The Case of Addis Ababa City, Ethiopia

By

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Disclaimer

This document describes work undertaken as part of a program of study at the Research and Graduate Program in Addis Ababa University. All views and opinions expressed therein remain the sole responsibility of the author, and do not necessarily represent those of the University.

Abstract

Informal settlements, like most of the problems confronting people living in poverty in the urban centers of developing countries, are the outcome of failed policies, inappropriate regulatory frameworks and administrative procedures, bad urban governance, corruption, and a fundamental lack of political will. The improvement of living conditions in informal settlements is one of the most complex and pressing challenges facing cities of developing countries like Addis Ababa today.

With this regard, a number of regulations and strategies were formulated by Addis Ababa City Administration as a response for mitigating and treating informal /irregular settlements that have been undertaken in the city over the last few years. *Regulation No-1/92 E.C* termed, as “*Regularization*” program is the recent one that the city government has issued regarding informal settlements. However, the adoption of approaches, strategies and principles for the formulation and implementation of the program was not appropriate. Observations magnifies that, some informal settlements are easily legalized while others are evicted and demolished. There are also some indications that new houses are being built in the already existing informal settlement areas. This situation has complicated the already existing problem of housing legalization.

Therefore, this study aims to investigate and assess the development and implementation of regulations on informal settlements, particularly Regulation No.1/92 E.C. The study employed mainly qualitative and partly quantitative methods for gathering and analyzing data. The data includes both primary and secondary data in the study.

The findings of the research indicate that inappropriate adoption of approaches, strategies and principles for the formulation and implementation of Regulation No.1/92 on informal settlements with weak institutional, financial and policy aspects and poor land information systems as well (LIS). This situation creates possibilities for the development new practices of illegal sub-divisions and expansion of illegal settlements in the city as the research findings in this study. This practices created the new type of squatter settlements through *commercialization*, we call it *surrogate Squatting*, Some thing, which is quite unique and peculiar to Addis Ababa. Therefore, this research has shown that the regulation itself is aggravating instead of minimizing the proliferation of informal settlements.

Finally, the study concludes by suggesting some recommendations for intervention by the policy makers, urban managers and planners of Addis Ababa as well as by suggesting for further research in the same area.

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Acronyms

AACA	Addis Ababa City Administration
AARH	Agency for the Administration of Rental Houses
AU	Africa Union
CBO	Community Based Organizations
DFID	Department For International Development
ELPA	Ethiopia Electric, Light and Power Authority
ESCAP	Economic and social Commission for Asia and pacific
GDP	Gross Domestic Product
GIS	Geographic Information System
LIS	Land Information System
MUDH	Ministry of Urban Development and Housing
MWUD	Ministry of Works and Urban Development
NGO	Non-Governmental Organization
NUPI	National Urban Planning Institute
ORAAMP	Office for the Revision of the Addis Ababa Master Plan):
PIP	Policy, Institutions and Process
UN	United Nations
UNDP	United Nations Development Program
UN-ECA	United Nations for Economic Commission for Africa
UNCHS	United Nations Center For Human Settlements [Habitat])
WUDB	Works and Urban Development Bureau
HSB	Housing and Saving Bank
TGE	Transitional Government of Ethiopia

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I. INTRODUCTION

1.1 Background

In Ethiopia, land is public property since 1975 on the basis of the terms of the two proclamations - Proclamation No.31/1975 by which rural land was nationalized and Proclamation No.47/1975 that nationalized urban land and extra houses. Both proclamations ended private ownership of land in the country. The assumption that nationalization of urban land safeguards the interest of the community and ensures the equitable distribution and eliminates speculation has led countries to bring land under government ownership. The land use decree 1978 in Nigeria, Arusha declaration of 1967 in Tanzania (Doebele, 1987) and the Ethiopian Proclamation are few examples. Following the nationalization of land in Ethiopia, the government became responsible for overall management of land. In this regard, policies, rules and regulations related to land emanated from this basic assumption. Besides land and housing development and allocation predominantly became state tasks. In Addis Ababa, the capital city of Ethiopia, some of the rules and regulations together with the excessive dominance over land development and marketing seem to be inefficient causing repercussions on the efficient utilization of land and the overall development of the City.

Adopting efficient land and housing rules and regulations requires the involvement of different stakeholders, in the public and private sector. In Addis Ababa the practice seems to be dominated by government. Different authors justify the intervention by government for increasing planning control and returning the betterment to the community. However, in case where government maintains excessive dominance while adopting the rules and regulations, it is impossible to bring about an overall conformity with the needs and income of the inhabitants. In this case, Angel (1988), states that elitist and exclusionary land and housing rules and regulations that are not in conformity with the needs and income of the inhabitants are the possible causes of informal settlements/illegal sub divisions in developing countries.

In the city, government also highly monopolized the land and housing development and marketing activities. In the face of the limited financial and skilled man power, it is likely resulted in low level of land and housing supply causing informal housing due to unmet demands for land and housing in the formal system. In this regard Parlman (1993) states that unmet demands due to such inefficiency stimulates the proliferation of unauthorized settlements on land provided by informal market through Illegal sub divisions. Illegal settlement is the practice of occupying; sub dividing and use of public land for autonomous construction purposes on land acquired through transaction from farmers, informal sub dividers and by the permit of unauthorized government officials against the rules, regulations and the constitution of the country.

In the case of Addis Ababa, informal settlements have increased since 1980s, within the city boundary and on the lands administered by peasant associations (Tigabu, 1996:47). Different studies show that the number and size of informal settlements are increasing from time to time in the inner parts and on the peripheral areas of the city. A number of regulations were formulated by Addis Ababa City Government for mitigating and treating informal /irregular settlements that have been undertaken in the City over the few decades. "Regulation

No.1/1992 E.C”¹ is the recent one that the city government has issued regarding informal settlements.

However, There are some indications that new houses are being built in the already existing informal settlement areas other new illegal expansion. This situation will complicate the already existing problem of housing legalization and regularization. Thus, to ameliorate the situation a lot of awareness creation efforts should be made. This condition calls for a scientific inquiry.

Therefore, investigating the development and implementation of regulations on informal settlements, the approaches and process used to develop the regulations and identifying implications for policy is indispensable. This will help the City Government and it’s partners to revise and design the regulatory frameworks and the improvement of informal settlements.

1.2. The Rationale for the Selection of the Research Issue and the problem

A distinguishing feature of the urban growth in developing countries has been the growth of informal settlements. The UNCHS (1996 p. 292) estimated that between 20% and 80% of urban growth in developing countries is “informal”. This figure is 85% for Addis Ababa City (ORAAMP, 2001). According to the study undertaken by the Office for Revision of the Addis Ababa Master Plan (hereafter mentioned as ORAAMP), and from the different reports of the municipality of Addis Ababa, where informal sub division and settlement expansion is predominantly practiced in the legally acknowledged lots in the inner parts and in the periphery of the city. The facts on informal settlements as collected by rapid assessment and from some documents are presented as follows:

- In the city of Addis Ababa, informal settlements by illegal sub divisions comprise over 2000 hectares of land composing 60,000 housing units where 300,000 populations reside. So as to control the situation the city administration has issued Regulation No.1/92 E.C. However, it fails to contain the proliferation of informal settlements and illegal sub-divisions in the inner and in the periphery of the city.
- According to the data from the municipality, the existing regulation is not based on the policy framework of the newly revised master plan, which has been formulated. Therefore, it is hard to implement and may benefit very small portion of the population in the city.
- Various assessments show that some informal settlements are easily legalized and some others are easily evicted and demolished after the issuance of the Regulation No.1/92 regarding informal settlements and illegal sub-divisions.
- In the meantime, regulations for informal settlements in Addis Ababa have reached a “deadlock” situation whereby innovative and effective measures to properly address the challenges of informal growth barely exist.
- On the other hand, observations and researches show that, informal settlements around Addis Ababa are not only located on dangerous sites but also adjacent to formal expansion areas. In fact it could be claimed that the formal development follows the footsteps of informal developments.

¹ 1992 E.C Represents Ethiopian Calendar

Hence, the regulation in relation to informal settlements in Addis Ababa has fallen into question about its appropriateness and responsiveness for the urban poor. Thousands of people choose to ignore the regulatory ‘obligations’ set down by City Government. The majority of people either build informally or gradually become ‘illegal’ as they accommodate the rising demand through informal extensions and ‘up-grading’. The cost of meeting the established formal standards is too high, the complicated and expensive procedures which have to be followed to achieve legality are prohibitive. Thus, the population in informal settlements is larger than in the formal city.

Informal settlements are affecting the planned land utilization by occupying a sizable proportion of the land resource of the city against the planning rules and norms. This caused uncontrolled expansion that highly costs the limited financial resource to expand infrastructure. The practice also affected the financial set up of the city due to forgone payments. The settlers in the informal settlements do not pay taxations, transaction payments etc. because of tenure informality. The problem further worsened in areas where the practice is undertaken on serviced land by affecting the cost recovery. Illegal subdivisions are also causing land value distortions that adversely affect the businesses in the formal systems. Some have concluded *“The improvement of living conditions in informal settlements is one of the most complex and pressing challenges facing cities of developing countries (Njamwea, 2003) like Addis Ababa today”*.

Therefore, to maximize the overall socio-economic and environmental impacts of the various efforts, which have been made so far, two things have to be done simultaneously. The city should be able to implement its newly revised master plan on one hand, and should have proper regulation. In this regard, therefore, a lot is expected from the city managers, planners and designers in giving fast and sustainable solutions to ameliorate the conditions of informal settlements before it reaches a stage where intervention becomes difficult.

To have sustainable solutions: first, there should be a change of attitude regarding informal settlement among the concerned authorities; second, examining regulations developed regarding informal settlements; informal settlements have to be perceived not only as bottleneck but also as solution for urban poor. And third, there should be a package of solutions in terms of regulatory provisions depending on their situations and spatial pattern. To attain these, there is a need for a comprehensive study (research) on how the regulations for informal settlements are developed and what kinds of processes were adopted to develop, institutional legal framework, impacts of the regulation on the livelihoods of the informal settlers and evaluating the appropriateness and responsiveness of the regulation set so far by the municipality become indispensable. Thus, it helps the city administration to formulate and develop responsive and appropriate regulation for solving the problem.

This research, therefore strives to improve current practices and their cost effectiveness, future regulation and programs should be proactive in the design and implementation, that is, oriented to address future growth and associated issues before the intervention become difficult. Such forward thinking regulations would go a long way in achieving the long-term reduction and management of informal settlements. This paradigm shift widens avenue for the city managers, planners and designers to treat and control the issues of informal settlements efficiently and effectively. It also equips them with mechanisms needed so as to give sustainable solution.

The study therefore, focuses on examining how the regulations regarding informal settlements are developed and implemented, the strategies and approaches used to develop, assessing impacts on the livelihoods of informal settlers and identifying implications for policy. This will help the city government and its partners to revise and design the regulatory frameworks and the improvement of informal settlements.

1.3. General Objectives of the Research:

The general objective of this study is to investigate and assess the development and implementation of regulations on informal settlements and illegal sub-divisions and the critical evaluation of their implementation in the context of Addis Ababa.

1.3.1. Specific objectives

1. To examine the approaches, strategies and principles used to develop the Regulation No.1, /92 E.C.
2. To evaluate the appropriateness and suitability of the regulation.
3. To examine the practices of illegal sub-division after the issuance of the regulation No.1/92 and identify implications for policy.
4. To investigate the key blockages for the implementation of the Regulation No.1, /92 E.C.
5. To explore the implementation process of regularization program whether or not it is on the basis of proper implementation of newly revised master plan through detail plan to integrate with formal settlements.

1.4. The General Research Questions

Can the existing regulation (regularization program) on informal settlements in the city of Addis Ababa ensure sustainable solution to ameliorate the situation?

1.4.1. Specific questions

1. Is the existing regulation (regularization program) appropriate and responsive as seen in the context of informal settlements?
2. What are the approaches/criteria and strategies used to develop and implement the Regulation No.1/92?
3. What are the practices of illegal sub-division after the issuance of the Regulation No.1/92?
4. What are the key blockages that impede the implementation of the regulation no.1, /92?
5. Has the implementation of regularization program actually brought regular settlements and integration with formal settlements by incorporating master plan implementation?

1.5. Research Methods

1.5.1. Selection of Research Method

Research methods have been defined as tools to be used to answering specific questions and solving different scientific or practical problems. It is the substance of the matter the questions to be answered that must guide the selection of methods (Mikkelsen, 2000:178).

The study will employ mainly qualitative and partly quantitative methods for gathering and analyzing data. Given the nature of the phenomena to be studied; namely attitudes and views of various stakeholders that the regulation favors or disfavors, Primarily qualitative approach

is appropriate. This is because qualitative technique is committed to viewing regulations, norms, and events, from the perspective of the people who are being studied. Qualitative approach is the most valuable tools when they are used to discover how the respondents see the world. It enables the actors to discuss their own situation what they have in mind. Qualitative design is also very important to assess the relationship between the inhabitants and the city government. Thus, the case study method offers opportunities for the inhabitants.

The analysis is holistic rather than based on the isolated factors. It fosters the use of multiple sources of data. Open interviews contrary to the closed questionnaire, often lead to new topics or insights that eventually lead to a complete picture of the regulations on informal settlements. Thus, The study will follow participatory research methods in consultation with urban stakeholders in-depth and review of various secondary data sources.

1.5.2. Sources of Data and Collection Methods

The key sources of data for the study are the concerned agencies and offices of Addis Ababa city government in charge of the development and implementation of regulation to ameliorate informal settlements, professionals/ experts, knowledgeable people and academics, kebele offices of the selected case areas, residents and physical environments of the case study areas. This research aims to assess the development and implementation of regulations on informal settlements. Adopting various approaches and processes, which have been carried out by different stakeholders involved from development to implementations.

Therefore, no single method best fits to collect appropriate data for the analysis of such complex issues. Each sub-units of the research will be studied using a variety of methods as stated below.

In line with the research objectives, data will be collected by means of the following methods:

1. ***Archival Analysis/ Review*** – it includes the collection of data and analysis of published documents, official Legislations, rules, regulations, legal notices, special decrees and by-laws and books relevant to urban planning and regulations are reviewed with special reference to the informal housing and the livelihood assets of the poor. Relevant documents from the concerned agencies like, planning commission of the city government, land administration authority, code enforcement office, NUPI, MWUD etc official reports, and academic reports. Copies of documents, which are accessible, are collected from in-depth references. Notes are taken from archival materials that can not be copied, such as from world bank, housing development files, regulations on informal settlements, internal circulars, etc.
2. ***Participatory method and its types:*** Group discussions can describe evolving patterns of activity in a community and provide interpretations of the reasons for changes that have taken place, Key informant interviews may help reveal patterns of activity, regulations or strategies adopted by those who have managed to ‘escape’ from the problem and Preference ranking can help reveal people’s criteria for decision-making about their strategies are the major types of the approach. More clearly, participatory approach follows different consultation techniques that will be applied in appropriate manner in order to collect necessary data.

Table 1.1. Individuals interviewed during the study (Opinion Survey)

Types of Participants	Number
<u>Semi-structured Interviews</u>	
<ul style="list-style-type: none"> • Higher Officials of the relevant offices: (Land Administration Authority, Land Lease Authority, Sub-City Managers, Utility Agency Managers) 	10
<ul style="list-style-type: none"> • Experts: (Urban planners, Urban lawyer, Architect-planners, Geographers, transport engineers, etc) 	12
<ul style="list-style-type: none"> • Other Experts: (Knowledgeable persons and Academicians, NGOs) 	7
<ul style="list-style-type: none"> • Community Heads: (CBO heads, kebele heads etc) 	4
Sub-Total	33
<u>Structured Interviews:</u>	
<ul style="list-style-type: none"> • Residents in various informal and irregular settlements: (beneficiaries)(Favored and Disfavored by the regularization program) 	74
Grand Total	107

- **Interview with concerned officials (Person to Person Meetings):** The city government has regulations and control developments within its jurisdiction; the institutions with these issues are the focus of the study regarding regulations on informal settlements, planning standards, procedures. The link between the city government and other institutions dealing with the development of housing sector like Land Administration Authority, Code Enforcement Offices, Utility Providers, kebeles offices of case study settlements etc of the city government, were also studied.
- **Focus Group Discussions and interview with inhabitants by sampling method:** –regulations related to informal settlements have different degree of impacts to different people - for example men and women - in different ways. Research will identify group of people for interview based on the research elements and conduct focus group discussions.
- **Interview with the community leaders:** Kebele administrations in the selected case study areas are sources of data about the implementation of regulations on informal settlements development control, level of services in their areas. Also they have to be contacted to get permission to conduct interviews with focused groups of the community in their jurisdiction.
- **Interview with Key informants, knowledgeable persons and communities (Opinion Survey):** this method is to collect information from key informants. Key informants who have to refresh themselves with information of the kind I am requesting were given a semi-structures questionnaires. Some informants made documents available for consultation during the interview semi-structured questions are asked and in most cases these lead to some other issues of relevance. The preliminary questions help the informants to refer files, and, some cases, to include other knowledgeable persons in the discussion. The key sources are knowledgeable people, elder residents in the settlement areas, Academics, and community leaders. Information from such informants helped to understand the institutional frameworks in the development and implementation of regulations on informal settlements, lead to the discovery of important sources of information.

3. **Observation:** regarding to observation of social events the purpose is to understand how informal settlements are treated in reality as seen in the context of Addis Ababa. This method will be incorporated with recording observable materials as they happen and were specifically used to collect data on the physical environments for implementation of regulations on informal settlements. This also helps more or less to check information gathered from various sources.
4. **The case study settlement:** It was conducted as supportive method of study at the neighborhood (kebele) level to check the implementation process and the consequences of the Regulation No.1/92 E.C” **regularization”** as the result of its implementation. It was also selected as source of data through sampling method to cross check how far the regularization program is implemented and also to check regularization and integration of informal settlements.

1.5.3. The Case Study Settlements and Rationale for the Selection

The case study was conducted in Kolfe-Keranio and Yeka Sub-City, from ten Sub-Cities of Addis Ababa where the larger share of informal settlements are located. Kolfe-Keranio is located on western part of the city. It should be worth noting that part of this sub city (the entire part previous Kebele 16, Woreda 24 currently known as kebele 04 and partly kebele 05) had been previously administered by peasant association under the jurisdiction of the Alem Gena wereda, the town which is located 25 km away from Addis Ababa. The area fully became part of the city, under Woreda 24, in 1994 as per the terms of proclamation No. 7/1994 that re-demarcated the city’s boundary when it assumed the title of Region 14. Following the administrative restructuring of the city, these kebeles became part of the Kolfe-Keranio sub city in 2003. Yeka Sub-City on the other hand, is located on the Northeastern part of Addis Ababa

Both Kolfe-Keranio and Yeka Sub-Cities are dominated by peripheral zones and with an area of over 6400 and 5700 hectares respectively; it is very sparsely populated when compared to other parts of the city. According to the 1994 Population and Housing Census, 120,371 and 110,468 inhabitants are living in the sub cities respectively. According to the study undertaken by the Office for Revision of the Addis Ababa Master Plan (hereafter mentioned as ORAAMP), and from the different reports of the municipality of Addis Ababa, the sub cities in general and the kebeles in particular are areas where illegal sub division is predominantly practiced. Therefore, this study settlement can be expected to represent all the issues regarding informal settlements in the city of Addis Ababa because they compose about 59% of informal settlements in the two sub-cities, where the sub-divisions were highly practiced, In Reppi by the workers of Reppi Soap Factory and Worshippers of Reppi Medhanealem Church in 1970s and in Kara-Alo subdivided by the peasants of the area. More than 50% of informal settlements of the city are located in the two sub-cities therefore; the data from these settlements can represent the case of Addis Ababa.

1.Kolfe-Keranio (kebele 04) and Yeka (Kebele 20): The facts on informal settlements as collected from the area are presented as follows,

- In the city of Addis Ababa, illegal sub divisions comprise over 2000 hectares of land, of which 550.38 hectares (27.5%) is the share of Kolfe Keranio sub city and Yeka Sub-City has about 460.7 hectares (24%). The individual share of the remaining eight sub cities is

lower when compared to Kolfe Keranio and Yeka. Around 52% of the share is located in the two sub-cities.

- These kebeles are the places where the oldest illegal sub-divisions located due to the establishment of Reppi Soap Factory, workers of this factory started sub-dividing in the area in 1970s and Worshippers around Reppi Medhanealem Church. In Kara-Alo started in early 1980s.
- Almost all illegal /informal settlements according to ORAAMP in the sub city are found in kebeles 16, Woreda 24 where this case study is conducted.
- According to the data from kebele 04 (Reppi), the existing informal settlements/ illegal sub divisions comprised more than 2500 housing units and over 15, 000 inhabitants, which is more than 12 percent of the inhabitants of the sub city.
- Kara-Alo is located at the center of the area along the Dessie Highway comprising more than 1000 housing units accommodating over 5000 inhabitants.

The other criteria's used for the selection of both study settlement are presented as follows:

- **Age of settlement:** It is assumed that age of a settlement will have a bearing on perceived tenure (Payne, 1997) and therefore the consolidation levels, development pattern and service provision. Thus, the areas are the oldest informal settlements in the city of Addis Ababa. This is very important to crosscheck the implementation of Regulation No.1, because age (period of occupation) of the settlement is one of the preconditions for regularization of informal plots as explained in the regulation.
- **Distance to central business district and industries:** by being commerce and administration centers attract investments that are commercial and industrial thus offering job opportunities. To determine what other factors may influence the growth of a Settlement, the selected settlements are located at different distances from the industries like Reppi soap factory (kebele 04).
- **Utility provision:** Essential services like water, electricity and telephone are prohibited by government policy in an attempt to discourage growth of informal/ unplanned settlements. The availability of these services against prohibitive policy will determine the development of an area. The two settlements selected are exposed to the same government policy on provision of services but have managed to have access to these services.
- **Implementation level of Regulation No.1/92 E.C:** In the settlements, the City Government has implemented Regulation No.1 in Kolfe-Keranio relatively far less than the other sub-cities composed of illegal sub-divisions and illegal settlements, this is very important to assess the appropriateness and responsiveness of the regulation.

1.5.4. Sampling Size and Technique

There are five major illegal/ informal settlements in particular (Kebele 04 and partly kebele 05) and the sub city in general where the study is conducted. On the basis of the preliminary assessment and by the estimate from the kebele administrations, about 2508 individual housing plots are available in these settlements. From these settlements, two major and the largest informal settlements have been chosen (Reppi and Kara-Alo site). As it is shown in the table 1-2, a 5% sample from each informal settlement having a total sum of 74 households is selected to fill the questionnaires. The sample size was decided on the basis of the capacity of the researcher to handle the questionnaire and also to maintain viable representation. All the households were questioned and interviewed by the researcher to ensure reliability of the data. The estimate in each sub division is indicated in the following table.

Table 1.2. Estimated land and house hold size of informal settlements in the area for interview

Name of the informal settlement & sub-city	Estimated Area in hectares	Estimated Number of House holds	Number of Blocks	Sample size based on 5% Estimation
Reppi site (Kolfe-Ker	228.13	916	18	46
Kara_Alo site (Yeka)	129.75	544	11	28
Total	357.88	1460	29	74

Source: Administrative office of Kebeles 04 (Kolfe-Keranio) and kebele 20 (Yeka Sub-city).

The sites are named after important landmarks that exist next to the illegal sub divisions and are commonly called by the inhabitants (Example, Kotebe-Kara-Alo (Butcheries) and Reppi Mountain -Medhanealem Church.)

1.5.5. Techniques of Data Collection

A systematic sampling technique has been conducted to ensure representation of all parts in the illegal sub divisions. To this effect, before conducting data collection the study area was divided in to 29 blocks comprising approximately 50 plots each. Households of three plots from the inhabitants of one block have been interviewed in a stratified random sampling way. The technique of data collection in each sub division is explained as follows:

- **Reppi site:** A total of forty-six house holds were questioned by starting at the first plot in each block and went through interviewing every third house hold in the sub division.
- **Kotebe Kara_Alo site:** 28 households were questioned by starting at the second plot in each block and went through questioning every fourth plot.

1.6. Scope and Limitations of the Study

1.6.1. Scope of the study

The scope of the research shall be limited to Addis Ababa and shall deal only with the developments and implementation of regulations regarding informal settlements, particularly **Regulation No.1, 1992 E.C** in depth. Finally, it attempts to identify appropriate principles for the development and implementation of regulatory guidelines

1.6.2. Limitation of the study

The city of Addis Ababa has been under a continuous process of restructuring since 2006. Thus, the Acquisition of data on the recent practices of some organizations was very difficult due to the constant structural adjustment that limited the continuity in data management and control. As a result, in some cases of the study opted to rely on interviews than on quantitative information to substantiate the findings and in the city. This study is limited the development and implementation of **Regulation No.1/92** on informal settlements.

There were also major limitations considered as constraints in the research work. These include high financial problem to produce the required standard research document, Problems in terms of acquiring relevant data, and Limitations of time. The research requires staying longer periods of time in the field to make it more concrete. However, I was forced to do the research combined with course work. The time for data collection was short: less than two months.

Diagrammatic representation of Research Methods

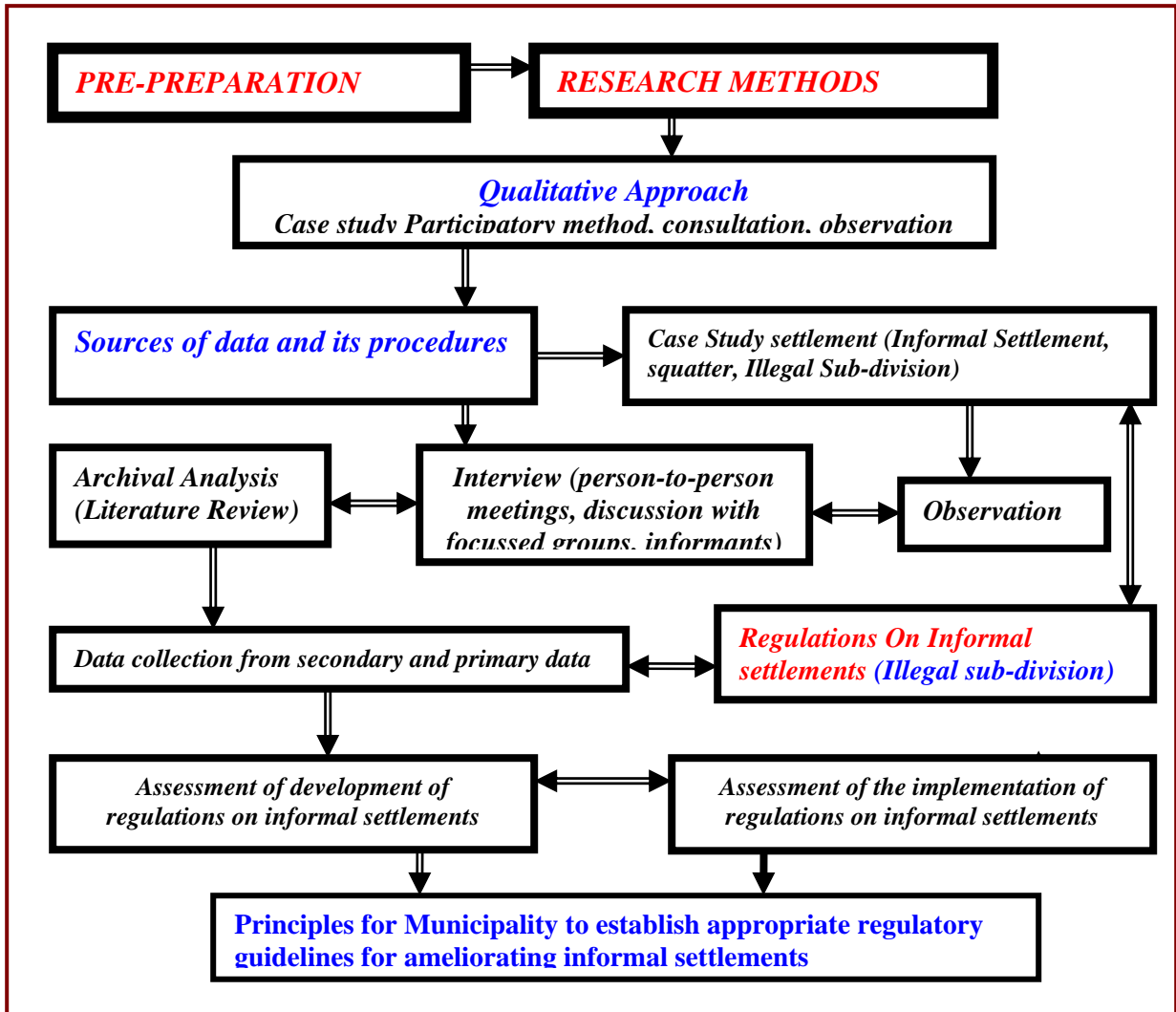


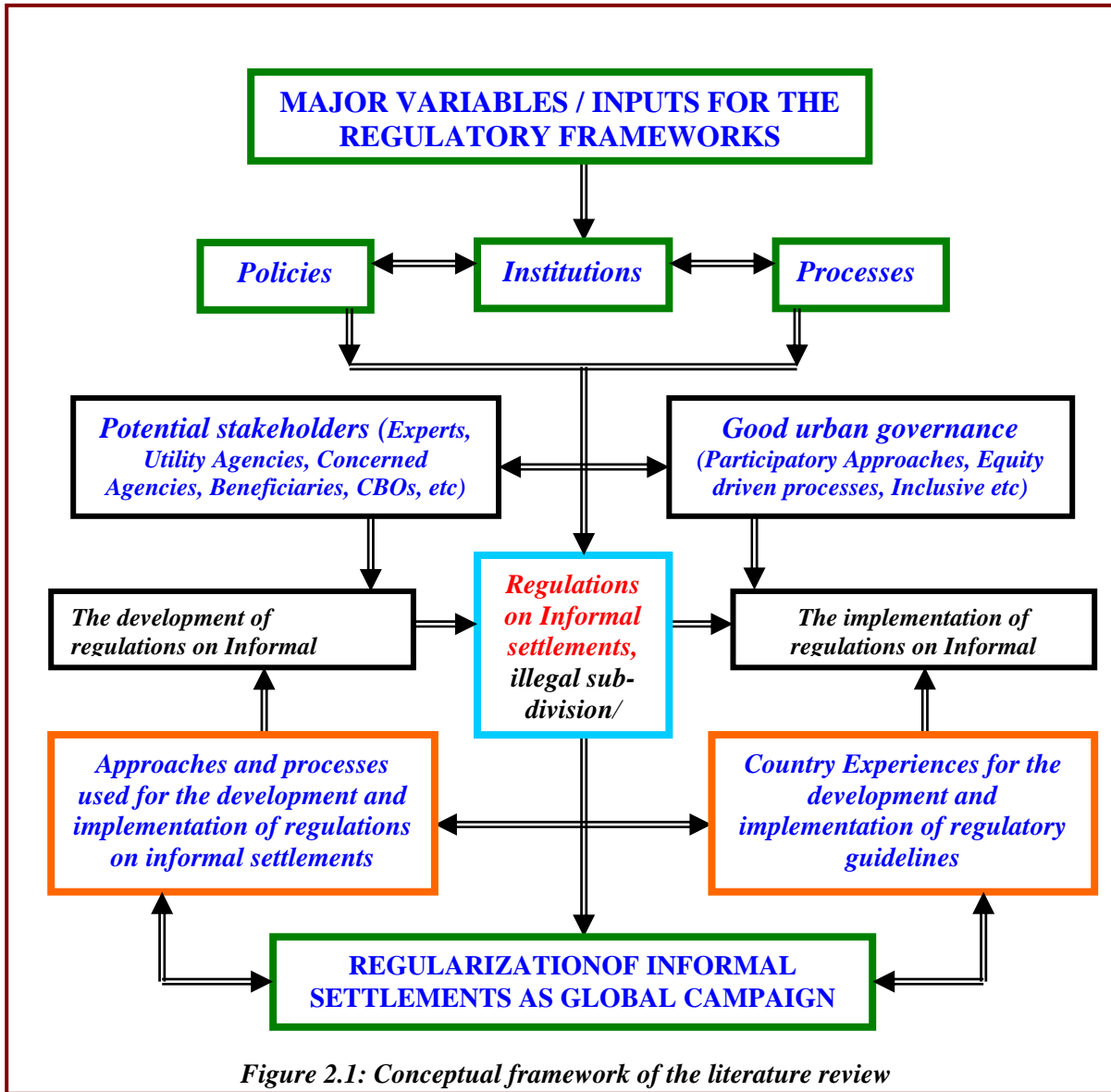
Fig.1.1. Research Methods

1.7. Structure of the thesis

This thesis is structured in eight chapters. The first chapter comprises the introductory part that deals with the statement of the problem, research objective, research questions, and rationale of the research. The second chapter describes theoretical frameworks (literature review of the issues pertaining to the development and implementation of regulations on informal settlements and experiences of the other World), while the third chapter describes Contextual Background of Addis Ababa. The fourth and fifth chapters present the assessment of the development and implementation of *Regulations No.1, 1992 E.C*² on informal settlements and illegal sub-divisions. The sixth chapter deals with the case study settlements and data presentation, Chapter seven deals with the findings and discussion of the study. Finally chapter eight provides conclusions and recommendations.

² Regulation No.1/ 92 is equivalent to "Regularization" in this study

II. THEORETICAL FRAMEWORKS



2.1. Introduction

In most developing countries, like Ethiopia, the urban poor have been unable to comply with existing planning standards, regulations and administrative systems. This situation directly leads to the formation of informal/illegal settlements.

In most developing countries, the Urban Regulatory Framework has been a large hindrance to the urban poor in their efforts to improve their physical assets and in using them to support income generation activities. This has contributed to poor health, insecurity, low productivity, and increased vulnerability to eviction and violence in low-income urban residential areas (DFID, 2003:2).

This chapter will be looking at how and why regulations on informal settlements have been developed. It will also look at what approaches and strategies have been used to develop and implement the regulations on informal settlements and who has carried out preparation of the regulations. The experiences reviewed in this part will be referred to as a package and lessons for assessing the development and implementation of regulations on informal settlements in Addis Ababa, Ethiopia.

2.1.1. Conceptual and Definitional Issues

Shelter: The goal of regulatory guidelines for improving informal settlement is to increase the access of low-income households and the poor to adequate, safe and secure shelter. The concept of 'adequate shelter' adopted by the project is the same as that in The Habitat Agenda (UNCHS, 1997:35), which is more than simply “*a roof over one’s head*”.

Regulations: Regulations generally comprise legal and pseudo-legal instruments, and may include policy documents, laws/legislation, by-laws, regulations (planning, building, financial, audit, etc.), procedures (procurement, design, public works, financial, audit, etc.) and standards (services and products). Lall (2001) holds that in the context of urban planning, regulations, which were originally used as tools of planned development, are more appropriately termed development standards and can be deemed to embody development plans as they are fundamental to systematic achievement of planned and organized development of human settlements. Regulations embrace all development parameters and have a bearing on master planning; zoning, land-use and plot development; space standards; and infrastructural services.

Regularization: *Regularizing informal settlements means first of all providing security of tenure.* This is an essential step. Changing the shape of the plots to suit road network and to build houses. Households should not be evicted by an administrative or court decision for the sole reason that they are not the owner of the land or house they are occupying, or that they have not entered into a formal agreement with the owner, or do not comply with planning and building laws and regulations (Alain Durand-Lasserve, 2002). The main purpose is making regular by integrating with the previously planned settlements.

Informal settlement upgrading: Development and Upgrading Strategy of Windhoek Municipality Council defines Informal Settlements Upgrading as “An action whereby an existing formal or informal settlement is regularized to provide a form of security of tenure or where new or additional municipal services are installed or a combination of these is pursued. An upgrading program may comprise of various combination, depending on the target community’s needs, priority’s and affordability levels” (Development and Upgrading Strategy, 1999).

Legal Sub-division: A legal sub division is a lot whose creation either was reviewed or approved by the proper government county under the regulations in effect at the time of its creation or a lot that was created through separate conveyance before such a division was regulated. Lots that are shown on a recorded final map, or official map are generally considered legal lots (Nevada County, 2004)

• **Illegal sub division:** Unlike squatter settlements that are spontaneous and unorganized, illegal sub-divisions are planned and organized. These usually occur in cities where governments

own large tract of vacant land in the periphery of the city. Unscrupulous land developers in league with corrupt government officials start illegal settlement. Housing conditions are often better than those in squatter settlements because the perception of secure tenure is higher. With the protection of these corrupt officials the illegal developers occupy, level it and subdivide government land according to government planning regulations, planning space for commercial, residential zones, schools, hospitals, religious institutions, recreation areas, primary, secondary and tertiary roads etc. In some cases such settlements were planned by planners in government agencies after office hours to earn extra income. Illegal subdivisions are related very much to the legal circumstances, the nature of the problem is much more on the sphere of its social economic and cultural contexts. The land is always occupied through commercial articulation (ESCAP Human settlements, 2002).

Irregular subdivisions: these settlements are generally on privately owned or community land, that has been divided up into plots which are sold or rented out. Subdivision and the sale or rental may have been carried out by the landowner or by an intermediary acting on his behalf. This causes of the irregularity are numerous and generally cumulative, thus multiplying the difficulties in providing the area with service facilities and in regularizing the legal tenure of its occupants. The sale or rental of the lot may be illegal: the seller may not be able to prove he has a legal title to the land; the area and the boundaries of the lot may not be clearly delineated. However, in many cases, the sale is a regular legal transaction (with a witnessed deed or one authenticated by a notary). The irregularity may lie elsewhere: perhaps the transfer was not duly recorded, or the development did not comply with planning and land-use regulations, or the subdivision plan was not approved, or service infrastructure standards or the building and construction norms and standards not complied with.

