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ADDIS ABABA UNIVERSITY
SCHOOL OF POSTGRADUATE STUDY
COLLEGE OF LAW AND GOVERNANCE

**Enforcement of land use plan in Nfas Silk Lafto and Kolfe Keranio Sub cities:
the law and practice**

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The thesis is submitted to School of Law Addis Ababa University in partial fulfillment of the requirements for the Degree of Master of Urban property and Land Law.

July, 2023

Addis Ababa, Ethiopia

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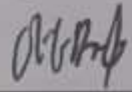
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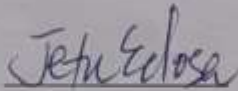


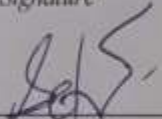
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Declaration

I declare that this thesis is my original work to the best of my knowledge and all source materials used in the thesis are acknowledged duly. The thesis is less than 18000 words in size, exclusive of appendices.

Student's Name: Cheru Debiso W/Senbet

A handwritten signature in blue ink, appearing to read 'Cheru', is centered within a light blue rectangular box.

July, 2023

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Table of Contents

Declaration	iii
Acknowledgement	iv
List of Figures	viii
List of Abused LUP/Map.....	viii
List of Table.....	ix
List of Acronyms	ix
Abstract.....	x
1. Chapter One: Introduction.....	1
1.1. Background of the study	1
1.2. Statement of the problem	2
1.3. Objective of the study	4
1.3.1. General Objective of the study	4
1.3.2. Specific objectives of the study	4
1.4. Research Questions	4
1.5. Scope of the study	5
1.6. Significance of the study.....	5
1.7. Limitation of the Study	5
1.8. Organization of the Study.....	5
2. Chapter two: Literature review.....	6
2.1. Theoretical literature review framework.....	6
2.1.1. Concept of Enforcement, proper, improper enforcement and Misuse of LUP.....	6
2.1.2. Concept of Urban land use planning.....	6
2.1.3. Theoretical approaches of land use plan enforcement.....	6
2.1.4. The significances of Land Use planning.....	7
2.1.5. The goal of Land Use planning (LUP)	8
2.1.6. Principles of enforcement of urban LUP	8
2.2. Empirical literature review framework	9
2.2.1. Land Use plan under international level	10
2.2.2. Land use policy and Land Use plan enforcement under Ethiopia	10
2.2.3. Land Use plan enforcement laws of Addis Ababa city.....	11

2.2.4.	Literatures review related to the topic	12
2.3.	Conceptual literature review framework.....	14
2.3.1.	The main Research Gap	14
3.	Chapter Three: Methodology of the Study	14
3.1.	Description of the Study Areas	14
3.2.	Sources of Data	15
3.3.	Data Collection:.....	16
3.4.	Tools of Data Collection:	16
3.5.	Data Analysis and design	16
3.6.	Data processing and Interpretation.....	17
3.7.	Ethical Considerations.....	17
4.	Chapter Four: Data analysis and findings.....	17
4.1.	The legal and institutional framework to enforce land use planning in the N/S/L/Sub city and K/K/Sub City	17
4.1.1.	The status of legal frameworks to enforce LUP	17
4.1.2.	Land use planning enforcement laws under federal level.....	18
4.1.3.	Land use planning enforcement laws at Addis Ababa city level	19
4.1.4.	Land use planning enforcement norms and standards	21
4.2.	The status of Institutional framework to enforce LUP.....	22
4.2.1.	The overview of N/S/L Sub City and K/K Sub City administrations.....	22
4.2.2.	Institutional framework of land use plan enforcement institutions	23
4.2.3.	Institutional structure of LUP enforcement at federal level.....	23
4.2.3.1.	Institutional structure of LUP enforcement at Addis Ababa level	24
4.2.3.2.	Institutional structure of LUP enforcement at Sub city level	25
4.3.	The land use planning enforcement regulating mechanisms in the N/S/L Sub City and K/K Sub City.....	27
4.3.1.	Land Use plan enforcement regulating mechanism.....	27
4.3.2.	Strong land use plan regulation.....	29
4.3.3.	Land use planning enforcement strategies	30
4.4.	The Status and extent of laws and Practices of enforcement of LUP in the Nfas S/L/Sub City and K/K Sub Cities.....	33

4.4.1.	Abuse of land use planning (Status of Structure Plan Implementation and local development plan) in N/S/L Sub city and K/K Sub city.	33
4.4.1.1.	Manufacturing and storage to mixed commercial centre	34
4.4.1.2.	Trade activities on religious center.....	35
4.4.1.3.	Mixed commercial centre to Fuel station	36
4.4.1.4.	Sport facility/sub city stadium/ to Fruit market center	38
4.4.1.5.	Cultural and civic center to China Africa CDC office	39
4.4.1.6.	Green areas changed to informal settlement (residential center)	40
4.4.1.7.	Unplanned Worship Places.....	42
4.4.1.8.	High tension center to commercial and residential center.....	43
4.4.1.9.	Unplanned waste management	44
4.4.1.10.	River side areas/Buffer zone to residential area	45
4.5.	The practical problems to enforce/implement LUP in the N/S/L/Sub City and K/K Sub City	48
4.6.	The Main factors that hampers LUP enforcement in N/S/L/Sub City and K/K Sub City.	50
4.6.1.	Lack of rule of law	50
4.6.2.	Lack of Skilled Man Power	50
4.6.3.	Lack of strong enforcement regulating mechanisms	51
4.6.4.	Corruption/Unethical practice.....	51
1.1.1	Lack of strong legal and Institutional framework to enforce LUP	52
4.6.5.	Lack of Public awareness (community participation).	52
4.6.6.	Lack of adequate institutional cooperation and integration	52
4.6.7.	Lack of political commitment/Government Official commitment	52
4.6.8.	Lack of clear land use policy	53
4.7.	Consequence of incompatibility of law and practice of enforcement of LUP In general	54
4.7.1.	Environment Consequence	54
4.7.2.	Economic Consequence	54
4.7.3.	Social consequence	55
4.7.4.	Political consequence.....	55

4.8. The key solutions for the problems of enforcement of land use planning in N/S/Lafto Sub City and Kolfe Keranio Sub City.....	55
5. Chapter Five: Conclusions and recommendation.....	56
5.1. Conclusions.....	56
5.2. Recommendation.....	57
6. Reference.....	60
7. Appendixes.....	63
Appendix 1.....	63
Appendices 2.....	64