Squatter settlements: are settlements where land has been occupied illegally. They are often found on marginal or environmentally hazardous lands. They are also found on the government land or land whose ownership is unclear. Squatter settlements are spontaneous or organic settlements with little or no planning. In their early stages squatter settlements are characterized by haphazard settlements patterns, poor quality of housing and an absence of public infrastructure and services such as piped water supply, sewerage, roads and electricity. They are created with out formal authorization and often initiated by the dwellers them selves. Typically a single family housing with owner-occupier dominates them. In reflection to the low-income levels of most of their residents, housing quality tends to be low, often substandard with regard to official regulation. The land could be occupied through non-commercial articulation (ESCAP Human settlements, 2002).

Informal settlements: Urban poverty, deprivation, social inequality and polarization in the developing countries, are perhaps manifested most conspicuously in the housing conditions of urban poor majority, some of which exemplify “the worst form of struggle for the basic needs of life” (Desai and Pillai, 1991:2). These housing areas which accommodate the greater share by far of urban poor households and, almost everywhere are the only accessible form of shelter for urban poor households, are variously referred to by a host of different names, including slums, squatter settlements, and informal settlements. Besides these more familiar terms, several adjectives have been applied to distinguish these 'settlements', among them 'autonomous', 'illegal', 'irregular', 'marginal', 'provisional', 'spontaneous', 'sub-integrated', 'transitional', 'uncontrolled', 'unconventional' and 'unplanned'; they are also identified by distinctive terms peculiar to given countries and societies (Desai and Pillai, 1991).

2.2. Extent to which regulations on informal settlements guarantee Sustainability of livelihoods

Informal settlements, like most of the problems confronting people living in poverty in the urban centers of developing countries, are the outcome of failed policies; inappropriate regulatory frameworks and administrative procedures; dysfunctional land markets; unresponsive financial systems; bad governance; corruption; and a fundamental lack of political will. Each of these failures compound the problems faced by urban poor communities and denies them the opportunity to optimize the benefits of urbanization, and also constrains the substantial potential for human development presented by urban life and the achievement of sustainable livelihoods.

2.2.1. Core concepts of the Sustainable livelihood framework

Whilst the sustainable livelihood framework approach is flexible in its application, it is nevertheless based on six important core principles (Majale, 2002):

- **People-centred** – starting with people and their livelihood choices, the approach is theoretically focused on full respect for people’s views, involves them and aims to ensure that the policies governing people’s lives are promoting change in the dimensions of poverty which they prioritize.
- **Holistic** – the sustainable livelihood approach aims to recognize the constraints and opportunities which poor people identify for themselves, regardless of which professional sphere or sector they may lie in. As well as being a non-sectoral concept, sustainable livelihood approaches should aim to give due consideration to the multiplicity of influences, actors, strategies and outcomes which are determined by people, institutional, public and private sector interests.
- **Dynamic** – people’s livelihoods and the forces that shape them are dynamic. The sustainable livelihood framework aims to assist in understanding complex causal relationships and how interventions can support the positive, pro-poor changes whilst mitigating the negative ones. Analysis and the tools used need to capture the dynamism and complexity, which can only be suggested by the two-dimensional model.
- **Building on strengths** – the replacement of ‘needs’ by focusing on ‘assets’ is essential in creating sustainable poverty reduction since the latter depends upon realizing people’s latent potential to achieve their own livelihood objectives by removing constraints.
- **Macro-micro links** – livelihoods analysis highlights the significance of the linkages between poor women and men, households, neighborhoods and the myriad of legislative instruments and practices which determine people’s access to assets, define their opportunities in transforming assets into capital and govern livelihood options. The theory recognizes the potential benefit of involving people in policy formulation whilst acknowledging the lack of supporting evidence since macro level policies are usually developed in isolation from the people they affect.
- **Sustainability** – there are numerous aspects to sustainability. Measures suggested by the Sustainable Livelihood literature include resilience to negative external forces, dependency on institutions (and in turn their sustainability), non-depletion of natural resources and others’ livelihoods options. In terms of poverty reduction, sustainability can only be achieved when external interventions are congruent with current livelihood strategies and capacity to adapt.

These core concepts of the sustainable livelihood approach are prime indicators that help to understand the rationale of policies, legislations and regulations. These concepts could be used to analyze whether or not regulations promote sustainable livelihood.

2.2.2. Rationale for the development of regulations

Regulations can be regarded as tools for the greater good of society (Sohail *et al.*, 2001). More specifically, urban regulations are meant to introduce an enabling and inclusive environment for the systematic growth of cities that meets the development needs of different parts of the economy and different sections of society. These intentions should be reflected in the built environment, the quality of urban services and the adaptability of the regulatory framework to changing circumstances resulting from socio-economic development (Lall, 2001). Achieving these functions requires:

- A thorough understanding of city characteristics and their ramifications by the municipal authorities;
- The capacity to provide services needed by different sectors of the society that comply with the regulatory framework.
- The ability to recover the cost of services from the beneficiaries.

If it is to meet basic development objectives, a regulatory framework should enable access to appropriate affordable services by all urban dwellers, including the poorest, through trade-offs if necessary. If regulatory systems are not inclusive, informal sector developments and informal settlements will continue to predominate, in spite of officially approved development plans.

2.3. Variables for the development and implementation of Regulations

Policies, institutions and processes shape Livelihoods at all levels- from the household to the international. These determine not only access to the various types of capital (natural, physical, human, social and financial), but also the substitutability of capitals. They determine options for livelihood strategies, as well as access to decision-making bodies and external sources of influence. Organizations, in both the public and private sectors, decide and implement policies, legislation and regulations, and undertake activities, that affect livelihoods. Processes determine the way in which institutions, and individuals, operate and interact (Lowe and Schilderman, 2001).

Policies, Institutions and Processes are the social and institutional context within which individuals and households develop and adapt livelihood strategies. Their impact may be enabling or inhibiting, creating or constraining livelihood options and outcomes. These variables encompass a range of issues such as participation, power and authority, governance, laws, public service delivery, market mechanisms and social relations. The legislation, regulations, norms, standards and procedures that govern housing and urban development are an integral part of the variables.

2.3.1. Institutions

Institutions are defined as the *hardware*, which forms legitimate governance structures. There are various levels of analysis and interface between individuals, within and between households and neighborhoods, cities and national bodies. They tend to be complex, overlapping and often contradictory. For example, more than 20 institutions are involved in setting or revising standards in Kenya (Saad Yahya, 1980) or the 53 organizations governing

the formalization of squatter housing in the Philippines. Each level of the local, national and international institutional map functions according to different “rules of the game” and each therefore requires different modalities. It may be relatively straightforward to map which organizations exist and who does what in theory (i.e. what is on the statute books) but the relationships between them and their intended and actual impact on the livelihoods of the poor is not so simple to quantify nor qualify.

Structures, organizations, customs, laws are all words used to define ‘institutions’. These are the mechanisms by which processes function; without them, legislation does not exist. Individuals and collective societies enforce norms, enable markets to work, create the reach from central government into the wider public and private domain. Such structures are also, in theory, the means by which people can be informed of government policies, ways of working and understanding the rights of individuals. Rarely are the rights of poor people given much legitimacy by government institutions and all too often the elite control the institutions and processes with little regard to the needs of people in poverty. The predominance of the professional and political elite over the formulation and enforcement of legislation is well recorded.

The interface between formal and informal institutions is significant in accessing assets. Institutional practices and policies can run counter to a perceived need to create greater equity, for instance, in placing a requirement on women to obtain their husbands permission in order to access assets such as land or credit. Closer interaction between formal and informal institutions can be very beneficial; some local credit providers have dropped the need for conventionally recognized forms of collateral and demonstrated a willingness to accept the social capital, of local groups, as collateral (Payne, 2001). A demonstrated ability to form a co-operative and contribute financial savings regularly forms the basis for credit provision.

The ways of working, integral to institutional context are perhaps as significant for the ways in which they seek not to apply the rules as for the way in which they do apply them. The degree of flexibility in applying the rules, granting waivers or ‘turning a blind eye’ is all options open to the officials responsible. It is a widespread reality that the enforcement or non-enforcement of regulations or procedures is rich territory for income generation by the public sector or informal governing elite. Research undertaken in Enabling Housing Standards and Procedures project reports a significant, often prohibitive, cost of corruption in for instance Egypt, Kenya and Zimbabwe (Hernando De Soto , 2001). It may not be much of an exaggeration to say that corruption is universal in the context of planning permission, building regulations, land registration and allocation.

Building community organizations, networks and alliances to represent the interests of poor women and men is one means of assisting the most marginalized to access institutional resources. The literature and experience demonstrates that such forms of organisation are critical in enhancing the bonding, bridging and linking social capital that enables people to be informed of existing livelihood options and create new ones. Some studies of the urban poor also highlighted that the poor rely in the first place on their own social networks to access information about livelihood issues, and that strengthening such networks and organizations could improve their access to institutions and services. The differentiation between some assets and the Policies, Institutions and Processes is sometimes difficult to make. The extent to which social capital can assist people to escape poverty is dependent on the creation of

linking social capital. The existence of numerous community based groups in Kenya, for instance, was highlighted by the World Bank (2001) as failing to reduce poverty.

The current focus on transforming the institutions that shape the behavior of organizations is considered further under the urban governance.

2.3.2. Policies

There are three important elements to policies: *their contents, the process of formulation and the methods of implementation*. A range of institutions gets involved in policy development and implementation; they are not necessarily the same in each stage, nor does everybody get involved who should. Processes and procedures are treated in more detail in the next section. Policies may be developed at the macro-level, providing a framework within which local instruments may be set. Urban development authorities, specialist line departments and utilities as well as municipalities all have policy formulation and implementation responsibilities (World Bank, 2001). Whilst the former tend to play a greater role in the design and delivery of new developments, the responsibility for upgrading tends to fall on the latter.

The towns and cities of the Third World are split in formal and informal settlements. The share of the latter is on the increase, and practice tells us that this trend is hard to turn around. In Nairobi, for instance, 55% of the population now lives in the “informal city” which occupies only 5% of all the urban land. In Mumbai, this is the case with 56% of the population, living on 8% of the available residential land. Figures of the share of the urban population living in informal settlements can be higher still: they reach around 65% in Peru and as much as 93% in Uganda and Rwanda (Theo Schilderman, 1992). This figure for Addis Ababa is about 80% (ORAAMP, 2001). This trend is influenced by two key factors: the high cost attached to the prevailing regulations, and the inability of the authorities to cope with rapid urbanization.

Academics, researchers and developers hold conflicting views as to whether or not regulation is necessary. The ones against argue that the bulk of urban development already is unregulated and is likely to remain so, that regulation slows down development and adds to the cost, and that current regulation, inherited from colonial days, is no longer relevant to present needs and cultures. Some also argue that market forces will define the quality of housing. Besides, there are unwritten and social norms that do influence and to some extent regulate how people build. The proponents of regulation, on the other hand, point to the threats posed by unregulated urban development to people’s health and safety. They also argue that owners with secure tenure tend to invest more in their property (Schilderman, 1992). The increasing incidence of rental housing in the urban settlements of the Third World, with all its threats to health and safety, is strengthening the arguments of the proponents of regulation, particularly when it comes to services. This is further reinforced by the fact that market forces by themselves do not seem to regulate housing or infrastructure quality very effectively at the moment, perhaps as a result of demand outstripping supply in many urban areas. On balance, some form of regulation would most likely be beneficial to the urban poor. However, this needs to be a type of regulation, which is much more enabling and therefore quite different from what is currently in force in most countries. Thus, the key challenge is: how can we get various authorities to change their regulatory frameworks?

The development and evolution of legislation governing the built environment has been greatly influenced by Western powers. In the major colonizing powers of Western Europe, a

start was made with modern standards and regulations somewhere in the middle of the 19th century. Later on, the colonial authorities transferred many of those to countries of the South. Little regard was given to indigenous laws, local realities or the requirements of the majority (Edesio Fernandes & Ann Varley , 1998) but rather to the priorities of the most powerful, for example, the desire to zone land and housing development according to race and creed. This conflict between overriding officialdom and customary standards is seen by some as the major reason for the inefficient functioning of human settlements in the Third World (Akin Mabogunje et al , 1976).

The regulatory frameworks vary from country to country, however, they are similar in their basic structure. Four components are common to all models: Legislative (laws, acts, ordinances, by-laws); technical (regulations, rules, standards, codes); enforcement (procedures); and support (complementary reinforcement facilities). The burden of responsibility of mistakes committed by the builder is not clearly defined (Ibid.1976.). A high level of education, procedural formalization and complementary reinforcement facilities such as Codes of Practice and Deemed-to-Satisfy Provisions all support the enforcement process. However these are in place for most of the cases. The legislative authority issues acts or ordinances to control the physical development of the built environment. By-laws have a similar status, but are issued by subsidiary legislative authorities such as municipal councils. The terms regulations and rules are often used interchangeably; they all share a legal standing, and may constitute subsidiary legislation. They are generally published separately, though codes and regulations may refer to them. Specifications, on the other hand, are statutory and tend to stipulate the quality of construction elements like foundations.

International organizations such as the World Bank and UN-Habitat have highlighted the need for policy reform to reflect the trends in thinking. The policy rhetoric is in favor of review in order to create “*enabling environments*”. Perhaps the challenge is too big, the vested interests and inertia too much to overcome, *the political will or human and financial resources lacking, but the enabling paradigm* is rarely matched at the national or local level with practical action. A complete overhaul of regulatory frameworks may be what is required in principle, but even small revisions are the subject of lengthy political processes and often result from external donor pressure and/or assistance. For example, the initiative by CRATerre (2000) to develop pan-African standards for earth construction spanned several years and employed significant political will and resources in order to promote vernacular architectural traditions. The predominance of industrialized materials in technical standards has been a significant factor in putting formal housing beyond the reach of the majority. The cost of imported materials is high both in financial and environmental terms. Inclusion of local alternatives into formal legislation can build local technological capacity, generate economic activity through labor-intensive production of materials and construction techniques and ultimately promote affordable technologies, which have the potential to meet the demand for adequate shelter for all (Lucky Lowe, 1998).

Hence, the development of regulations leads us back to the institutions involved; these tend to be many, just as there are many stakeholders with interests of their own. Politics, vested interests and the human nature of those involved in establishing and implementing regulations make this an area full of tension, conflict and constraint. In order to make regulatory frameworks more enabling, these issues need to be addressed. Some of the problematic issues have come across, and how these could be addressed, are described below.

1. *At the level of setting the legislative framework and developing regulations etc, (often mainly at central government level):*

- ***There are often too many actors involved.*** With much bureaucracy and conflicting interests involved, processes of revision become very complex and lengthy. On the other hand, it remains important for various stakeholders to participate in establishing legislation and create a feeling of ownership. Perhaps the way forward is to carefully scrutinize regulatory frameworks, reduce the elements decided centrally, and increase local involvement and control, including self-regulation.
- ***The actors involved are often inflexible,*** do not want to give in on their own priorities, but want others to change theirs instead. In many countries, health authorities tend to take a tough stand on regulations to safeguard public health, where perhaps planners might be more lenient to achieve a higher degree of regularized housing. Such conflicting policies and approaches again make revision difficult and lengthy. A lot depends on personalities; sometimes it helps to get a different person from the same institution involved. Where corruption stands in the way of change, the emerging campaigns for good governance can start to address that.
- ***Words are not matched by deeds.*** Whilst policy documents, including the Habitat Agenda, do state that current legislation is inappropriate and does need revising, little actually happens in practice. To some extent, this is an issue of countries lacking the resources for what may well amount to a complete overhaul of the regulatory framework. And even where much smaller revisions have been made, for example in Kenya, this was often only possible with some donor assistance (Saad Yahya , 1999). Aside from resource scarcity, there is, however, also evidence of inertia and people merely paying lip service to policy statements, for a number of reasons, including a vested interest in the status quo.

2. *At the level of implementing and enforcing standards and regulations (mostly the local level):*

- ***Actors at this level get overlooked when standards and regulations are developed or revised.*** It often happens that certain specialist ministries or institutions are responsible for establishing regulations, whereas the ministry responsible for local authorities or those authorities themselves is not involved. Following some recent restructuring, this is now the case in Peru. And it is a commonly heard complaint at local authority level, e.g. in Zimbabwe (Alex Mugova and Oscar Musandu-Nyamayaro , 1999). The result is that the implementing authorities do not really feel ownership of the regulations, find parts of them irrelevant, and sometimes resist their application. There is also an issue about how relevant centrally devised regulations can be in different locations, particularly in large countries. Ideally, a larger share of the development or revision of regulations should be left to local bodies, but where this is not possible, they should at least be represented when this happens centrally.
- ***Some actors at this level will resist change for their own benefit.*** The process of issuing permits and inspecting building works does offer opportunities for corruption; in fact, these increase with the length and complexity of the system. Any reduction in regulations, standards and procedures is therefore likely to meet some resistance. In the Anglo-Saxon model, where it is left up to local authorities to adopt or adapt centrally devised regulations and codes, or develop some of their own, this can lead to authorities or individuals at the local level simply not implementing change. This may be another issue for a good governance campaign.

- ***Some actors at this level will resist change because they lack knowledge and information.*** The local authority staff involved in approving and controlling construction tends to have a fairly conventional education, which emphasizes modern construction. There is now a tendency for performance standards to replace prescriptive standards; this opens the door for alternative and innovative materials, designs and technologies, which can be more affordable. But these often meet resistance at the local level, simply because the officials involved do not feel confident about their quality, and they therefore stick to the options they know. This has for instance hampered the expansion of stabilized earth construction in Africa. In Kenya, this hurdle has been overcome by demonstrating that innovations do actually work.
 - ***There is a lack of capacity for proper quality control.*** This (and perhaps the corruption mentioned above) appears to have been a major factor in recent earthquakes in Turkey and India having such devastating effects. And it raises the question of what the point is of making a huge effort in establishing a more appropriate and enabling regulatory framework, if it cannot be implemented properly. This is probably a major argument for keeping such frameworks as light and simple as possible, and for prioritizing those components which do need local authority control, but leaving others to community control.
3. ***At the level of using regulations for housing and urban development (involving professionals such as architects, planners, engineers, economists, real estate developers, etc. largely in the private sector):***
- ***They generally have not been involved in developing the regulations either.*** From field research by (Intermediate Technology Development Group) in Kenya and Zimbabwe, it became quite clear that they would have liked to get more involved, and were at times unhappy with the results produced by official committees. It seems important to have some representation from this group when regulations are developed or revised.
 - ***Some professionals may be reluctant to reduce standards and regulations.*** This may be because their education has stressed modern construction, or because they are mainly involved in upmarket housing. We have noticed a particular reluctance on the part of housing finance institutions, who are very concerned with the durability of houses they are asked to provide credit for. Again, demonstration and perhaps official testing are key methods to convince these professionals of the validity of alternative, more affordable solutions.
4. ***At the level of applying the regulations to construction (affecting home owners, tenants, building artisans and contractors, building materials producers, etc.):***
- ***These stakeholders tend to feel the least ownership of regulations.*** As a resident interviewed in an informal settlement in Kenya expressed: “these standards are for those people over there (pointing at a nearby formal housing scheme), not for us lot over here”. This is partly because of the inappropriateness of the current regulations, but also because these people are never listened to when regulations are developed or revised. This could be resolved to some extent by more participatory approaches to urban planning and development. A good example of this is the Community Action Planning applied within the 1 million (subsequently 1.5 million) houses program in Sri Lanka, which did include a certain amount of self-regulation (Susil Sirivardana 1999). Another reason is that the urban poor feel that current regulations are completely out of reach. It is, however, possible to extend them downwards, as shown in Sri Lanka, the Traditional Housing Areas of Malawi (Osita Okonkwo, 1999), and in Botswana (Saad Yahya, 1998).
 - ***There is a cost to non-regulation too.*** Where it probably holds true that at least half of the urban population of the Third World cannot afford to build according to prevailing

regulations, it is equally true that there is a price tag attached to the choice of remaining non-regulated. This may be in the form of increased health expenditure, of lost development or income generation opportunities and lower productivity, of lost investments in the case of eviction, of tenant exploitation by unscrupulous landlords, of bribes to corrupt officials or payments for protection, of higher prices paid for services such as water, etc. This cost is equally important, but often not made part of the equation.

2.3.3. Processes.

The Sustainable Livelihood Guidance Sheets (1999) express explicitly on processes of change in policies and institutions. If institutions are the *hardware*, then processes are the *software*, which determine how legislation is delivered and are concerned with a complex play of power between all the institutional stakeholders concerned. With regards to the legislation governing the built environment, processes also include the procedures and their related costs to housing. In the Philippines, the process to formalize a squatter's house built on state owned land could take 13 to 25 years to complete 163 steps involving 53 public and private agencies. In Nakuru, Kenya, the accessibility and cost of housing to owners was greatly reduced through a collaborative process, which enabled planning permission to be obtained rapidly, but this did involve a considerable expenditure of project and partners resources.

The current trend is towards achieving change in the performance of public sector organizations and the way they operate. A large international campaign, supported by the UN-Habitat, the World Bank and major donors, is focusing on good governance. Governance may be defined as being composed of three elements: ***the public sector, civil society, and the interactions between the two.*** The question of roles, responsibilities, rights and relations is central in establishing a clear understanding of what each stakeholder group can and should do. Interventions in this arena are highly contentious since governance comprises the traditions, institutions and processes that determine how power is exercised, whether citizens have a voice and how decisions about issues of public concern are arrived at.

The trend towards greater democratization of public sector policy and service delivery places an increasing burden on institutional capacity. Interactions between civil and public sectors will be greatly influenced by what happens at the interface and by the political will of those at the apex of government structures. Graham Tipple (2001) suggests that increased subsidiary and devolution must be taken as desirable and that the shared responsibility and diverse roles adopted by each stakeholder group should reflect this trend. He proposes local authorities should have the responsibility for developments affecting more than one neighborhood, whilst local level development, where the externalities of home based enterprises only have a local impact, should be dealt with at the local level. He also points to the potentially contentious issue of how to delimit responsibilities between the local and city levels.

The prime objective of defining roles, making explicit and clarifying responsibilities, and building partnerships must be at the heart of institutions, individuals' attitudes and practices in order that policy creation and service provision becomes more accessible and responsive to demand. Ownership by locally pertinent institutions must vary from place to place but it is perhaps not feasible to suggest all should be included in policy formulation or review processes. Centralised institutions could play a vital support role in creating '***enabling environments***' but innovative ways are needed to create widespread awareness of the necessity for change and ideally ownership of the outcomes.

Experience developed by the World Bank (1999), amongst others, suggests that the following factors have a positive impact on the livelihoods of the most disadvantaged sectors of society: Strong and constant local leadership and ownership, Popular pressure for reform, Accountability, Access to information, Positive organizational culture, Capacity building for Regulation development and More sophisticated approach to downsizing the public sector.

2.3.4. Urban Governance

Different writers and scholars have opted for various definitions of the concept that have got similarities and slight differences. Accordingly, Paproski (1993) for instance explains the concept of governance as the “process of interaction between the public sector and the various actors or group of actors in civil society”. Halfani (1994) indicates that governance is distinct from government, as it refers to ‘the relationship between civil society and the state, between rulers and the ruled, the state and the society, the government and the governed’. Harpham (1995) also argues that the essence of governance is not the judicious exercise of governmental authority but it is:

...the expansion of the notion of government itself to include other forms of collective decision making, formal as well as informal, participatory as well as representative, decentralized as well as centralized and national as well as local...(p. 10).

According to these definitions the basic distinction between government and governance is the introduction of the notion and role of civil society (the public life of individuals and institutions outside the control of the state) into the government operation systems. Conventionally there is the government that consists of those agencies that make and implement laws/regulations on the one hand, and on the other hand there are individuals and groups outside the government system that are important part of civil society. Those laws made by the public sector alone affect these individuals and groups for they have not been part of the processes of the making of the laws. In the notion of the governance, this situation is totally different for the individuals and groups in the society take part in the making of laws and their implementation. This shows that the government and governance are two different concepts and cannot be use interchangeably.

In general, the main essence of governance is creating shared responsibilities between the government and inhabitants in development activities of the town (urban area), to allow the residents to be part of the processes in the formulation of laws, issuance of regulation, passing of directives. Good governance is a system in which popular participation in decision-making and development are practiced and where popular participation is also seen both as a desirable end in itself and as an essential component of democracy. At the local (urban) level, decentralization is seen to bring about good governance particularly through enhancing popular participation in the development and implementation of regulations. This shows the strong link between good governance and decentralization (Harpham, 1995).

2.4. Approaches and Strategies used for the development and Implementation of regulations on informal settlements

2.4.1. Enabling process and appropriate regulatory standards

The key concept of the Habitat Agenda, as Tipple (2001) observes, is that of enabling:

...of governments' stepping back...[and setting] in place a regulatory context in which urban development can be sustainable and of the scale required for all to be adequately housed. This inevitably means a reduction of standards so that they are realistic.

The Habitat Agenda underscores the changing role of Governments at all levels, including local authorities, from that of “regulator” to that of “facilitator and creator of enabling regulatory environments”. Indeed, despite it being invariably more attractive to develop land exclusively for more affluent clients than for lower-income groups, there are numerous instances where developers have been willing to go ‘down-market’ if the regulatory framework has enabled them to do so on a financially viable basis (Payne, 1999a). Many of the municipal actions discussed above and hereafter are facilitating and enabling in nature, and do not require very significant investment in resources.

Lowe and Schilderman (2001:29) summarize the potential positive implications of an enabling regulatory environment for the options of urban poor households in terms of the following livelihood outcomes: A raise in income levels due to facilitative regulations which enhance economic activity and investment in the physical asset base, permit income generation from rental and Home base Enterprises, in generating acceptance among the formal financial institutions of the informal increasing access to financial capital and fungible assets. Security of tenure is critical in the ability of poor people to maintain their ownership in the face of encroaching urban trends and hazards.

- Enhanced well being due to increased mental and physical health resulting from qualitatively improved, incrementally built housing applying technical standards which reflect basic needs and local livelihood priorities.
- Enhanced social capital through increased interaction with a range of local public sector organizations providing information, adequate and affordable housing and basic services.
- Improved equity; the status and livelihood options available to women or at least a reduction in the amount of discrimination they endure.
- Reduced vulnerability from economic and physical hazards through appropriate mitigation of the most significant shocks and trends.

2.4.2. Elimination of exclusionary regulations

Non-inclusive regulatory systems encourage development of alternative systems, including illegal ones, which may not only be costly for urban authorities, but also be against the development interests of urban poor communities (Lall, 2001). If the quality of life of urban poor households living in informal settlements is to be bettered, and their physical and social integration into their urban surroundings improved, it is imperative that discriminatory and exclusionary regulations are eliminated.

To remove impediments and eradicate discrimination in the provision of shelter and basic urban services, Governments at the appropriate levels should review and revise legal, fiscal and regulatory frameworks that act as constraints within the shelter and infrastructure sectors.

2.4.3. Self-regulation within the community

Local authorities currently attempt to control everything within their jurisdiction and invariably end up controlling very little of anything, remaining only in control of selected developments (Payne, 2001; Tipple, 2001). Payne (2001) thus contends that almost everything not directly concerned with public health, safety and well being can be left to local self-regulation, expounding that matters primarily affecting plot-holders and their immediate neighbors can be resolved through self-regulation within the community. He gives the example of Ankara, Turkey, where residents report anyone considered to be carrying out inappropriate development to the municipal authorities who then either enforce or relax relevant regulations as they see fit. Such flexibility places the community in control as far as regulatory guidelines are concerned and reduces pressure on local authorities.

Tipple (2001) believes that self-regulation will work in many cases but suggests that there should be a local body responsible for overseeing the process to preclude exploitation of the weak by more powerful forces.

2.4.4. Equity driven processes

Central to the development of equitable and sustainable tenure systems and enhancing the livelihoods opportunities of the poor is the gender issue. Statutory as well as customary tenure traditions commonly discriminate against women so that they are not able to gain access to land and shelter on equal terms with men: this despite their generally higher level of credit-worthiness (Payne, 2001).

In India, revised guidelines required that houses constructed by the Andhra Pradesh State Housing Corporation be allotted in the name of women beneficiaries wherever feasible (Adusumilli, 2001).

2.4.5. Decentralization of responsibilities and resources

The present global trend towards decentralization underscores the importance of developing a policy framework for urban poverty reduction at municipal level (Wegelin, 1996). Compared to earlier undertaking, the recent course towards decentralization has gone further to give discretionary authority to local governments, bound only by broad national policy guidelines, their own human, financial and materials capacities, and the physical environment in which they must operate (Materu *et al.*, 2000). Support is being provided to political, administrative and fiscal decentralization, which is meant to lead to motivation, responsiveness, transparency, accountability, participation and even-handedness in the performance of agencies that can positively influence the livelihoods prospects and opportunities (Hobley, 2001). But decentralization, de-concentration or devolution policies are by no means development panaceas. As such, decentralization increasingly incorporates a shift in responsibility for urban development and regulation towards the local-government level. Community participation is essential if municipal interventions in urban poverty are to be effective (Wegelin, 1996).

2.4.6. Participatory approaches

The growing acceptance of decentralized governance practices demands participatory approaches whereby every inhabitant of a municipality is seen as a stakeholder in the urban development process. Indeed, given the realities of the existence of the urban poor and their supportive role in the growth of city economies, a pro-poor and proactive development

approach is imperative (Lall, 2001). Regulatory frameworks and socio-economic and spatial plans should be so designed that they not only address the concerns of the urban poor but also create space for them to develop.

Participatory methodologies represent a wide continuum of potential involvement by stakeholders and beneficiaries. Three levels of participation could be identified with varying levels of effect on policy development and implementation:

- a) **Notice of preparation** –the potential stakeholders are informed of the preparation of a regulation
- b) **Consultative meetings**: preparation of regulations is reported and views of stakeholders are recorded, but there is no mechanism to check the inclusion of recommendations from the public.
- c) **Empowered participation**- stakeholders participate from identifying key issues to designing strategies and the implementation of adopted regulations and strategies.

Although there is evidence that public participation is on the increase, it seldom reaches level (c) listed above.

These range from having the poor ‘participate’ through data collection and collective mechanisms to determine their perceptions towards poverty, vulnerability, coping mechanisms and government services to joint decision-making on policies and budgetary allocations (Norton and Stephens, 1995). A well-defined approach to community participation should be employed in formulating and articulation community-based needs. This kind of approach is fundamental to the consultation process necessary for any intervention aimed at improving the neighborhood environment. A participatory approach is fundamental to the sustainable livelihoods conceptual framework.

As emphasized in the Habitat Agenda (UNCHS, 1997), a fundamental requisite is a regulatory framework that will provide institutional support for facilitating participation and partnership arrangements.

2.4.7. Access to credit and Finance

Access to credit in the formal financial sector is one of the biggest problems facing urban poor women and men in the South, largely owing to prevailing fiscal and regulatory frameworks. In the North, households generally obtain credit, against individual guarantees, from commercial sources that base their loan decisions on readily available information on borrowers' credit risk. But households in the South typically do not have acceptable guarantee mechanisms, such as non-real estate based collateral. This situation, coupled with the overall lack of information about their credit worthiness, contributes to a virtual exclusion of urban poor women and men from formal credit markets (van Bastelaer, 2000). Regulatory frameworks exacerbate the situation that constrains financial institutions in lending to the poor (McLeod, 2001a).

The tendency to risk aversion of formal financial institutions, in particular when it comes to lending to the poor or to the organizations, of which they are members, is elaborated by McLeod (2001a). If they are ill disposed to lending to poor customers with unknown creditworthiness and no banking experience, financial institutions may resort to planning and building regulations in order to avoid doing so. Tenure requirements can be especially onerous with stipulations for clear title rather than for verification of alternative forms of secure title. Compliance to tenure requirements for housing finance on which many formal

financial institutions insist is virtually impossible in densely populated urban areas and informal settlements. Banks and housing finance institutions may also demand evidence of building to stipulated design and material specifications which poor urban dwellers are unlikely to be able to afford.

Being illegible for credit and finance in the formal sector, urban poor women and men have been compelled to create and develop alternative ways of accessing credit and finance. And "informal" finance has funded the greater proportion by far of housing in the urban South. Indeed, it is the financing behind the daily creation and maintenance of informal settlements (McLeod, 2001a).

2.4.8. Partnerships and strategic alliances

Urban upgrading cuts across institutional and disciplinary boundaries and involves manifold stakeholders, including the public and private sectors, formal and informal landowners, NGOs, civil society organizations, CBOs and local residents. For upgrading interventions to be successful, the right partners have to be identified and involved in the process. Because of the varying levels of power and influence and distinct interests and priorities of the different stakeholders it is imperative that a unified and common vision is developed. The partnership-building process should allow each participant a voice. One of the most important lessons learned from good and best practices is the contribution of "effective partnerships"—a concept that includes but goes beyond participation.

The way forward, as Burra and Patel (2001) maintain, is to build partnerships that make accessible to the urban poor land, infrastructure, housing and finance at affordable rates. There is need, therefore, for regulatory frameworks and institutional support to facilitate participation and partnership arrangements at all levels. But there is no single correct way to develop partnerships - the key is clarity about the local framework within which the various partners operate. The role of local authorities should thus be to create an appropriate enabling and regulatory framework, including effective urban planning to promote partnerships, regulate their performance and ensure an equitable distribution of resources and benefits.

2.4.9. Capacity building for implementation

A primary constraint to the wide-scale implementation of appropriate regulatory frameworks is the lack of knowledge about regulations and their implications. This can be applicable at both the level of urban poor residents and local authorities. Capacity building is thus imperative to gather fundamental information on the situation on the ground, particularly about poor people; disseminate key knowledge and information about proposed regulations and their implications for the livelihoods of urban poor women and men; and develop the skills required for flexible interpretation and implementation of regulation (Lall, 2001).

The capacity of the urban poor people and their organizations to take the lead in their own development is influenced by regulatory and procedural processes, ranging from international to neighborhood levels. The confidence of poor women and men thus needs to be developed to empower them to negotiate with multiple stakeholders in "a planning and approvals game that may have its regulatory boundaries set from many different angle" (McLeod, 2001a: 16).

There are seven areas identified by McLeod (2001a: 16-17) where criteria that have a direct influence on the degree to which the poor can operate legitimately, as far as others are concerned, in urban upgrading and development. The capacity of the poor should be built so

that they can have a say in these areas, which are; Criteria for land provision, Criteria for service provision, Criteria for planning and building permissions, Criteria for credit approval, Criteria for service allocation, Criteria for award of development contracts and Criteria for maintenance contracts

2.4.10. Home-based enterprises

Informal settlements are wellsprings of entrepreneurial energy that can and must be tapped - they generate productive occupational opportunities and remunerative employment. Indeed, as Kellet and Tipple (2000) observe, the complex web of economic linkages that exist between housing and Home Based Enterprises allows all but the most destitute to have access to shelter and eke out a living. There is need therefore to recognize and proactively integrate informal sector activities into the urban economy by removing discriminatory regulations and other impediments. UNCHS (Habitat) (1996b: 9) suggests that local authorities need to:

- Review their development-control regulations in favor of home-based enterprises unless the operation of the enterprises contravenes health and safety requirements, involves hazardous or exploitative employment practices or infringes basic human rights; and
- Seek to develop a strategy of small-scale enterprise development providing advice and guidance, small loans for development and relocation opportunities where appropriate for Home Based Enterprises.

Pro-poor regulatory reform will affect not only urban land management (legislation regarding land use, ownership and tenure) but also the productivity of micro- and small-scale enterprises in the informal sector (Wegelin, 1996), including Home Base Enterprises. The progressive regularization of Home Base Enterprises is more likely to take place in a positive environment where impediments to becoming legal status are reduced to a minimum, where the costs of gaining legality are not prohibitive, and where there are clear benefits to attaining legal status. There is need, therefore, to distinguish between regulations that are essential for public health and safety, for example, and those that are less critical and impede the operations of Home Base Enterprises unnecessarily (Tipple, 2001).

2.5. Impact of regulations on the livelihoods of informal settlers

Most regulatory frameworks in the urban centers of developing countries are incongruous with the realities of poor communities and are a major impediment to the achievement of sustainable livelihoods. This is largely due to the excessively high standards and complex, time consuming procedures conforming to official requirements entails. Consequently, as Payne (2001) observes, a substantial and increasing proportion of all new urban and housing development takes place outside officially sanctioned norms, which is detrimental for both the cities and urban poor dwellers who suffer most from the negative consequences.

2.5.1. Inappropriateness of existing regulations

In many countries in the South, legal and regulatory development control requirements and frameworks for urban development are of little practical relevance to the prevailing socio-economic realities (Payne, 2001; Tipple, 2001).

The regulations that are in force in much of the urban South do not serve the development planning requirements of a dual economy -formal and informal- nor do they respond to the multifaceted growth characteristics of urban centers. This is clearly the case in India which

adopted many of the bureaucratic and technical perspectives of its colonial past (Burra and Patel, 2001), and as a result of which the planning process has disregarded the most rapidly growing component of the urban economy -the informal sector (Lall, 2001). The most common strategy used by the informal sector in the matter of regulatory issues is to by-pass the authority in one-way or another (Hermanson and Owens, 1990).

In most cases, the planning regulations and building standards in force in the urban South have been derived from contexts that bear little relationship to the realities faced by poor households. The application of British planning and building regulations in Commonwealth countries as a result of colonialism has resulted in numerous anomalies. And as McLeod (2001a: 12) further observes: "In some cases...the regulatory system seems to be of no concern to either officials or those living in informal settlements. Regulatory requirements and procedures may be seen as completely irrelevant and incomprehensible." Lall (2001) similarly questions the relevance of formal habitat regulations to the realities of the urban poor constrained to live in informal settlements.

Schilderman (2001) similarly remarks that policies, regulations and shelter legislation in most developing countries are inappropriate for the urban poor. Regulatory 'obligations' set down by central and local governments are thus ignored by millions: most poor people build illegally or gradually become 'illegal' as they accommodate the rising demand for housing through informal extensions and 'upgrading'. Moreover, not only is the cost of meeting stipulated formal standards too high, the complex and costly procedures, which have to be followed to achieve legality, are prohibitive. The number of instances in which the population in the 'informal city' is larger than that in the 'formal city' is rapidly increasing.

The present impact of regulation on the livelihoods of poor people in urban settlements is, in general, negative and adversely affects their livelihoods (Payne 2001). As Yahya (2001) substantiates, planning standards, procedures and regulations more often than not impair the livelihoods of urban poor women and men for the following reasons: Procedures can be costly, Regulation prevents the poor from generating income in residential areas, Regulations often restrict the choice of materials and technologies, Regulations favor modern technologies over indigenous technologies, Standards and regulations are often incomprehensible to all but a few, and Knowledge and information are often difficult to access.

There are thus significant costs attached to fulfilling regulations and obtaining full planning permission for infrastructure (Tipple, 2001). Moreover uniform regulatory levies create distortions and an inordinate burden for the poor, promote and sustain a dependency syndrome, and result in more resistance than compliance to regulations (Lall, 2001). And the impact of regulatory frameworks varies between different groups: for example, their impact on women living in poverty is different to that of men in the same circumstances.

2.5.2. Complexity of regulations and Obstacles for the implementation

In many countries planning regulations, standards and administrative procedures are published in a language that most poor people do not understand or use terminology that is incomprehensible. Indeed, an incomplete understanding of the prevailing regulatory frameworks has, in many cases, frustrated attempts at development reform (Mike Majale, 2002).

For instance, the existing regulations in Addis Ababa have been misunderstood and misinterpreted by the public. It is generally believed that informal settlements are going to secure legal status, but contrary to this, there are conditions stated thereof in the regulations that renders more than 40% of the these settlements subjected to demolition (ORAAMP, 2002) The following are the major obstacles, which impede the implementation of regulations on informal settlements.

1. Obstacles which are the Result of Conflicts between the Actors Involved

- ***Conflicts between public or private landowners and illegal occupants:*** This is the most common conflict and the one, which occurs first. However, contrary to common belief, it is not always the most difficult to overcome. When the land is occupied, the owner finds himself in a weakened negotiating position, since, without strong State support, he will be unable to recover all of his property, or obtain a price equivalent to the market price. This situation often leads to a compromise solution (experiences in Bangkok, Lima, Delhi and Bhopal (UNCHS, 1996)).
- ***Conflicts among owners of land occupied irregularly, intermediary subdividers and public authorities at central and local levels:*** In the case of lands occupied by squatters, serious obstacles arise when determining the amounts of compensation which the owners of irregularly occupied land would like to obtain, or in regard to the repressive role they would like to see the authorities play - and which the latter do not wish to assume for political reasons (Thailand is an interesting case). In irregular subdivisions, obstacles are usually related to the question of regularizing the operation in terms of urban planning: issue of land use plans, permits for subdividing and servicing, infrastructure and services standards, etc. Subdividers want recognition for their operations, which urban planning and development authorities often refuse (São Paulo after the Lehman Law, and also Bhopal after regularization operations in 1984).
- ***Conflicts within the community that jeopardize the implementation:*** These conflicts occur at several levels: between members of the community especially between the first occupants and later arrivals, between illegal occupants who own their houses and the tenants or squatters, and between households with different incomes, particularly when regulations including regularizations demands significant financial contributions from them. Conflicts also occur between organizations, groups or individuals claiming to represent the interests of the community: local unofficial community leaders, "politicians", and community representatives. All may have been involved in conflicts, rivalries or alliances (Alain Durand-Lasserve, 1996)
- ***Conflicts between the people and the organizations or agencies in charge of implementing Regulations:*** Which define priorities and manage interests contradictory to the irregular occupants. Such conflicts are common when criteria for eligibility are defined to identify which among the occupying households will benefit from the implementation of regulation, and when choices are made concerning physical restructuring and the levels of facilities and services.

2. Legal, Political or Financial Obstacles

- ***Standards and reference models are too constraining:*** Public operators, State administrations and local authorities are often excessively dogmatic about norms and standards. This happens with urban and planning norms (zoning, land use, development regulations, etc.), construction and infrastructure norms and standards, legal and other procedures for providing tenure security. In particular, access to land ownership is often

presented as the best if not the only way of achieving such security, to the detriment of alternatives (such as renting). Yet the very administrations that opt for this solution often put up barriers, which make land and housing access more difficult. This is also true in the models used in the technical-financial management of projects (Alain Durand-Lasserve, 1996).

- ***An autocratic concept of land management often predominates:*** This takes on many forms, ranging from the State take-over of land (two-thirds of the countries in sub-Saharan Africa have implemented such long-term policies over the last three decades) to market control and regulatory measures. Poor communication of information, the absence of democratic procedures at a local level and a rigid hierarchy of responsibilities worsen the problem.
- ***Overlapping jurisdiction between different administrative authorities:*** In Bangladesh, for example, the forms of government intervention in regard to land development and improvement directly or indirectly involve 42 different agencies. There is almost no coordination between these agencies. This dispersal of authority can be observed in most countries in the region (von Einsiedel 1995), and also in Egypt.
- ***Decision-making processes are over-centralized:*** This is often the cause of erroneous evaluation of local situations, and the source of delays. It is mentioned in most of the studies carried out in sub-Saharan African countries and in all the Arab States where the beginnings of decentralization now suggest a turning of the tide.
- ***Differing legal and urban status of land:*** Land tenure regularization of occupancy and urban land-use and planning regulations often fall within the jurisdiction of different administrations; decisions therefore are made at different levels. Moreover, these two types of regularization may well not be carried out at the same pace or according to the same logic.
- ***Public authority policy changes:*** Such obstacles lead to institutional conflicts between administrations as regularization programs come into operation
- ***Obstacles due to funding problems:*** the implementation of regulations requires significant, regular financial resources. In addition to external sources (budget allocations, loans, donations) necessary for the programs start-up, the households concerned must make a contribution as soon as implementation is under way. A combination of these two modes of financing determines the long-term success of the operation. However, lack of resources remains a major problem and is aggravated by frequent under-estimation of costs, as well as the duration of the program and the difficulties in cost recovery, which is rarely effective. This problem is particularly acute in sub-Saharan Africa where cost estimates are often inaccurate. Paradoxically, it has been observed that programs carried out on a large scale are those not financially dependent on cost recovery in a strict manner, i.e. programs which are heavily subsidized (Alain, 1996).

3. Resistance to Change in State Administrations

- ***Difficulties in accepting the very principle of regulation:*** Most administrations in charge of urban management have difficulty in accepting irregular settlements, not so much because they are outside the law as because they have been established outside the bounds of administrative authority. They are then refused both integration into the city and the progressing provision of infrastructure and services. The inability of informal settlements to derive benefit from the association with a city contrasts with the improvements made in neighborhoods created under regular conditions (Alain Durand-Lasserve, 1996).
- ***Non-transparent procedures and illicit practices add to the complexity in the recognition of occupants' rights:*** The recognition of irregular settlements faces seemingly insurmountable obstacles. This issue is most acute in sub-Saharan Africa where

administrations responsible for land management are often characterized by (a) their dependency on political power; (b) their opposition to decentralization policies; (c) their resistance to legal innovations; (d) the lack of information transparency; (e) the complex procedures of land management. Illicit practices are widespread, in particular when the administration allocates land or recognizes occupants' rights. These issues also exist in other regions, although there have been significant advances in Latin America in simplifying and accelerating procedures to recognize rights over land.

2.6. Policies, Rules and Regulations causing Illegal Sub divisions

According to Angel (1988) illegal sub divisions are caused by multi faceted factors related to the rules, regulations and policies of different countries and cities in various parts of the world. The regulations and codes, which are often elitist and exclusionary, are also considered possible causes of illegal sub divisions in developing countries. In many third world cities, the majority of the population is forced to occupy land without the right to do so, because they are excluded from any legal access to land. Even more important to the situation of those who are breaching of the law by occupying land "illegally", is the practical application of laws by the government.

Illegal sub divisions, as an informal part of urban development process, are mostly not inconformity with local building and land use norms. This issue is often described as irregularity. It can be observed in many third world cities that building norms and acceptable proper land use concepts are practically impossible. Planning laws that are so complex to which one cannot comply with, compound the problems faced by the urban poor in trying to find somewhere to live. The housing laws of the residential accommodation in a city by fixing the standards beyond the financial and technological means of the urban majority put the item beyond the reach of the poor. Hence, the informal or illegal one would be the only solution (Mc Auslan, 1982:548)

In developing countries cities where government take the leading role in land development, the land supply and administration level would be affected by low level of skill and the prevailing assumption of equity that would in turn influence the level and system of land compensation. This induces the expansion of informal land market. According to Carole (2004) the informal land delivery systems are first a response to the failure of formal tenure and land administration system, including the low level of compensation paid by the government when it expropriates land and which lead to resistance to such acquisition on the part of landowners and customary land right holders. In such cases informal system of land delivery would become the main channel of housing land supply. Some authors mention Land subdivision planning rules as a cause of illegal sub division. According to Trivelli (1993) strict planning norms make the acquisition of a plot of land in the formal market too expensive and not readily available. During the decades of the sixties and early seventies, legal requirements for land subdivision were greatly increased in order to guarantee better living conditions to land occupants. But the actual effect was to increase land prices, which in turn made serviced land inaccessible for lower income groups, thus stimulating illegal solutions

In general, Harody and Satterthwaite (in Cheema, 1993) concluded that, the rules and regulations of the Governments would cause illegal/ informal settlements, through inaction or repression, that powerfully influence how and where poorer groups take action to build new

settlements, whether legally or illegally. This on the other hand can be understood as a failure of polices and regulations.

2.6.1. Types of Illegal sub-divisions for illegal settlements

It is of paramount importance to assess the features and characters of illegal sub divisions to come out with solutions pertinent to their specific practices and nature. In this regard, Maria, (1993) pointed that; specific features of illegal sub divisions that are related to specific local conditions are available that are important to be considered for possible solutions. In this regard, illegal sub divisions are classified from the following perspectives.

- On the basis of their level of public approval
- On the level of development on the site
- On the basis of forms of ownership
- On the basis of the process of occupation

On the basis of initial public approval, illegal subdivisions are identified in to two. They are irregular subdivision and clandestine subdivision (Maria, 1993:15).

Irregular Subdivisions: are those for which official permits were obtained, but that deviate from the legality during the process. It may mean that the official plan was not implemented, or implemented according to the plan approved.

Clandestine sub division: are those, which lack even initial formal approval. In this case the municipal government does not have official knowledge of the sub division. It may have, however, informal knowledge of the process. Both irregular and clandestine conditions refer to a legal circumstances and the difference between them just reflects the differences in the process of illegality.

On the Basis of development level and their size, illegal sub divisions are identified as sub standard /Irregular/ sub divisions and standard sub divisions. Those sub divisions lacking proper services and standard plot divisions are termed as sub standard. Those fulfilling zoning requirements, sub division regulation etc. is termed as standard sub division. They are dominantly available on the fringe areas of the developing countries cities.

2.6.2. The Processes and Practices in the Illegal sub division

The first stages in the development of illegal land involve usually an improvised demarcation of undivided area, relatively far from the city center, and some times with in the rural zone (out of the officially demarcated city boundary). This stage is followed by commercialization of the resulting plots. Occupation is undertaken in the absence of any basic infrastructures (even roads) whereby subsequent stages of further sub division aiming at selling the best plots at more expensive prices continue to be practiced (Durand, 2002). In this regard the process follows; *Land demarcation – Initial sub division –commercialization – occupation – plot sub division.*

Different authors have identified different stages in the development process of illegal sub divisions entirely different from the formal land subdivision. (Noorduyn, in Huijbers and Wissel, 1988) identified six stages in the process of any settlement:

- ***Tissue and block definition:*** design of the settlement in terms of roads, block organization: public and private areas.
- ***Site division:*** assignment of plot area and dimensions for each house units
- ***Occupation:*** moment in which the inhabitant settles on a site

- **Construction:** Buildings of a permanent space for the house (may be a core house or first stage construction)
- **Services:** Installation of public services and infrastructures
- **Consolidation:** Evolution of the settlement to a normal quality standard, development of self-sufficient settlement.

The sequences in this case follows, Site-Division-Tissues and Blocks-Occupation-Construction-Services–Consolidation. Baross, (1990) divided the site development process in to planning (P), servicing (S), building (B) and occupation (O) process follows the P-S-B-O.

2.7. Experience Related to the Development and Implementation of Regulatory Guidelines for Improving Informal Settlements

In the 1980s, it was realized that inappropriate government controls and regulations discourage and distort the scale and vitality of individual, household and community investments and activities that are essential for healthy and prosperous urban development. But it is also recognized that without controls and regulations, individuals, communities and enterprises can impose their externalities on others. Precluding this is one of the principal tasks of governance (UNCHS, 1996a). Public-private partnerships in infrastructure provision have made considerable progress, although success is largely dependent upon the effectiveness of the regulatory authority and good relations between the implementing agency and local communities (Payne, 2001).

"The best practices are those which, on the one hand, aim to achieve a real and tangible improvement in people's living conditions by providing them with ensured access to housing, urban infrastructure and services, and which, on the other hand, are designed to have durable effects at least on a legislative and regulatory level, with regard to social policy, management and administration" (Alain Durand-Lasserve, 1996:40).

2.7.1. Strategic planning and participatory approach: Morocco

In many developing counties, metropolitan authorities lack flexibility and the instruments required to link administrative decisions with the planning of infrastructure, services and social and economic development. Municipal authorities compete for resources. Each caters to its own perceived priorities and needs, at times losing sight of the effect of its decisions on overall social, economic or environmental trends and conditions. This often results in inequitable access to, or provision of, basic services, as well as widespread inefficiency and poor productivity. Decentralization and administrative reform can help strengthen the capacity of metropolitan authorities to overcome this dichotomy and to commit themselves to comprehensive development planning, monitoring and administration. In recent years, through stakeholder involvement and a range of instruments that link social, economic and environmental planning and management, participatory planning has effectively reduced urban poverty and stimulated local economic development (World Urban Forum, 2004).

In Tetouan, Morocco, authorities have deployed a city development strategy as a comprehensive planning scheme to enhance the benefits of decentralization and administrative reform. The strategy involved all spheres of government and municipalities in the metropolitan area in a participatory planning process. At the intergovernmental level, the strategy brought about improved coordination and concerted budgeting between central,

provincial and municipal authorities, resulting in the leveraging of resources. At the metropolitan level, the strategy enabled constituent municipalities to better understand the consequences of their actions and to agree on a common set of objectives and methods for the monitoring progress. The process allowed for better information among the public, enlightening them about the resource allocation process and enabling them to make their voices heard.

2.7.2. Access to land and security of tenure: Brazil

Access to land and security of tenure is critical to the integration of slums and the improvement of living conditions of the urban poor. The granting of security of tenure, generally acknowledged as the first and most critical step towards slum improvement, is often hampered by the fact that slums and informal settlements are, strictly speaking, illegal in their occupation and do not comply with building codes, regulations and standards. Intervention by public authorities, whether they seek to regularize or improve these settlements, is politically difficult and sensitive as it could be interpreted as de facto recognition of their legal status. This often leads to an intractable situation whereby without regularization, slum-dwellers are reluctant to improve their living environment, and service providers are reluctant to assume the risk of investments in infrastructure. Yet without such improvements, the settlements remain non-compliant with the law and cannot be regularized (UN-Habitat, 2004).

The pro-poor land act of Belo Horizonte shows how enabling legislation has made it possible for tens of thousands of inhabitants of informal settlements to obtain security of tenure and to regularize their status. The local authority implements the legislation in the form of a planning and zoning instrument called ZEIS (zone of special social interest), which since then the majority of states in Brazil have adopted and implemented. One issue remains: not all inhabitants are able to invest to the same degree, or to comply even with relaxed by-laws and standards, which causes delays in the granting of title-deeds and the improved housing conditions that come with them.

2.7.3. Regularization of informal settlements: India

Several state initiatives have aimed to regularize informal settlements (Agevi, E. 2001). Recognition of informal settlements and regularization of land tenure are still resisted by landowners, conservative authorities and vested interests in much of the urban South. An increasing number of urban authorities are however successfully changing attitudes (Imparato, 1996). For example, in Alwar, India, the official policy of the state and local authorities has been “to regularize settlements of the poor without regular tenure” (Lall, 2001:12). The first step in this respect, which has been in practice for the last decade, is infrastructure interventions. An ownership title for the land, *Patta*, that will be provided on joint ownership basis owing to socio-economic compulsions, has however recently been introduced (late 1999). The results of such pro-active initiatives point the way and convince others to do more.

The costs of regularizing tenure in informal settlements can however be excessive. The example is given of Andhra Pradesh in India, where it was found that the cost of regularization initiated by the poor themselves would be equivalent to the cost of building a permanent home (McLeod, 2001a).

2.7.4. Stronger Role and Contribution of Local Authorities: Philippines

By virtue of their proximity to citizens, local authorities stand at the forefront of social and economic development and environmental management. Whether their mandate is confined to the provision of basic services or includes economic development, they are the spheres of government closest to the people, and therefore in the best position to adopt and implement policies and strategies in response to real and perceived needs of their constituent communities. But in most developing countries local government, and municipal authorities in particular, have had limited financial and decision-making autonomy. The Philippines was no exception until 1991, when a new local government code, in the form of a constitutional amendment, was adopted to strengthen the role and contribution of local authorities in all aspects of social, economic and cultural development (World Urban Forum, 2004)

The Philippines' Local Government Code defines the mandate, role and responsibilities of local government. It includes the formal recognition and designation of four tiers of governance – provincial, city, municipal and *barangays* (the smallest political unit). The code also affects the national Government as far as its relationship to local authorities is concerned.

2.7.5. Knowledge and information: Kenya

Urban area information is needed to give context to the local issues in the community. In this regard, informal networks and acquaintances have been identified in several contexts as key sources of livelihoods knowledge and information. Linking the diverse urban poor women and men with government, city and municipal officials, private sector professionals and NGOs has enabled them to access the skills required to comply with regulatory processes and requirements. Lowe and Schilderman (2001) illustrate this point well with the example of a series of participatory design workshops, the outcome of which was the expedited approval of housing and small commercial business premises in a number of informal settlements in Nakuru, Kenya, which not only reduced the time taken to obtain building permission but also reduced costs.

2.8. Regularization of Informal settlements as Global Campaign

Regularization of informal/illegal settlements in illegal subdivision has become a received wisdom among governments, international agencies and NGOs alike. The principal reason for which land title regularization is so important; it provides security against eviction; brings people in to the formal market, raises land values, stimulates settlements consolidation, allows for the introduction of public services, generates access to credit, incorporates residents in to the citizenry and integrates properties into the tax and regulatory base of the city (Ayako and Turkistra, 2002).

The Global Campaign for Secure Tenure by United Nations pointed that security of tenure is a fundamental requirement for the progressive integration of the urban poor in the city, and one of the basic components of the right to housing. The granting of secure tenure is equally important in relation to squatter settlement's regularization since the provision of basic services is tied to legal land tenure. Therefore, the granting of secure tenure is one of the most important catalysts in stabilizing communities, improving shelter conditions, reducing social exclusion and improving access to urban services (Cities Alliance, 2003). Given that 30 to 60 percent of the populations of cities in developing countries live in irregular and illegal settlements, it is widely accepted that regularization policies are the only realistic solutions at

least in the short term to improving housing conditions of the urban poor (Alain Durand, 1996). Other than its contribution to improve the housing condition of the poor, regularizing informal settlements has also the following advantages.

- It encourages and facilitates investment in home-based activities, which play a major role in poverty alleviation by creating productive employment and income.
- It facilitates the provision of urban services in the settlement.
- It helps to mobilize communities to contribute to the management and maintenance of their settlement environment.

The Nevada county in USA discusses the benefit of regularizing illegal sub division of land so that the lot size, streets, water supply, drainage, sewage disposal, fire access and other factors associated with good sub division planning can be provided so that public health and safety is assured (Nevada County, 2004)

Regularizing informal settlements means, first of all providing security of tenure. Households should not be evicted by an administrative or court decision for the sole reason that they are not the owner of the land or that they have not entered into a formal agreement with the owner, or do not comply with planning and building laws and regulations. Regularizing illegal sub division is a pre requisite for the provision of basic urban services (Alain, 2002). The Habitat Global Campaign for Secure Tenure stressed that, security of tenure is a fundamental requirement for the progressive integration of the urban poor in the city, and one of basic components of the rights to housing is it guarantees legal protection against forced eviction. The granting of secure tenure is one of the most important catalysts in stabilizing communities, improving shelter conditions, reducing social exclusions, improving access to services. The HABITAT agenda also provides the international policy and legal context relating to the urban land tenure and access to the urban poor and other marginalized sections of the society. The agenda under its part on the commitments stressed that governments must:

- Provide legal security of tenure and equal access to land to all people including women and those living in poverty.
- Ensure transparent, comprehensive and accessible systems in transferring land rights and legal security of tenure.
- Protect all people from and providing legal protection and redress for forced evictions that are contrary to law, taking human rights in to consideration and when evictions are unavoidable, ensuring as appropriate, that alternative suitable solutions are provided.

The principal message of this provision is, while the strategy of enablement is to be the preferred mechanism for providing access to land and ensuring security of tenure, the role of governments does not only stop at enabling markets to operate efficiently and transparently but also must direct their attention to considerations of equity in the operations of land markets. To this end, governments at all levels and civil societies must be involved in working with the disadvantaged and the poor, removing obstacles to their obtaining land and developing innovative mechanisms, instruments and institutions to help them obtain access to land and security of tenure (McAuslan, 2001). The regularization process that ensures tenure security for informal settlements corresponds to three different levels: the administrative sphere, the legal sphere and the urbanistic one. The first is related to the procedures held by the municipal administration, such as approval of plans, work schedules and final approval of certificate. The second sphere is related to the legal title of the land, the registration of the

plan, the donation of the land for public use (streets, parks and plots for future implementation of public services) and the final registration of the individual plots. The urbanistic regularization is related to the implementation of basic infrastructure, such as water supply, sewerage, drainage public electricity, pavement and vegetation (Maria, 1993:24).

Alain, (1994) discusses that implementing regularization policies are expensive, time consuming and require a lot of resources. It requires powerful specialized institutions and political and administrative reforms aiming at transferring land management responsibilities to local entities along with requested financial resources. As a result, to be successful tenure regularization policies must be implemented on a large scale. If limited to a few settlements, regularization programs will not have sustainable effects. Alain identified these reasons from the following aspects:

- For technical reasons: A city of 6 million people where 50% of the population is living in illegal sub division the administration in charge of land should issue 400 titles per working day during 10 years only to coup up with the existing demand.
- For administrative and political reasons: Identification of right holders and house holds entitled to tenure regularization, surveying, adjudication procedures, resolution of land related conflicts, allocation of property titles. These require powerful specialized institutions, appropriate administrative and regulatory environment, financial and human resources and political continuity.

Government actions on regularization vary from country to country. Peru, Ecuador, and pre - 1985 Mexico exemplify tenure regularization, that is, the legal land entitlements to convert from informal de facto to formal de jure property ownership. The physical regularization and the extension of infrastructures into illegal settlements are characteristics of Colombia, Venezuela, Brazil and most others. In Karachi, Pakistan, the level of security of tenure in the illegal subdivision is judged by the services and facilities that the government provides to an area. The provision of these services is observed as a sign of that the government recognizes the existence of a settlement (Van der Linden, 1983:44). In the case of Colombia, land title programs are in any case irrelevant in terms of influencing access to basic services. The Colombian legislation entitles all citizens to the right to obtain public services such as water supply, sewerage disposal, electricity, circulation, storm drainage, garbage collection, telephone and gas for their homes. Only technical grounds are the legal means to denying the provision of public services in illegal settlements as the costs of the connection are to be paid by the applicant. Hence, land tenure is not the matter of concern in the majority of the illegal sub division since the regulation protects the inhabitants from forced evictions and entitles them to receive all essential services irrespective of their tenure status.

2.9. Summary of the theoretical frameworks and lessons drawn

Informal settlements, like most of the problems confronting people living in poverty in the urban centers of developing countries, are the outcome of failed policies; inappropriate regulatory frameworks and administrative procedures; dysfunctional land markets; unresponsive financial systems; bad governance; corruption; and a fundamental lack of political will. Each of these failures compounds the problems faced by urban poor communities and denies them the opportunity to optimize the benefits of urbanization, and also constrains the substantial potential for human development presented by urban life and the achievement of sustainable livelihoods.

Any urban development endeavor should be guided by plans and the corresponding regulatory frameworks, laws, and by laws. The literature reinforces that to implement any development plan of cities efficiently and effectively, to treat the issues of development frameworks, it is essential to provide clear and transparent regulations. These regulations have to be prepared with the objective of bringing healthy and efficient implementation of plans, providing legal security and protecting public interests through legal provisions. However, most of the urban centers in the developing countries including Addis Ababa had left important planning issues to the discretion of the city officials to make their own decisions on most key problems, thus resulting in impeding urban development, in encouraging the growth of informal settlements, weak enforcement of laws, regulations and glaring administrative offences. This is because; the development and implementation of regulations on informal settlements have not been in the context of major variables including *policies, institutions and processes* within which individuals and households, develop and adapt livelihood strategies like regulations regarding informal settlements. Their impact might be enabling, inhibiting, creating or constraining livelihoods options and outcomes.

The above-mentioned variables have encompassed a range of issues such as participation, power and authority, governance, laws, public services delivery, market mechanisms and social relations. The legislation, regulations, norms and procedures that govern housing and urban development are an integral part of the policies, institutions and processes as explained explicitly in the literature parts of the study. Therefore, Policies, Institutions and Processes are the foundations of the development and implementation of regulations; in this study particularly, regulation regarding informal settlements. Hence, policies, institutions and processes operate at all levels and in all spheres, both public, and private, and they influence significantly the conditions that promote the achievements of strategies so as to have sustainable livelihoods.

I also clearly understood from the literature that most regulatory frameworks in urban centers of developing countries including Addis Ababa are in congruous with the realities of poor communities and are the major impediment to the achievement of sustainable livelihoods of informal settlers. This is largely due to:

- Improper adoption of approaches and processes for the development and implementations of the regulations on informal settlements that have failed to address the problem of the existing situation of urban centers.
- Excessively high standards and complex, time consuming procedures conforming to official requirements entails. These sanctioned norms detrimental for both the cities and urban poor dweller in informal settlements that suffer from the negative consequences.

From the literature, major approaches and processes have been identified for the development and implementation of regulations on informal settlements. These include: participatory approaches, enabling approach and processes, appropriate regulatory standards, inclusive regulations, self-regulation, equity driven processes, decentralization of responsibilities and resources, partnerships and strategic alliances, capacity building and etc. These are the major elements of approaches and processes used to develop any regulations including regulatory guidelines for informal settlements so as to bring about planned urban centers and sustainable livelihoods. Although most of the regulations formulated in developing countries have failed

to attain the predicted goal and vision due to the above mentioned impediments as explained in the literature part of the study. These conditions bear negative impacts on the livelihoods of informal settlers. The major dominant indicators of poor development and implementation of regulations identified in the review are, inappropriateness and complexity of regulations, poor institutional and financial frameworks, social injustice/absence of equity etc. this condition enhances poor implementation of regulations on informal settlements leads to the proliferation of informal settlements in the urban centers of the developing countries like Addis Ababa city today.

On the other hand, major obstacles identified from the review for the implementation of regulations regarding informal settlements are stated as follows:

- Conflicts between the actors involved,
- Legal, political or financial obstacles for the implementation of the regulations,
- Resistance to change in city administrations,

Lessons drawn for the assessment of development and implementation of regulations on informal settlements:

- Policies, institutions and processes are the key variables or inputs for the development (formulation) and implementation of legislations, regulations; norms etc. thus, rules and regulations are implemented through Public organizations and institutions. They are the *fountainheads* for the formulation and implementation of regulations, rules and legislation. Without encountering and incorporating the issues, legislations, regulations do not exist.
- Key institutions and organizations that play a role in the implementation of policy and regulation include:
 - Agencies that deliver government services; utility providers
 - Law enforcement agencies; e.g. Code enforcement offices, land administration authority etc in Addis Ababa
 - Private sector and civil society groups (NGOs, CBOs) that deliver services under contract to government And etc.
- Adopting proper approaches and processes for the development and implementation of regulations on informal settlements to create planned urban centers and sustainable livelihoods, integration and regularization of informal settlements.
- Creating enabling environment that will encourage the participation of NGOs, CBOs, and the private sector in committing resources in providing services and infrastructures for the urban poor by providing supportive planning measures through regulations.
- Communities are considered as subjects of planning instead of objects of planning.
- Enhancing planning and implementing capacity of the municipalities by providing appropriate and sustained training to existing staff, recruiting additional required professionals and fulfilling the necessary equipment and materials needs' and financially subsidizing for the proper implementation of regulations on informal settlements
- Active participation and involvement of potential stakeholders for the development and implementation of the regulation regarding informal settlements including, professional/experts such as planners, designers, architects, urban lawyers, NGOs, CBOs, leaders, administrators, politicians etc
- Access to land, access to credit and finance, regularization of informal settlements, upgrading, provision of home based enterprises, relaxation of regulations, partnerships, transformation of roles among stakeholders, community management, knowledge and

information etc are the major experiences and practices for the development and implementation of regulatory guidelines for informal settlements.

- Simplicity and flexibility of regulations are very important to accommodate changes due to improvements etc.
- It assists to assess the major obstacles that impede the implementations of regulations on informal settlements.
- Setting mechanisms to overcome the challenges of obstacles that impede the implementation of regulation regarding informal settlements.
- The formulation and implementation of regulations can affect livelihoods by: changing institutions such that they are more or less supportive of poor people's livelihoods (e.g. regularization measures following a regulation for more equitable growth); changing institutions such that they alter the incentive arrangements for organizations and their relationship with poor people.
- It helps to identify the key stakeholders involved in the processes of developing and implementing the regulations regarding informal settlements.
- Understanding the key tools used for the implementation of regulations (institutional, financial, technical, and regulatory frameworks).

Thus, despite a great diversity of situations, overall literature review reveals a number of factors underlying for the development and implementation of regulations and policies. There has to be ***a favorable economic, political, legal and financial context having:***

- *Political willingness* that ensures the long-term implementation and follow-up of regulations in accordance with defined guidelines.
- *Smooth coordination between the various stages of power:* government, municipalities and settlements, etc, those involved in either development or implementation of regulations on informal settlements.
- *A system of democratic delegation* that enables the expression of the people's demand for access to land, infrastructure and services
- *An economic situation, which allows public authorities to spend the resources necessary for the implementation of regulations, in particular for intervention at the following three levels:*
 - a) Land (acquisition of land, building up land reserves, etc.);
 - b) Infrastructure and services (development of land for housing);
 - c) Funding (financing of operations, loans to households)
- *A conducive legal and institutional framework* where the implementation of regulation is facilitated by
 - a) The existence of specialized agencies or organizations, institutions
 - b) The existence of city regulatory provisions by an administration with appropriate means.
- *An appropriate and stable financing system*, adapted to the economic and legal situation of people living in informal settlements.

These are the key reviewed issues used as frameworks for the assessment of the development and implementation of regulations on informal settlements in Addis Ababa in the next chapters.

III. CONTEXTUAL BACKGROUND

This chapter gives an insight to the study area. A broad overview of the location, physical and socio-economic characteristics and urbanization processes that have given rise to informal settlements in Addis Ababa will be presented. Housing problems in Addis Ababa, National land and housing policies and associated regulations together with rules and regulation in Addis Ababa will be viewed. It will finally present informal settlements as housing crises against the housing policies and the associated regulations as well as the overview of the existing situations in Addis Ababa.

3.1. Physical and social-Economic aspects of Addis Ababa

Ethiopia is one of the least urbanized countries in the world. According to the recent national population data, the current urban population in Ethiopia is 16.5 % (CSA: 1998). The same source also reveals that 28% of the total national urban population resides in the capital city of the country, i.e. Addis Ababa. Addis Ababa was founded hundred seventeen years ago; the city emerged first as a garrison town and then become permanent seat of central government since its foundation. Over the years, Addis Ababa has grown into an important urban center in the country. Currently, the capital covers a total of 540km² and about 3 million populations, which are ten folds of the population of the second largest city in the country (. i.e. Dire-Dawa). From the outset of this general information, one can imagine how Addis is dominant in Ethiopian urban hierarchy.

Primacy of Addis is explained not only by the size of its inhabitants, but also by concentration of economic, social, political and cultural activities of the country. As virtue of its geographical location, Addis is the transport and commercial hubs of the country; almost all the import –export transactions take place in the capital. The city hosts a number of international and regional organizations; it is headquarter of AU and UN-ECA, as well as seat of many other multinational organizations and diplomatic missions.

Despite such National, regional and International importance, Addis hardly meets the required urban quality and standard of international city in its urban setting (spatial pattern) as well as in the level of infrastructure and service provisions. The larger parts of the city are predominantly occupied by irregular/informal settlements.

Hence, a distinguishing feature of the urban growth in developing countries has been the growth of informal settlements. The UNCHS (1996 p. 292) estimates that between 20% and 80% of urban growth in developing countries is “informal”. This figure is 80% for Addis Ababa City (ORAAMP, 2001).

With this regard, the city government has attempted to mitigate and control the situation by formulating various regulations and strategies. However, they fail to contain the proliferation of informal settlements in the city.

the aim of this study is to investigate and assess the development and implementation of regulations on informal settlements, the approaches and process used to develop the regulations and identifying implications for policy is indispensable. This will help the City Government and it’s partners to revise and design the regulatory frameworks and the improvement of informal settlements.

3.1.1. Geographical Characteristics of the City

Addis Ababa is located at the geographical center of Ethiopia. It lies between 8°55'- 9°05' north latitude and 38°40'-38°50' east longitude. Its average altitude is 2408 meters above the sea level. The highest peak is found at Mount Entoto with 2800 meters. The lower part of the Akaki plain has an altitude of 2200. The Entoto massive in the north surrounds the city. The upper parts of the city is characterized by steep slopes with high mountains, flat topped plateau while the lower part is less steeper (Region 14 Environmental Protection Bureau, 1997). The city is endowed with numerous streams that start from northwest and northeast running towards the south and draining to the Awash River. The most important streams and rivers are the Kebena, the Ginfile, the Bantayiketu, the Buhe, the Akaki and the Kechene rivers (Region 14 Environmental Protection Bureau, 1997).

Addis Ababa in the National and International Setting



Map 3.1. Addis Ababa in the National and International Setting (2002)

Proclamation No 7,1994 approves the new boundary of the city, which was defined in the Master Plan Project of 1986. According to the new boundary the city has a total size of 53,

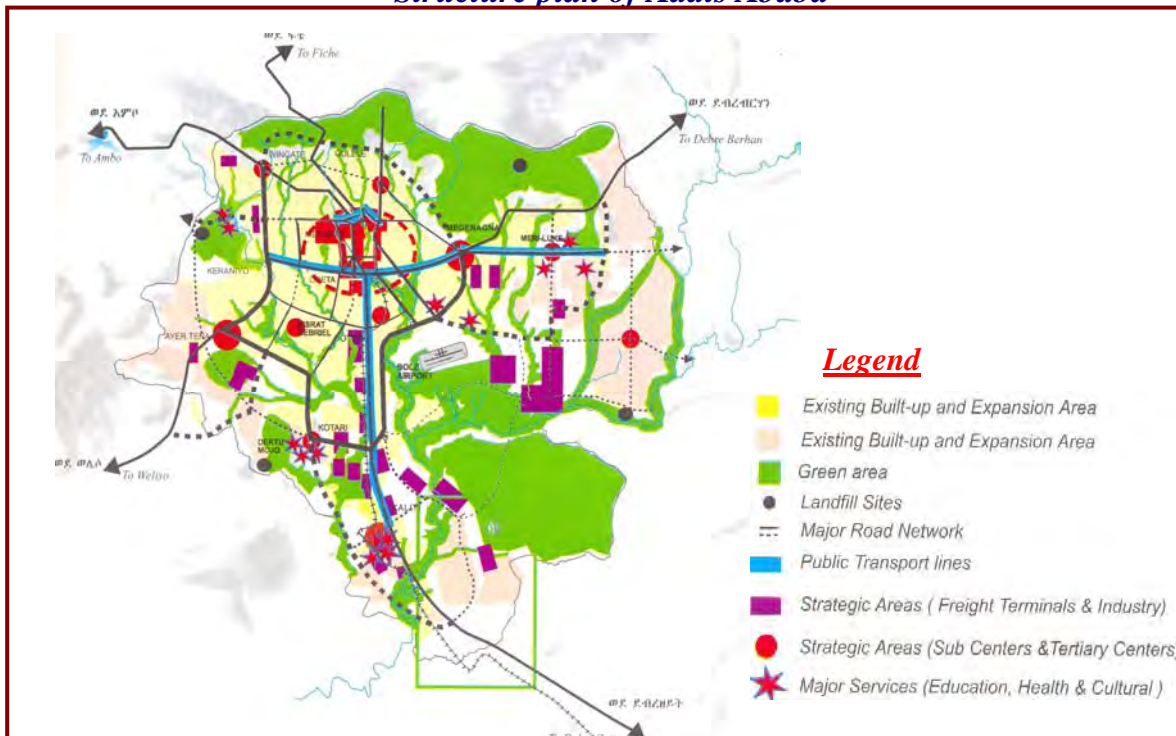
914 hectares. Not only has the city increased significantly in its physical size, but also the increase is in unplanned manner resulting in many problems such as traffic congestion, shortages of facilities and infrastructure. The land use structure of the city shows that 53.87 % of the area is a built up area. Out of this area, 63.6 % is devoted to residential use while 17.9 %, 10.3 % and 7.9 % are used for public, commercial and industrial uses respectively.

3.1.2. The Addis Ababa Master Plan

The Addis Ababa master plan has been formulated in 1986 by the City administration in cooperation with the Italian Government. The master plan focuses on various development topics such as population, agriculture, industry, transport, public utilities, housing, town and landscape. The master plan is prepared to guide the city for 20 years. The Master plan is composed of Regional, Metropolitan and Urban levels growth models. It aims at accommodating the city growth through upgrading, infill, densification and expansion. The Master Plan also has the objectives of reducing unemployment, mitigating urban poverty, augmenting service provisions and reducing adverse effects of urban activities on the natural environment (Matheos, 1999).