List of Figures

Content	Page
Figure1: land use plan significance.....	8
Figure 2: Legal Framework’s gaps of the SP proclamation enforcement regulations and directives.....	17
Figure 3: Geographical maps of N/S/L/Sub City and K/K Sub City administrations.....	23
Figure 4: the Institutional structure (top down relationship) of A.A city development and plan commission.....	25
Figure 5: the Institutional structure Horizontal Relationship) of Nfas Silk Lafto Sub City branch development and plan office.....	26
Figure 6: photograph of commercial activity on religious center Located at K/K/ Sub city Woreda 9 around Torhayloch and N/S/L/Sub city Woreda 01 Jemo.....	36
Figure 7: Green area hold by informal settlement around Lafto square and Bettel area.....	42
Figure 8: the high tension power lines near to commercial and residential house.....	43
Figure 9: Unplanned liquid waste management in Kolfe Keranio Sub city Woreda 5 around Anfo 75 cooperative residential houses area.....	44
Figure 10: Builds of houses nearby the river side (river buffer zone) K/K Sub City W- 8 around the Abajale and Keranio area.....	45

List of Abused LUP/Map

Content	Page
LUP Map 1: Abused land use plan (Built a building for Hotel, banking, restaurant service and other commercial services in Manufacturing and storage center).....	35

LUP Map 2: Abused land use plan (built Fuel depot/gas station in mixed commercial center), Location, AA N/S/L/S/city W-01 near to N/S/L/S/city head office.	38
LUP Map 3: Abused land use plan (built fruit distribution market center in sport facility).....	39
LUP Map 4: Abused land use plan (Built China Africa CDC office in the cultural and civic center).	40

List of Table

Content	Page
Table 1: The Status of Sample Land Uses plan’s enforcement (Abused LUP).....	46
Table 2: Response rate of respondents on indicating the major factors affecting land use plan enforcement.....	53
Table 3: Sample Areas and key Informants/Residents	63
Table 4: Primary data are collected from experts of the concerned institutions:-	63

List of Acronyms

AA:	Addis Ababa
LUP:	Land Use Plan
GIS:	Geographical Information System
SP:	Structural Plan
HTC:	High Tension Center
CDC:	China Disease Control
FAO:	United Nation Food and Agricultural Organization
UNDP:	United Nations Development Program
FDRE:	Federal Democratic Republic of Ethiopia
N/S/L/Sub city:	Nfas Silk Lafto Sub city
K/k/Sub city:	Kolfe Keranio Sub City
W-:	Woreda

Abstract

Land is important for various uses for the development of cities. On the other hand, the utilization of land is highly abused. Hence, the land use should be led by effective plan. To apply effective plan and to avoid abuse of land use plan enforcement, it needs to have strong legal and institutional frameworks, strong regulating mechanisms, active public participation and technical skilled experts. Therefore, the research has undertaken the law and practice of enforcement of LUP in Nfas Silk Lafto and Kolfe Keranio Sub cities. The research has found that there are abuses of land use plan enforcement (the LUP enforcement's law and practices are incompatible). Therefore, it recommends that this incompatibility of law and practice should be solved by applying strong legal and institutional framework to enforce proper land use plan.

Key words: Land use plan, legal and institutional framework, and regulating mechanisms, incompatibility of law and practice.

1. Chapter One: Introduction

1.1. Background of the study

Land is important for various uses for the urban areas. Land use requires adequate and effective planning and regulation to ensure the development of the city.¹ Effective land use regulating mechanisms have to have effective legal and institutional frameworks and strategies.² In order to use land in effective and planned way, it needs effective land use plan and regulating mechanisms.

Nfas Silk Lafto Sub City and Kolfe Keranio Sub city are administering the LUP enforcement as per the city administration structural plan proclamation and other urban land laws. The practice shows that urban land use plan in Nfas Silk Lafto Sub City and Kolfe Keranio Sub city, the land development (land use planning) is not properly and effectively applicable that means the law and the practice are contradicted (not compatible) in some areas of both sub cities.³

The current practices are against the aims of the LUP of the A.A city government structural plan proclamation no.52/2017.⁴ This affects the equitable use of resources (equity), sustainable development (economy), and affect environment. For instance, it creates inconvenience for walking; inconvenience for livability. It affects the balance of economy, equity and ecology.

In both sub cities, some of the major LUP categories stated in the Addis Ababa city government structure plan have not been implemented on the ground properly. There is abuse/misuse of land use plan enforcement in both subcities.⁵

¹ Akungba Akoko, Urban Land Use Planning, Policies and Management in Sub Saharan African Countries: Empirical Evidence from Akure Nigeria, 2007, 3

² Wubalem Seraw Gezie, Assessment on Urban Density and Land Use Efficiency in the Ethiopian Cities, Vol.9, 2017, 2

³ Ibid

⁴ Addis Ababa City Government Structural Plan Proclamation, 2017, Art 8 and Following Provisions, Proclamation No.52/2017, Addis Negarit Gazeta, Year 20, N0. 52

⁵ Addis Ababa plan and development commission N/S/L/Sub city branch office, Annual reports, (2021), 32

This improper LUP implementation is practiced without the amendment of the provision of the Addis Ababa city government structure plan proclamation. This leads to misuse/abuse of land. The land use plan to be effective, the concerned body need to properly implement and regulate the enforcement of land use plan for the current and the future generations and as a country we do have integrated land use plan and land use policy.

In views of this, the research examined the status and extent of law and practice of enforcement of land use plan, the status of its implementation, identified major problems and factors of ineffective land use plan enforcement in the study area. Therefore, the research have been addressed such problems and come up with some possible recommendations to solve the problems.

1.2. Statement of the problem

In Nfas Silk Lafto Sub City and Kolfe Keranio Sub city, there is high level of city structure plan (land use plan) enforcement violations. The high-tension electric line, buffer zone, municipal service, manufacturing and storage center, and social service mixed commercial center, green areas, and open spaces are not implemented according to the provisions structure plan proclamation of the Addis Ababa City administration.⁶ There is no adequate active public/community participation in the implementation of urban land use planning.

In both sub cities, the regulating mechanisms to enforce LUP are so weak. This failure caused improper environmental protection (inadequate green infrastructure especially green areas), improper municipal service, improper infrastructure service, unplanned waste management, abuse of mixed commercial center, abuse of manufacturing and storage center, commercial activities on religious center and unplanned worship enter in residential center.⁷ The law and practices are not compatible in different areas of both sub cities.