The Addis Ababa City Administration formally approved the Master Plan in 1994. It was however realized that the Master Plan could not promote the development agenda of the city given the current situation. The Master Plan is currently substituted by newly revised structural plan prepared by the Office for the Revision of Addis Ababa Master plan (hereafter mentioned as ORAAMP). The objectives of the revised structural plan is to transform the previous Master Plan into an effective instrument which promotes sustainable development of the city and to devise strategies and develop appropriate instrument to deal with the key urban problems and development issues.

Structure plan of Addis Ababa



Map 3.2 Newly Revised

Structure, Plan Addis Ababa (2002)

3.2. The Housing Situation in Addis Ababa

3.2.1. Current Housing Conditions

Big backlogs, substandard physical substances and lack of infrastructure facilities mark the housing situation in Addis Ababa. Including all housing types, the average available living space in 1994 was only 4.3m²/person as compared to the African average of 6.5m²/person. 1. Over half of the housing stock is constructed out of temporary materials and deteriorates from time to time. As per Baker only 21% of the total housing stocks meet the local definition of acceptable housing (Baker et al., 1997:102). 2. Although big efforts have been made in infrastructure construction and maintenance and still going on, the need is still very high, mainly for sanitation and water supply. The following data show the percentage of houses without adequate material and technical service in relation to the total number of houses (CSA, 1998:180-9) includes 80% Chika wall (wattle and daub construction), 95% corrugated metal roofing, 55% tamped earth floor, 90% without shower and bathroom, 25% without toilet and 63.1% with dry latrine, and 5% without kitchen.

Despite the initiatives being made by dwellers and ongoing formal housing programs, the deterioration of existing houses is alarming and the construction of new houses very low. 80% of the population are currently overcrowded and live at an average density of 2.6 persons per room. This is a result of the inefficiency of the formal sector and high level of the semi-formal and informal sectors. A recent data (Baker et al.1997) shows that the total housing needs arising from population growth and new family formation, easing the existing overcrowding and replacement of obsolete dwellings has been estimated to be about 50,000 dwelling units annually (1995–2000): Population growth: 106,000 (44%), Overcrowding: 46,000 (18%) and Replacement of obsolete houses: 93,000 (38%).

Housing-need assessments reveal also that the low - income group share 63% of the new housing needs and shows the urgent need of new housing production, which should addresses this income group. So far, the problem has been tackled only in terms of numbers. The long-term settlement regeneration has never been addressed and the situation remains to be a vicious circle.

3.2.2. Land Policy and Housing Sector

The current housing problems in Addis Ababa are the land policy and housing policies short - comings since the foundation of the city. They usually favor specific income groups and employee and impede investments in the housing sector. Thus, failure to use and mobilize human, financial and material resources appropriately prohibits the low-income population from having access to shelter.

The main housing sectors in Addis Ababa could be categorized into formal, semi-formal and informal housing. This category is based upon their origin, development processes and legal status. However the focus of this study is dealing with an assessment of the development and implementation of regulations on informal settlements.

The formal housing sector refers to the public or private houses that are planned and built as complete units according to the regulations and permission procedures of the regional municipality. It comprises private houses, low-cost housings, rental houses and apartments.

The Municipality of the city, with its agencies, is in charge of formulating and coordinating the formal housing and urban development policy and provides guidelines for their implementation. It is responsible for the identification and issuance/leasing of land for individuals, cooperatives and developers and preparing housing standards. It also constructs and administers rental houses through the Agency for the Administration of Rental Houses (AARH). However, due to lack of appropriate housing policy the output of this sector and the way it addresses the low -income people is very low, both at regional and national level at large.

Most of the developing countries allocate 3%–6% of their GDP for housing. The total national urban housing investment in Ethiopia is only 0.5% of GDP. Available data for 1976–92 indicate that the formal housing supply in Addis Ababa satisfied only 7.0% of the entire requirements (MWUD 1993 E.C: 15), which addressed only a small portion of the population. This attributes to the bad use of human, financial and material resources available and more specifically, to the lack of appropriate policies to mobilize private resources, and refers to the accumulated Effects of the pre-1974 monarchic monopoly of urban land and dwellings, the nationalization of land and extra houses in 1975 and the recent ambiguous land policy. Most of the built-up areas of the city are therefore a result of informal/spontaneous building and extension activities.

As a result of the inefficiency of the formal sector, this is the new form of housing provision and maintenance of existing housing stocks in the capital, which holds true for both owner occupancy as well as government –owned ones. It comprises the incomplete legal dwellings that transform with time through dwellers' initiation and the informal/illegal settlements in the city outskirts.

3.3. Housing policies and associated regulations in Ethiopia

Housing sector has been subjected to variety of interventions over the last 30 years, which provide important lessons to any effort that aims at drafting an appropriate and coherent housing policy.

3.3.1. Pre-1975 situation of housing policies and the associated regulations

The housing market during this period can be characterized as one operating free market principles. Landlords were leasing urban land and constructing residential houses to tenants, and there was no restriction in regards the selling and buying houses. Nevertheless, there was a felt need for some from the government intervention, particularly in the low-income housing sphere, as:

“It has been evident for several years that the current workings of private enterprises in housing have not, and will not, tackle the serious problem which exist in Ethiopia without the development of a firm, realistic, long-range housing program by government” (Ministry of Public Works, Housing study, volume I, 1967).

Thus the government, which then had little involvement in the housing sector, was expected to provide low-cost housing without prejudicing the role of the private sector which was at the time mainly catering for medium and high income groups ((Ministry of Public Works, Housing study, volume I, 1967). Moreover, this laissez-faire condition was one of the factors blamed for the unplanned development of most urban centers, in addition to the very high cost of rent tenants had to pay during this period (Gulte, 1989). This is especially important when one

looks at the highly skewed distribution of urban houses: in the late 1960s it was estimated that only 5% of Addis Ababa's population owned about 95% of the city's urban land, while 55% percent of the houses in the city were rental houses (ibid, 1989:18).

This resulted in very high urban land prices, for there was no national government or municipal jurisdictions that controlled the rise in land prices or stopped rampant speculation, 'as a result of which 'the majority of the urban population was forced to live in highly crowded and congested dwelling mostly built and owned by small scale land lords, for big estate owners never sought to invest in low of middle income housing' (ibid, 1989:18).

3.3.2. "Implicit" policies and associated regulations (1975-1986)

Proclamation No. 47/1975 nationalized all urban land, high rise apartments and office buildings and extra houses without direct compensation as the main rationale of the proclamation was to get rid os,"usurious land lords." It is worth noting to that the most important immediate effects of the proclamations were: a regressive reduction on the amount of rent (between 15 and 50%) for tenants who were paying a monthly rent less than 144 Birr; and the coming into the picture of the direct government involvement in the sphere of housing provision.

As a result, since the mid 1970s the role of institutionalized forms of private housing was totally relegated, and this was assumed to be handled by the government. In the years that followed the government was working towards a complete control of the housing market, albeit it encouraged self-provision as the main form of housing supply. The proclamation prohibited the earning the of the rental income by individuals (which in effect become the exclusive right of the public sector) and putting conditions for the transaction of urban houses, the government envisaged a complete control of housing market. It can be said that there were not explicit policies on housing until 1986. There were, however, certain implicit policy objectives (in the form of rules and regulations) inherent in Pro. No 47/1975:

- The government becomes the sole owner of urban land and "extra houses." Conditions were put on the selling of houses, and obtain rental income from housing was prohibited;
- Central associations were expected to develop urban land which stared to be assigned free from charge to attract potential builders, although a ceiling was set for the size of land plots to be assigned at 500m²;
- Speculation in urban land was to be controlled through formal procedures that involved kebele judicial tribunals;
- The MUDH was responsible for providing technical assistance including the issuance of site plans and estimation construction costs

3.3.3. Explicit Policies on Housing (1986-91)

The policies which were implicit in proclamation No. 47 of 1975, despite their concern for equity, created serious bottlenecks in the housing sector, and largest share of the housing need remained unattended. The housing policy document issued by the government Proc. No 92/1986, and the associated regulations were responses of sever problems faced with regard to housing which, by the early 1980s, had already reached a full-blown stage. Problems were encountered, particularly in Addis Ababa, in providing serviced land. It is also become difficult to make adequate construction materials available. So serious were the problems that the government issued a directive (some time in 1984) to halt the allocation of urban land all

over the country until a national housing policy would be formulated along the socialist line. The directive also totally banned the selling and buying of houses.

The formulation of the housing policy work took more than two years during which no houses were constructed except the completion of already started constructions. During these two years the housing problem further accumulated, while significant (unofficial) housing transaction was going on. Moreover, despite the existence of legislation that prohibited the earning of income from house rent, people were subletting their houses.

It must be noted that the directive was effective all over the country despite the presence of differences in terms of urban land and housing problems from one urban center to another. The main objective of the policy has been space and material economy, which was to be achieved by non-public participation (particularly by individuals who would organize themselves in cooperatives) in the construction of standardized dwelling houses. It also envisages that the government would be the sole buyer of potential houses to be sold by their owners. Thus another objective of the policy was to achieve further control on the housing market.

3.3.3.1. Instruments used to achieve the objective of the policy guidelines

- ***Housing standards:*** these were meant to achieve both space and material economy, by way of ensuring that the construction of houses would be following standards developed by the MUDH. To this effect the ceiling for the maximum allowable size of land per household was reduced from 500 to 250m², and a vertical increment, a “G + plus” housing was encouraged along with provision of communal green areas. Moreover, housing spaces (floor area) were to be regulated between 14 and 70 m² per household. These standards also require that in case of cooperative duplex houses, two houses having a common wall, should be constructed to save urban land space and construction materials.
- ***The promotion of the housing cooperatives:*** dwelling house construction cooperatives were encouraged. The main argument behind promoting cooperatives is the assumption that scale economies can be easily realized, both in arranging for the delivery of construction materials, especially with regard to transport and the development of common infrastructure. Cooperatives stated to be provided with a subsidized credit (at annual interest rate of 4.5% against 10% paid by individuals). Moreover, they were given priority in the assignment of urban land, provision of credit and allocation of construction materials.
- ***Co-dwelling:*** subletting was made official encouraged to alleviate the housing problem. Since then there was significant subletting (including those houses administered by kebeles).

3.3.3.2. Informal Housing Status

Contrary to both implicit and explicit policies intention that was primarily meant benefits the low-income group; a favorable and conducive environment was created for corrupt and bureaucrats who were responsible for distribution free urban land to receive more than one. They sold the land to others who did not have connection, rental houses not only became impossible to find, but also very expensive. The satisfaction of the housing needs of the majority of the urban population could not be adequately addressed, particularly the urban poor (Solomon, 1994, Taddese, 2000). This reveals that the poor had not access to affordable land and housing in these periods contributed to the expansion of informal settlements. As not many houses were constructed in the last three decades, the housing demand has accumulated over the years, Due to absence of clear housing policy. The discrepancy between the gross

housing need and the capacity to build formal houses resulted in the expansion of squatter settlements and increased densities in low-income areas.

It is worth noting in this regard that one of the issues that encountered many of the emerging regional and municipal governments has been demolishing of houses that were constructed without official permits. As these houses (which have been the focus of such intentions are constructed with individual fund (i.e., without bank loans). They indicate the potential for private sector housing demand, if at least plots were readily available for housing construction. On the other hand, although figures are not readily available about the total number of houses demolished as part of these interventions, they have definitely contributed to reductions in the total housing stock. Thus, the emergence of informal settlements is visible dimension of housing crisis resulted by the absence of clearly defined housing policies and the associated regulations in the developing countries like Ethiopia.

3.3.4. Post 1991 situation in Ethiopia

After the downfall of Derg Regime, the economic policy of the transitional period of Ethiopia was issued in November 1991. Article 8 of the policy devoted to urban land and house construction policy during the transitional period. Urban land remains under the control of the government and shall be distributed for those who want to construct houses. The government shall create favorable situations to encourage people to benefit from the construction of their own houses. Sub-article 8.2 of the policy of the policy points out the need to expand and strengthen participation of private investors in the areas of urban development, housing and construction sector. Any one who wants to construct houses for residential or other purposes shall obtain land in accordance with government directives, and shall be given security of ownership and the right to sale, rent bequeath etc the house. Both National and foreign investors are allowed to participate in any construction activity. “As indicated in the proclamation, the government will favor the construction of low-cost houses, as the result the rate of rent for plots used for construction of low-cost houses was set at a very low rate” (Dessaegn, 1994).

However, we are now in the late 1990s of E.C, but there does not seem any appreciable improvement in the construction of residential houses. The urban land lease holding proclamation No.80 of 1993 was issued in December 1993. Based on this national proclamation, Addis Ababa city administration established Proc.No3, 1994 Addis Nagarit, a lease holding system fully described in section 3.4. However, this situation contributes for the development of informal expansions. Thus, growth of informal settlement is one of the visible dimensions as well as the predominant indicator of housing crisis particularly in developing countries like Ethiopia as the result of poor or absence of appropriate housing policy and associated regulations. Hence, the problem is further compounded by the inappropriateness of policies that exclude the majority of the residential areas in many urban centers. In most cases illegal situations arose as a result of non-Responsive land and housing policies (Wubshet, 2002).

The provision or delivery system cannot encourage housing development as needed. More over, the private sector is constrained by high rental income tax. The income tax amendment of No. 62/1993 fixes the income tax rates on the rental housing. A 35% of flat rate on incomes of organizations and associations having legal personality, and a rate which verifies from a

minimum of 10% to a maximum of 45% on personal incomes from house rents². The rental income tax is higher than other income taxes. The maximum rate for other business is in 40% as opposed to the 45% for house rent (PADCO, 1995). This has discouraged investment in housing sector for rent purposes and has played big role in the proliferation of informal settlements in the city. The growth of informal settlement is one of the visible dimension as well as the predominant indicator of housing crisis in Ethiopia as the result of poor or absence of appropriate housing policy and associated regulations.

On the basis of these serious problems, which lead to illegal settlements, the Federal Government has made some amendments. Thus, the income tax *amendment of No. 62/1993* fixes is now re-amended to *Proc. 286/2003* (Tax regulation). *Previously as mention above, housing rental income tax ceiling used to be 45%; now this has been brought down to 35%. Capital gain tax is nil for residential houses*³. The former case still more or less leads to the construction of informal settlements.

3.4. Post 1991- Rules and Regulations in Addis Ababa

For the last three decades, urban land in Ethiopia has been under public ownership. All land and housing related policies, strategies, rules and regulations are adopted in light of this basic right of the government as explained above. Ensuring equitable access to land and housing and eliminating speculation have been the objectives of most of the regulations. As opposed to the terms of the constitution of the country, illegal settlements are widely practiced in the city in general on land sold and purchased by individuals who undertake autonomous housing construction. Some rules and regulations are described in the following sections.

3.4.1. Land Development and supply

For the last couple of decades the city has been suffering from the shortage of serviced land supply in relation to the huge demand, which is assumed to cause the delay. During the first few years of nationalization of land, plot allocation in the city was relatively successful because there was sufficient vacant land in the center reserved for speculative purposes by the landlords who owned the urban land. (Tigabu, 1996) When the reserve was exhausted, provision of serviced land by the municipality became lower causing the delay in the provision. According to the data obtained from the Land Administration Authority the decline in the provision of plots for housing started in late 1980s. The average plot allocation between 1976 and 1982 was 3000 plots per year and reduced to nearly 1200 plots between 1988 and 1991.

The period was characterized not only by the decline in the land supply but also by a substantial gap between the demand and supply of land and housing that delayed the responses of the formal system to the requests of the applicants for land. The number of registered applicants for land between 1988 and 1995 was 63,380 out of which only 6200 applicants got positive replies while a total of 57,180 applications left unresponded (no land delivery). These applicants whose requests were unmet undoubtedly have resorted to illegal sub divisions as an alternative. In this regard, the house holds in the informal settlements have replied to waiting for 3 to 7 years, in the formal system before they came to the illegal settlements, where it took them less than a week to get access to land. This can be examined from the land development system of the city. The municipality of Addis Ababa has been a

² Previously housing rental income ceiling used to be 45%- Now this has been brought down to 35%

³ Capital gain tax-30%- now tax is nil for residential houses (Tax Regulation-Proc.286/2003).

sole actor in land development and related activities. To a city like Addis, which is suffering from low level of fiscal capacity (7.53 USD per capita incomes in 1992) and lacking skilled manpower, to efficiently undertake the land development process by its own is very unlikely.

3.4.1.1. Rates of Compensation

The rates of compensation adopted in the regulation are Birr 3.47/ Meter Square and Birr 1.21/ Meter Square for crop and pasture land respectively. These rates of compensation, as reported by the farmers, are much lower than the price of raw land in the illegal land market. In all cases of the informal settlements, the land price per meter square ranges between Birr 7 and 15 depending on the proximity of the site to infrastructure, services and utilities (*Regulation No.1, 1992 E.C*). This has also induced farmers to sell their land in the informal market as they get much higher price than the formal compensation rates offered by the government.

The compensation covers not all the appropriated land of the farmers. A farmer having more or equal to 7 hectares of land takes compensation for only 3.5 hectares of land. According to the Compensation Regulation, the city appropriates more than 50 % of the farmland used by farmers with out compensation. Only those farmers having one or less hectares of land get the full terms of the compensation.

3.4.2. Land Marketing and Holding Regulations

After the fall of the military regime in 1991, land ownership continued under the state ownership and its holding was decided through *a lease arrangement* between a person or company on the one hand and the city government on the other in light of the Federal Lease Holding Proclamation No.80/1993. Within the framework of the Federal proclamation, Addis Ababa City Administration has adopted its own lease Regulation No. 3/1994.

The Lease Price: Article 4 of the regulation establishes the setting of the lease prices by tender. The benchmark prices are fixed by the Lease Department to set the minimum level for the tender price. Generally, the city is basically divided into three benchmark price zones and these are:

- Central Business District where the land is situated along a major asphalt road and with all services and utilities available (CBD),
- The transitional zone having roads and some of basic utilities like water and electricity (TRZ), and
- The Sub Urban Zone where the level of development is relatively low with regard to the available services infrastructures and utilities (SUR).

The benchmark prices are Birr 1181, Birr719 and Birr 230 per Meter Square for CBD, TRZ and SUR respectively (for the years 1999-2005).

In Addis, the benchmark land price is fixed through the cost approach. In the course of calculating the price, social and physical infrastructures, land use, neighborhood density and the planning prospects intended for the area in the coming twenty years are major variables considered with different weights given to them by the experts. Some of these variables, like the future development prospects in the area, have no direct and tangible relevance to the existing status of the land other than inflating its cost. In addition to this, the criterion does not take into consideration the cost of land in the informal market, which has a lot to do by

attracting potential buyers from the formal sector. Hence, in the absence of true land market, fixing the bench mark price based on these criteria and its tendering in the face of shortage of land supply resulted in distortions that make prices of land unaffordable to the inhabitants.

Plot Size: Regulation No.3/ 1994(article 5), sets *minimum and maximum sizes* for housing plots. According to the regulation a minimum plot of 73 meter square of land is provided free of charge. The land use payment for the plots between 75 and 175 meter square is 0.50 Birr /meter square /year. When the demand is more than 175-meter square for residential purposes, the lease price is fixed through tender, which is very high because of the limited supply of land. This induced people who need spacious plot sizes to come to informal settlements.

Planning Restrictions: The content of the title deed that enforces the construction of building is according to the land use zoning.. The level of inconvenience and Unaffordability of the land marketing and holding regulations could be viewed from the land supply perspectives. As could be observed from this table 5.1 with the exception of the first round when 846 applicants are registered against 370 plots, the number of applicants through all the six rounds has been much lower than the available plots. During 1995 to 2002 in seven years time, the city avail a total of 4973 plots of which only 2049 were allocated. With an estimated housing need of 25,000 units in the city (Taddese, 2001), the allocation of such a very limited plots to the inhabitants is very unlikely.

Table 3.1. Plots Supplied by Lottery System (1995 - 2002)

Lottery Program	Plots Available	Number of applicants	Allocated Plots
1st Round	370	846	277
2nd Round	800	319	172
3rd Round	363	253	230
4th Round	280	217	155
5th Round	127	70	41
6th Round	1,520	857	699
7th Round	1,513	502	475
Total	4,973	3064	2,049

Source: Addis Ababa Lease Department (2006)

3.4.3. Housing Regulations and Standard

The engineering and technical standards in the formal process have excluded part of the inhabitants from the formal land provision process forcing people to look for squatter/informal settlements as an alternative.

The housing standard and design varies between countries and cities depending on the level of socio-economic development, cultural factors, weather condition and affordability. Before 1991, *the Dergue regime adopted* different housing standards for the lower, middle and higher income groups. Accordingly, the minimum, medium and maximum housing floor sizes 17, 43 and 70 meter squares were adopted to be constructed on the corresponding land sizes of 144, 180 and 250 meter squares respectively. According to CSA (1998), out of the city's population 22.9 %, 61.1% and 17.2 % earn a monthly income of less than Birr 549, between Birr 550 - 1049 and more than Birr 1050 respectively. The first category represents households that can not afford housing construction of any kind, the second category afford

only limited part of the cost of housing construction while the last category qualifies for a full mortgage loan.

Considering the cost of construction and the bank interest rate at that period, each level was not compatible to the respective income group of the households. As it is studied by Taddese (2001) the housing standard for households earning a monthly income of Birr 700, (43 meter square) was only possible for those house holds earning more than Birr 1000 per month. According to this study, the upper standard had also shown similar fallacy to its respective income category. Following the *Federal Proclamation No.80/1994* that has empowered regions to fix their respective housing standards and codes, Addis Ababa city adopted its own housing regulations in 1994. According to the regulation, two types of housing standards (G+0 and G+1) to their corresponding floor areas of 56 and 175-meter squares are adopted. The estimated construction cost for the first housing standard was Birr 60,000. The studies conducted on the affordability of the housing standards in Addis Ababa including that of Taddese (2001) show, this standard was only possible to households earning monthly income of Birr 2160 and above.

ORAAMP (2001) identified the income categories and their respective affordable housing type to formulate a housing strategy for the city. When the income structure of the households, is compared against the housing standards, even the minimum standard (Birr 60,000) is only possible to 4% of the households in the city. It excludes 96 % of the households out of the formal housing construction process.

3.4.3.1. Condominium housing regulation

The City Administration has adopted *a condominium housing regulation* in 2003 to reduce its horizontal expansion and to enhance the economic use of serviced land. A condominium is a collective building structure whereby each household occupies its own room or rooms on a flat. The regulation has adopted two building standards, (HI and MI) for high and medium income groups respectively. The construction cost for both standards is Birr 126,250 and Birr 90,850 respectively. The city has also adopted two condominium standards for upper low income and low-income groups with an estimated construction cost of Birr 60, 000 and Birr35, 000 respectively.

When the construction cost of each building standard is viewed against the respective income category, its level of affordability is also very unlikely. Each income category to which the building is intended does not fit in properly to its corresponding level. Even to those higher income groups the level seems unaffordable. This could also be examined against the detailed housing study conducted by Taddese (2001) in which a housing with an estimated cost of Birr 60,000 was affordable to households with monthly income of more than Birr 2160 and above. This cost was calculated on the basis of Birr 1071/ Meter Square of the floor area of the building. On the other hand, the latest construction cost valuation by the Infrastructure and Construction Authority of Addis Ababa (2005) shows the escalation of the construction cost since the study was conducted from Birr 1071/ meter square to Birr 1500/ meter square. Although no tangible data are available to substantiate the corresponding increase in household income, studies indicate that, in Addis nearly 53% of income is spent on food (Shumye, 2003). This shows that most of the households spend the lion share of their income on food and other essential immediate consumption items with less or no possibility of saving to for formal housing construction in the absence of housing finance in the city. In this regard,

the condominium buildings meant for the higher and medium income groups are totally unaffordable to their corresponding levels that caused a down shift to the lower standard. The resulting down sliding of the income categories has obviously ended up pushing the lower and medium income groups out of the formal system to undertake illegal sub division.

3.4.4. Land Use Regulation

The city of Addis Ababa has a long tradition of urban planning and land use regulation. Different town planners including the famous planner of greater London sir Patrick Abercrombie in 1956, none of them however, had been effectively implemented have prepared different plans of the city. The last master plan of the city was prepared to serve the city for 20 years (1986 - 2006) with the aim of directing and controlling the development of the city (ORAAMP, 1999). The land use zoning in the master plan was so rigid that plots were only allowed to their designated purposes. The regulation affected the land supply system of the city since developed sites are left vacant in the name of maintaining the regulation. To further worsen the situation, the city administration did not properly administer and control these vacant plots to prevent them from being vulnerable to illegal sub divisions.

The newly revised master plan of the city was initiated to allow flexibility in the land use zoning. It has widely introduced mixed use zoning to allow comprehensive and flexible approach. Nevertheless, its implementation seems ineffective because of the inadequate capacity and the deep-rooted zoning tradition that still remains active with the technicians. This has in turn influenced the land provision procedure while trying to interpret the land use regulations. This regulation is unaffordable for the urban poor.

3.5. Informal settlements in Addis Ababa

The development of informal settlements is the visible dimension of housing crises resulted by the absence clearly defined housing policies and the associated regulations. The existing situation of informal settlements in Addis Ababa will be explained in this section.

3.5.1. The Development of Informal Settlements and Illegal sub-division

Addis Ababa was founded in 1886 by Emperor Menelik II and became the capital of the country in 1889. At the beginning, the land of the city was sub-divided among the generals and warlords of the emperor to provide camping sites for their respective followers. Addis Ababa was a juxtaposition of big estates (in reality garrisons), which were granted to generals of the emperor's army in return for their loyal services so that they may camp in barracks and tents. These camps became "sefers" (villages) which the big landowners continued to subdivide first to their retinue and later on to the population flocking towards the new capital city (Tigabu, 1996). The land sub division was sub standard and without any planning and the occupation was not formal and regular. Emperor Menelik II introduced the land holding regulation in 1907. This regulation was concerned with cadastre title deeds and land taxes (Pankhrust, 1966). The regulation tried to legalize the land occupation and the plot sub-division activities in the city.

Nevertheless, extensive granting and a high concentration of the urban land in the hands of the nobility and important personalities of the emperor characterized the land holding system for long. According to a survey carried out in 1961, on the one hand, out of the 212 square kilometers area of Addis Ababa, 1768 proprietors each with more than one hectare owned

58% of the land. On the other hand, 24,590 inhabitants occupied 7.4% of the total area of the urban land, each possessing an average plot size of 150-meter square (Abraham, 1995). This unfair distribution of land resulted in speculation and a rise in the land price (Tigabu, 1996). The price of land between 1961 and 1974 has shown an increase of 6000 percent from 0.25 cent per square meter to between 200 and 300Birr (Mathey, 1990). Consequently, access to plots for housing by the poor was hindered; this caused illegal settlements to be pervasive.

3.5.2. The Extent and Pattern of Informal settlement in Addis Ababa

The first sign of squatter settlement in Addis Ababa appeared in the late 80's on government land, but administered by the peasant association (Haddis, 2001). In the first few years following nationalization, land delivery in the city was relatively efficient, but with the exhaustion of the few serviced vacant land in the city, serious shortages started to manifest. Using the opportunity, peasants associations living in the expansion areas of Addis Ababa started to sell their land illegally by attracting urban residents and migrants who could not afford the prices of administration agencies operating under government.

In 1987, the Addis Ababa administration established an office with many responsibilities, paramount amongst which is demolishing force under it to control illegal settlements. One way through which this illegal settlement was being addressed is through demolition. Thus, despite the first bulldozing activities that destroyed 2,500 to 3000 illegal housings in 1988, in different woredas mainly in Woreda 28 and 16, this could not however deter the proliferation of illegal settlements in the city (Haddish; 2001). After the downfall of the Derg regime in 1991, the problem continued extensively. A study prepared in 1991 E.C, shows that, there were a total of 4,394 informal housing units in Kotebe, Akaki, Lideta, and Nefasilk areas. This figure accounts for 1.6 % of the total housing stock in the city. According to data compiled by the study of PADCO and NUPI, "out of the total 94,135 housing units built in the city between 1984 and 1994, close to 15.7% (14,794) housing units were provided by the informal sector (ORAAMP, 2001). This is because the provision of residential land has stopped for the first three years i.e. (1991-1993 E.C), until the new urban land policy was enacted.

There are about 60,000 dwellings in different squatter settlements of the city providing shelter for, more than 300,000 people (ORAAMP, 2001). Although the Addis Ababa Works and Urban Development Bureau, today the Code Enforcement Office have the power to demolish these settlements and control its tendencies, this doesn't seem to give long lasting solution to the problem of housing. So, what is to be done regarding this settlement within the context of the new urban housing policy from the focus of the study.

3.5.2.1. Development of Semi-formal and Informal Housing

Self-help building activities comprise in Addis Ababa informal extension of traditional inner-city settlements, unplanned extension of public-provided houses, progressive development of legally acknowledged land, and unplanned development of illegally occupied land. As some studies show 90% of the houses erected between 1980–85 and 80% between 1984 –95 E.C in Addis Ababa were results of unplanned and informal buildings and extensions (Baker et al. 1997). It is very evident that this share is related to the semi-formal and informal settlements. The origin, form and consolidation tendency of dweller-initiated building activities can however, hardly be compared with that of other developing countries. For a better understanding of this matter the self-help building activities of low-income people in Addis Ababa are categorized on the basis of their genesis and legal status in three forms:

- Spontaneous extension in the traditional inner city settlements areas which eventually changed from autochthonous neighborhood to slums,
- Unplanned development in legally acknowledged lots and progressive extension of incomplete housing units,
- Illegal occupation of land in undeveloped peripheral areas and successive developments.

Despite the scantiness (shortage) of data on the proportion of these three settlement typologies, the author believes that the three models are the dominant forms in the city.

“The divide between formal and informal activities, which includes the development of housing, is debatable issue. One of the obvious definitions of informality is that it consists of activities that contravene official regulations in one or more ways. It is the failure of formal system to respond to the needs of households and the inappropriateness of regulations to their capacity to pay which created informal settlements (Wubshet, 2002:50).”

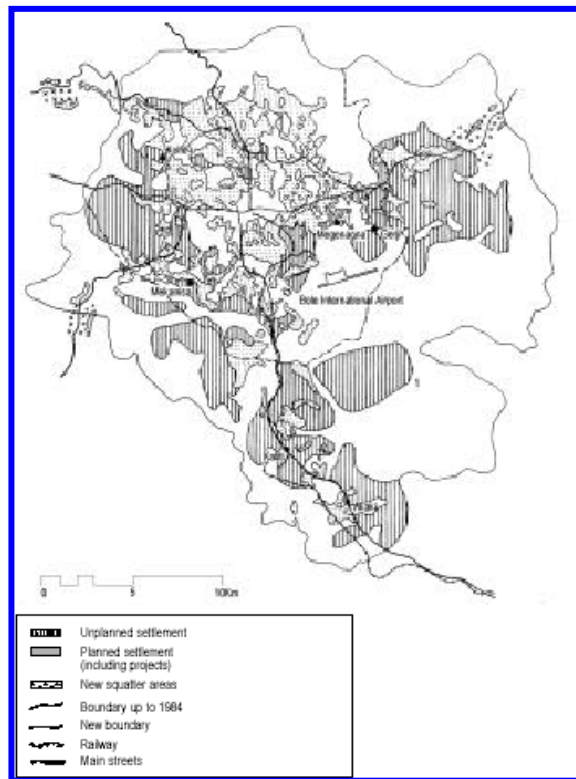


Figure 3.3: Spatial distribution of planned and unplanned settlements in Addis Ababa (Baker 1997:61; Addis Ababa Master Plan Project Office; Author)

3.5.3. Impact of informal settlements on the overall development

Informal settlements create obstacles to planned development. These settlements are built on areas reserved for formal /informal green along rivers green (public parks), civic spaces, sport centers, freight depots, industries hostels etc. Most of the Structure plan of (2002) is challenged by those settlements.

Negative impacts

- Spontaneous growth and sprawl (unplanned growth) resulting in difficulty of integrating them with the existing city structure

- Settlements are susceptible to hazards (flood, fire etc) and could cause sanitation problem and environmental degradation (in some areas). Quality of construction is also poor creating slum areas at the peripheries.
- Could encourage unlawful act and also decreases municipal income (revenue) from land and building tax.

3.6. City Government response and the Main Focus of the Research

These days, the Addis Ababa City Administration is taking different efforts to ameliorate the condition of informal settlements, of which Land Administration Rules and Regulations (Regulation No.1/92 E.C) on informal settlements termed, as “*Regularization*” is one.

However, some rapid assessments and observations reveal that this regulation and other rules and standards in relation to informal settlements fail to contain the expansion of illegal sub-division and informal settlements in the city.

Therefore, the main focus of this study is to investigate and assess the development and implementation of the *Regulation No. 1. 1992 E.C* termed as “*Regularization*” of the city administration of Addis Ababa, by identifying the major criteria’s, approaches, strategies and principles adopted for the development and implementation of the regulation, identifying the potential stakeholders involved and actual beneficiaries of the regulation, its impacts on the livelihoods of informal settlers, and the extents of sustainability to the livelihoods of the settlers. This will help policy makers and city managers and partners to have a better understanding of the development and implementation of regulations on informal settlements so as to revise and design the regulatory frameworks and the improvement of informal settlements.

Summary

The absence of clearly defined and appropriate housing policies and the associated regulations in our country, Ethiopia are the visible dimensions of housing crisis. These are the dominant factors, which have been contributed for the proliferation of informal settlements.

The city government has attempted to mitigate the expansion of informal settlements by formulating various strategies and regulations. Accordingly, Regulation No.1/92 E.C is one of the efforts made by the city governments on informal/ illegal settlements to ameliorate the situation, however, the proliferation of informal settlements in the city increasing through illegal sub-division. This calls for the investigation and assessments of the approaches and strategies used for the development and implementation of *the Regulation No.1/92 E.C*³ on informal settlements in Addis Ababa, how and why it has been developed and identifying the key constraints and blockages impede the implementation of the program. These will be assessed and analyzed in the next three chapters.

³ Regulation No.1/92 is equivalent to “Regularization”.

IV. ASSESSMENT OF DEVELOPMENT OF REGULATION NO.1/92 E.C ON INFORMAL SETTLEMENT IN ADDIS

Informal settlements typically result from inadequate provision of land, tendency to over-regulation and a regulatory framework of standards, regulations and administrative procedures that are hostile to the needs of the residents. A practical response to meeting needs when faced with a shortage of land and limited ability to pay may be illegal encroachment onto land often in locations with deficient infrastructure, poor quality of dwellings, and a hazardous environment.

Nonetheless, illegal settlements are to a certain extent beneficial to the urban poor in that they offer access to a set of assets and resources such as land, housing, infrastructure, social networks, and income earning opportunities, albeit of a low quality. As discussed earlier, the expansion of informal settlements in Addis Ababa is increasing due to inappropriate rules and regulation adopted in relation to housing developments. With this regard, one of the responses the City Administration issued was *Regularization* termed as “*Regulation No.1/92 E.C*”³ on informal settlements. Thus, this section focuses on assessing how and why Regulation No.1/92 was issued, the criteria and approaches used to develop, Analysis of the adopted Strategies and principles to develop it, assessing the potential stakeholders involved in the development process of Regulation No.1.

4.1. Rationale of regulation No.1/92 E.C on Informal Settlements

This section would answer why this regulation was developed. Thus, the size of informal settlements has been increasing and nowadays is so large that measures of demolishing as a means of curtailing the settlements are not feasible. This forced the city administration to issue a regulation known as “Regulation No.1/92 E.C”, which gives recognition to part of the informal/squatter settlements specifically those built up to the date of the title deed survey in May 1996. According to the city administration, the regulation was expected to solve the problem of owners who have not been given recognition for long time; owners who want to sell part of their property and other aspects of property –right related aspects.

However, the regulation limits that the settlements under this category will be legalized only if they are found in compliance with the master plan. Besides this, they are also expected to fulfill the pre-conditions indicated in the law. The main specific contents of the regulation are targeted to handle land issues regarding holdings of:

- Units before proclamation 47/75
- Housing and the land holdings after proclamation 47/75
- Housing and land holdings that were allocated through various ways after 1975, including those allocated by municipality and peasant associations up to 1996 and rented holdings with temporary certificates

4.1.1. Aims and Objectives of Regulation No.1/92

The City Administration developed Regulation No.1 on informal settlements in order to bring about sustainable socio-economic and planned development in the city. The major objectives of the development of Regulation No.1/92 on informal settlements are:

- To Encourage families’ assets creation, stable society (economic, Social, and Moral)

³ 1992 represents Ethiopian Calendar

- To Create of High opportunity for upgrading (get services: investing more)
- To have Good opportunity to widen the tax bases of the municipality
- To Protect tenure security or feeling of belongingness
- Facilitates opportunities to have an access for credit and finance, mortgages etc.
- Regularization and integration of informal settlements with the already existing ones.

Despite the impact that regularization has on household incomes, for low-income residents this implies the recognition of their property by the city cadastre, which consequently integrates them into the formal city. This activity highly requires the well organized institutional, financial and policy frameworks so as to achieve the major objectives set by this regulation.

4.2. Criteria and approaches used to develop Regulation No.1/92 E.C

This regulation was aimed to give recognition to part of the informal/ squatter settlement specifically those constructions, settlements built up to the date of title deed survey conducted in May 1996.