The practical problems of LUP are: manufacturing and storage center changed to mixed commercial center by renting a building for banking; restaurant and other commercial service;

⁶ Addis Ababa city plan and development commission N/S/L/Sub city branch office, Annual report, 2022, 24

⁷ Survey data (February, 2023)

mixed commercial center changed to fuel depot/gas station; social service center (Sport facilities) changed to Market Place (fruit and vegetable distribution market); cultural and civic center changed to China Africa CDC office; practicing commercial/trade activities on religious center; unplanned worship place in residential center, unplanned waste management; green areas are changed to residential and commercial area by formal and informal settlement; and high tension lines around residential and commercial houses⁸. These are the practical problems of enforcement of land use plan in the study area.

The concerned offices are poorly functioning due to lack of strong institutional framework, lack of coordination between sectors, lack belongingness, lack of skilled experts and lack of public awareness on significance of land use planning.⁹ This causes deliberately and due to reluctance violating the provisions of A.A city government structural plan proclamation by government officials, experts, informal settlers and community.

There are no effective regulating mechanisms to enforce the land use plan. The sectors have staffs to control and follow up the enforcement of land use plan in city as well as in the study area. But the experts have no commitment, lack of skill, lack of coordination with the community and among the other sectors. They have no technology based controlling mechanism; they are reluctant to enforce the law. There is no adequate crosscheck/evaluating mechanism, guidelines, standards, directives and accountability.¹⁰

The government organs are responsible to implement and ensure land use plan enforcement.¹¹ But the practice shows that there is no proper regulating mechanism; follow up, controlling and evaluation of LUP enforcement by the government officials and experts.

⁸ Ibid

⁹ Survey data (February, 2023)

¹⁰ Gebrye Keefelew and Tebarek Lika, Challenges and Opportunities for the Development and Management of Urban Green Areas in Addis Ababa: The Case of Cooperative Housing Green Areas and Street Trees in Nfas Silk Lafto Sub-City, (Ma Thesis Addis Ababa University), January 2015, 4

¹¹ A.A City Government Structural Plan Proclamation, 2017, Art 3(b), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, NO. 52

The government officials are political assigned persons and they are assigned mainly based on political view. So this shows that they have no technical skills to enforce LUP. This gives opportunities to violate the provisions of land use plan of the city by abusing the land use plan.

1.3. Objective of the study

This paper has both general and specific objectives

1.3.1. General Objective of the study

To examine the extent and status of incompatibility of law and practice of the enforcement of land use plan in Nfas Silk Lafto and Kolfe Keranio Sub cities.

1.3.2. Specific objectives of the study

- 1.3.2.1. To examine the status and extent of legal and practical gaps (incompatibilities of law and practice) in the current land use planning enforcement in the study area.
- 1.3.2.2. To examine the status and extent of strengths of legal and institutional framework to enforce land use planning in the study area.
- 1.3.2.3. To examine the status of strength of regulating mechanisms to enforce the urban land use planning in the study area.
- 1.3.2.4. To identify the main factors for ineffectiveness (incompatibilities of law and practice) of enforcement of land use plan in the study area
- 1.3.2.5. To identify the main problems and main key solutions for incompatibilities of law and practice of enforcement of land use plan in the study area

1.4. Research Questions

- 1.4.1. What are the status and extent of legal and practical gaps (incompatibilities of law and practice) in the enforcement of the current urban land use planning in the study area
- 1.4.2. Are there strong legal and institutional frameworks to enforce urban land use plan effectively in the study area?
- 1.4.3. Are there strong regulating mechanisms to enforce urban land use plan effectively in the study area?
- 1.4.4. What are the main factors that hinder the enforcement of land use plan in the study area

- 1.4.5.** What are the main the problems and key solutions for the problems of incompatibilities of law and practices of enforcement of land use plan in the study area

1.5. Scope of the study

The study will examine the legal and practical problems of enforcement of land use plan of Nfas Silk Lafto and Kolfe Keranio Sub cities with a focus on Addis Ababa land use laws and federal urban land laws. And also identifies the factors that hinder the implementation of LUP in both sub cities.

1.6. Significance of the study

First, the research will provide strategy or policy related information to the land use policy makers. Second, the research explains the concept of enforcement of urban land use plan which is less researched topic and hence, it adds something to scarce literatures. Third, it will identify the main incompatibility/gap/ of law and practice in the enforcement of land use planning on the study area has a great significance to inform strategic interference by relevant administrative organs/institutions.

1.7. Limitation of the Study

Many researchers believe that doing any research's work is not simple and it can't be free from certain problems. Hence this research paper faced lack of adequate resource materials in the research area. Gathering relevant information from some government office was difficult. Certain officials were not positive to give relevant information. And also there was lack of time to do the paper.

1.8. Organization of the Study

The research is organized in to six (5) chapters. The first chapter deals about the introductory parts like back-ground of the study, statement of the problem, objective of the study, research questions, scope of the study, significance of the study, limitation of the study, and organization of the study.

The second chapter deals about literature review, third chapter deals about methodology of the study and forth chapter deals about data analysis, findings, and 5th chapter deals about conclusion and recommendation and reference, and the last annex.

2. Chapter two: Literature review

2.1. Theoretical literature review framework

2.1.1. Concept of Enforcement, proper, improper enforcement and Misuse of LUP

Enforcement is the proper execution of the process of ensuring compliance with laws, regulations, rules, standards, and social norms.¹² Proper enforcement is implementation of activities according to the relevant laws, rules regulation, norms, standards whereas improper enforcement is implementing activities without the provisions of the law.

Misuse of land use plan is a plan which is implemented by individuals or government without considering the provisions of the laws of land use plan/structural plan of the A.A city. Misuse of LUP is implementing the land use plan by abusing its basic plan format without the permission of relevant laws.

2.1.2. Concept of Urban land use planning

Land use planning is defined as it is activities that indicates the future uses of land and try to organize the land uses in ways that will be useful to people who live there and for the ecology.¹³ It uses as guidelines to indicate which areas of the land are most valuable for what purpose.¹⁴ Therefore, land Use Planning is defined as the allocation of land to attain the economic and social needs of people by protecting the resources for future use. It designates and regulates the use of land in order to satisfy a community's political, economic, and social need.

2.1.3. Theoretical approaches of land use plan enforcement

In general, Land use plan enforcement approaches try to address the goals, form, procedure and justification for urban land use planning.¹⁵ The city administration of Addis Ababa and its Sub

¹² Cambridge Dictionary, Cambridge University Press and assessment, 2023, 2

¹³ Uchendu Eugene Chigbu, Tenure responsive land use planning a Guide for Country Level Implementation, United Nations Human Settlements Program, July 2004, 6

¹⁴ Degife Hailu, The Policy Implications of Land Use Planning: Analysis of Its Correlation with Tenure Security in Oromia, (With Particular Emphasis on the Peri-Urban Rural Areas of East Shewa), March 2018, 12

¹⁵ Kwasi Gyau Baffour Awuah, Evolution and development of urban land use planning: Analysis from human action theory perspective, May 2014, 24

city members would yield better performance if they apply these theoretical approaches. These approaches are:-

Collaborative planning approach this approaches states the implementation of land use plan should take in account the interest of citizens.¹⁶ It states that the need of public participation in the land use plan enforcement process.¹⁷ Without the involvement of public participation and coordination with them, the success of enforcement of land use plan will not be effective.

Rational comprehensive planning approach: This approach applies LUP in technical way and the planner is an expected to be an objective expert.¹⁸ The planner/experts should have technical skill about the LUP enforcement.

Welfare economic approach: It stands for the protection of public interest at the time of enforcement of land use plan. This approach allows interference of government at the time of problem to support effective LUP enforcement by providing facilities.¹⁹

Exclusionary purpose approach: this approach states that the land use plan applies the land for residential, commercial and other usages to balance economy, ecology and equal use of resource.²⁰

Generally, these approaches, stand for the LUP should be proactive; it stands for sustainable development (future use of land).

2.1.4. The significances of Land Use planning

The significance of LUP is to protect environment (ecology) and to promote sustainable development, to control the impacts of land uses plan on natural resource, to increase the city development and to make conducive for livability, walking for the residents of the city.²¹ The city administration and sub city administration would give due attention and priority if they understand the LUP's social, economic and environmental significance.

¹⁶ Ibid, 22

¹⁷ Ibid

¹⁸ Ibid, 19

¹⁹ Ibid

²⁰ Kwasi Gyau Baffour Awuah, Evolution and development of urban land use planning: Analysis from human action theory perspective, May 2014, 24

²⁰ Ibid 21

²¹ Graciela Metternicht, Land use planning global land outlook working paper, September 2017, 27

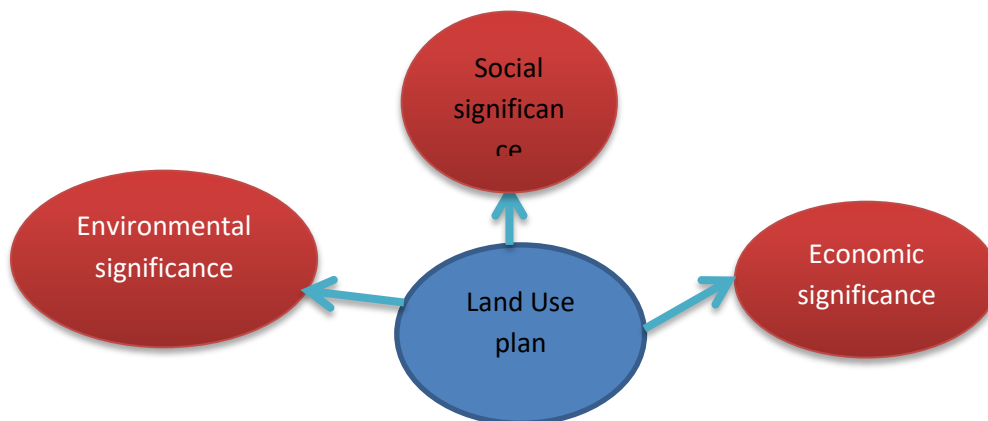


Figure1: land use plan significance

Source: the source is from the writer he get idea from Graciela Mettemicht from his article land use planning data and knowledge.

2.1.5. The goal of Land Use planning (LUP)

Land use plan has to have the following important goals;²² and it gives better result if the A.A city administration and sub city administration have set/put these goals to attain effective land use plan enforcement.

- To protect natural resources for the future use,
- To encourages effective patterns of land uses and prevents wasteful development,
- To apply efficient utilization of city's land resource for development of the city,
- To protect health, safety, and welfare of city residents, institutions, and businesses,
- To effectively balance the needs of social, economy, ecology and equity.

2.1.6. Principles of enforcement of urban LUP

LUP has to accept the following basic principles;²³ and it can obtain better result if the City administration of Addis Ababa and the Sub city administrations seriously apply these principles in their land use plan enforcement process;

- **Principles of Transparency.** The land use plan enforcement should be transparent to avoid risks which deprive the people's rights in the future and to sustain sustainable development.

²² Haseeb Jamal, Land Use Planning Techniques, Classification & Objectives, Jan, 2017, 3

²³ Gesellschaft fur international Zusammenarbeit Land Use Planning Concept, Tools and Applications, (GTZ), October 2012, 34

- **Principles of future-oriented or “visionary”.** LUP is not only about mapping the current land uses rather it determines how the land will be used in the future. It should stand for sustainable development.
- **Principles of implementation oriented.** LUP has to identify the problems and put the solutions for its implementations. The limited measures have to take at the beginning of the implementation process or parallel to it.
- **Principles of improvement the capacity of stakeholders.** The LUP should build or develop the technical and organizational capabilities of government’s officials/leaders, experts, community and all participants in its implementations.
- **Principles of cooperation and coordination** this principle applies involving all sectors that have a stake in the land use enforcement. This needs support institutional building and improving cooperation between institutions.
- **Principles of civic engagement/public participation.** The community should actively participate in the enforcement of land use planning. The implementation of LUP can only be sustainable if LUP is executed with and by the people. Therefore, LUP should be carried out together with people.
- **Principles of balancing social, economic and environmental needs;** the LUP should balance social, economic and environmental need of people. It should be applied for sustainable development/ applies for the current as well as for future needs.
The city administration should provide walkable, and livable center, provide convenient and mixed commercial and residential center, convenient public transport center, and employment centers and a fair, efficient, and predictable land use planning. It should consider the community to have adequate green areas, community centers/recreational parks, and other public facilities
- **Principles of legality:** The LUP should have legally binding LUP’s rules to implement it. Land use plan rules are very important for its implementation. Otherwise, it is not respected by individuals, institutions, community and other.