The previous Works and Urban Development Bureau (WUDB) of Addis Ababa City Administration (AACAA) was the responsible institution that has prepared Regulation No.1/92 E.C by setting the basic criteria. In the city about 374,000 housing units were identified by urban economic development survey conducted by WUDB of the City Administration. From these housing units, only 214,000-housing units are privately owned and 160, 000 units are kebele owned. Out of 214,000 housing units, 144,000 housing units have no security of tenure. Only 32,000 housing units built before and 38,000 after Proc.No.47/75 have title deeds or legal tenure security respectively (Land Administration Authority, 2006). The regulation has the following major contents:

1. Dealing with the land holdings before the proclamation no.47/1975
2. The land holdings assigned after the Proclamation No.47/1975 but the area of land holdings occupied more than the actual area on the paper due to encroachment and direct invasion.
3. Land holdings acquired through informal means
4. To design procedures and strategies regarding

Based on the above objectives, the previous Works and Urban Development Bureau of the City Administration had attempted to prepare the draft of Regulation No.1/92 E.C to give solutions for the problems of informal settlements:

1. Dealing with the land holdings before the proclamation No.47/1975

The urban economic development and title deed survey conducted in May 1996 identified the following findings (Regulation No.1/92):

- About 32,000-housing units have title deed.
- About 42,000 housing occupants have applied to have title deed.
- More than 70,000 housing units were built before the Proclamation No. 47/1975 but they have not begun processes to have title deed.

This information includes, all land holdings before Proclamation No. 47/1975 occupied by buying, tenancy, inheritance, and gifts. With this regard, the regulation aimed to resolve the problems based on these facts.

2. *The land holdings assigned after Proclamation No.47/1975 but the area of land holdings occupied more than the actual area on the paper due to encroachment and direct invasion.*

This is because; larger numbers of land holdings in the city of Addis Ababa have occupied land irrespective of legal plots (in the riversides, vacant public lands).

3. *Land holdings acquired through informal means*

- Assigned by Kebele and Woreda Administrations
- The land bought from Peasant associations
- The Land occupied by direct invasions and offered by the peasants
- The land holdings by rent
- The land holdings occupied by temporary title deed

4. *To design procedures and strategies regarding:*

- Payment of compensation costs
- Plot replacements of for those land holdings against the master plan
- Replotting land holdings that are more than the minimum area
- Real estate Property transfer
- Credit and foreclosure registration
- File reorganization and protection responsibilities
- Taxes related to real property

The previous Works and Urban Development Bureau of Addis Ababa City Administration undertook the duties and responsibilities to establish the draft regulation by organizing a Committee whose members were from various sections of the Bureau including (previous Deputy Head, 2006):

- Legal services section
- Housing affairs department
- The Land Administration Department and
- The Land Transaction and Transfer section

The Executive Committee of the City Administration explored this draft and sent it to the Prime Minister's Office. After these processes, the City Council's Executive Committee sent the draft regulation to Woreda and Kebele Offices; however, the beneficiaries did not know about the draft regulation. Consequently there was not enough dialogue and information about the regulation regarding informal settlements. In the processes of formulation, the only Stakeholder involved was the Bureau of Works and Urban Development of (AACCA). Thus, the processes of formulating the regulation hardly followed a participatory approach; hence more or less the preparation of the draft regulation was expert-driven.

. The legalization of informal settlements built before May 1996 indicated that the AACCA intends to legalize informal settlers municipality forwards a step in this direction. Despite this encouraging step taken by the City Administration, the decision to bulldoze those built after 1996 is a paradox. Illegal is illegal whatever the year they were built. Though this means, illegal settlements are legalized under very many convincing reasons, there is no convincing

justifications to bulldoze those settlements built after May 1996 the next generation of informal/illegal settlements.

4.2.1 Analysis of Preconditions for legalization in Regulation No.1/92

4.2.1.1. Pre-conditions for Land holdings occupied before 1975

Under the pre-proclamation 47/75 occupations, there are two major groups of cases. The first group includes those who have the old title deed of the past regimes (Haile Selassie or Menelik Regime) and the second group incorporates those who have no title deed at all but occupied their plot pre-1975. Concerning the first group, there was no problem in issuing the new title deed; it is a matter of replacing the old with the new title deed. The major challenge was and still is coming from the second group. Those who have no title deed but occupied their plots before the 1975 proclamations should fulfill many criteria so as to get legal status (title deed). Some of the major criteria are:

- Building/s should appear on the Nortec map of 1996
- A testimony (at least two) from owner of adjacent plot,
- Verifications from Woreda and Kebele and
- Minimums of 20 years tax bills.

4.2.1.2. Preconditions for legalization of Land holdings from 1975 to 1996

This includes those holdings occupied after 1975 (47/75 proclamation) to May 1996 (till the time of the title deed survey). During these periods different institutions (such as Woreda, Kebele, Peasant Associations etc.) were engaged in assigning and providing plots for housing to residents. The regulation, therefore, attempts to provide title deeds for holdings of the following categories:

- Assigned by Woreda and kebele administrations
- Bought from peasant association members
- Assigned by peasant associations
- Occupied by direct invasions

In each case the owner should be able to provide the legal document that explains his possession. However, those holdings that failed to go in compliance with the master plan will never be accepted, they will be subjected to demolition.

4.2.1.3. Preconditions for legalization of illegal expansion or encroachment

Regulation No.1, 1992 E.C has also addressed the problem of unauthorized expansion and encroachment. Like the first two cases, the regulation sets preconditions related to unauthorized expansion. All of the preconditions are:

- The compound size should not exceed the given tolerable size, indicated in the Table 4.1 below
- The added plot should not affect right of ways
- The added plot should not be big enough to be used for another project
- The whole tenure system would be turned into lease system (this point was modified later and replaced by multiple tenure system). The tolerable size and penalty is shown Table 4.1.

Table-4.1 tolerable size and penalty

Plot size (sq.m)	Tolerable size (%) from the total area	Tolerable in (sq.m)	Penalty in Birr	
			Residence	Non-residence
Up to 250	14	35	10-17(Birr)/m ²	20-34(Birr)/m ²
250-500	10	35-50		
500-1000	7	50-70		
1000-5000	4	70-200		

Source: BWUD, 2002 and regulation no.1))

The preconditions set by the regulation has aggravated the expansion of informal settlements in the city of Addis Ababa. Because, the tender price in Addis Ababa has been reported to reach more than Birr 2200 per square meter whereas, the price of land in the illegal market, for business and residential purposes ranges between (Birr 7 and 15) per Meter Square. Therefore, this higher lease price in the formal land market when compared to the informal market price has induced people to resort to illegal occupation in the area. Thus, people prefer the above stated penalty in the Regulation No.1, instead of holding land through expensive lease price of the city. It is worth noting that the land value would be increased after legalization of the plot encouraged the owner sell by expensive price and searching the other illegal plot, where the land price is cheap and Vic-versa.

4.3. Analysis of Adopted Processes and fundamental principles to Develop Regulation No.1 /92

4.3.1. Stakeholders Involved in the Development of Reg.No.1/92

Many experts interviewed from the Land Administration authority explained that the previous Bureau of Works and Urban Development of the AACA formulated Regulation No.1, 1992 E.C. This reveals that in the process of formulating and developing this regulation, the sole actor was WUDB of the City administration. It has excluded the participation of parastatal institutions, which contributed to the proliferation of informal settlements, and the targeted groups who are directly affected by the regulation.

The literature of other world experience suggests that the formulation of regulations on informal settlements and the growing acceptance of decentralized governance practices whereby every inhabitant of a municipality is seen as a stakeholder in the urban development process. Indeed, given the realities of the existence of the urban community and their supportive role in the growth of city economies, a pro-poor and proactive development approach is imperative. Regulatory frameworks and socio-economic and spatial plans should be so designed that they not only address the concerns of the inhabitants but also create space for them to develop. This kind of approach is fundamental to the consultation process for the development of any intervention. The identified stakeholders participated in the process of preparations were Experts and professional of WUDB, City Council, Prime Minister Office, Woreda and Kebele Administrations (see fig 4.1). Therefore, it did not include all key stakeholders.

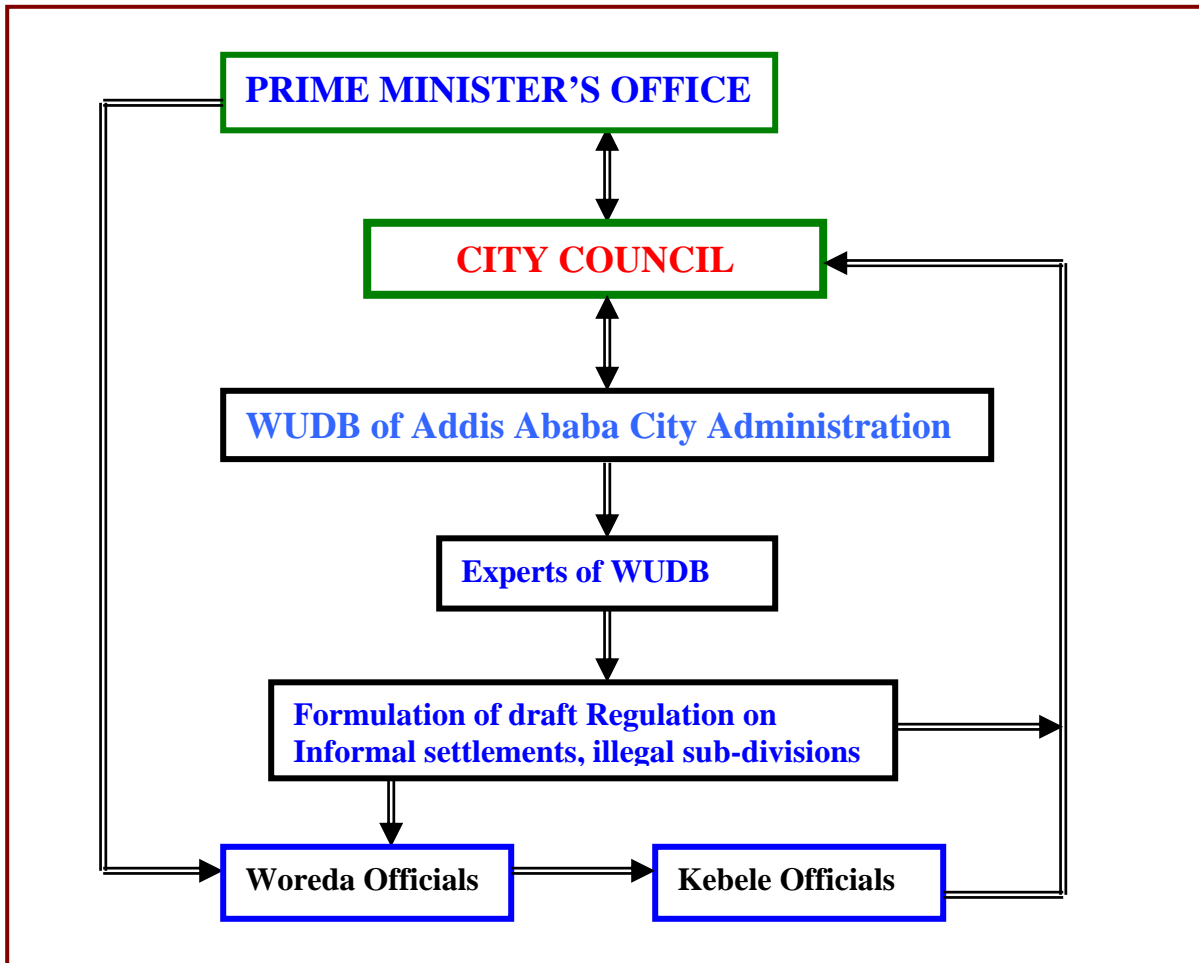


Figure 4.1 processes used for formulating Regulation No.1/92 on informal settlements in Addis

4.3.2. Participation and Equity

Experience from the literature also suggests that there is need to transform the relationship between the authorities and local communities and thereby recast development priorities and processes. This means enabling the urban residents to actively participate in discussions and debates on development initiatives like regularizations that will impact either directly or indirectly on their livelihoods. It will also ensure every one has a chance to feed into the review process, this goes beyond engaging the community, by also incorporating inputs from various professionals/experts and interest groups. In the same manner, Regularization must ensure equity of access to assets and decision-making, the process must be willing to share power to ensure equity of access to the developed process. People should become “pro-active subjects of development” rather than “objects of the plans and aspirations of others”.

Information from the survey shows that this regulation is expert driven; participatory approach strategy was not adopted for formulation. It is worth noting that the same sources also confirm that the development of this regulation was not open for the public at large for debate and discussions. It only passed through the hierarchies of government structure. The same source also reveals that all the residents were not equally represented in the process of

development of this regulation (equity), their needs and priorities were not equally addressed, in all urban decision-making and development processes.

4.3.3. Build institutional Set-up

Experiences also assure that regulatory guidelines like regularizations will place great demand on institutions. Capacity building and institutional development strategies will thus form an integral part of the change process at all levels. A regulatory framework should be established, adopted, and institutional support for facilitating participation as well as partnership arrangements given. Because the tasks of regularization are huge and full of complexities in its nature, requires well-organized institutional set-up for its success.

However, experts and knowledgeable persons from the concerned agencies prove that at the early stage of the formulation the City Government attempted to establish office for “*Works of arrears*” at city level after a year this was decentralized to the Land Administration Offices of the respective sub-cities as extra tasks (see figure 5.1). The program is too huge and complex that requires strong institutional frameworks. The sub-cities land administration offices are carrying out the tasks of the regulation by transferring experts from various sections. This reveals the mixed nature of the works they perform, lack of defined staff for these particular tasks and the specific issues of informal settlements that cannot be dealt through the normal procedure. Thus, it is crystal clear that it is not carrying out at departmental level in contrast to its nature. Currently, the absence of well-organized institutional capacity leads to poor implementation of the regulation to achieve the intended goals.

4.4. Perceptions, Attitudes and Concerns of Relevant Issues on Approach & Processes in Development of Regulation No.1/92

This section is devoted to reflection of views, attitudes and concerns of relevant stakeholders on the processes of developing the regulation. The selected reflections summarized below have been drawn from structured and semi-structured interview questionnaires administered during survey of this study. Some 107 interviewees were involved in the survey. The opinions are summarized under broad categories to reflect the way in which the process of development is viewed from different perspectives.

The perceptions stated here are the ones that are envisaged in the developed regulation. Though, the perception is said to come out from a series of discussions in which representatives of key urban actors took part, it seems hardly shared by different social groups in the city other than people from public sector shown in table 4.2.

Table 4.2 Perception of Key Stakeholders on Selected Issues Related to approaches and processes used for the development of Regulation No. 1992E.C

Issues	Summary of responses	Respondents			
		Officials	Experts/informants	Local Community	
		Gov't (10)	City Gov't /Others (19)	Residents (74)	Leaders (4)
Perception towards utility institutions with the concerned agencies while developing	<ul style="list-style-type: none"> Poor participation of infrastructure agencies Poor integration They were not asked to involve in preparation 	10/10	15/19	-	1/4
			4/19		3/4
Appropriateness and responsiveness of the regulation	<ul style="list-style-type: none"> Elitist and exclusionary It has poor policy frameworks Good urban governance 	5/10	17/19	62/74	2/4
		5/10	2/19	12/74	2/4
Potential stakeholders in developing the regulation	<ul style="list-style-type: none"> WUDB involved in the process of developing It excluded the potential stakeholders (parastatals, NGOs, CBOs) 	10/10	18/19	-	3/4
			1/19		1/4
Approaches used to develop the regulation	<ul style="list-style-type: none"> Without convincing reason it has excluded the settlements built after 1996 Less participatory Experts driven /WUDB/ Equity driven, simplicity No Access to information Poor Partnerships Comprehensiveness 	4/10	3/19	-	4/4
		6/10	16/19		
Attitudes towards the actual beneficiaries of the regulation	<ul style="list-style-type: none"> Middle and high income groups Very few urban poor 	6/10	17/19	65/74	4/4
		4/10	2/19		
Attitudes about the participation in developing regulation	<ul style="list-style-type: none"> Poor or not participatory Exclusive regulation 	3/10	19/19	70/74	4/4
		7/10			
Implication to the Government	<ul style="list-style-type: none"> Poor compensation payment Weak consideration of parastatals 	5/10	12/19	54/74	3/4
		5/10	7/19		1/4
Variables /inputs used to develop the regulation	<ul style="list-style-type: none"> No variables referred Only to solve major problems in relation to compensation, taxes, rents etc 	10/10	15/19	-	2/4
			4/19		2/4

Source: Author's own compilation

*Figures in parenthesis refer to total number of participants from the respective group.

“*Inclusiveness or comprehensiveness*”, is translated into the objectives of sustainable development through improved urban governance, capacity-enhancement of local actors and stakeholders, and advocacy for good urban governance. As depicted in the table, the survey shows some looses about inclusiveness of the regulation. But good urban governance implies that city governments respond to and are accountable to all urban residents.

Regulations should be simple, easily accessible and understood by all stakeholders. *Transparency* is a key facet of regulation and stakeholders should have *access to information*. However, this regulation on informal settlements lacks simplicity according to the opinion survey conducted. In the program there are no regulatory and controlling mechanisms for every detail of problems created as a result of regulation processes. On the other hand, the system of informal settlements by itself is highly complicated, that wants extensive verifications and investigations. With this effect, the regulation lacks clarity.

As depicted in the table 4.2 in general, the perception, attitudes and concerns of key urban actors in the city are divergent. Appreciation of each other’s, concern and aspiration is seldom, trust and feeling of partnership seem weak. Such divergence in perception and concern of stakeholders reveals that the approach was not transparent and participatory. Therefore, implementation of regulation would hardly be effective in the absence of integration and coordination among efforts of different urban actor as would be shown later.

4.5. Summary

The formulation of the *Regulation No.1/92* was organized and prepared by the previous Works and Urban Development Bureau of the City Administration that has excluded some key potential stakeholders that can actually play a significant role in the process of expansion and mitigation of illegal settlements.

These are the major facts that can have complicated the proper implementation of the regularization program to mitigate the proliferation of illegal settlement. Therefore, it fails to contain the expansion of informal settlements, on the other hand it facilitates for the aggravation of informal settlements.

The figure (4.1) illustrates that the whole approaches and strategies adopted for the formulation of regulation termed, as “regularization” were weak. It is a multifaceted program for improving and upgrading informal settlements, however, Regulation No.1/92 E.C fall short of the appropriate approaches and strategies to solve the problem. The implementation process is assessed in the next chapter.

V. ASSESSMENT OF IMPLEMENTATION OF REGULATION NO.1/92 E.C ON INFORMAL SETTLEMENTS IN ADDIS

5.1. Introduction

According to the City Administration of Addis Ababa, the Regulation No.1, 1992 E.C termed as “**Regularization**” expected to solve the problems of owners who have not been given recognition for long time; owners who want to sell part of their property and others. It is generally believed that most informal settlements are going to secure legal status

International experiences shows that the success of implementing regularization program depends on strong leadership, political will and full commitment of local governments. Thus, operational terms of regularization requires the establishment of an institutional and organizational framework through which:

- The participation of the target groups can be facilitated,
- The partnerships between public, private and community stakeholders can be realized,
- Financial resources can be mobilized and allocated,
- Local implementation capacities can be strengthened and,
- The coordination, planning and management of programs and projects can be organized.

Experience shows that the full regularisation of land tenure is a lengthy, time-consuming and costly endeavor, which explains why more than often it remains unaccomplished by citywide informal settlement regularisation programs. There is a paramount legal, institutional and operational bottlenecks coupled with strong resistance from within the municipal apparatus and the cartel of public registry offices. Despite the impact that regularization has on household incomes, for low-income residents this implies the recognition of their property by the city cadastre, which consequently integrates them into the formal city. This activity highly requires the well organized institutional, financial and policy frameworks so as to achieve the major tasks set by this regulation.

The major tasks involved in the implementation of the regulation: The key tasks involved in the operation of the regulation comprise the following:

- Category of informality
- Survey of sizes
- Survey and verification of ownership
- Regularization plan preparation
 - Reduction of size of plots according to the minimum standards
 - Provision of access roads, spaces for public facilities, infrastructure and utilities on the basis of the master plan
 - Determination of relocates
 - Decisions on what to do with large holdings
 - Regularization and integration of informal settlements
- Implementation of payment of taxes and dues
- Survey according to the new regularization plan
- Preparation of title deeds certificates
- Titling /registration of certificates
- Payment of dues

- Handing over of certificates

The above stated issues declare that the tasks of Regulation No.1/92 on informal settlements are huge, complex, and time taking, hence, requires effective and strong institutional and financial frameworks to execute the operation efficiently.

Therefore, the assessment focuses on the key questions raised in the study. As spelled out earlier, central questions of this study focuses on the tools used for the implementation of the key tasks of the Regulation No.1/92, constraints that impede the implementation processes, evaluating the regularization and integration of informal settlements and the level of informal settlements after the Regulation No.1/92 E.C will be assessed.

5.2. Assessment of Constraints for Implementing Regularization Program

In this section an overall assessment is presented on the *following key aspects* on the basis of the major tasks of implementation involved in the Regulation No.1/92 as spelled out above: 1) Institutional aspect, 2) financial aspect 3) Policy aspect and 4) Land information system

5.2.1. Institutional aspect

The implementation of regulation is a function of conducive institutional arrangement that facilitates coordination, inter-sector collaboration and policy-implementation articulation. Such institutional framework unequivocally determines whose responsibilities; tasks and obligations are in the regularization from preparation to actual implementation. Regularization program usually involves several public stakeholders. Public utility institutions and parastatals are key actors responsible for the provision of basic public services and infrastructure.

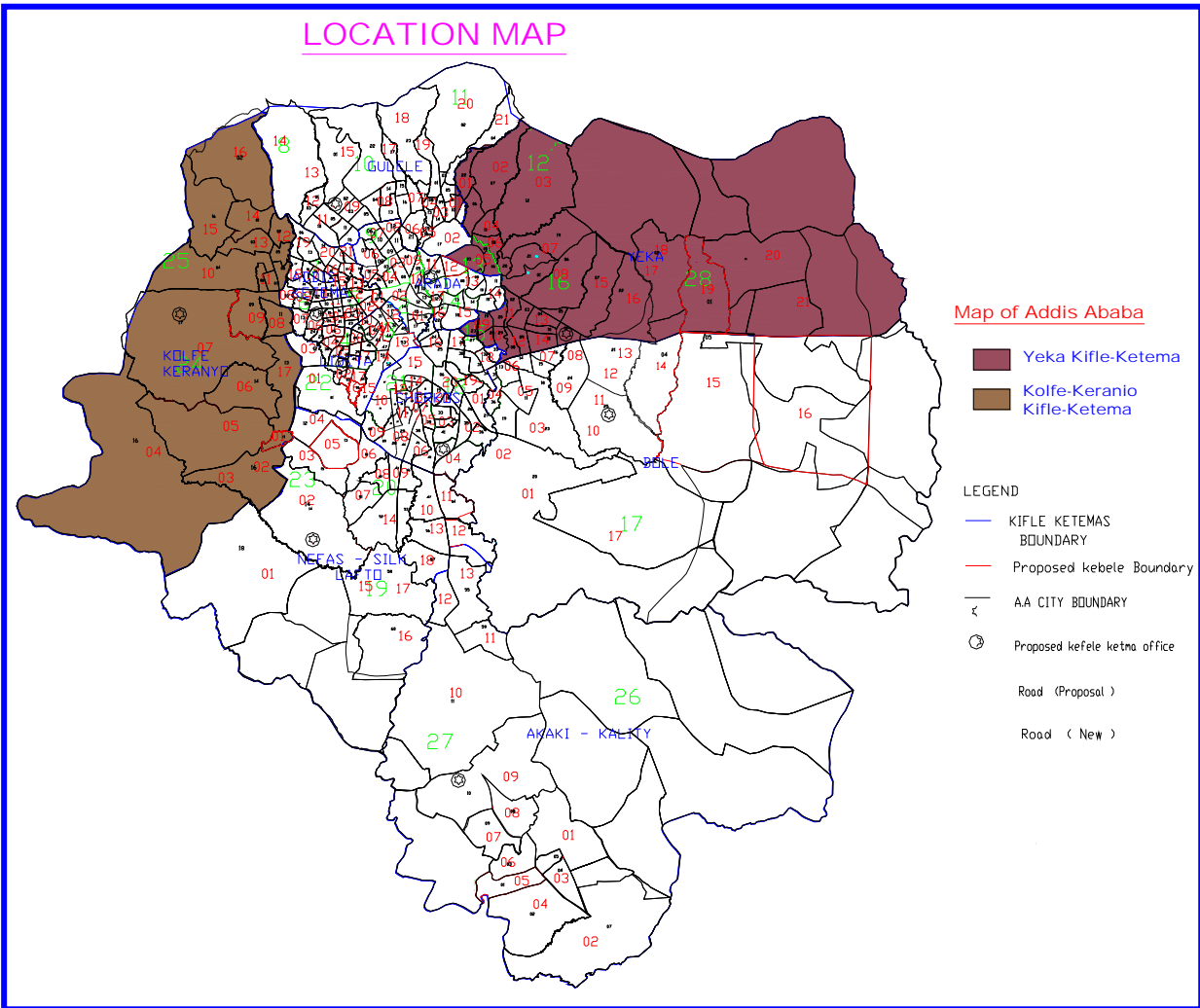
Before the approval of the city Charter in 2003, the Addis Ababa Works and Urban Development Bureau of the City Administration was responsible for all activities associated with the planning and developments of urban land. Currently the task is divided into several fragments, Such as, land Administration Authority, Construction and Infrastructure Authority, Urban Land lease authority. According to the Addis Ababa Master Plan, any land development in the city should not take place without the consent of WUDB (Pro. No 7/1994). This requirement applies the same to this regularization program as any other land related issues. Apart from ensuring consistency of development project with the master plan requirements, the Land Administration Authority is also responsible for activities in relation to the implementation of regularization on informal settlements.

However, perceptions, attitudes and views from various groups indicated in table 5.1 shows that, the existing set-up is not conducive to implement this regulation. It is currently carried out by sub-cities as sub-section of the Land Administration Offices.

Therefore, for the proper implementation of this regulation on informal settlements, there is a need to have proper organizational framework, proper staff and adequate financial sources.

With this regard, the researcher took two major Sub-Cities with the largest share of informal settlements for critical evaluation of the case. Very limited number of experts and organizational capacity carry the implementation of regularization in Yeka and Kolfe-Keranio Sub-Cities. In both sub-cities most of the tasks of the program are carried out by transferring

experts and workers from other sections of the sub-city Land development and Administration as shown in the table below show the mixed nature of works they perform due to lack of adequate staff.



Map 5.1 Location Map of the case study Kifle-Ketemas

Table 5.1 Existing human resources for the implementation of regulation No.1/92 E.C

Name of Sub-City	Town Planner	Draftsmen	Surveyor	Supporting staffs	Remarks
Kolfe-Keranio	-	2	1	5	Most of them are by transferring from the other sections
Yeka	1	3		6	
Total	1	5	2	11	

(Yeka and Kolfe-Keranio Sub-city Land Administrations, 2006)

Table 5.1 reveals high shortage of experts and skilled manpower to carry out such kind of complex and huge activities appropriately. Interviews with experts, informants and the

concerned officials disclosed and confirmed that currently, only Land Administration Offices of the Sub-Cities are supposed to handle issues associated with the regularization tasks along with other activities entrusted to them. The involvement of the kebeles as local institutions is very weak. This shows, the coordination between the institutions involved in the process of implementation are weak. The predicted goal of the regulation on informal settlements cannot be achieved with such arrangement.

Organizational Structure of Sub-City’s Land Development Administration

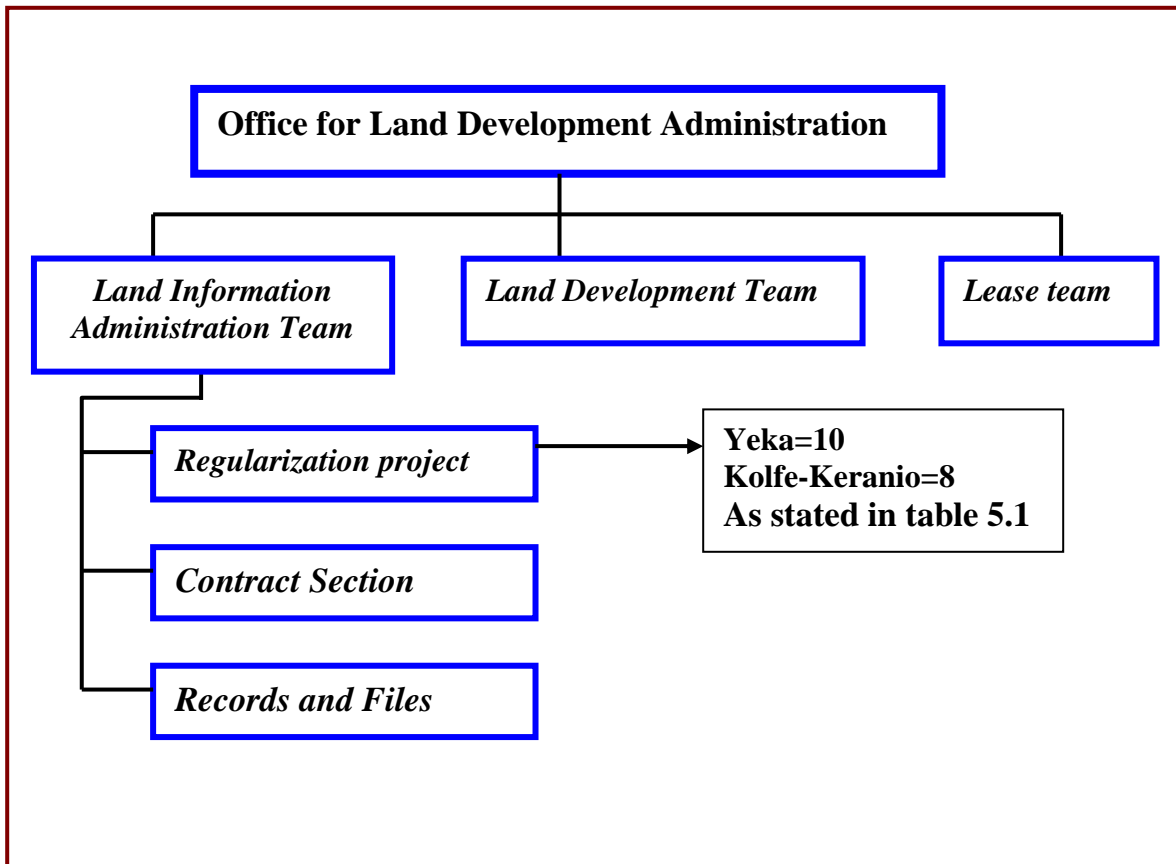


Figure 5.1.Existing Structure of Sub-City’s Land Development Administration office

The figure illustrates that regularization project “Arrears of Works” is structurally organized as sub-unit of the Land Information team of office for Land development and Administration of corresponding Sub cities.

Analysis of the information from the two sub-cities shows that the sub-units for the regularization project dealt with a limited part of the total task of the regularization. The main activities performed by the sub-units include the following.

- Reduction of size of plots according to the minimum standards only on the paper
- Category of informality
- Preparation of title deeds certificates,
- Titling /registration of certificates,

- *Implementation of payment of taxes and dues,*
- *Handing over of certificates*
- *Survey and verification of ownership*

However, the major works of the regularization is untouched. Informal settlements are simply legalized without any corrective measures for the irregularities in terms of land use compatibility provision of proper access and facilities. The program as it is operated now is not “regularization” in the proper term.

Lack of Technical Capacity: As explained earlier, the program has no departmental arrangements, and the technical capacity for implementation of this regulation as the staff is insufficient (see table 5.1) in the sub-cities. Generally, there were very limited or no technical personnel. The researcher observed that only one planner is working by round in two sub-cities (Yeka, and Bole Sub-Cities). This clearly shows that skilled and devoted manpower is thus a serious problem facing the City Administration in Addis Ababa to execute the stated tasks of the regularization program. Thus, this huge and complex task carried out by limited experts can lead to corruption and ineffective implementations.

On the other hand, surveyors also played a very important role in the regularization processes; they perform property demarcations for city residents. Currently, there are serious problems in land information systems (LIS indicate total negligence of basic facts of documentations pertaining to regularization.

5.2.2. Financial Aspect

As we learn from experiences and practices of many cities in the World, public expenditure is one of the key development input in the process of regularization activities. Since various public works involve in the process of regularization, no development would be thought in this informal settlements area without government commitment to meet the necessary social costs. Government expenditure is required both to meet costs of public works and to assist other urban actors involved in the process of operation of the regularization program. Since activities involved in the regularization activities are complex, the communities, CBOs, and NGOs would be less motivated to engage in program activity without proper support from government

In the case of Addis and particularly in the two major sub-cities, practices do not prove that such regularization program initiatives are matched with allocation of the necessary financial resources from the government coffer. Facts from the interview confirm that there is no separate budget for the regularization program. As the Addis Ababa City Administration approved the Regulation No.1/92, the necessary financial plan was not worked out in conjunction to this decision. According to the information obtained from the Addis Ababa Finance Bureau, Government expenditure required for this implementation is supposed to be captured in annual budgets of executive agencies. Like, the previous WUDB of the City Administration and currently Land Administration Authority is expected to assume the larger share of this cost in its annual budget.

The annual budget is allocated for the Authority in block including this program; but the budget does not consider the tasks of regularization program are challenging. This financial problem might be one of the key blockages to employ skilled manpower for the success of

implementation. Further, as experiences of other cities of the World reveal, allocation of a separate budget is imperative for effectiveness of the implementation of the regularization on irregular settlements.

5.2.3. Policy Aspect

Experiences of different countries in the world demonstrate a defined policy framework is imperative for effective operation of regularization. Policies in this respect are articulated in various documents including acts, bylaws, government orders and guidelines. With regard to Addis Ababa there is a serious deficiency; the city does not have neither comprehensive regularization policy nor urban act that express government commitment and provides a framework for coordination of different development initiatives. Laws and bylaws that stipulate duties, responsibilities and roles of different actors in the process of regularization are also non-existent.

Prior to *Regulation No.1/92*, in Addis Ababa, the City Master Plan and the Urban Land Lease Holding Regulation are the only policy guidelines that govern all activities associated to land developments. The former provides a broad planning framework with regard to zoning of urban functions and activities, building heights, infrastructures and service hierarchies, while the latter stipulates procedures and terms of urban land holdings under the lease system.

However, these policy guidelines are too general to serve as effective policy instruments for specific improvement activities like regularization to mitigate and ameliorate the condition of informal settlements, which involve many complex issues and processes. This policy documents can only provide broad guidelines as to where the city is supposed to head on, how the city would be organized and how urban land is to be managed with respect to this particular issue. The previous five-year development plans of the City Administration are not more than public statements, which only show what the government plans to do over a period of five-years, by spelling out general objectives, strategies, and broad goals, without detail of financial plans and development program.

Apart from this nothing is said about the regularization of informal settlements in the policy documents mentioned above. Generally, Regulation No.1/92 is supposed to take place in a situation where the role, right and responsibilities of different stakeholders are not clearly defined in laws. In the absence of clearly defined policy frameworks, problems manifested in due course of implementing Regulation No.1/92 is dealt with discretionary measures.

Absence of Regulatory and control mechanisms (interview with Kolfe-Keranio Manager):

The Land Administration Authority of the City Government officials ensured that Regulation No.1/92 has no regulatory and control mechanisms for efficient and effective implementation. According to the information from the interview reveals that there is high proliferation of informal settlements after the issuance of the above-mentioned regulation.

- New houses are being built in the already existing informal settlements
- New illegal sub-divisions based on the norms of Regulation No.1, by keeping the minimum area 175m² for residential plots.

This is due to lack of proper arrangement for the implementation of the regulation. It was learnt from the discussion that there was no budget for the code enforcement section: laborers

who are involved in the demolishing of informal settlements sell salvaged materials particularly corrugated iron sheets as payment for their labor.

5.2.4. Poor Land Information System

According to the interviews held with informants, there is no organized and digitized land information system to manage land matters properly and efficiently. This problem directly affects implementation of Regulation No.1/92 efficiently and effectively,

- There is a general lack of up-to-date maps to provide the required information on topography, urban boundaries.
- Urban cadastres and property registers, where they exist, are not kept up-to-date. These are not also managed by kebeles, but at the municipal level.
- Information on legalized plots, technical infrastructure networks and their condition is hardly documented let alone being updated. This indicates very poor database system.

Land information systems (LISs) take on particular importance with respect to regularization programs; they allow the following steps to be taken:

- To identify the legal status of the land irregularly occupied.
- To determine the existing layout, plot size and levels of existing infrastructure and services, and assess their quality.
- To identify the owners and occupants of these settlements, a preliminary step towards the later identification of households eligible for tenure regularization.
- To evaluate the charges and contributions occupants will have to pay and, when appropriate, the amount of compensation to be paid to owners of land or dwelling units.

However, documents from the municipality and informants show that there is no organized land information system in the city. The existing data system does not contain full land information, because the information on the map mismatches the field survey.

5.3. Perception, attitudes and views with respect to Implementation

This section deals with the reflection of attitudes, views and concerns of relevant stakeholders in the process of implementation of this regulation. Some 107 interviewees were involved in the survey. The opinions are summarized under broad category of interviewees to reflect the way in which the processes of implementation are viewed from different perspectives as indicated in the table below.