2.2. Empirical literature review framework.

2.2.1. Land Use plan under international level

Since 1981, the land use planning issue was raised by different United Nation agencies ((FAO, UNEP, and UNCED).²⁴ It has become closely associated with concepts like urban development, sustainable development and protection of the environment. Currently, most countries have a National Environmental Action Plan (NEAP), which constitutes an inventory of the country's natural resources and a strategy for future land use plan

Currently, LUP is the main issue in many countries to implement sustainable development. National governments, including Ethiopia, have signed international bilateral environmental agreements. For example, The World Conservation Strategy by IUCN, UNEP, and WWF of the 1991 that dictates caring for the Earth, Agenda 21 (the 1992 Rio de Janeiro United Nations Conference) and the 1992 Convention on Biodiversity. These indicate that land use plan has gotten the international support and used as a foundation for land use plan implementation. But, as there are no adequate legal and institutional frameworks for the LUP implementation in most counties (including Ethiopia).²⁵

2.2.2. Land use policy and Land Use plan enforcement under Ethiopia

Land use depends upon land policy of a country.²⁶ But many countries suffer from challenges of applying the land use planning as per their land use policy. Land use policy is a state about the direction of government. Ethiopia has land policy but she has no clear and guiding land use policy.

Ethiopia should have no clear land use policy but he has land policy. Actually the land policy of a country doesn't cover all land use plan related issues in detail. Hence he needs to have land use policy. As a regulatory legal framework, the federal government proclaimed/issued urban planning proclamation and subordinate laws concerns enforcement of land use plan. As

²⁴ Willy H. Verheye, Land use, land cover and soil sciences, Vol. III, 2017, 5

²⁵ Degife Hailu, The Policy Implications of Land Use Planning: Analysis of Its Correlation with Tenure Security in Oromia With Particular Emphasis on the Peri-Urban Rural Areas of East Shewa), March 2018, 22

²⁶ Der Molen Paul Van et al, A Comparative Study to Land Policy in 9 Countries in Africa and Asia, 2008, 2

institutional framework, she established ministry of development and plan according to the definition of powers and duties of the executive organs proclamation No 1263/2021.²⁷

The Country formulated land use planning, but the implementation faced lack of enforcement and regulatory mechanisms. There is absence of coordination between different institutions. This causes limited LUP implementation capacity.²⁸

2.2.3. Land Use plan enforcement laws of Addis Ababa city

In Addis Ababa, land allocated for purposes of residential, industrial and commercial purposes and other intended purposes according to the structural plan proclamations no. 52/2017 of the city. Land use laws of the city are the major tools to enforce land use planning. To enforce the city land use plan, it should properly apply the relevant federal and Addis Ababa city land use laws. These are

- the A.A city structural plan proclamation no. 52/2017
- A.A city centers and corridors proclamation no. 54/207
- A.A city infrastructure development coordination and construction permit and control authority establishment proclamation no. 53/2017,
- the A.A city government plan commission establishment proclamation no. 48/2016,
- Federal urban planning proclamation no.574/2008
- Ethiopian building proclamation no. 624/2009
- Ethiopian environmental Pollution Control proclamation no.300/2002

Concerning LUP, the city structure plan proclamation is the main legal instrument to enforce and regulate land use plan. The S.P constructs mandatory and optional regulations for permitted and prohibited land uses in the city. Federal Proclamation No. 574/2008 gives the main activities and services that a structural plan addresses.²⁹ As per this proclamation, the city structure plan

²⁷ Definition of Powers and Duties of the Executive Organs Proclamation, 2021, Art 16(9) , Proclamation No 1263/2021, Federal Negarit Gazeta, Year 28th No. 4

²⁸ Zemen Haddis Gebeyehu, Solomon Bekure Woldegiorgis, Alehegn Dagnew Belete, Tigistu Gebremeskel Abza and Belete Tafere Desta, ‘Ethiopia’s move to a national integrated land use policy and land use plan’ (World Bank conference on land and poverty in Washington DC). 2017, 4

²⁹ Federal Urban Proclamation, 2008, Art 9(2), Proclamation No. 574/2008, Federal Negarit Gazeta, Year 14th No.

proclamation categorizes land as per their uses.³⁰ The S.P is should be implemented by means of the appropriate institutional and legal frameworks.

2.2.4. Literatures review related to the topic

There are researchers who have studied about urban land use efficiency and sustainability, effects of land use forms and pattern, land use planning and implementation with respect to environmental issues and the policy implications of LUP in different areas of the country. However, they did not focus on issue of the law and practice of the enforcement of land use planning (law and practice incompatibility) in Addis Ababa especially in the study areas.

This research focuses on the legal and practical gaps of enforcement of land use planning in Addis Ababa, the case of Nfas Silk Lafto sub-city and Kolfe Keranio Sub City Administration. The assessments investigated the reason behind the violation of the laws of enforcement of land use planning in the research area. Are there strong legal and institutional frameworks to enforce land use planning in the study area? Are there strong regulating mechanisms to enforce land use planning in the study areas? What are the factors and practical problems to enforce land use planning? To address this point of views, the researcher reviewed the related literature and attempts to fill this gap.

Ashenafi Daba Abdi, (2018) in his research topic “Effects of Land Use Forms and Pattern on the Demand for Public transport: The case of Addis Ababa, Asko, Merkato, and Piassa Corridor. It only addressed the practical problems of public transportation facility In relation to the land use. But my research will address not only the enforcement of transport facility (social service) rather it address the legal and practical gaps of land use planning in all categories of land use planning in accordance with the A.A. city governments structural plan in specific study area.

Nesru H. Koroso a,b, Jaap A. Zevenbergen, Monica Lengoiboni, 2018 in their research topic “Urban land use efficiency in Ethiopia: An assessment of urban land use sustainability in Addis Ababa” conclude that that a mere policy formulation is not enough to ensure efficient urban land use, rather strengthening institutions, improving institutional functionality. But he didn’t the

³⁰ A.A City Government Structural Plan Proclamation, 2017, Art 8, Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

address the legal framework, public participation, skilled man power, Abuse (Misuse) of land use plan enforcement and the current practical problems of the city.

Degife Hailu, (2018) In his research topic ‘The Policy Implications of Land Use Planning: Analysis of Its Correlation with Tenure Security in Oromia With Particular Emphasis on the Peri-Urban Rural Areas of East Shewa’, concluded that the system of land allocation and exploitation is random in the Oromia Region. To avoid this random allocation and use of land should have legal and policy framework to control land use system. Nevertheless, is limited on policy implication and correlation with tenure security in Oromia region that does not address and identify the major problems (absence of regulating mechanism, institutional framework, and public participation) related to the enforcement of LUP.

Kumelachew Yeshitela and Stefan Sieber, (2021), in their research topic Urban Green Space Planning, Policy Implementation, and Challenges: The Case of Addis Ababa, conclude that regulations and directives are not clearly made by responsible organs, and low enforcement is hardly applied with respect to the green area development of Addis Ababa. In their research, focuses on the regulations and directives drafted by irresponsible organ is a major urban green space planning problem, but they didn’t address the challenges of institutional and legal frameworks to apply land use planning.