Table 5.2 Perception of Key Stakeholders on Selected Issues Related to implementation of Regulation No.1/92

Issues	Summary of responses	Respondents			
		Officials	Informants	Local Community	
		Gov't (10)	City Gov't /Others (19)	Residents (74)	Leaders (4)
Perception towards utility institutions with the concerned agencies while implementing	<ul style="list-style-type: none"> Poor integration They were not asked to involve in preparation 	10/10	16/19	60/74	3/4
			3/19	14/74	1/4
Policy frameworks	<ul style="list-style-type: none"> It has poor policy frameworks 	10/10	17/19	-	4/4
			2/19		
Views on the practical role of city government on the regularization process	<ul style="list-style-type: none"> Poor equity driven Less effective 	7/10	12/19	71/74	3/4
		3/10	7/19		
Potential stakeholders in implementing the regulation	<ul style="list-style-type: none"> WUDB involved in the process of developing It excluded the potential stakeholders 	10/10	17/19	-	-
			2/19		
Institutional frameworks	<ul style="list-style-type: none"> Has no self-autonomous institutional arrangements to execute the program Weak institutional coordination 	10/10	16/19	-	3/4
			3/19		1/4
Attitudes towards the actual beneficiaries of the regulation	<ul style="list-style-type: none"> Middle and high income groups Very few urban poor 	8/10	17/19	54/74	3/4
		2/10	2/19	20/74	1/4
Financial frameworks	<ul style="list-style-type: none"> Weak financial frameworks No annual budget 	8/10	16/19	-	-
		2/19	3/19		
Coordination among concerned institutions while implementing	<ul style="list-style-type: none"> Poor integration among Kebeles, Sub-cities, and Authority No integration 	7/10	19/19	-	4/4
		3/10			
Major actors for the proliferation of informal settlements & Illegal sub-divisions	<ul style="list-style-type: none"> Planning technicians Peasants/farmers Speculators/brokers Informal sub dividers Buyers 	10/10	15/19	50/74	4/4
			4/19	24/74	
Standards & reference Norms are too constraining	<ul style="list-style-type: none"> Unaffordable Land holding rules and regulation. Inappropriate Housing rules and regulation 	10/10	19/19	45/74	4/4
				29/74	
Attitudes on appropriateness of the regulation	<ul style="list-style-type: none"> Appropriate & Responsive Proliferates the situation 	7/10	10/19	47/74	2/4
		3/10	9/19	27/74	2/4

Source: Author's own compilation

- Figures in parenthesis refer total number of participants from the respective group.

According to the opinion survey, there is no coordination and integrations among institutions and stakeholders. For lack of appropriate institutional framework, sub-cities cannot act in the long term in the process of promoting tenure regularization and integrating the settlements into the city. City Administrations possess clearly defined broad jurisdiction in regard to urban land management, yet they do not have the means to enforce the rules they set, nor the will to modify them, nor will they accept to transfer their authority to other actors in the process of implementation of regularization program. Thus, Poor integration and coordination among Kebeles, Sub-cities, and Authority is the most dangerous constraint that highly impedes the process of implementation. However, experience suggests that regularization programs and recognition of rights should be carried out in close collaboration with local authorities through integration.

Surprisingly, the views reflected from different groups regarding the various issues in the process of implementing this regulation, are conflicting with the issues in the process of developing it, which is discussed clearly in chapter four (table 4.2). According to the views and opinions summarized, trust and attitudes of people from public sector to beneficiaries, experts, informants and vice-versa seems more or less diverging. Some experts and knowledgeable person blame the City Government for its weak emphasis on Regulation No.1/92 about its equity and participatory approach in the implementation processes, while some people from the government side consider the regulation is equity driven. However, the facts and evidences from the information sources reveal that the implementation of this regulation is inappropriate and non-responsive. The other conflicting issue pertaining to this regulation is that as depicted from the table, some technicians and professionals are opportunist and reluctant even to clarify the contents of the regulation for the beneficiaries and some others also involve in the process of sub-division by introducing new practices for the expansion of illegal settlements.

In general, the perceptions, attitudes and concerns of key urban actors with respect to Regulation No.1/92 in Addis Ababa are diverging as shown in the table above. An appreciation of each other's concern and aspiration is seldom. Such divergence in perception and concern of stakeholders, on the other hand, would constrain the integration of different activities in the absence of integration of efforts of different urban actors including kebeles, Sub-City Land Administration and so on, the effectiveness of Regulation No.1/92 will not be realized

5.4. Key Blockages for the implementation of Regularization

Higher officials in the city administration interviewed during opinion survey of this study also admit the bottlenecks of the prevailing bureaucracy to regularization activities in the city, but do not characterize the problem of institutional deficiencies. Rather, they attribute it to lack of initiative and motivation among concerned bureaucrats and technicians to do their best towards the regularization of informal settlements.

Officials and experts in executing agencies, on the other hand, associate the problem with lack of appropriate institutional capacity in terms of mandate, manpower and financial resources. For instance, both Land Administration Authority and the corresponding offices of the sub-cities claim that tasks involved in regularization activities would not be handled under the current institutional set-up of the respective agencies. For this, three reasons are mentioned:

- Both of them are responsible for the whole city and for all issues of urban development
- No specific department or agency or unit is set-up specifically for these huge tasks within their organizational structure or private firms for proper implementation.
- The complex issues that would be involved in regularization program can hardly be handled with their current mandate, they have also poor or no coordination between them.

Officials from both agencies in their hierarchical order claim that issues associated to regularization program are referred to them, without additional mandate and institutional capacity, only because they are legally bound to assume the responsibility of handling all issues related to legalization in the land development processes. As a result, many issues stand beyond their institutional mandate and capacity.

According to opinions of interviewees involved in survey of this research, the main blockages for the implementation of *Regulation No.1/92 E.C* are associated with legal, institutional and financial constraints, conflicts in the boundary of owners whether public or private and adopting piecemeal approach instead of unifying approach; summary of key obstacles that impeded the implementation is presented below. Some 33 interviewees were involved in the survey (10 concerned officials, 19 experts and knowledgeable persons, 4 community leaders and kebele Administrators) as stakeholders in the survey. Table 5.3 shows a summary of views by different actors.

Table 5.3 Key blockages hampering the implementation of Regulation No.1, 1992 E.C on interviewed informants, knowledgeable persons and officials.

<i>Summary of informants' and experts' of concerned agencies responses and community leaders</i>		<i>% of program hampered by the stated obstacles</i>	<i>Quotes From opinions of relevant officials</i>
<i>Main obstacles for the implementation of the regularization</i>	<i>Factors behind the stated obstacles</i>		
Absence of specific departments that carryout the tasks of regularization program independently	<ul style="list-style-type: none"> • Poor institutional set-up • Poor urban governance • Highly uncoordinated agencies created • Poor technical capacity 	17.4	“Without the independent institutional arrangement, it is hard to implement it”
Absence of detail plan at neighborhood level for the informal settlements being regularized and poor LIS (Reforming and adapting tools)	<ul style="list-style-type: none"> • Absence of detail plan • Poor LIS development of the city • Unclear minimum and maximum allowed land for housing • At spot level/piecemeal approach/ • Poor implementation of Master plan 	15.5	“By spot approach rather than detail plan, it is very difficult to accomplish the predicted objective”
Lengthy and bureaucratic process	<ul style="list-style-type: none"> • Involvement of too many uncoordinated agencies • Delay of decisions • Negligence and inefficiency of bureaucrats 	12.8	“The beneficiaries do not appreciate the work load and complexity of issues rather often expect an immediate response”

Conflicts within the community that jeopardize the implementation	<ul style="list-style-type: none"> • Dispute b/n the first occupants and the later arrivals • Dispute b/n illegal occupants who own their houses and the squatters • Dispute b/n households with different incomes, particularly when asked financial contributions 	10.7	“Financial contribution should be based on the income level of settlers”
Conflicts among owners of land occupied illegally/plot boundary conflicts	<ul style="list-style-type: none"> • Obstacles arise when determining the amounts of compensation which the owners of irregularly occupied land would like to obtain 	10.5	“Poor land information system (LIS) fails to address the problem of conflicts”
Lack of regular financial resources	<ul style="list-style-type: none"> • No budget allocation in line of regularization in annual budget plan • No external sources necessary for the program start-up • Lack of resources remains the major problem and aggravated by frequent under-estimation of costs 	7.6	“The implementation of regularization requires significant, regular financial resources”
Intermediary sub-dividers and public authorities at city level and kebele (local)	<ul style="list-style-type: none"> • Obstacles are usually related to the question of regularizing the operation in terms of planning: issues of land use plans, permits for the subdividing and servicing, infrastructure standards 	7.5	“Regularization of informal settlements should be in compliance with master plan”
Non-transparent procedures for implementation and illicit practices add to the complexity in the recognition of occupants’ rights	<ul style="list-style-type: none"> • The lack of information transparency • The complex procedures of land management • Illicit practices are widespread, while Administration recognizes occupants’ right 	5.5	“Transparency of information is very important for the community to participate in the process of implementation”
Standards & reference Norms are too constraining (The redefining of norms and standards)	<ul style="list-style-type: none"> • Kebele authorities and sub-city land administrations are often excessively dogmatic about norms and standards of the regulation 	5.0	“The concerned agencies should never be dogmatic about the norms and standards”
Autocratic concept of land administration often predominates	<ul style="list-style-type: none"> • Poor communication of information • The absence of democratic procedures at a local level and a rigid hierarchy of responsibilities worsen the problem 	4.3	“Providing clear democratic system at local level is best remedy to minimize the problem of implementation”
Overlapping Jurisdiction between different administrative authorities or poor coordination	<ul style="list-style-type: none"> • Involvement of uncoordinated agencies, kebeles, sub-cities, local leaders etc. • The dispersal of authorities that lead agencies 	3.2	Without strong coordination of concerned agencies, it is hard implement such of huge tasks of regularization

Source: Author’s compilation

As depicted in the Table 5.3, absence of specific departments whether government or private firms (competition) those carryout tasks of regularization program were not structurally

organized at the sub-city level. Thus, the existing institutional set-up and experts could not fit with the demands of the community who want solution for the existing problems (see figure 5.1). The other blockage identified as constraints is implementing the program through *piecemeal approach* without the detail plan at block or neighborhood level on the basis of newly *revised structure plan*. This shows that implementation of regularization program is not supported by the implementation of newly revised master plan. Therefore, without the proper implementation of newly revised master plan, the successes of this regularization process fall into vicious circle, otherwise the expansion of irregular settlement continuous its growth as usual.

Observations and interview with concerned officials show that conflicts between public or private landowners and illegal occupants are the most common conflicts occurs first as the result of poor land information system (LIS) in the city. In the case of lands occupied by squatters, serious obstacles arise when determining the amounts of compensation, which the owners of irregularly occupied land would like to obtain, or in regard to the repressive role they would like to see the Land Authorities decisions. The interviews with knowledgeable persons and concerned officials in the sub-cities also confirm that in irregular subdivisions, obstacles are usually related to the question of regularizing the operation in terms of urban planning: issue of land use plans, permits for subdividing and servicing, infrastructure and services standards, etc. Sub dividers want recognition for their operations, which urban planning and development authorities often refuse prone to conflicts and disputes.

Information sources also assure that Conflicts within the community in the sub-cities that jeopardize the implementation of Regulation No.1/92 occur at several levels: between members of the community especially between the first occupants and later arrivals, between illegal occupants who own their houses and the tenants or squatters, and between households with different incomes, particularly when regulations demands significant financial contributions from them. Conflicts also occur between organizations, groups or individuals claiming to represent the interests of the community: local unofficial community leaders. On the other hand, Public operators, Public administrations and local authorities are often excessively dogmatic about norms and standards. This happens with urban and planning norms (zoning, land use, development regulations, etc), construction and infrastructure norms and standards, legal and other procedures for providing tenure security. In particular, access to land ownership is often presented as the best if not the only way of achieving such security, to the detriment of alternatives (such as renting). Yet the very administrations that opt for this solution often put up barriers, which make land and housing access more difficult.

5.4.1. Implication to the City Government

Utility Institutions: Regularization implies a number of public works to the city government. As discussed previously, since larger parts of Addis Ababa are predominantly occupied with unplanned and traditional/informal settlements and basic urban facilities are planned accordingly. Therefore, a fundamental readjustments, Replotting, reblocking are vital in this urban intervention termed as Regulation No.1/92 E.C.

Thus, in conjunction to the implementation of regularization of informal plots, reorienting, and widening existing road networks, opening new outlets, creating public spaces, and upgrading existing utility lines are mandatory in compliance with the master plan. All these activities are public works, which require a substantial public investments and call for sufficient preparation among relevant agencies with the city government. For instance, the

tasks of upgrading infrastructure networks and relocating existing utility lines are the major components of regularization program while legalizing the irregular/informal plots, blocks together with costs that they are going to spend or try to estimate cost of public works that would follow from implementation of regularization.

Thus, their absence in the processes of implementation of this regulation creates high wastage of resources and delayance of the implementation processes. On the other hand, such a kind of poor coordination among concerned agencies can create gaps for the expansion of informal settlements. Most of informal/squatter settlements are provided with major utilities, like water supply, electricity and telephone. Therefore, utility institutions have a big contribution for the development of illegal-sub-divisions. With this regard, the city government is expected to assume the general cost estimates of utilities in conjunction to implementation of regularization. The estimated costs also should be reflected in annual plans of government agencies. Hence, this reveals that the utility institutions are the key potential stakeholders in the process of implementation as well in the processes of formulation of regulation.

However, the current practice does not prove that such consideration is being made in the public sector. During opinion survey for this research, the author found out that none of the utility institutions in the city do consider any development activities like regularizations by the city government in their annual plans and programs. This shows clearly, the absence of integration and coordination between the city administration and parastatals. On the other hand, most of the utility institutions representatives' public relation affairs were given some responses in relation to the provision of utilities in the informal and illegal sub-divisions.

According to the information and opinion given by representatives of the utility institutions/agencies, without the consent of the concerned Authorities and Offices in relation to Land and Housing developments in the city they do not have any directives, rules or regulations that encourage them to provide the infrastructure (WSSAA, EEPCO, ETC, 2006) in the illegal settlements. In the contrary, facts from the interview show some illegal settlements were provided with utilities without any supportive letters. Surprisingly, the kebele Identity card is enough to supply Electric power and telephone.

The redefining of norms and standards: knowledgeable persons and informants underline that revising and redefining of norms and standards that can affect the program are a prerequisite for the implementation of Regulation No.1/92 on informal settlements in the city. Standards are not adapted to needs: they have discriminatory effects. In all cases they were originally made for regular settlements, built by formal public or private operators. The question is one of reconsidering objectives. Standards and regulations must reflect what people really experience in daily life. The accent should be put on formulating minimal standards and major guidelines for urban infrastructure and services, urban layouts, and forms of delivery with minimal initial costs, while permitting later improvements in the informal settlements. Decisions on planning and the adopting of standards must be made on the basis of shared participatory decision-making for proper implementation of Regulation No.1/92.

5.5. The practice of Illegal Sub-division After the Formulation of Regulation No.1/92

Informal occupation and its Illegal sub division in the City is characterized by the involvement of different section of the society ranging from government officials to peasants through informal sub dividers, brokers and settlers by keeping the norms and contents of the *Regulation No.1 1992 E.C.*

The illegal sub divisions in the case study areas are of two types when viewed from the forms of land acquisition. The *permit form* of sub division that has received de facto recognition because of the letters from government officials and the *transaction form* of sub division on a land purchased from farmers and informal developers. It was the previous form of land acquisition that is believed to pave way for the second one. Thus, appropriation of land without compensation in the permit case has resulted in further expansion of illegal subdivisions forming the *Dominos Effect* in the settlements. Actors in the transaction case are practicing illegal sub divisions and show why settlers are attracted to undertake illegal sub division in the areas. This part is compiled on the basis of the interviews conducted with actors in the informal settlements and from the experiences of the researcher acquired in relation to the implementation of the Regulation No.1/92 E.C by introducing new practices for illegal sub-division.

Hence, the new practices of sub-division are on the basis of the norms and standards of the Regulation No.1 and (the land uses and zoning) in the newly revised master plan. Thus, the informal settlers who occupy the public land, particularly before May 1988 E.C were subdividing and selling parts of their spacious plots in the hope regularization program. This on the other hand proliferates the expansion illegal settlements in the already existing informal settlements that complicate the implementation of regularization activities.

Table 5.4 Expansion of informal settlements (1992-1998) E.C

Number of informal housing units before the issuance of the Regulation 1992 E.C (A)	Legalized plots due to Regulation No.1/92 (B)	Constructed illegal settlement In 1996 (C ₁) + (A)		Constructed illegal settlements in 1997 (C ₂) + (A)		Newly constructed illegal settlements In 1998 (C ₃) + (A)	
		Cons.	Demolished	Cons.	Demolished	Cons.	Demolished
2540	189	840	600	533	402	550	216
	-	240		131		334	
Total=2540	Total=189	Total=2591		Total=2482		Total=2685	

Source: Kolfe Keranio Sub-City Kebele 04 Administration (2006)

A=informal housing units before the issuance of the RegulationNo.1/92

B=legalized plots due to regulation No.1/92

C_{1, 2,3}= Constructed illegal settlements (in consecutive years from 1996-1998 E.C)

Cons. =construction

According to the informants and Kebeles, the expansion of illegal settlements through illegal sub-division is increasing as shown in the table 5.4 after the enactment of the Regulation No.1/92 E.C on informal settlements. This reveals that in the last five years very few of the informal plots were legalized in kebele 04 in Kolfe-Keranio Sub-City. As the result of poor implementation the Regulation No.1/92, new practice of sub-division is introducing by adopting the norms in the regulation mostly those who occupy the illegal plots before the issuance of the existing regulation on informal settlements. One could understand from the

table that the construction of illegal settlements continues regularly from 1992 to 1998 E.C. The practice of illegal sub division starts with site selection by referring to the land use and the regularization norms of the city (by understanding the whole contents of *Regulation No.1/92 E.C*) the process passes through eight major steps. The steps in illegal sub division in the area follows *Exploration - Occupation - Clearance/Block division - Commercialization - Parcellation - Building – Organization – Infrastructure, servicing and utility*. Facts from the interview and observation show that the informal sub dividers perform the first five steps while settlers engaged in the remaining three steps. The rational order in illegal/informal practice that follows Occupancy – Construction - Servicing and planning is altered in this case by the involvement of these two parties in the process. Each party undertakes its respective step to maintain the marketability of the plot and survival of the settlement. These steps are mostly related to ensuring the marketability of the sub-division and survival of the settlements to enhance the attraction of the practice in the implementation period of the regulation or after the issuance of it.

The informal settlers who occupy the public land, particularly *before May 1988 E.C* were subdividing and selling parts of their spacious plots for illegal settlers in the hope regularization program. Because in this Regulation, the housing units built on illegally occupied land in the years between the issuance of Proclamation No. 47/1967 and May 1988 E.C, could pass for regularization process only if they are in conformity with the land use, the structural map and road network plan of the city. The regulation further states that those housing units constructed after May 1988 are meant for demolition without compensation. Thus, illegal sub-dividers are sub-dividing their plot illegally for commercialization by expecting the benefits of Regulation No.1/92.

5.6. Evaluating Regularization and Integration of Settlements

In this regulation, May 1996 is chosen as a benchmark because it marks the time when data was collected on housing units to establish GIS and cadastral systems of the city. The use of this data as an evidence for regularization has its own shortcomings. All the available reports on the practice of data collection during this time indicate that all housing units were not covered in the survey. In addition, the collected data was not accurate because of the low level of professional competency of the surveyors and enumerators involved in the project. It requires continuous improvement and checking before using the data for further use, which makes it untrustworthy to use it as an evidence for regularization. As explained above, without clearly and accurately digitized GIS/LIS together with effective implementation of newly revised structural plan of the city, it is very much difficult for the regularization and integration of informal/irregular settlements. This can also encourage organic or unplanned growth of the city. However, effective regularization must be brought through intensive study of the settlements by reblocking and repotting on the basis of newly revised master plan at block or neighborhood level but not at spot level.

Table 5.5 Regularization (1994-April (1998))

Name of Sub-City	No of informal settlements (A)	Legalized (title deed prepared)(B)	A-B	Forged Title deeds	%
Yeka	19, 600	10, 591	9009	-	54
Kolfe-Keranio	9, 000	3371	5629	60	37

Source; the two Sub-Cities Land Development Administration Offices, (2006)

As depicted in the table, it is worth noting to mention that in Kolfe-Keranio sub-city there was some forged title deeds captured by the sub-city. This situation reveals some weak controlling and regulatory mechanisms in the process of implementation. However, as indicated in (table 5.5) Kolfe-Keranio Land Administration office has no professionals for the sub-section of regularization projects. This on the other hand has posed some impacts for poor implementation. The other Special case in Kolfe-Keranio sub city is that two major kebeles (04 and 05) the largest informal settlements where almost no implementation of Regulation No.1, relatively with the total informal housing units in the kebeles, encourages extra expansion of illegal sub-divisions in the area as assessed in the interview with the sub-city officials. One important reason they underlined was, most of the informal and illegal plots occupied are very much spacious (more than 1000 m²), legalizing such spacious plots is very difficult they said until the official decision at the city level (municipal level).

To this effect, a Code Enforcement Office fully authorized to enact the terms of the regulation was established. The office is structured down to the kebele level with very limited work force and equipment to perform its duties and responsibilities. The regulation however, did not bring effective solution to the problem of illegal sub division in the area nor did it stop further occurrences. Even the legalized plots are not regularized and integrated with the already existing planned settlements.

In general, regularization process in the city has not been effective because of lack of clear definition of the problem and the criteria adopted to take partial solutions. In this regard, all recent case studies from the world suggest, for successful tenure regularization, *policies must be implemented on a large scale*. If limited to a few settlements, regularization programs will not have sustainable effects. The reasons from technical, administrative and political aspects are indicated in the literature review discussed on regularization. In general, the response of the City Government towards informal settlements and illegal sub division predominantly focus on demolition. The terms of regularization are also partial that favors only part of the settlement excluding most of the housing units out of the regularization process that did not bring effective solution to the problem. Hence, instead of integrating and mitigating the condition of informal settlements, it aggravates irregular settlements in the city due ineffective implementation of the program.

5.6.1. Effects of Implementation of Regularization

This regularization has brought no more integration with already existing planned settlements but by offering tenure regularization, the land value of the occupants highly increased. This has created a good opportunity for selling their plots by subdividing. Thus, some low and middle-income residents have got possibility for having their own standardized housing units. On the contrary, some occupants sold their plot and bought land from other informal settlers at the outskirts of the city

The implementation of the program is mostly at the plot/spot level through piecemeal approach that it is difficult to integrate with the total urban setting. The aim of regularization is to make regular the irregular/informal settlements to integrate with the already existing planned/formal settlements on the basis of the master plan of the city on the ground. However, the implementation process is only on the paper at single/spot level; this would aggravate the expansion of illegal subdivisions and squatter settlements as usual.

With this effect, the methods and techniques used to sub-divide the public land before and after the issuance of Regulation No.1 and approval of newly revised master plan are quite different. Because before this regulation and new master plan there was no clear understanding of the land uses and zoning in the previous master plan. However, the new practice is highly organized and follows the norms and standards in the regulation and the land uses and zoning in the newly revised master plan. Hence, the informal occupiers who occupy the public land, particularly before May 1988 E.C were subdividing and selling parts of their spacious plots in the hope regularization program. This on the other hand proliferates the expansion illegal settlements in the already existing informal settlements that complicate the implementation of regularization program.

5.7. Summary of the Assessments of Implementation

These are the major drawbacks of the Regulation No.1/92, which is highly complex and inappropriate according to the evidences gathered from information sources.

- It is partial and not complete, Settlements built after 1995 are not addressed.
- Mismatch between Nortek map of 1995 and 1996 field survey of LIS.
- Poor implementation of newly revised structural plan or without implementation strategy or master plan together with regularization program.
- Due to misunderstanding it rather accelerates informal settlements
- Poor development and maintenance of the database on all available pieces of land and landowners.
- The implementation of this regulation was less participatory
- Poor institutional, financial and policy frameworks leads poor implementation of the regularization program.
- It was established by only previous Works and Urban Development Bureau of the City Administration, elitist and exclusionary regulation.
- Poor capacity and coordination among the executive bureaus (Land Administration Office, Code Enforcement offices, kebeles) in implementing (enforcing) the regulation.
- The regulation follows the piecemeal /spot approach which is not effective for implementation. Because it loses the preparation of detail plan for efficient and effective operation of the regulation. But preparing detail plan should be a prerequisite for integrating the informal plot that is supposed to be regularized with the already planned settlements.
- In the city of Addis, Proclamation No.7/1994 has enacted the Lease policy in 1994. Thus, the penalties as demonstrated in (table 5.1) in this regulation in relation to the lease is preferable for those who want to occupy larger plots, because paying 7-17 birr /m² for penalty is very cheap. This corrective measure might not be a solution to mitigate the situation.

Therefore, this regulation is aggravating the expansion of informal settlements instead of minimizing or mitigating the proliferation of informal settlements. Thus, The partial regularization attitude of the government towards informal settlements have proved ineffective in solving the problem of illegal sub division in the study settlement in particular and the city in general. Therefore, for effective regularization program comprises the strong institutional policy and financial frameworks incorporated with good urban governances for effective implementation of regularization of informal settlements.

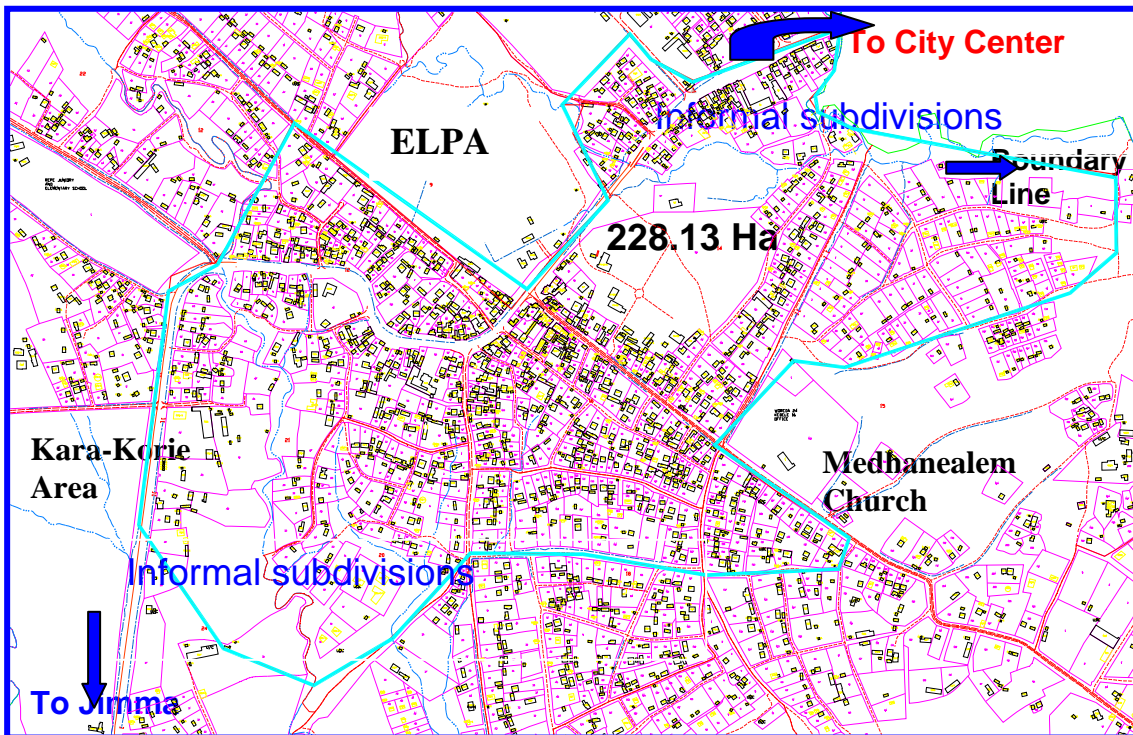
VI. CASE STUDIES AND DATA PRESENTATION

6.1. Description of Informal Settlements and Sub-Division

In the present case as shown in the location map 5.1 in the preceding chapter, Reppi (Kolfe-Keranio Sub-City) and Kara-Alo (Yeka Sub-City) illegal sub-divisions were started in 1978 and early 1980s respectively after the nationalization of rural land. The land of Reppi area was sub divided by government officials at Alem Gena Woreda (a place 25 km away from the city in the Western direction) and Kara-Alo by Ankorchha and Yeka Abado Peasant associations for residential purposes in violation to the terms of proclamation 31/1975 that prohibits the use of agricultural land for non-agricultural purpose. However, the practice continued with more coverage and scope by different actors even after the area became part of the Addis Ababa City. With this effect the City Government has issued regulation No.1/92 E.C to mitigate the situation. Larger share of informal settlements/squatters are located in the two sub-cities. Thus, the case study can represent the city in general and was conducted as supportive method of study at the neighborhood level to check the implementation process and the consequences of the Regulation No.1/92 E.C” *regularization*”. These larger informal settlements are also selected to cross check how far the regularization program is implemented and also to check regularization and integration of informal settlements.

6.1.1. Reppi Sub division

Reppi is located 13 Kilometers away from the city center along the East-West Axis (Addis – Jimma route). It was started in 1978 and assumed to be the oldest illegal sub division in the city. The site has an estimated area of 228.13 hectares (ORAAMP, 2001) and consists of over 900 housing units. About 5% of the total housing units or 46 households were surveyed by sampling techniques.

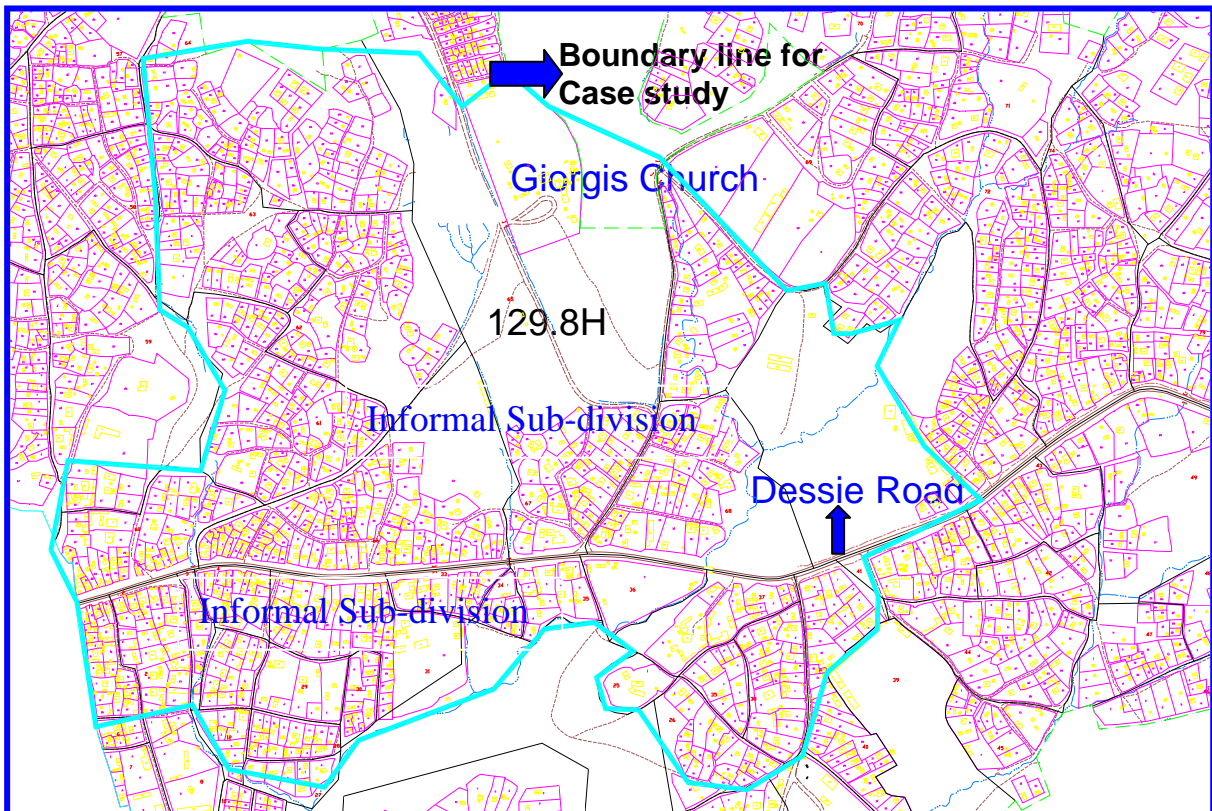


Map 6.1 Reppi the oldest Illegal sub division in the city (Map from ORAAMP, 2002).

The informal settlement is spatially situated under the foot of the Reppi hill, which is frequently flooded during the rainy season. The site was originally sub divided by the government officials at Alem Gena Woreda in response to the application from the Reppi Soap Factory workers. The area being located very close to the factory tempted the workers to construct their housing in close proximity. The time when those workers raised the issue was very critical to the officials. It was during the early stages of the revolution when several political factions were struggling against the Dergue Regime to seize political power. Hence, the officials had no choice than violating the regulation to buy the support of the workers. Both the officials and the workers wanted to fulfill their respective vested interest. However, it was considered illegal since the terms of the proclamation No.31/1975 was violated. In addition, the action has initiated other sub divisions by different actors both on the site and in the surrounding areas.

6.1.2. Kotebe-Kara-Alo Sub division

This informal settlement is about 15km away from the city center along the Addis–Dessie route on the two sides of the highway. It is located in Yeka Sub-City and previous Woreda 28, Kebele 03; currently its name is changed to kebele 20. This sub city has the second largest share of informal settlements and illegal subdivisions next to Kolfe-Keranio are located. It was started in the early 1980s and sub divided by the leaders of peasant associations and individual farmers to households who mostly engaged in trade activities. It is one of the oldest informal settlements and sub division. The area is about 462.5 hectares (ORAAMP, 2002) and accommodating over 1840 housing units and sheltering more than 9,000 inhabitants. This study has taken about 129.5 hectares of Giorgis Church areas along the main road for case study. About 5% of 129.8 housing units or 28 households were surveyed by sampling.



Map 6.2. Kotebe-Kara-Alo, Informal sub division in the city (Map from ORAAMP, 2002)

6.2. Data Presentation and Interpretation in relation to Reg. No.1/92

6.2.1. Land Acquisition

Land in both informal settlements was occupied through purchase from farmers and informal sub dividers and with permit from the government officials. As indicated in table 6-1 larger portions of the sampled households in the two settlements replied to have bought the plot from the farmers and informal developers (including fellow settlers) respectively. Few household heads replied to have occupied the plot by the permit of the government officials and the leaders of the peasant associations. These households are considered to be the first settlers in the area. Unlike all other households, they hold permit papers from the officials and pay land use taxes.

However, the paper did not enable them to enjoy full legal right because legally authorized institution did not issue it. It could be concluded that most of sample households have no legal document like title deeds and ownership book issued by legally authorized institution, like the municipality or Works and Urban Development bureau of Addis Ababa. As it is observed from the table, farmers are the major suppliers of illegal plots in the area followed by informal developers and the plots occupied through permit are very limited when compared to the others.

Table 6-1 Form of Land Acquisition / Means of acquiring Land in informal settlement

Forms of land acquisition	Reppi informal S.		Kara-Alo Informal	
	Count	%		%
Bought from Farmers	14	30.43	9	32.14
Bought from informal sub dividers	25	54.14	12	42.85
Bought from settlers	6	13.00	5	17.85
Permitted by officials /Peasant leaders	3	6.50	2	7.14
Total	46	100	28	100

Source: Computed from the Survey

1. The Size of Plots in the Illegal sub-division

The plots in the informal settlements are characterized by their spacious sizes. As it is indicated in table 6-2, small portions of the households of the informal settlements occupied plots of less or equal to 175-meter square in Reppi than Kara-Alo settlement. Thus, most of the plots in general occupied by informal settlers are spacious in size and well organized.

It is of paramount importance to note that most of the households have occupied plot sizes much more than the maximum housing plot standard in the formal land sub division. The information obtained from the previous Addis Ababa Land Development Agency shows that the minimum, medium and maximum plot standards for residential purposes in the formal system are 73, 150 and 175 meter squares respectively. Households in both settlements were asked if unlimited plot sizes have attracted them to the area and substantial parts of the sample households in Reppi have agreed to the question but gave cultural and demographic reasons such as the increased number of their children, the different social and cultural festivities performed in the compound, to justify their occupation. It should also be noted that the settlers themselves have been involved in selling part of their plot. In the contrary, most of the sampled households in Kara-Alo were occupied plots less than 750m². Thus, the land they

occupy is also using as an informal means of income, because they are subdividing their spacious plots and selling for illegal settlers.

Table 6-2 Plot sizes in the informal settlements

Size of the plot	Reppi informal Settlement			Kara-Alo informal settlement		
	Count	%	Period of Occup.	Count	%	Period of Occup.
Less than 175	4	8.10	(1) Before 1992 E.C	4	14.28	(1) 1992 E.C
176 - 250	5	10.81	(2) Before 1992 E.C	8	28.57	(4) Before 1992 E.C
251 - 500	11	24.32	(6) Before 1992 E.C	6	21.42	(5) Before 1992 E.C
501 - 750	13	28.39	(11) Before 1992 E.C	4	14.28	(3) Before 1992 E.C
751 - 1000	5	10.86	(5) Before 1992 E.C	3	10.71	(3) Before 1992 E.C
1001-2000	6	13.31	(6) Before 1992 E.C	2	7.14	(2) Before 1992 E.C
Above 2000	2	4.2%	(2) Before 1983 E.C	1	3.57	(1) Before 1983 E.C
Total	46	100	33 before 1992 E.C	28	100	19 before 1992 E.C

Source: Survey by Author * (1992 E.C is the year of the issuance of regulation no.1)

One can understand that most plots occupied after 1992 E.C were less than or equal to the minimum area (175m²) as mentioned in the Regulation No.1/92 E.C. thus, the illegal occupation through various modes of land acquisition was sub-divided on the basis of the norms and standards in *the Regulation No.1/92*. With this effect, they are practicing new illegal sub-division by adopting well organized planning processes (exploration of the land uses and zoning in the newly revised master plan). Therefore, the illegal sub-division is done accordingly to Regulation No.1/92. Particularly, those who occupy plots before May 1988 E.C are subdividing their spacious plot and selling parts of the plot for illegal settlers in the hope of regularization in the already existing informal settlements that complicates the implementation of the program.

2. Interest on land for Housing and form of property at acquisition period

The research made it clear that most people go to the settlement with the intention to own land for development. Table 6.2 shows the percentage and number of the respondents who are owners of their dwelling against those respondents who are tenants. Few respondents indicated the wish of ever moving out of the settlements. The tenants are therefore living in the hope of consolidating their resources to buy land and build their own homes. A settlement like Reppi, which is still more spacious, may attract those willing to buy for own housing.