Jemal Abagissa (2019) in his research topic “informal settlement in Addis Ababa: extent, challenge and measures taken” conclude that squatter settlements have direct impact on the urban planning, land ownership in Addis Ababa. However, he did not identify and address the type of possible and alternative solutions for the informal settlement. Nevertheless, my research will try to identify the possible solution in informal settlement area especially in the study area.

Zemen Hadis Gebeyehu, Solomon Bekure Woldegiorgis, Alehegn Belete Tigistu, Tigistu Gebremeskel and Belete Tafere Desta (2017) in their research topic “Ethiopia move to a national integrated land use policy and land use plan” conclude that the Ethiopian government should have land use policy and integrated land use planning. Even though the country has no clear land use policy and integrated land use planning, she has certain laws to enforce the land use plan. But they didn’t address the legal and institutional frameworks, regulating mechanism and

incompatibility of the law and practice of land use plan enforcement in Addis Ababa. Its scope is very wide.

Merga Mekonnen, (2012) in his research topic “Evaluation of land use planning and implementation with respect to environmental issues in Sululta town” conclude that there were contributing factors to the ineffectively prepared and implemented land use plan particular emphasis to environment in the Sululuta town. Mergia, his research is limited on Sululta town and tried to address land use plan preparation and implementation effect on environmental issues. But my research will address the legal and institutional frame work weakness, the absence of adequate regulating mechanism and the practical gaps in the Addis Ababa in case of both sub cities.

2.3. Conceptual literature review framework

2.3.1. The main Research Gap

In enabling Addis Ababa city to make it convenient, competitive and attractive and to manage its land in planed way, the city administration provided a legal and institutional framework to regulate the enforcement of urban land use plan in proper way. Even though, the city administration issued different laws concerning land use plan enforcement, the practice of enforcement of urban land use planning is not compatible with the provisions of relevant laws of the city administration’s LUP enforcement. The incompatibility of law and practices of LUP enforcement problems (abuse of LUP) is not directly addressed by any studies.

In addition to this, the study will identify and examines the major factors and problems on the enforcement of land use planning and will indicates possible solution to enhance the effective land use planning enforcement systems in Addis Ababa, the case of Nfas Silk Lafto Subcity and kolfe Keranio Sub City.

3. Chapter Three: Methodology of the Study

3.1. Description of the Study Areas

The study was conducted in the sub city of Nfas Silk Lafto Sub City and Kolfe Keranio Sub City. These Sub cities are one of the eleven-sub city of Addis Ababa city administrations. The

main reason for selecting these sub cities is there is abuse (misuse) of LUP. That means the law and practice is contradicted (not compatible). For the purpose of this study, the researcher will be limited the locality of the sample to Nine Woredas. These are:-

1. Nfas Silk Lafto Woreda 1 and 13 (Haile Garment, Jemo and Lebu). It represents the area with violation of land use planning due to high informal settlement (green areas are held by formal and informal settlers) and around Nfas Silk Lafto Sub City administration head office, mixed commercial center to NOC Fuel station, its area land use plan is mixed commercial center land use but illegally it changed to commercial center (fuel station),
2. Nfas Silk Lafto Woreda 12 and 2, represents area violation of land use planning (as per LUP, its center industry zone or manufacturing zone but it changed to mixed commercial center (Samual building which is existed around Lebu square. The building is rented for banking, restaurant and other trade activities.
3. Nfas Silk Lafto Woreda 11 (Sefera Atikilt Tera). It represents violation of land use plan (the existing fruit distribution center, as per LUP its center is for Stadium/sport facility/ but changed its purpose,
4. Kolfe Keranio Sub city Woreda 7 and 8 represents the area with violation of land use planning due to high informal settlement in the green area.
5. Kolfe Keranio Sub city Woreda 3 and 9 around Alem bank and Keranio area built residential and commercial house in high tension electric line center.
6. Kolfe Keranio Sub city Woreda 8 and 9 around Abajale and Keranio area, in river buffer zone these areas are respective sample areas.

3.2. Sources of Data

Primary data are collected from experts and officials working in Addis Ababa City and the different offices of Nfas Silk Lafto and Kolfe-Keranio sub-cities offices. And also primary data are collected from experts, key informants, residents and photographs from the existing problems (Abused LUP). The secondary data are the city land use plan formats (structural land use map), annual reports, satellite image, articles, books and legislations on land use planning.

3.3. Data Collection:

Questionnaires were conducted with experts, officials of the respective bureaus and offices. And also questionnaires were conducted with residents who live in the study area. Interviews and focal group discussions were held with experts, key informants and residents. The researcher collected data from A.A structural land use plan map, google map/satellite image, and surveys of experts. While structural land use plan map data included land cover maps and land use plans of the study area. The survey's data were collected using site observation, questionnaires and interviews.

3.4. Tools of Data Collection:

The researcher used questionnaires, interviews and observations, plan formats (structural land use plan map) and photographs as data collecting tools.

3.5. Data Analysis and design

The researcher applied a qualitative research. This research studied with technical skill the researcher applied a qualitative method to study the issues of the law and practice of enforcement of urban land use plan in both Sub cities through the interviews, questionnaires, observations and discussion with experts, key informants and residents.

The researcher was summarized the experts' questionnaire, interviews results (their responses) to identify variables on problems facing LUP implementation/enforcement. Additionally, the researcher analyzed the open and close ended questions and interviews qualitatively.

This research basically analyzed relevant literature on the law and practice of enforcement of urban land use planning in Nfas Silk Lafto Sub City and Kolfe Keranio Sub City. It analyzed the relevant international instruments, federal and Addis Ababa city administration's land use planning laws. And also it compared and examined the city structural land use map with the existing practices in the study area. The content of both interviews and questionnaires were based on incompatibility/contradiction of law and practice of enforcement of LUP in the study area.

3.6. Data processing and Interpretation

The collected data are organized, evaluated and interpreted qualitatively in relation to the basic questions of the research.

3.7. Ethical Considerations

All participants included in the interviews were duly informed about the purpose of the study before beforehand. Concerning the right to privacy of the respondents, the study maintained the confidentiality of each participant.

4. Chapter Four: Data analysis and findings

4.1. The legal and institutional framework to enforce land use planning in the N/S/L/Sub city and K/K/Sub City

4.1.1. The status of legal frameworks to enforce LUP

A legal framework is important for regulating the enforcement of land use plan. The existing legal framework is important tools to implement land use plan. Ethiopia has enacted different laws concerning LUP.