Table 6.3 interests on land and the form of land at acquisition period

Ownership level	Reppi Settlement		Kara-Alo Settlement	
	No. of Respondents	Form of land at acquisition period	No. of Respondents	Form of land at acquisition period
Owner	29	Vacant	16	Vacant
		Developed		Developed
Tenant	17	10	12	7
Total	46	17+10=27	28	10+7=17
		12+7=19		6+5=11
		46		28

Source: Survey by Author

3. Status of land at Acquisition

Further insight on how people acquire land and how the settlements have continued to grow is provided by information collected on the status of land acquisition. Of the respondents who own their houses, larger sections of the Reppi and Kotebe-Kara Alo respondents got their land

as vacant plots (see table 6.3). A number of those that acquired land and developments reported having demolished the old structures they bought to put new and better houses.

The role of farmers and peasant heads in the informal settlements

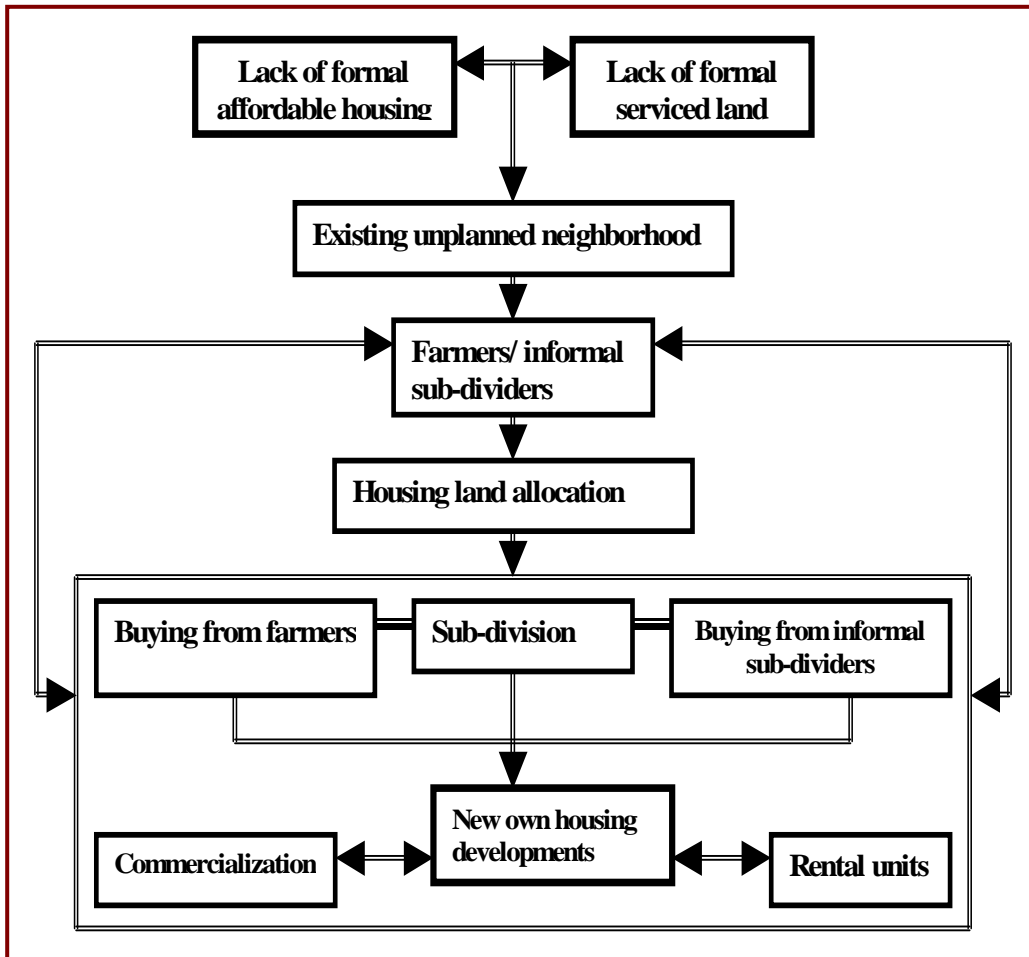


Fig. 6.1 Evolvement of illegal sub-division, Informal settlements and relationship that exist

Almost all respondents in the two settlements have had a land relationship with farmers and informal sub-dividers. This is during the allocation period or when buying the land. Fig 6.1 shows how informal settlements evolve from existing traditional villages with farmers allocating land through sales that ensures security of ownership to new home developers. The survey indicates that Very small portion of the informal settlements acquire land through peasant heads in the early period. From this facts the researcher understands that informal settlers who occupied spacious plots of land are sub-dividing their plots through adopting the norms and rules stated in the *Regulation No.1/92* in more organized and regular manner by integrating with road networks and land uses of the newly revised structure plan and seems more technocratic.

6.2.2. The Period of Land Acquisition and regularization

The time of land acquisition in the settlement is also considered by the study in order to assess the impacts of different land holding systems and regularization adopted in the city. Accordingly, smaller portions of the sample households came to the area when there was free

hold system of land while larger portions of the sample house holds replied to have come to the area during the lease holding system (see table 6.4). This may show that the land holding regulations during the lease system may induce more illegal sub divisions than the previous one. This can also indicate that the defects of Regulation No.1 1992 E.C, because about one-third of illegal land acquisition occurred after the issuance of the regulation as depicted in the table 6.4.

- Pre-1967 E.C Freehold of land
- 1967-1985 E.C the public ownership with use rights of land
- Since 1986 E.C the lease system was enacted) and
- From 1992 E.C Regulation No.1 “*regularization*” enacted

Table 6-4 Period of Acquisition and legalized informal plots by Regulation No.1/92

Period of land Acquisition	Reppi informal settlement		Kara-Alo informal settlement		Remark
	Count	Legalized plots	Count	Legalized plots	
Pre-1967 E.C	1	-	3	2 out of 3	*Out of five legalized illegal settlements in Reppi one was constructed after 1988 E.C. has got legal title-deed by (Breaching)
1967 – 1985 E.C	20	3 out of 20	10	5 out of 10	
1986-1992 E.C	12	1 out of 12	6	3 out of 6	
After 1992 E.C	13	1 out of 13	9	-	
Total	46	5	28	10	

Source: Computed from the Survey

According to the above (table 6.4), the number of legalized plots in the case of Reppi is insignificant. **Regulation No.1** states that those informal plots and houses occupied till the title deed survey (May, 1988 E.C) are legalized if they comply with the master plan. However, most of interviewed settlers couldn't be legalized in the case of Reppi, but by breaching the articles of Regulation No.1, some of the illegal plots were legalized. This on the other hand indicates poor implementation of the regularization program. It is also interesting to note that the Kolfe-Keranio sub-city Land Administration discloses more than 60 illegal settlements have got forged title deeds. This dangerous condition was reported by the sub-city to the legal bodies this year. In the case of Kara-Alo around half of the informal settlements have got legal title deeds with no more regularization and integration.

However, actual regularization is not brought in terms of integration with the formal city. This also indicates poor implementation of master plan. The dominant objective *of regularization is integration with the formal settlements* by reblocking and Replotting but the irregular growth is continuing as usual. Tenure regularization of informal plots only changes the land price and benefits the owners to sell their plots. Therefore, the researcher suggests that without proper implementation of newly revised master plan, regularization program would not achieve its objectives. Implementation of regularization program would be incorporated through detail plan on the basis of master plan implementation. Existing situation shows that almost all the plots, which have got title deeds at *spot/ plot level* is not through detail plan (reblocking, repotting).

6.2.3. Housing Conditions and Utilities in the settlements

The houses in the informal settlements are of varying types, sizes and standards. This is viewed from the durability and quality of the construction materials used for walls, roofs and

floors. As it is indicated in (annex 6.1), very small portions of the sample housing units in both illegal sub divisions are constructed out of mud and wood/ the traditional construction materials in the area however, housing qualities in Reppi is far better than Kara-Alo ones. These housing units have an average floor area of about 17 meter square. Those houses built from chicka and woods are with lower rental fees. Further interview with tenants revealed that their owners are living in the city and have purchased the plots for resale with profit.

Substantial parts of the housing units in Reppi informal settlements are constructed with hollow blocks relatively with Kara-Alo settlements. These housing units have average floor area of about 47 meter square. From the field observation these houses look modest and attractive. Annex 6.1 also indicates that some parts of the sample housing units are constructed with bricks and decorated stones. These housing units are also very attractive in appearance (see fig 6.3). As it is indicated in the (annex 6.1), most of the sample housing units in the informal settlements are constructed from durable materials in conformity with the standards and rules adopted by the municipality.



Fig.6.2. Illegal settlements built for rent in Kara-Alo Areas

The floor types of the houses in both informal settlements are of varying quality and types that signify the cost and durability of the housing unit in the settlements. As could be shown in (annex-6.2), smaller portions of the sample housing units in the informal settlements have earthen floors only covered with locally made straw and plastic carpets where as larger portions of the sample units have cement screeds and plastic tiles. This also shows most of the housing units in the illegal sub divisions could meet the housing standard and rules because of their floor types. With regards to the number of rooms of the core housing in the illegal settlements (annex 6.2) indicates very small sections of the sample housings are single roomed and double roomed. It is also indicated that the larger sections of the sample houses are having three and more than four rooms respectively. It should be noted that half of the sample housing units in the settlements are in conformity with the four rooms' standard of a living room, bedroom, kitchen and toilet. On the other hand, most of these quality-housing units were built after the *issuance of Regulation No.1/92*. Of course there are also some low standard quality housing units for rent were constructed after and before the formulation of this regulation. However, observation and interview confirm that the high standard quality housing units were better constructed than less quality standard housings after the approval of the regulation. These houses are constructed from HCB and stone to escape from demolition and to be more confident that their holdings will be legalized. They are not ignorant about the Regulation No.1/92; they know thoroughly its contents.

The construction of housing units in the settlements is undertaken in two ways. Phasing (Incremental) and with out phasing. As it is indicated in annex 6-8, Substantial parts of the households replied to have constructed their housing units through incremental process. An interview conducted with most of the households revealed that they were directly involved in the construction process through labor and other contributions that minimizes the cost of construction. Some of the households replied that they have constructed their housing units with out phasing. This shows that a substantial number of the settlers in the illegal sub divisions use different strategies to construct their houses.



Fig 6.3. New Informal settlements built from standardized materials in Reppi Areas

Data on the housing Utilities such as type of lighting, source of water, availability of telephone connections have been collected to analyze the accessibility of these housing units to those services. As it is indicated (annex 6-3), almost half of sample housing units in both informal settlements have connections of electricity, water and telephone. The utility agencies have no policies and directives to supply the services to the illegal settlements without the consent of the concerned authorities including kebeles, Land Development and administration Offices of the respective Sub-Cities. This shows that the housing units in the illegal sub divisions are provided with basic urban utilities. However, those informal/illegal settlements who occupy plots before May 1988 E.C, hence more access to the service from the utility Agencies because the concerned agencies (kebeles, sub-cities) gave supportive letters in stead of title deeds for the occupiers accordingly the *Regulation No.1/92* in the hope of regularization. Thus, the regulation itself was issued to legalize and regularize informal /illegal settlements built before May 1988 E.C in compliance with master plan.

In contrary to these facts, observations and evidences show that some utility agencies provided services by considering the kebele membership only. Even those who have no connections of electricity and water supply can get the supply easily from their neighbors. On the other hand, one can imagine that utility agencies have big contributions for the expansion of informal settlements, because utility provisions reinforce the ownership of the illegal plots.

From the above analysis, it can be concluded that, most of the housing units in the informal settlements are constructed out of durable materials. A sizable number of the housing units in the settlements have been constructed through incremental process. The housing units constructed out of mud and woods, which are not in conformity with the formal standards, are for rentals. According to the interview with tenants, their owners are living in the city waiting

for the increase in the price of illegal land market to sell the plots with maximum profit. A substantial share of the sample households has direct connection to basic utilities and services. However, some of sample households get the services through sub letting from their neighborhoods those who have connections in the illegal sub divisions.

6.2.4. The Socio Economic conditions of the Settlers

As it is indicated in (annex 6.4), very small portions of the sample households earn a monthly income of less than Birr 350. Medium share earn incomes between Birr 351 – 650, Birr 651 – 1000 and above Birr 1001. This reveals that the majority of the households qualify for middle and high-income groups.

Data on the migration status of the settlers in the illegal sub division shows that larger parts of the heads of the sample households came to the city from different parts of the country while smaller portions of the sample household heads are non-migrants (see annex 6.5). This shows that the majority of the sample household heads are migrants and came to the city within the last three decades pushed by the rampant rural poverty and attracted by the relatively better employment opportunities in the city. After the issuance of the **Regulation No.1/92** most of the informal settlers who occupy plots were subdividing their spacious plots and selling for new migrants in the hope of regularization. Because, According to this regulation, the housing units built on illegally occupied land in the years between the issuance of Proclamation No. 47/1975(Nationalization of Urban Land and Extra Houses) and May 1988 E.C, could pass for regularization process. The **regulation** further states that those housing units constructed after May 1988 E.C are subjected to demolition without compensation. In this case, the chances of regularization or demolition are determined on the presence or absence of the housing unit on specific time in the year. Thus, migrants were purchasing illegal plots from already existing informal settlement by negotiation far better than from new vacant public land in the hope of legalization.

Contribution of CBOs for expansion of Illegal settlements: There are also some mechanisms used to construct illegal settlements in the Case study areas. Some of them are Equib and Eddir, which are community based organizations used as tools, because the community members organized in Eddir were confirmed the organization through the government institutions like Social Affairs Bureau of the city. They were once organized in the area; they get legal support to expand the settlements by using various informal financial sources. This is done through new practices including (exploration -occupation- clearance/block division-commercialization- parcel division- building- organization- infrastructure, servicing and utilities). This practice is aggravating the expansion of illegal settlements in the city. Therefore, to ameliorate the situation of informal settlements in the city, integrated regularization together with proper implementation of newly revised master plan is quite indispensable. Otherwise the current practice including implementation at spot/plot level instead of detail plan at block or neighborhood level could not bring integrated regularization of informal settlements.

6.2.5. Opinions on the Formal/Informal Land provision System

Opinions of the sample households on the formal land provision system are gathered through questionnaire and interviews. As it is indicated in (annex 6.6), few of the sample households replied that the delayed response in the formal system has induced them to come to the illegal

sub divisions. These households have replied that their applications for land in the formal system did not get replies for 3 to 7 years before they came to the illegal sub divisions. Substantial number of sample households reasoned the inconveniences with rules and regulations in the formal system to induce them resort to the illegal sub divisions. Out of which the responses of medium number of households related to the land holding regulations (lease price, plot size and other restrictions) while some households related to the housing standards and its enforcement mechanism in the city. Medium (No) of the sample households replied the bureaucratic bottle necks in the formal system have induced them to come to the area. Very small portions of households did not give opinion on the formal land provision system.

Therefore, the interview result shows that existing rules and regulations in relation to land and housing are constraining the implementation of *regularization* program. Thus, it indicates some implications for the city government to redefine existing rules and standards that can affect or considered as blockages for proper implementation of the program to ameliorate the situation.

The study also tried to see factors that attracted settlers to a specific illegal sub division. Some parts of households are attracted to informal settlements because of its proximity to the services and infrastructures. Larger parts of households were attracted because of absence of restrictions on plot size. Fast delivery and lower land price have some contributions for the attractions in the illegal sub divisions. Some households were attracted to illegal sub divisions for the available affordable house rent in the area (see annex 6.7). It could be observed that the unlimited sizes of the plots in the two illegal sub divisions have attracted a substantial number of settlers to the area. The owners are sub-dividing and selling to illegal settlers in *the hope of regularization* particularly those who built before 1988 may E.C.

6.3. Summary of the Analysis and interpretation

The two case study settlements are located in the two extremities of sub-cities such as Yeka and Kolfe-Keranio, which are composed, with the larger share of informal/illegal settlements in the city. Larger share of informal settlements/squatter are located in the two sub-cities. Thus, the case study can represent the city in general. The case study was conducted as supportive method of study at the neighborhood level to check the implementation process and the consequences of the Regulation No.1/92 E.C” *regularization*” as the result of inappropriate implementation of it.

The data result reveals that the methods and techniques used to sub-divide the public land before and after the issuance of regulation No.1 and approval of newly revised master plan are quite different. Because before this regulation and new master plan there was no clear understanding of the land uses and zoning in the previous master plan. However, the new practice is highly organized and follows the norms and standards in the regulation and the land uses and zoning in the newly revised master plan. Hence, the informal settlers who occupy the public land, particularly before May 1988 E.C were subdividing and selling parts of their spacious plots in the hope of regularization program. This on the other hand proliferates the expansion illegal settlements in the already existing informal settlements that complicate the implementation of regularization.

VII. FINDINGS AND DISCUSSIONS

7.1. Findings

The size of informal settlements has been increasing and nowadays is so large that measures of demolishing as a means of curtailing the settlements are not feasible. This forced the city administration to issue a regulation known as “Regulation No.1/92 E.C), which gives recognition to part of the informal/squatter settlements specifically those built up to the date of the title deed survey in May 1988 E.C. According to the city administration, the regulation is expected to solve the problem of owners who have not been given recognition for long time, owners who want to sell part of their property and others.

Accordingly, there were many regulations in relation to informal settlements that Regulation No.1/92 is one of the efforts made by the city governments recently to ameliorate the situation. However, evidences and observations reveal that this regulation in relation to informal settlements fail to contain the expansion of illegal sub-division and informal settlements in the city. Through in this program implementation, regularized neighborhood and blocks are not perceived. Because, the implementation process is not done by preparing detail plan on the basis of the master plan of the city through unifying approach. According to observations, and interviews, the implementation is done at plot or spot level or by adopting “piecemeal approach”. This encourages the other expansion of irregular settlements instead of integration.

7.1.1. Regarding Formulation of the Regulation No.1/92 E.C

The formulation (Development) of the Regulation No.1/92 E.C termed as “*Regularization*”. Knowledgeable persons, experts from the Land Administration Bureau and Offices and the concerned officials have disclosed in the time of interview, the following realities that can be assumed as the major findings:

1. The main criteria, approaches, strategies and principles adopted for the development of this regulation were period in which the informal/illegal settlements were built, i.e. till the date of urban economic development and title deed survey conducted (May, 1996).
2. The approaches, strategies and principles for the development of regulation No.1/92 was less appropriately done.
3. It is not comprehensive; the preparation of comprehensive regulation always includes all the concerned stakeholders through good urban governance.
4. It lacks transparency and clarity. It has not controlling and regulatory frameworks as well.
5. The regulation does not emphasize the proper implementation of newly revised master plan together with regularization program or not incorporated.
6. Poor interaction among key stakeholders in the process of formulation.
7. Lacks redefinition of norms and standards (Land lease holding prices, land and housing regulations, housing standards, etc) that could affect the success of regularization.
8. The processes did not consider the partnerships and strategic alliances of the various institutions and organization, which have contributions for the success of regularization in the process of operation.
9. Presence of poorly organized land information systems.

7.1.2. Regarding Implementation of Regulation No.1, 1992 E.C

Assessments of the implementation of regulation no.1, 1992 E.C: These are the major drawbacks of the Regulation No.1/92, which is highly complex and inappropriate according to the evidences gathered from information sources:

1. Mismatch between Nortek map of 1995 and 1996 field survey of LIS
2. Poor implementations of newly revised structure plan or without implementation strategy of revised master plan together with regularization program. Regularization program is not incorporated with master plan implementation.
3. Due to misunderstanding it rather accelerates informal settlements
4. Poor development and maintenance of data base on all available pieces of land and land owners
5. Absence of controlling and regulatory mechanisms for proper implementation.
6. The implementation of this regulation was less participatory
7. Poor institutional, financial and policy frameworks leads poor implementation of the regularization program.
8. Poor capacity and coordination among the executive bureaus (Land Administration Office, Code Enforcement offices, kebeles) in implementing (enforcing) the regulation.
9. The regulation follows the piecemeal /spot approach which is not effective for implementation. Because it loses the preparation of detail plan for efficient and effective operation of the regulation. But preparing detail plan (unifying approach) should be a prerequisite for integrating the informal plot that is supposed to be regularized with the already planned settlements.
10. The informal settlers who occupy the public land, particularly before May 1988 E.C were subdividing and selling parts of their spacious plots in the hope regularization program. This on the other hand proliferates the expansion illegal settlements in the already existing informal settlements that complicate the implementation of regularization program.
11. Implementation would not bring Regularization and integration of informal/irregular settlements. It only enhances the land value of the settlements through tenure security.

7.1.3. New Practices of Sub-division after the issuance of Regulation No.1/92

According to this study, the existing implementation strategies encourage the expansion of informal/illegal settlements in the city. The implementation process at plot level or “piecemeal approach” rather than using detail plan, absence of master plan implementation together with regularization program, such strategies could not bring about regularization and integration of informal settlements for sustainable city development. Thus, due to this weak implementation processes illegal sub-dividers are organizing themselves to exercise new mechanisms and methods by adopting the norms and standards of Regulation No.1/92 E.C. and zoning in the newly revised structure plan.

It is worth noting that the illegal expansion through the new practice is more regular than that of the legalized plots. This is because; the legalization process is done at spot or plot level without considering the neighboring plots and blocks on the basis of the master plan. This situation reveals that illegal sub-dividers are integrating their illegal plots with the newly revised master plan. According to the information from the residents in informal settlements and code enforcement staffs there are eight distinct steps in the development of informal settlements.

The Process: The practice of illegal sub division starts with site selection by referring to the land use and the regularization norms of the city (by understanding the whole contents of *Regulation No.1/92 E.C*) the process passes through eight major steps. These steps are mostly related to ensuring the marketability of the sub-division and survival of the settlements to enhance the attraction of the practice in the implementation period of the regulation or after the issuance of it. The informal settlers who occupy the public land, particularly *before May 1988 E.C* were subdividing and selling parts of their spacious plots for illegal settlers in the hope of regularization program. These steps are described as follows.

1) **Exploration:** It is the first step in the process whereby informal sub dividers search for a vacant plot of land. In the process of exploration the sub dividers consider the land use rules and regulations of the city. Following the adoption of the newly revised master plan of the city. Locations next to the streams that are not very big to affect the construction process are the most favored sites. Informal sub dividers consider riverbanks as an escape from any forthcoming development driven demolitions by the government. After the adoption of *Regulation No.1/92 E.C* the focus of exploration was shifted to seizing land that fits to the terms of regularization. The terms of the regularization states that only those illegal settlements away from the riverbanks and on areas conforming to zoning regulation may be regularized. In this process, the assistance of professionals familiar with the land use regulations and the terms of regularization are utilized. The exploration simultaneously considers the proximity of the infrastructure, services and utilities to the area so that settlers could get easy access to them. In this regard, the exploration process involves not only a search for vacant plot of land but also ensuring the survival of the settlement and meeting the interest of the settlers that increases its level of attraction.

2) **Occupation:** It is a temporary occupation of the explored land by informal sub dividers. The practice of occupation is undertaken mainly in two ways based on the norms of the *Regulation No.1*. 1) Purchase (compensation); in cases where farmers initially occupy the land, informal sub dividers arrange payments, which they prefer to call "compensation". 2) Free occupation; in cases where the plot is initially free, informal sub-dividers directly occupy the land. The choice of time is the most important elements in this process to avoid government bodies' interference.

In 2003 while the city was undergoing a restructuring process that caused a temporary vacancy in the bureaucratic system, most of the illegal sub divisions expanded and new areas were also invaded in Reppi and Kara-Alo surroundings. While this paper is being compiled, additional occupation at Reppi and Kotebe is observed due to the transition from previous Administration to the Caretakers Administration during which the attention of the government was drawn away from a more routine controlling activity (see annex 6.2).

3) **Clearance / Block Division:** The occupied land is cleared with heavy-duty machineries and light manual tools depending on the size of the land and the workload available in the area. Professional surveyors who have full knowledge on the standard of the collector and secondary roads are involved in the sub division of the plot. In some cases by observation, an alignment in planning with the legal sub-divisions available in the neighborhood is maintained (e.g. the World Bank Housing Project). This was to create a harmony and integration/ cope with formal sub divisions as a strategy to maintain survival. Unlike the legal sub division, the

partition here is conducted *at block level* based on the *newly revised master plan and the Regulation No.1/92*, because, the financial capacity and the need of the customer determines the size of the plot.

4) **Commercialization:** It is a level at which informal sub-dividers are selling the land to settlers by sub-dividing the illegal plots by adopting the minimum requirements of the *Regulation No.1/92*. The price of land is fixed on negotiation. In this case brokers play crucial role in the process by attracting buyers to the area. They are paid either in kind by a plot of land or cash. In the process of transaction, the deal is concluded through two ways :(*debt agreement and Gift/ donation/ agreement*).

- **The debt agreement:** in this case the sub divider agree and sign to owing money of the lender (settler) under the obligations that he may be sued in court if did not pay back within a fixed time limit. Here, the transaction would assume legality indirectly by legalizing the transfer of money from a purchaser to a seller in the debt agreement, which is legally acceptable. According to the interview with the brokers, the terms of agreement gives maximum security to settlers. The amount of money is always equal to the negotiated land price. The witnesses are usually the brokers themselves or fellow settlers.
- **Gift/ donation/ agreement:** This form is usually under taken in situation where farmers are selling their land. Most of the agreements indicate the item of donation as a housing unit. Since the law prohibits any form of land transfer for land is the sole property of the state, a non-existent housing unit during the transaction, forges a place of the land, to make the transaction at least legally viable. This partially seems to provide some form of security to settlers. In this case witnesses are also the brokers and settlers in one way or another involved in the business

In most cases, the established norms and values in the illegal sub divisions play a pivotal role in the transaction process than both agreements. People sell and purchase housing units and plots of land in the illegal sub divisions with no legal papers on their hands. Here trusting each other is an established norm.

In this process both the seller and purchaser formally deny the true form of occupation due to the constitution of the country that prohibits the practice. This characterizes the *dichotomy of illegality* involved in the practice. In this regard, Ward (2003) notes that residents through illegal land markets forge rights to property depending on the context, the period and the local nature of the land acquisition and production process. Based on similar prohibitive constitutional articles, the government is also denying official legal recognition to the land transaction available in the practice and preferring to call it squatting. This form of denial, silence and forgery has ended up creating *surrogate squatting*, a new form of squatting that carries illegal sub division in its "womb".

5) **Parcel Division:** It is conducted after the transaction is settled on the basis of the purchased size of the plot. At this stage the possession of the land is transferred from the sub dividers to the settlers. It is also interesting to note that for informal settlements developed after 1992 E.C the process of parcel division bases the standards of *Regulation No.1/92 E.C*.

6) **Building:** Housing construction starts after the land is transferred to the settler. As it has been discussed above, medium and low-income groups who are not in conformity with the rules and regulations have undertaken illegal sub-divisions as an alternative. On the other hand as indicated in annex 6.2, very large number of the sample housing units in the informal settlements are constructed out of hollow blocks and bricks or decorated stones with average floor areas of 46 and 51 meter squares respectively. In addition, substantial portion of the sample house holds in both settlements have their floors made of plastic tiles and cement fixtures that conform to the formal standard. When the number of rooms is considered, most of the housing units are also in conformity with the formal standard housing. In general, most of the housing units in the illegal sub divisions are constructed out of durable materials very fit to the housing code and standards.

When the income structure of the households in the informal settlements is observed few are earning monthly income of Birr 2001 and above and the percentage of those sample households earning monthly income between Birr 1001 and 2000 (passing for upper medium) constitutes small sections of the sample households. Larger portions of the sample households earn monthly income of less than Birr 1000 (see annex). In the formal housing provision system, these households could have remained homeless because of the housing regulation and standards. Instead they now own modest houses in view of their limited income. In informal plot provision and housing construction the system allows construction mechanisms that are not possible in the formal process. Some of these mechanisms used in the area are described below

- **Phasing:** households in the study settlement replied that they have constructed the housing unit through phasing or incremental construction (see annex 6.8).
- **Household involvement in the construction process:** most of households in the illegal sub divisions replied that they have contributed labor in the construction process that reduced their expenses. This is disregarded in the formal process while the costs are calculated to adopt the standards.
- **Use of Informal Financial Sources:** In Ethiopia, traditional saving mechanism such as Equib is very essential in directing the households' limited income to fixed asset formation. The interview with the sample households revealed that most of them are members of different equibs. Another informal source of finance to households in the informal settlement is the sale of land. The households' sale part of the plot they have occupied to other settlers in order to get money for their housing construction. It is indicated above that the housing units in the informal settlement are mostly conforming to the formal housing standards. This is part of the strategy of survival mechanism maintained by the settlers. Most of them assume housing structures constructed out of durable materials and in conformity with the plan would escape demolition. This shows that the poor and medium income households could build their own modest housing if proper and flexible rules are adopted by the city.

7) **Organization:** At this level, the settlers form Edir which is a traditional community based organization that coordinates settlers to perform community development activities and undertake social obligations and services. The Edirs also form a close link between settlers as a strategy for survival to collectively tackle or cope with any form of negative actions or moves by government authorities. The use of Edir as a survival strategy in the illegal sub

divisions has its origin in the regulation of the city that gives them due recognition after being registered by the city's Social Affairs Bureau. The settlers assume the recognition given to their Edirs in the illegal sub divisions as a recognition given to the settlement. To further ensure their level of recognition, these Edirs are actively involved in community development activities coordinated by kebeles better than other Edirs in the legal sub divisions. This enables them to maintain close link with the government structure available at the local level that is duly empowered to prevent and demolish illegal settlements in the area. Hence, the settlers in the illegal sub divisions use Edirs as instruments to enhance their level of survival and to coordinate community development activities.

8) Infrastructure, Services and Utilities: The two informal settlements, Reppi and Kara-Alo are located along major high ways. The settlers construct additional access feeder roads made of compact gravel to reach the asphalt roads. In addition, to the road networks, informal settlements also use the services of public institutions such as schools, health centers and public transport in the area because of their proximity. However, some of the most basic services like kindergarten and primary schools are not available in most of the informal settlements to avail services for the children of the settlers. Formal link to basic and essential utilities such as water, electricity and telephone lines is denied to some illegal sub divisions with the exception of those households in the permit form, as it is related to tenure legality. Nevertheless, the settlements are informally supplied the utilities from the households in the neighborhood that have formal connections on negotiated charges which is usually much higher than the formal one. The system has created *symbiotic relation* between legally and illegally settled households. The legal supports the illegal for its own reasons; the old settlers support the new settlers as well.

Table 7.1. Summary of Practices

Process	Major Activities	Major Considerations	Actors involved
1) Exploration	Site Selection	-Master Plan Regulation -Regularization Rules -Proximity to utilities/infrastr	Informal Sub dividers
2) Occupation	Raw Land Acquisition	Price (compensation) negotiation -Timing	Informal Sub dividers, Farmers
3) Site Clearance	Plot preparation Block Division	Standard access and collective roads Neighborhood lay out	Informal Sub dividers, planning technicians
4) Commercialization	Transaction	Land price And Plot size negotiation	Informal Sub dividers, brokers, buyers
5) Parcel division	Plot Transfer	-Housing construction and plot provision are separate issues	Informal Sub dividers
6) Building	Settlers	Autonomous construction	Settlers
7) Organization	Forming Eddir	Survival	Settlers
8) Infrastructures, Servicing and utilities	Collective development, Symbiotic relation	Access	Settlers

7.2. Discussions

For the last three decades, urban land in Ethiopia has been under public ownership. All land and housing related policies, strategies, rules and regulations are adopted in light of this basic right of the government. Ensuring equitable access to land and housing and eliminating speculation have been the objectives of most of the regulations. As opposed to the terms of the constitution of the country, illegal settlements are widely practiced in the city in general on land sold and purchased by individuals who undertake autonomous housing construction.

Despite the anticipated objectives of various proclamations, rules and regulations, illegal settlements have produced adverse impacts on the development of the city and the living conditions of the inhabitants. They are affecting the planned land utilization by occupying a sizable proportion of the land resource of the city against the planning rules and norms. This has caused uncontrolled expansion that over-stresses the limited financial resource to expand infrastructure.

The practice also affected the financial set up of the city due to forgone payments. The settlers in the illegal sub divisions are not entitled to taxations, transaction payments etc. because of tenure informality. The problem is further worsened in areas where the practice is undertaken on serviced land by affecting the cost recovery. Illegal occupation and sub-divisions are also causing land value distortions that adversely affect the businesses in the formal systems. The analyzed evidences reveals that the settlers in informal settlements are also suffering from lack of tenure security, poor access to social services and environmental hazards ranging from flooding to congestion due to irregularities causing multi dimensional problems. The practice is thus affecting both the city and the settlers alike.

Nevertheless, illegal sub divisions are not created out of the sheer need of the settlers to become illegal but by a cocktail of different factors stringed to the land and housing policies and the rules and regulations related to them. Thus, illegal subdivisions and informal settlements are the visible dimensions of housing crisis as the result of the absence of clearly defined land and housing policies and the associated regulations.

Accordingly, *Regulation No.1/92* is one of the efforts made by the city government on informal/ illegal settlements as a response to ameliorate the situation; however it failed to contain the expansion of informal settlements due to inappropriate approaches, strategies and principles adopted for the development and implementation of the regularization program as investigated in this study. Observations and interviews show that the implementation of the regularization program was not supported by the implementation of master plan by preparing detail plan or “*unifying approach*”. Absence of controlling and regulatory frameworks as well as poor institutional, financial and policy frameworks has aggravated informality as revealed in this study.

7.2.1. Regarding the Development of Regulation No.1/92

Inappropriate adoption of approaches, strategies and principles for the formulation of regulation No.1/92 is one of the major findings from the empirical research as stated above. Based on the international experiences, this research underlines the following basic issues based on the major findings: Adopting proper approaches, strategies, and principles for the development of regulations on informal settlements to create planned and integrated urban

centers or integration and regularization of informal settlements for sustainable urban development and Creating enabling environment that will encourage the participation of NGOs, CBOs, and the private sector in committing resources in providing services and infrastructures for the urban poor by providing supportive planning measures through regulations.

The empirical observation and investigation identify that; the adoption of approaches, processes and principles for the development of regulation No.1/92 E.C was poorly and less appropriately done. However, international experiences suggested the key variables including policies, institutions and processes are the major elements that should be adopted for the development of regulations on informal settlements. The same source also shows that “*Inclusiveness or comprehensiveness*”, would be translated into the objectives of sustainable development through improved urban governance, capacity-enhancement of local actors and stakeholders, and advocacy for good urban governance. Good urban governance implies that city governments respond to and are accountable to all urban residents. IO n the contrary, this study has verified the non-inclusiveness of the *Regulation No.1/92*. Regulations should be simple, easily accessible and understood by all stakeholders. Hence, *Transparency* is a key facet of regulation and stakeholders should have *access to information* and a voice in decisions concerning them particularly those in the informal settlements. However, this regulation lacks simplicity according to this empirical investigation. Therefore, the formulation of regulations on informal settlements should create access to information for all the urban residents in the settlements for proper implementation.

This research finds that the development process of this regulation did not include all key stakeholders. However, promoting partnerships among key stakeholders that ensure inclusiveness–Co-ordination of all key stakeholders, through active and effective partnerships at all levels are a prerequisite for the development of regulation on informal settlements. Appropriate frameworks and institutional support that facilitate participation and partnership arrangements at all levels should be established and adopted. Multilateral and bilateral agencies and NGOs and community groups have gained considerable experience in developing regulations on informal settlements; but this was not utilized. All income groups must be equally represented, (social justice) their needs and priorities equally addressed, in all urban decision-making and resource allocation processes. Information is critical for development and this is certainly valid for the urban residents. Information should be seen as a tool to reduce uncertainty and vulnerability, and can enable the inhabitants to take initiative in times of crisis, but information related to urban issues is not sufficiently finding its way to the urban communities. Then this study suggests that involving all the potential stakeholders from the formulation to implementation of the regulations to make it appropriate and responsive for the whole residents of the settlers.

One of the other major findings of this study is that this regulation lacks simplicity and flexibility, which are very important to accommodate changes due to improvements etc. international experiences suggest that simplicity and flexibility of planning regulations like regularization should be easily understandable and not rigid. Thus this study suggests that the formulation and implementation of regulations should simple and flexible. This also helps Set mechanisms to overcome the challenges of obstacles that impede the implementation of regulation regarding informal settlements.

The other defects of this regulation, as findings are exclusion of the key stakeholders involvement in the processes of developing and implementing the regulations regarding informal settlements. However, for the proper development and implementation any planning regulations, the involvement of potential stakeholders is quite indispensable. It also assists to avoid the major obstacles that impede the implementations of regulations on informal settlements and identifying the key tools used for the implementation of regulations (institutional, financial, technical, and regulatory frameworks).

7.2.2. Regarding Implementation of Regulation No.1/92

International experiences indicate that Informal settlements, like most of the problems confronting people living in poverty in the urban centers of developing countries, are the outcome of failed policies; inappropriate regulatory frameworks and administrative procedures; bad governance; corruption; and a fundamental lack of political will. Observations and interviews show absence of specific departments organized structurally at the sub-city level that carryout the tasks of regularization program. This has created Poor institutional set-up, Poor urban governance, highly uncoordinated agencies created and Poor technical capacity. Thus, the existing institutional set-up and experts could not fit with the demands of the community who want solution for the existing problems. Therefore, poor implementation of the regulation on informal settlements causes high expansion of informal settlements in city. This study suggests that the proper implementation of regulation depends on the well organized institutional, financial and policy frameworks.

According to the best practices of the world, community participation is quite indispensable for effective implementation of regulations. However, implementation is not participatory. Thus this study suggests that communities should be considered as subjects of planning instead of objects of planning. Active participation and involvement of potential stakeholders for the implementation of the regulation regarding informal settlements including, professional/experts such as planners, designers, architects, urban lawyers, NGOs, CBOs, leaders, administrators, politicians etc is very essential for effective implementation of regulations/regularization.

The analysis of the study reveals that the implementation of regulation No.1/92 is composed of poor institutional capacity. Previous studies on the subject indicate, the implementation of regularization is highly complex and challenging issue that requires well-trained and skilled manpower, adequate financial resources for its success. International experiences show that enhancing planning and implementing capacity of the municipalities by providing appropriate and sustained training to existing staff, recruiting additional required professionals and fulfilling the necessary equipment and materials needs' and financially subsidizing for the proper implementation of regulations on informal settlements. Therefore, the implementation or regularization should be reinforced by technical capacity. Access to land, access to credit and finance, regularization of informal settlements, upgrading, provision of home based enterprises, relaxation of regulations, partnerships, transformation of roles among stakeholders, knowledge and information etc are the major experiences and practices for the implementation of regulatory guidelines on informal settlements.