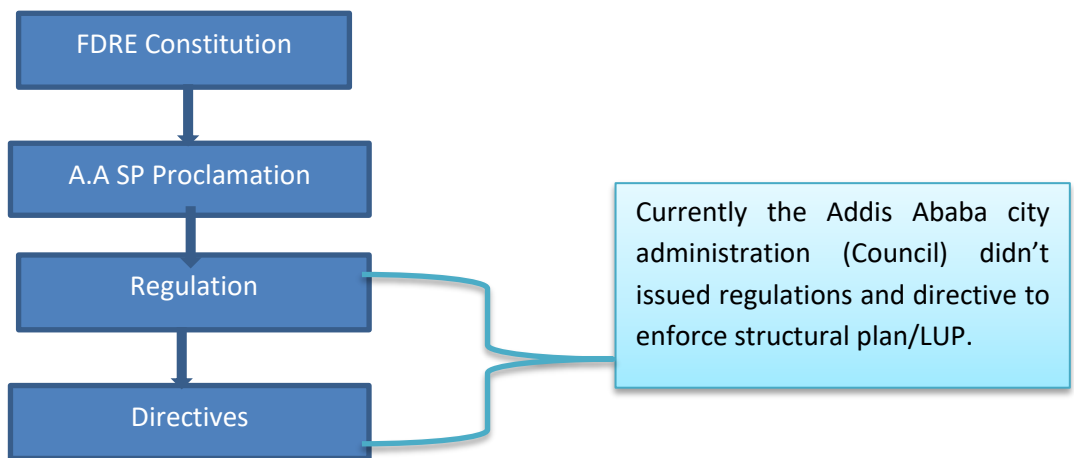


Figure 2: Legal Framework's gaps of the SP proclamation enforcement regulations and directives.

Source: from the writer gets the idea from the current legal framework of the country as well as the city administration.

4.1.2. Land use planning enforcement laws under federal level

The Federal government has the power of formulating and implementing policies, strategies, and plans in all economic, social and development 18 matters of the country.³¹

The Federal government enacts legal frameworks on the utilization and conservation of land. With regard to planning, the Federal government has the power to formulate and implement policies, strategies and plans of land utilization (beyond the power of enacting legal frameworks).³² However, the specific application of LUP regulation may be implemented by the respective city administration.

With regard to urban planning in general, the Federal government has the power to formulate and implement policies and strategies. However, the respective organs of the city can implement the specific application of LUP regulation.

Currently, at the federal level the LUP issue relies on Ministry of Planning and Development. It prepares a spatial development framework that ensures equitable development and effective land use plan and follow up its implementation.³³

According to the urban planning proclamation No. 574/2008, the Federal government has the responsibility to supervise LUP enforcement. And the hierarchy of plan is national urban development plan, regional urban development plan, and urban plans.³⁴

The Federal government may suspend any urban plan that does not comply with the principles of urban planning stated in the urban plan proclamation. The Proclamation gives first priority to then national development plan, then to urban plans of city.³⁵

³¹ Constitution of Federal Democratic Republic of Ethiopia Proclamation, 1995, Art, 51(2), Proclamation No. 1/1995, Federal Negarit Gazeta, Year 1st No. 1

³² Ibid, Art. 51(11)

³³ Definition of Powers and Duties of the Executive Organs Proclamation, 2021, Art 28(1(d)), Proclamation No 1263/2021, Federal Negarit Gazeta, Year 28th No. 4

³⁴ Federal Urban Proclamation, 2008, Art 7, Proclamation No. 574/2008, Federal Negarit Gazeta, Year 14th No. 29

³⁵ Ibid

Concerning land use plan, the federal government has enacted the Federal Urban Planning Proclamation No. 574/2008, definition of powers and duties of the executive organs proclamation No 1263/2021, The Ethiopian Building Proclamation No. 624/2009, Environment Pollution Control proclamation No. 300/2002 and the federal plan institution establishment proclamation no. 450 /2005. Nevertheless, according to questioner survey and experts' interview finding, these legislations are not properly implemented due to lack of strong institution and lack of skill on professional and lack of commitment on officials and experts.³⁶

4.1.3. Land use planning enforcement laws at Addis Ababa city level

The city administration has proclaimed structural plan proclamation to manage and enforce land use plan.³⁷ The questioners and interviews survey indicates that the main legal instrument to implement the land use plan in city of Addis Ababa is A.A city government structural plan proclamation. But until now the city council didn't issued regulations and directives to enforce land use plan except the directives of local street guideline.

The Structure Plan is applicable all over the of city administration of Addis Ababa. It is developed and implemented based on the national urban plan.³⁸ LUP is one main components of the A.A city structural plan proclamation.³⁹ Therefore, it lists down the 14 categories of land use plan and it contains⁴⁰

The Structure Plan has technical, institutional and legal frameworks for guiding the social, economic, environmental development of the city. It has standards to guide implementation. It indicates the required institutions to lead planning and implementation.⁴¹ It is guiding the

³⁶ Interview with Netsanet Getu, Spatial plan enforcement follow up and regulatory expert at A.A city government plan and development commission. Interviewed in April 30/2023, Addis Ababa

³⁷ Revised Addis Ababa City Government Charter Proclamation, 2003, Art. 14 (1(c)). Proclamation No. 361/2003, Federal Negarit Gazeta, Year 9th No. 86

³⁸ Federal Urban Proclamation, 2008, Art 5, Proclamation No. 574/2008, Federal Negarit Gazeta, Year 14 No. 29

³⁹ A.A City Government Structural Plan Proclamation, 2017, Art 7(a), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th , No. 52

⁴⁰ A.A City Government Structural Plan Proclamation, 2017, Art 8, Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th , No. 52

⁴¹ Addis Ababa City Administration plan and development commission, Structure Plan Executive Summary Report, (2017-2027), (September 2017), 31

development of the city for the coming ten years (2017-2027) to achieve economic, social, cultural and environmental objectives of the city and to improve living standards and to sustainable development.