Poor land information system (LIS) and poor implementation of newly revised master plan is also another bottleneck for the success of Regulation No.1/92 according to this study. Because the implementation of this regulation follows the *piecemeal approach* instead of *unifying*

approach through detail plan on the basis the master plan. This is why the major works of the regularization is untouched. Informal settlements are simply legalized without any corrective measures for the irregularities in terms of land use compatibility provision of proper access and facilities. The program as it is operated now is not “regularization” in the proper term. Hence, this study suggests that for the success of the implementation of regulation, the operation of regulation should be supported by the proper implementation of the master plan. This can bring about effective regularization and integration of informal settlements for sustainable urban development.

Thus, despite a great diversity of situations, overall literature review and empirical observation and investigations reveal that a number of factors underlying for effective implementation of regulation. There has to be *a favorable economic, political, legal, technical and financial context*:

- Political willingness that ensures the long-term implementation and follow-up of regulations in accordance with defined guidelines
- Smooth coordination between the various stages of power: government, municipality and settlements, etc, those involved in either development or implementation of regulations on informal settlements.
- A system of democratic delegation that enables the expression of the people's demand for access to land, infrastructure and services
- An economic situation, which allows public authorities to spend the resources necessary for the implementation of regulations, in particular for intervention at the following three levels:
 - Land (acquisition of land, building up land reserves, etc.);
 - Infrastructure and services (development of land for housing);
 - Funding (financing of operations, loans to households)
- A conducive legal and institutional framework where the implementation of regulation is facilitated by:
 - The existence of specialized agencies or organizations, institutions
 - The existence of city regulatory provisions by an administration with appropriate means.
- An appropriate and stable financing system, adapted to the economic and legal situation of people living in informal settlements.
- Proper and reliable Land Information System and organized database system
- Redefinition of existing norms and standards constraining the implementation.

7.2.3. *Illegal Sub-division practices after regulation No.1/92*

Introduction of new practices of illegal sub-division after the issuance of regulation No.1/92 as the result of poor implementation the Regulation No.1/92 is also another important finding of the study. Inappropriate development and implementation of Regulation No.1/92 on informal settlements also create possibilities for the development of new practices of illegal sub-divisions and expansion of illegal settlements in the city as the research findings in this study. According to this study, new practice of sub-division is introducing by adopting the norms in the regulation mostly those who occupy the illegal plots before the issuance of the existing regulation on informal settlements. The practice of illegal sub division starts with site selection by referring to the land use and the regularization norms of the city (by understanding the whole contents of *Regulation No.1/92 E.C*) the process passes through eight

major steps. The step in illegal sub division in the area follows *Exploration - Occupation - Clearance/Block division - Commercialization - Parcellation - Building - Organization - Infrastructure and utility*.

Facts from the interview and observation show that the informal sub dividers perform the first five steps while settlers engaged in the remaining three steps. The rational order in illegal/informal practice that follows Occupancy – Construction - Servicing and planning is altered in this case by the involvement of these two parties in the process. Each party undertakes its respective step to maintain the marketability of the plot and survival of the settlement. These steps are mostly related to ensuring the marketability of the sub-division and survival of the settlements to enhance the attraction of the practice in the implementation period of the regulation or after the issuance of it. The informal settlers who occupy the public land, particularly *before May 1988 E.C* were subdividing and selling parts of their spacious plots for illegal settlers in the hope regularization program. Because in this Regulation, the housing units built on illegally occupied land in the years between the issuance of Proclamation No. 47/1967 and May 1988 E.C, could pass for regularization process only if they are in conformity with the land use, the structural map and road network plan of the city. The regulation further states that those housing units constructed after May 1988 are meant for demolition without compensation. Thus, illegal sub-dividers are subdividing their plot. Therefore, this study suggests that to avoid such problem adoption integrated regularization program through well-organized Land Information System (LIS) and effective implementation of newly revised master plan. This should also be based on the unifying approach by preparing detail plan at the block or neighborhood level on the basis of the master plan instead of piecemeal approach or plot level.

This practices created the new type of squatter settlements through *commercialization*, we call it *surrogate Squatting*, Some thing, which is quite unique and peculiar to Addis Ababa. Thus, setting curative and preventive mechanisms to mitigate and minimize the problem is essential based on the character of the practices adopted in the city by illegal settlers and sub-dividers. International experience suggests that through integrated land and housing management bring about proper mechanism such as integrated regularization and preventive measures.

VIII. CONCLUSIONS AND RECOMMENDATIONS

8.1. Conclusion

Informal settlements and Illegal sub division in the study settlement are characterized by the involvement of different section of the society ranging from government officials to peasants through informal sub dividers, brokers by adopting norms and standards of *Regulation No.1/92*. The illegal sub divisions in Addis Ababa are of two types when viewed from the forms of land acquisition. The permit form of sub division that has received de facto recognition because of the letters from government officials and the transaction form of sub division on a land purchased from farmers and informal developers. It was the previous form of land acquisition that is believed to have paved the way for the second one. Angel (1988) in this regard, observed that upholding the laws after they have been massively broken and when there is no possibility or need to maintain them increases the feeling of lawlessness and promote the breaching of other laws. Thus, appropriation of land with out compensation in the permit case has resulted in further expansion of illegal subdivisions forming the Dominos Effect in the area.

The size of informal settlements has been increasing and nowadays is so large that measures of demolishing as a means of curtailing the settlements are not feasible. This forced the city administration to issue a *regulation known as "Regulation No.1/92 E.C)*, which gives recognition to part of the informal/squatter settlements specifically those built up to the date of the title deed survey in May 1996. According to the city administration, the regulation is expected to solve the problem of owners who have not been given recognition for long time, owners who want to sell part of their property and others. .

Accordingly, there were many regulations in relation to informal settlements. *Regulation No. 1/92 E.C* is one of the efforts made by the city governments recently to ameliorate the situation. However, the analysis reveals that Regulation No.1/92 E.C on informal settlements has failed to contain the expansion of illegal sub-division and informal settlements in the city.

This research concludes that the whole approaches, strategies and principles adopted for the formulation and implementation of Regulation No.1 was weak and less appropriate. Because, regularization program is highly complex and dynamic that requires active participation of potential stakeholders, partnerships and strategic alliances and effective institutional and financial frameworks while developing and implementing the program. It is a multifaceted program for improving and upgrading informal settlements, however, Regulation No.1/92 E.C fell short of the appropriate approaches and strategies to develop and implement regulation.

The result of analysis on the other hand reveals that the methods and techniques used to sub-divide the public land before and after the issuance of Regulation No.1 and the approval of the newly revised master plan are quite different. Because before this regulation and new master plan there was no clear understanding of the land uses and zoning in the previous master plan. However, the new practice is highly organized and follows the norms and standards in the regulation and the land uses and zoning in the newly revised master plan. Hence, the informal occupiers who occupy public land, particularly before May 1988 E.C were subdividing and selling parts of their spacious plots in the hope of regularization program. This on the other hand proliferates the expansion of illegal settlements in the already existing informal settlements that complicate the implementation of regularization.

Hence, this regulation is aggravating the expansion of informal settlements instead of minimizing or mitigating the proliferation of informal settlements. The partial regularization attitude of the government towards informal settlements have proved ineffective in solving the problem of illegal sub division in the study settlement in particular and the city in general. Effective regularization program requires strong institutional policy and financial frameworks incorporated with good urban governances. This should be implemented through proper implementation of newly revised master plan by preparing detail plan at block or neighborhood level not at spot/plot level. Generally, the previously legalized informal settlements were not integrated with the formal/regular city.

Informal sub dividers and settlers undertake illegal subdivision on the basis of the norms and standards mentioned in the *Regulation No.1, 1992 E.C.* The steps in illegal sub division in the area follows *Exploration - Occupation - Clearance/Block division - Commercialization - Parcellation - Building - Organization - Infrastructure, servicing and utility.* The informal sub dividers perform the first five steps while settlers engage in the remaining three steps. The rational order in illegal/informal practice that follows Occupation – Construction - Servicing and planning is altered in this case by the involvement of these two parties in the process. Each party undertakes its respective step to maintain the marketability of the plot and the survival of the settlement.

The planned and organized way the actors are performing in the illegal sub division, make it relatively attractive over other forms of informal settlements like squatting. When compared to the formal land and housing provision system, illegal sub division has some form of attraction and some of them are: the use of negotiation in land price and size of the plot according to the need and resource of the buyer; the use of different housing construction mechanisms, the fast land delivery system and proximity to infrastructure and others.

The regularization process originating from partial and ambiguous regulation did not bring effective solutions than contributing to a further expansion of informal /squatter settlements in the city in general and the case study area in particular. In general, the study has answered the research questions by identifying the approaches and processes adopted for its development, identifying the actual beneficiaries of the regulation, assessing the key blockages that impede the implementation of the *Regulation No. 1/92 E.C.*, assessing the new practices of illegal occupation, examining the responses of the government on informal settlements.

The practice of illegal sub division on the basis of the regulation no.1/92 E.C, those who occupied informal /illegal plot before May, 1988 E.C are sub-dividing and selling parts of plots from their spacious plots for illegal settlers in the hope of regularization program. The planned and organized activities of the actors in the informal settlements and all the survival mechanisms and the marketing norms in the area have contributed a great deal in pulling people to this activity than any other form of land occupation. The bureaucratic complications in decision making there is no strong tradition against the inefficient land controlling system has contributed a great deal in exacerbating informal settlements in the study area.

The partial regularization and the demolition-oriented attitude of the government towards informal settlements have proved ineffective in solving the problem of illegal sub division and

informal settlements. Even, the legalized informal settlements are not integrated with the already existing formal settlements/regularization.

Surrogate squatting; a new form of squatting that carries illegal sub division in its "womb" is a an experience that makes unique Addis Ababa's squatter settlements from other developing countries. This is caused mainly by inappropriate regulations whose implementability is far less than they declare to achieve.

8.2. Recommendations

The implementation of regulations also requires significant, regular financial resources. In addition to external sources (budget allocations, loans, donations) necessary for the programs start-up, the households concerned must make a contribution as soon as implementation is under way. A combination of these two modes of financing determines the long-term success of the operation. However, lack of resources remains a major problem and is aggravated by frequent under-estimation of costs, as well as the duration of the program and the difficulties in cost recovery, which is rarely effective. This problem is particularly acute in sub-cities and kebeles where cost estimates are often inaccurate.

8.2.1. Integrated Land and Housing Management

The following recommendations are forwarded for a possible way out and to ease the problem of informal/illegal settlements. The recommendations are broadly divided in to two parts:

1. Curative (Mitigation) Measures: those forwarded to solve the existing problems in the informal settlements
2. Preventive Measures: those forwarded to prevent further occurrences of informal settlements

8.2.1.1. Integrated Regularization (as Curative Measures) or mitigation

The rules of regularization which only focused on maintaining the land use zoning and partial to the settlements that exist before a certain period of time (until the title deed survey conducted, May, 1996) did not prove effectiveness because it excludes most of the housing units out of the regularization process. This one sided system has negatively affected both the settlers and the city which require integrated approach for effective regularization.

Integrated regularization requires comprehensive thinking and a change of attitude to define the problem. The attitude of the government that looks illegal settlers as complete lawbreakers did not bring sustainable solution to the problem. Regularization must be considered as a tool that benefits not only the settlers but also the city at large. In this regard, integrated regularization calls for the joint effort of government, settlers, NGOs, CBOs, Edirs and all concerned bodies in the area. For effective and integrated regularization, establishing well organized institutional set-up is quite indispensable.

Integrated regularization has two parts. The planning and implementation phases, these are discussed as follows:

1) Planning Phase: It is the first part in the regularization process. It included the following parts.

a) Problem Identification: both the settlers and the local government together identify the problems in the illegal sub divisions. The incomes and needs of the settlers are also assessed at

this stage. All the physical, social and economic aspects of the settlement must be clearly identified. This helps to adopt settlement-based criteria and to set flexible planning.

b) Criteria setting: Settlement based planning and problem oriented criteria must be adopted together with all the concerned actors in the area.

The criteria among other things help to identify those housing units that could pass for regularization or not. It should be noted that, not all housing units in the illegal sub divisions might pass for regularizations. Those housing units that exist on environmentally vulnerable areas, hazardous to human health and living conditions should be relocated.

c) Physical Planning: Settlement lay out, road networks, green areas and public open spaces, services and utilities locations must be planned together with the settlers since there will inevitably be repotting to get spaces for these services and to efficiently implement the plan. Here the participation of the utility and infrastructure sectors in the planning phase is very essential to consider the implementation in their work schedule. Land should be regularized to encounter balance some shortcomings:

- Study pattern of the land development and utilization on the basis of master plan.
- Specify the maximum and minimum allowed land for housing.
- Select the best plot development option.
- Prepare detail plans.
- Act in collaboration with kebeles, and the community.

d) Financial Planning: This has two parts. Identifying source of finance and estimating costs.

Source of Finance: The finance for regularization process must be secured from different sources. Some of these are:

- Contribution from the households both in cash and kind
- Edirs, NGOs, CBOs

Cost estimation: all costs that are necessary to undertake regularization must be clearly known. Some of the major costs are:

- Planning costs
- Relocation and demolition costs
- Re-plotting and reblocking costs /for preparing detail plan
- Costs for infrastructures and utilities (at least site level costs)
- Costs for services
- Costs for surveying
- Cost of tools and equipments
- Costs for housing compensation for relocated households
- Costs for title-deed preparation and issuance
- Other miscellaneous costs could be added

2) Implementation Phase:

In the implementation phase, the following activities are included.

a) Registration: all the housing units in the illegal sub division must be registered.

b) Plot preparation: plots for relocated households must be readily prepared.

c) Relocation: the households must be compensated so as to enable them construct their housing units. Settlers must decide the compensation rate with the owners in negotiation. To minimize the costs, the relocation criteria must consider flexible ways that save the households from leaving the area.

d) Re plotting/detail plan: to make the necessary space for road networks, utilities and services.

e) Title deed Preparation and issuance: The local government undertakes surveying and prepare title deed for the household. The cost of professionals is covered from the project.

f) Utility, services and infrastructure connections: In this regard, the local government, the community and the private sector are involved in performing these activities. The community or the Edirs could establish kindergartens and schools. The private sector can establish other services. The utility sectors can connect water, electricity and telephone lines.

g) Preservation and maintenance: The community must rejuvenate the area by planting trees in the deforested riverbanks and hillsides. The community must take the maintenance of services and infrastructure with Edirs playing the leading role.

Integrated regularization can benefit the city and settlers in the following ways.

- It ensures social support as it involves the settlers in planning and implementation.
- Save the municipal budget by using different non-municipal financial sources.
- It enhances the revenue of the city through title deed preparation and issuance, taxation, registration etc.
- It enhances the livability of the settlements by availing services, utilities and infrastructure.
- It enhances the financial capacity of the settlers through tenure regularization that enable them to use the housing unit as collateral.

8.2.1.2. Principles for integrated regularization program

1. Clarify existing procedures, rules and regulations

- To avoid the unnecessary ups and downs of beneficiaries, procedures, rules and regulations currently at work need to be transparent and sufficiently publicized.
- With this, it is possible to make communities aware of their rights to claim and obligations to fulfill.
- Different mass medias and other means of communications can be exploited for this purpose

2. Hammer out diverging attitudes of key urban actors

- As noted earlier, the attitudes, concerns and perceptions of key urban actors that involve in regularization activities are diverging in the city. Unless such divergence is resolved, joint effort and actions cannot be expected.

3. To narrow down such attitudinal gaps

- Dialogue and consultation need to be open between the city administration and local communities particularly the focused groups informal settlers
- The city administration needs to create a strategic network with key partners like local communities, parastatals, NGOs, CBOs etc.
- The city administration needs to participate relevant stakeholders like utility institutions, NGOs, concerned agencies, local communities and other community representatives in key decision making processes.

4. Policy frameworks

- Developing a comprehensive policy framework that address all issues relevant to regularization activities is urgent to Addis Ababa because of high expansion of informal settlements is the shocking issue currently. However, The Council of Ministers of the Federal Government approved National Urban Development Policy in 1997 E.C, article 4.3⁴ about illegal settlements. Those illegal settlements built before the issuance of this policy must be regularized

⁴ However, those settlements not comply with the master plan and deteriorated structures must be subjected to demolition by providing replacement plots and saving housings.

incompliance with the master plan. However, this policy did not set curative and preventive measures to control and mitigate further expansion of illegal settlements. It also excludes those settlements built after the approval of the National Policy, or not set mechanisms to ameliorate the situation. Therefore, the City Administration should formulate the policy on the basis of the above-mentioned National Policy.

a. **The essential elements of these policy frameworks need to include:** Commitments of government to facilitate regularization program, the level of priority to be given to the upgrading process and its links with other development strategies have to be outlined

- The resource base of regularization: how the revenue to be generated from tasks of land being regularized would be injected.
- All issues associated with urban relocation as the result of new development of investment, issues like who should get what, who should do what must be addressed
- Roles, duties, and responsibilities of different actors involved in this program process need to be clearly defined

The necessary instruments that enable to enforce the aforementioned policy issues must also be put in place. In this respect, the following policy instruments need to be considered:

- An institutional set-up specifically responsible for regularization activities
- Specific rules and regulation that would enforce devised policies
- Special credit scheme that would support the beneficiaries to improve their housing conditions in the legalized plots.

b. **Management of informally occupied land:** As noted, lack of coordination and absence of effective institutional set-up, which is able to shoulder the detail plan preparation and checking tasks are critical bottlenecks that hinder the process of regularization.

Thus, a due attention needs to be given to this issue: In this respect, assigning specific public agency seems in order. The institutional agency to be assigned for these specific tasks can be a land development company, which would have adequate mandate to:

- Decide on critical issues regarding regularization program
- Mobilize financial resources from different sources
- Work with other agencies including the other relevant offices, kebeles, in different forms of partnerships
- Operate as departmental institution, but under the umbrella of the city administration.

As found out by this study, in the city, if regularization practiced under efficient institutional and policy frameworks, it can be self-financing. Thus, the agency can operate effectively with its own revenue by using different sources of finance. A limited seed capital maybe needed from the municipal treasury at the very beginning.

8.2.1.2. Preventive Measures

A. Adopting efficient system that ensures sustainable supply of land and real estate items is very essential to meet the huge demand in the city of Addis Ababa. This necessitates fulfilling the following prerequisites:

- Political support
- Sustainable source of finance
- Sustainable market potential
- Good negotiation skill

These prerequisites require the integration of the city with different actors that perform in different levels. For instance, integration with the Federal Government helps to ensure *political support* that enables to intervene on policy issues that are beyond the level of the city government.

In this regard, shifting the form of government intervention, the participation of private developers in infrastructures development; issues related to the participation of financial institutions in real estate development and the forms of land market are to be decided. The forms of participation in infrastructures, services and real estate development could be negotiated in areas where both private and public sectors undertake the development jointly. **Build – Operate – Transfer**, as a means of applying private capital to infrastructure development is one of the forms of the private and public sector joint participation in development. In this case, the government can utilize the creativity in private sector, improve efficiency and solve the problem of capital shortage. In the Land and Real Estate Marketing, the decision on choosing the plot size and type of housing should be given to the households based on their income and needs. The key here is to ensure a wide range of choice. The intervention of the government on the demand side by enhancing the ability of the households to afford housing and real estate items is very essential. Here, the favorable condition for investment and the attraction of foreign capital could play a vital role in creating jobs that increases the household income.

Improving the decision-making and the negotiation skill of decision makers requires integration with the educational institutions like universities and colleges both at the national and international level. Trainings that improve the bureaucratic systems and use of modern information system are also very important. This enhances the negotiation skill of the government with the private developers. The city of Addis Ababa being located in the midst of the Oromiya Region, integration between them is very essential to ensure healthy development atmosphere. One of the possible issues of integration is incase where huge projects that affect the inhabitants and the resources of both areas are undertaken.

- B. Adopting problem oriented and flexible regulations call for the participation of all stakeholders in the city like farmers, developers, representatives of settlers, and the different municipal sectors. Conducting frequent surveys also helps to assess the needs and income of the inhabitants to adopt relevant rules and regulations. While adopting rules and regulations for the formal system due considerations should be given to the norms and standards in the illegal sub divisions as a possible competitor in the area. Redefinition of previously existing norms and standards that fit with regularization program.
- C. Establish the land and housing cadastre system of the city that ensures efficient bureaucratic system. In this regard, GIS/LIS (Geographic Information System or Land Information System) can be developed in integration with the Federal Government and International Institutions for skill and material support.

In general, the preventive measure through integrated land and housing management benefits the city through the following ways.

- Ensure the political support of the Federal Government to improve policy related problems and to secure financial and skill support.
- Ensure sustainable serviced land and real estate supply that meet the demand.
- Enhances the fiscal capacity of the city through such revenues like taxations
- Create job opportunities that increase the income of the households to increase market potential.
- Ensure the social support by adopting regulations in negotiations with inhabitants and stakeholders.
- Enhance the urban quality through infrastructure development, well-qualified real estate items and all related services.
- Ensure sustainable source of finance.

8.3. Future research recommendations

It cannot be claimed that all aspects of informal settlements is assessed in this thesis. It is recommended that the following works have to be done as a follow up to the current research:

1. While the proposal for Regularization of Informal Settlements is recommended in this research, it remains to be seen how the regularization of Informal Settlements of Addis Ababa City may reflect on the improvement of living standards and future upgrading projects. A research covering several settlements needs to be done to relate the influence and impact of/lack of services in one settlement to others. A socio-economic survey that incorporates geo-spatial data analysis would assist in planning location of facilities and formulation of development policies in Informal Settlements through regularization.
2. There should be more research on the provision of legal tenure vis-à-vis the provision of basic services to be able to support or reject the global campaigns on tenure security for housing in developing countries where titles may not have that much impact on the general public. For integrated regularization program there must be thorough investigation so as to bring about regularization and integration of informal settlements for urban sustainable development.

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ANNEXES

Annex 6-1 Housing Construction Materials in the Illegal sub divisions

Construction Materials	Average Floor Size in m ²	Reppi Settlement		Kara-Alo Settlement	
		Count	%	Count	%
Mud and Wood	17	6	13.04	2	7.14
Hollow Block	47	31	67.40	16	57.14
Brick/stone coated	51	13	19.56	10	35.72
Total	-	74	100	28	100

Source: Computed from the Survey

Annex 6-2 Housing Floor Types and number of rooms in the Illegal Sub divisions

Types of Floor	Count	%	Number of Rooms	Count	%
Earth	9	12.16	One Room	5	6.75
Cement screed	47	63.51	Two Rooms	10	13.51
Plastic Tiles	18	24.32	Three Rooms	22	29.73
Total	74	100	Four Rooms and above	37	50.00
			Total	74	100

Source: Computed from the Survey

Annex 6-3 Housing Utilities in the Illegal sub divisions

Housing Amenities	Reppi settlement		Kara-Alo settlement	
	Count	%	Count	%
Electricity				
Private connection	22	47.83	13	46.43
No connection	24	52.17	15	53.57
Water				
Private connection	18	39.13	10	35.71
No connection	28	60.87	18	64.29
Telephone				
Private connection	9	19.56	7	25.00
No connection	37	80.44	21	75.00

Source: Computed from the Survey (2006)

Annex 6-4 Monthly Income Groups of House hold Heads

Monthly income (in Birr)	Reppi Settlement		Kara-Alo Settlement	
	Count	%	Count	%
Less than 350	6	13.04	3	10.72
351 - 650	11	23.91	7	25.00
651 - 1000	18	39.13	11	39.28
1001 and above	12	24.79	7	25.00
Total	74	100	28	100

Source: Computed from the Survey

Annex 6-5. Migration Status

Migration Status	Reppi Settlement		Kara-Alo Settlement		Duration
	Count	%	Count	%	
Migrants	30	65.22	17	59.72	5 - 30 yrs
Non migrants	16	34.78	11	40.28	
Total	74	100	28	100	

Source: Survey by Author

Annex 6-6 Reasons for quitting the formal process

Reasons for quitting	Reppi Settlement		Kara-Alo Settlement	
	Count	%	Count	%
Delayed Responses	8	17.39	6	21.50
Unattractive rules and regulations	21	45.65	14	49.35
• Land holding rules and regulation.	13		9	
• Housing rules and regulation	7		5	
Bureaucratic Bottlenecks	13	28.26	7	25.60
No opinion	4	9.46	1	3.55
Total	46	100	28	100

Source: Computed from the Survey

Annex 6-7 Attractions of Illegal Sub divisions/ Settlement selections options

Attractions	Reppi Settlement		Kara-Alo Settlement	
	Count	%		
Proximity to services and work place	11	14.86	5	17.85
No restriction on the size of land	25	33.78	10	35.71
Affordable land price	19	25.67	7	25.00
Fast delivery available plots	6	8.10	2	7.14
Affordable house rent	13	17.57	4	14.28
Total	74	100	28	100

Source: Computed from the Survey

Annex 6.8 Forms of Housing Construction in both settlements

Forms of Construction	Reppi Settlement		Kara-Alo Settlement	
	Count	%	Count	%
Phasing	32	69.56	16	57.14
No phasing	14	30.43	12	42.86
Total	46	100	28	100

Source: Survey by Author

Annex 1. QUESTIONNAIRES FOR INTERVIEW WITH INHABITANTS

CASE STUDY SETTLEMENT NAME _____

SUB-CITY _____ KEBELE _____

1. What is your relationship to this property?
 - a) Owner
 - b) Tenant
2. Please, can you tell me the period of land acquisition? (Probe into years)
 - a) Before 1974
 - b) Between 1974 and 1984
 - c) Between 1984 and 1996
 - d) After 1996
3. Where did you live before you came to this settlement?
 - 3(a) Why did you leave the rural area or above place (Which ever is applicable)?
4. What most important factors attracted you to this illegal/informal settlement?
 - a) Proximity to work
 - b) Access to services and infrastructure
 - c) Absence of restriction on the size of land
 - d) Affordable land value
 - e) Fast delivery of available plots
 - f) Affordable house rent
5. In what form was the property at acquisition period?
 - a) Vacant land
 - b) Developed land
 - c) Farm land
6. The area of the plot occupied in the sub-division in m²
 - a) Below 175m²
 - b) Equal to 175m²
 - c) 175-250m²
 - d) 250-500m²
 - e) 500m² –750m²
 - f) Above 750m²
7. Who supported to plan for sub-division of your plot?
How did you get to acquire this property?
 - a) Through the Chief
 - b) Through peasants head/kebele head
 - c) By buying
 - d) Inheritance
 - e) Through political patronage/fare
 - f) Others
8. Did you think of land tenure security when you were acquiring the property?
 - a) Yes (Explain your answer)
 - b) No (Explain your answer)
9. Do you have any idea about the Regulation No.1, 1992 E.C regarding informal settlements?
10. Have you got security of tenure for your informal plot? When and How?
11. What is your opinion on the formal or informal land provision system?
What are the reasons for quitting the formal processes to have legal plot?
 - a) Delayed responses by concerned agencies
 - b) Inappropriate rules and regulation
 - Land holding rules and regulations
 - Housing rules and regulations
 - c) Bureaucratic bottlenecks
 - d) No opinion
12. What are the reasons if the house is not improved?
 - a) Fear of eviction
 - b) Received eviction notice
 - e) Do not want to remain in the area
 - f) Plot size small

- c) Rumor of eviction
d) No need to improve
- g) Lack of funds
13. Do you have plans to move out of this settlement?
a) Certainly not
b) Uncertain
c) Certain
Please explain your answer_____.
14. Is there any traditional saving mechanisms whereby used as informal financial sources for the growth of illegal settlements?
a) Equib
b) Eddir
c) Mehber
d) Other
15. What forms of housing construction have you adopted for the completion of your illegal building?
a) Phasing/ Incremental
b) No phasing
c) Other
16. Who were involved in the construction of the house?
a) Own household
b) Own household and relatives
c) Own household and community assistance
d) Own household and hired labor
e) Hired skilled labor
17. 10. Existing house characteristics and construction materials used: (Both tenant and owner)
a) Mud and wood
b) Hollow block
c) Brick and stone
d) Roof-corrugated iron sheet
e) Roof materials others
Housing condition (good_____ fair_____ bad_____)
18. Housing floor types:
a) Earth
b) Cement screed
c) Plastic tiles
d) Others
19. Number of rooms identified in this housing unit
20. What is the source of water for the household?
a) Tap inside the house
b) Private tap outside the house
c) Borehole
d) Wells/river
e) Communal water kiosks
f) Private water kiosks
21. What form of lighting does the household use? In addition to this, have telephone line?
a) Electricity, private connection
b) Electricity, shared connection
c) Paraffin
d) Other
22. What are the reasons for not being connected to? (Not for tenants) -Water, Electricity, Telephone)
a) Lack of finance
b) Main line far away/non-existent
c) No need for connection
d) Others
23. What type of toilet does the household use?
a) Private Pit latrine
b) Flush toilet with septic tank connected to sewer system
c) Communal toilet
d) Others
24. What is the main source of your income and support for your family? Occupational status

- a) Self-employed
 - b) Public –employed
 - c) Retired
 - d) Other
25. What is your monthly income?
- a) Below 350 Birr
 - b) Between 350 and 650 Birr
 - c) Between 650 and 1000birr
 - d) Above 1000 Birr
 - e) Unwilling to disclose
26. How would you categories the availability, in this settlement, of the public spaces listed spaces listed here below: Fair / Poor
- a) Public schools
 - b) Public health facilities
 - c) Cemetery
 - d) Roads
 - e) Markets
 - f) Religious places
 - g) Play grounds not attached to schools
 - h) Public water points
27. In what community organization activities have you participated in as a resident of this settlement?
28. As a matter of urgency, what would you wish the government/Municipality to do for this settlement?
29. What type of improvement method do you recommend for this informal settlement?

Annex-2.QUESTIONS TO OFFICERS OF LAND ADMINISTRATION AUTHORITY /OFFICES

1. What policy and regulations is there about Informal Settlements?
2. How do people access land for housing in the city?
3. Is the formal method very inclusive of all income groups in the city?
4. Who should be blamed on the increasing sprawl of Informal Settlements in the city?
5. What is your comment about the role of peasant leaders on this regulation in the settlements?
6. Utility companies claim land policies are too negative especially on the supply of services to Informal Settlements. What are your comments?
7. What is the rationale of Regulation No.1, “Regularization” 1992 E.C?
8. Do you think that Regulation no.1, 1992 E.C regarding informal settlements has clarified the place of City Administration in land management? Does it control and mitigate the proliferation of informal settlements?
9. What were the criteria’s and processes used to develop regulation no.1, 1992 E.C?
10. Who were the key potential stakeholders involved in the processes of developing this regulation?
11. Do you think that regulations in relation to housing other than regulation no.1 are causing illegal sub-division for the proliferation of informal settlements?
12. Who are the real beneficiaries of the Regulation No.1, 1992 E.C?
13. What do you think about the extent of informal settlements after the issuance of this regulation?
 1. Is it the valuable tool to mitigate and control the proliferation of informal settlements?
14. What do you think about the institutional frameworks and organizations, which are the prerequisites for the operation/ implementation of regulation No.1 termed as “Regularization”?
15. What are the tools and mechanisms used to implement regularization “Regulation No.1”?
16. Could you compare the extent of informal settlements before and after the issuance regulation No.1, /do you perceive the mitigation of illegal sub-division?
17. Has the regulation no.1, addressed the problem of Informal Settlements in a manageable way?
18. Does the regulation no.1 minimize the proliferation of informal settlements?
19. What do you suggest about the appropriateness and responsiveness of the regulation No.1?
20. Is it equity and expert driven?
21. Did the processes of formulation follow participatory approaches?
 2. What do you think about the institutional frameworks and organizations, which are the prerequisites for the operation/ implementation of regulation No.1 termed as “Regularization”?
 3. What are the tools and mechanisms used to implement regularization “regulation No.1”?

22. Are there any obstacles, which impede the implementation of regulation No.1? And what measures are taken to avoid the problems?
4. Do the relationships/ coordination among the concerned institutions involved in the processes of implementation of the regulation smooth?
5. What future plans does the Authority/offices have on unplanned/informal settlements?
6. As a person, what would you wish to see done in the Informal Settlements?
7. What type of improvement methods do you recommend as a regulatory framework?

Annex-3. TO CITY PHYSICAL PLANNER/OFFICIALS/ KNOWLEDGEABLE PERSONS

8. What do you understand about informal settlements in Addis Ababa in our context/illegal, informal/squatter relative to informal settlements in other developing countries?
9. What are the major causes for illegal sub-division and proliferation of informal settlements?
10. What are the practices of illegal sub-division that lead to illegal settlements in Addis?
11. Who are the actual occupiers of informal settlements (poor, middle, high income groups)?
12. What obstacles are encountered while trying to avail formal land to developers?
13. What relationship is there between your department and the peasant leaders?
14. Do you think the Municipality is doing much; it should do for these residents?
15. What are the main problems in these settlements according to you?
16. How do you think the living conditions in these settlements should be improved?
17. Utility companies, accuse the City Administration of having policies that try to prohibit services in these settlements. What's your comment on this?
18. What is the rationale of Regulation No.1, "Regularization" 1992 E.C?
19. Do you think that Regulation no.1, 1992 E.C regarding informal settlements has clarified the place of City Administration in land management? Does it control and mitigate the proliferation of informal settlements?
20. What were the criteria's and processes used to develop regulation no.1, 1992 E.C?
21. Who were the key stakeholders involved in the processes of developing this regulation?
22. Do you think that regulations in relation to housing other than regulation no.1 are causing illegal sub-division for the proliferation of informal settlements?
23. Who are the real beneficiaries of the regulation no.1, 1992 E.C?
24. What do you think about the extent of informal settlements after the issuance of this regulation?
25. Is it the valuable tool to mitigate and control the proliferation of informal settlements?
26. What do you think about the institutional frameworks and organizations, which are the prerequisites for the operation/ implementation of regulation No.1 termed as "Regularization"?
27. What are the tools and mechanisms used to implement regularization "regulation No.1"?
28. Do the relationships/ coordination among the concerned institutions smooth in the processes of implementation of the regulation?
29. Could you compare the extent of informal settlements before and after the issuance regulation No.1, /do you perceive the mitigation of illegal sub-division?
30. What obstacles do you perceive which impede the implementation of this regulation on informal settlements?
31. What future plans does the department have on unplanned/informal settlements?
32. As a person, what would you wish to see done in the Informal Settlements?
33. What type of improvement methods do you recommend as a regulatory framework?

Annex-4 QUESTIONS TO UTILITY PROVIDERS QUESTIONNAIRE/PARASTATALS

1. What policy and regulations does your organization have on taking services to unplanned settlements?
2. Are you aware of the city planning requirements that no services should be taken to unplanned areas?
3. How does the policy of no services before planning and regularization affect your activities in these settlements?
4. What is your policy to the extent of service provision to different sites? Is your institution asked or ordered any halt by the City Administration to provide these services?
5. In which ways do you think your work of taking services to informal residential areas would be made easier?
6. Whom would you blame for the expansion of Informal Settlements in Addis Ababa?
7. What working relationship is there between your organization and other service giving bodies involved in Informal Settlements?

8. In your opinion, what do you think is the best method of upgrading the settlements?
9. What's your organizations future plans for these informal settlements?

The above questions were asked to all utility providers but elaboration and emphasis differed depending on the organizations policy on Informal Settlements and the way the questions were answered. This was due to probing that was necessary in most cases for clarity and meaning implied in the answers.

Annex-5. QUESTIONS TO CITY ROADS AUTHORITY

1. What policy is there in the department on informal settlement?
2. Is the council doing, as much should for residents in these settlements?
3. How does the community go about getting services from your department?
4. What are the main problems in these settlements according to you?
5. What method of upgrading would you recommend for this settlement as a regulatory framework?
6. Do these settlements have a future according to you?
7. Do you have an idea about the Regulation No.1, 1992 E.C?

Annex-6. KEBELE/ PEASANTS HEADS QUESTIONNAIRE

1. Would you please give us a brief history on how the settlement started?
2. Is there any period when you have had more people coming in the settlement than would normally be usual?
3. Who is supposed to protect public spaces against illegal developments?
4. Are they in any danger of being encroached on?
5. What stops people from having good houses with the necessary connections to infrastructures?
6. Are there community groups that concern themselves with the settlement welfare?
7. Do you as a leader hold community meetings?
8. Which are the issues that normally come up in the meetings?
9. Do you have any idea about the regulation No.1, 1992 E.C?
10. If yes, do you know the objective of the regulation?
11. Who are the real occupiers of the illegal plots in this settlement?
12. Who are the prime actors for illegal sub-division in this settlement?
13. Who is in charge of land matters in this settlement?
14. Do people voice insecurity for not having the right papers to land?
15. Are you aware that the settlement is within the municipal boundaries?
16. What is the role of the peasant association in this settlement?
17. Is the City Administration performing to your expectation?
18. Which are the people's immediate needs according to you that would go along way in improving there living situations in the settlement?
19. Between having the government embark on a titling program on one hand and giving services on the other hand what would you choose?

Annex-7. QUESTIONS TO KEBELE OFFICERS

1. Which are the communities based organizations operating in the illegal/unplanned settlements?
2. How are they formed?
3. What do they normally concern themselves with?
4. How active are they?
5. Do they hold public meetings?
6. Would you term public participation as satisfactory?
7. My observations are that community organizations whether from within the settlements or without are very unpopular. May I have your comment on this?
8. What would you term as the real problems facing the residents of illegal settlements?
9. Do you know about the regulation no.1, 1992 E.C regarding informal settlements?
10. What is your opinion about this regulation?
11. Can you give witness as the Municipality disseminated information about this regulation?
11. What method would you as a person recommend for these settlements as a regulatory framework?