Accordingly, the Structure Plan of Addis Ababa (2017-2027) applies the basic principles of urban planning. These include:

- conformity with the hierarchy of plans,
- sharing the national vision and standard,
- efficient land utilization,
- Ensuring the satisfaction of the needs of the society through public participation,
- transparency and accountability,
- protecting the environment and the urban community,
- preservation and restoration of historical and cultural heritages; and
- Balancing ecology, equity and economy in order to ensure sustainable development.⁴²

The experts and questionnaire survey indicates that there is no regulation and directive to enforce the city structural plan proclamation 52/2017, lack of strong institution to enforce LUP and there adequate collaboration between sectors and public participation and awareness and accountability.⁴³

The Addis Ababa city administration has proclaimed relevant laws concerns the LUP. These are

- ✓ the Addis Ababa city government structural plan proclamation 52/2017,
- ✓ Addis Ababa City Government infrastructure development coordination and construction permit and control authority establishment Proclamation no. 53/2017,
- ✓ The Addis Ababa City Government Plan and development commission establishment proclamation no.48/2016 and
- ✓ The Addis Ababa Centers and Corridors Proclamation No. 54/2017.
- ✓ Executive summary report, manuals and standards that are serving to enforce land use plan by the respective institutions.

⁴² Federal Urban Proclamation, 2008, Art 5, Proclamation No. 574/2008, Federal Negarit Gazeta, Year 14th No. 29

⁴³ Interview with Winta Mulugeta, Spatial Plan Enforcement Follow up and Regulatory Expert at A. Government Plan and Development Commission Kolfe Keranio Sub City Branch Office. Interviewed in April 06/2023, Addis Ababa

The expert's interview and questionnaire survey indicates that the legal framework set for Addis Ababa city LUP is inadequate that means there are no clear regulations and directives to implement this proclamation. For instance, the Addis Ababa City Structure Plan Proclamation has no implementing regulation and directive. But it has standard, norm and guidelines to implement land use plan.⁴⁴

4.1.4. Land use planning enforcement norms and standards

Standard: a concept applied in spatial planning in quantifiable unit of measurement that explains sufficiency in terms of space (distance, area) and compatibility (function, height), etc. in planning.⁴⁵ Norm: Socially accepted rule or idea that is applied in detail spatial planning.⁴⁶ Norms and standards are prepared as part of the implementation guidance system.

Norms and standards are required to guide the provision of social facilities and municipal services, environmental hazard prevention, etc. LUP enforcement is very much difficult without the guidance of norms and standards.

Some standards and norms are issued by the Plan and Development Commission. For instance, land use planning by location, geometry, building by laws and codes, zoning and development control regulations, densities determined by buildings and population, Occupancy ratios and plot coverage, set back and other standards.⁴⁷

Land use planning norms and standards are listed using land use classes. For instance, in residential center, residential activities consist of pure and mixed activities. In the mixed-use areas, only small business and manufacturing activities that do not cause nuisance to residents allowed to operate. It should have necessary facilities. The manufacturing center do not be used a

⁴⁴ Interview with Winta Mulugeta, Spatial Plan Enforcement Follow up and Regulatory Expert at A.A city. Government Plan and Development Commission Kolfe Keranio Sub City Branch Office. Interviewed in April 06/2023, Addis Ababa

⁴⁵ Addis Ababa City Administration plan and development commission, Structure Plan Executive Summary Report, (2017-2027), (September 2017), 218

⁴⁶ Ibid

⁴⁷ Addis Ababa city government plan and development commission, Structure Plan Executive Summary report, (2017-2027), 206

residential use and do not release toxic substance to environment and to residential and commercial center.⁴⁸ In the residential areas, nuisance activities are prohibited.

Waste management standard orders the planning and managing the proper and timely collection and disposal of solid and liquid waste.⁴⁹ The green infrastructure standard has the objective of creating ecologically well-functioning, and socially beneficial green spaces in city that provide suitable, sufficient, and ecologically viable green spaces for the recreational, social, economic, and environmental needs of the residents.

The experts interview and questioner's response results indicate that the sub city administration office have standards and norms to implement LUP. But these norms and standards aren't adequately applied due to unethical behavior of experts and official/corruption and due to lack of skill, lack public participation and lack of coordination between sectors.⁵⁰

4.2. The status of Institutional framework to enforce LUP

4.2.1. The overview of N/S/L Sub City and K/K Sub City administrations.

Nfas Silk Lafto Sub City and Kolfe Keranio Sub City administrations are two of the eleven Sub cities of Addis Ababa city administration. Concerning their location, Nfas Silk Lafto Sub City is located in the south-western part of Addis Ababa city administration. It is bordered with Sub city of Lideta, Kolfe Keranio, Kirkos, Akaki Kality

Sub city and Oromia Region/Sheger city. Kolfe Keranio Sub City is located in the western part of Addis Ababa city administration. It is bordered with Sub city of Lideta, Addis Ketema, Nfas Silk Lafto and Oromia region/Sheger city.



⁴⁸ Addis Ababa city plan and development commission, Section 2, land use plan working standards, 2022,

⁴⁹ Addis Ababa city government plan and development commission, Executive Summary report, (2017-2027), 224

⁵⁰ Interview with Yilma G/Michael, Land providing Expert at Nfas Silk Lafto Sub city land development and Administration office. Interviewed in March 25/2023, Addis Ababa

Figure 3: Geographical maps of N/S/L/Sub City and K/K Sub City administrations.

Source: from the current structural land use map of the Addis Ababa city administration

4.2.2. Institutional framework of land use plan enforcement institutions

The institutional framework has a great role to implement land use plan for the wellbeing of the society's equitable use of resources (equity), economic development and to keep ecology. The expert's interviews response and questioner survey indicates that institutional challenges are the major challenge facing the implementation of land use plan on the ground.⁵¹

The institutions are not fully engaged in plan implementation and they are not strong to enforce LUP in the study area. There is no good cooperation between institutions. All key informants mentioned that there is miscommunication among institutions as a major challenge for land use plan enforcement in the study area.

4.2.3. Institutional structure of LUP enforcement at federal level

At federal level, the federal government has established ministry of planning and development to ensure equitable development and effective land use plan and follow up its implementation.⁵² The ministry has the powers and duties to prepare a spatial development framework to ensure equitable development and effective land use plan and follow up its implementation.⁵³

As per the federal urban planning Institute establishment proclamation no.450/2005, plan institution is established to give advice for concerned organ to change the organizational structures and working systems and procedures to bring capacity for land use plan implementation. It provides job training (capacity building) for staffs and formulate best practices by reviewing local and international experience. It is accountable to the ministry of planning and development.

⁵¹ Interview with Kasu Gebreyesus, Plan preparation higher expert at Nfas Silk Lafto Sub city Construction Permit and Regulatory office. Interviewed in April 04/2023, Addis Ababa

⁵² Definition of Powers and Duties of the Executive Organs Proclamation, 2021, Art 16(9) Proclamation No 1263/2021, Federal Negarit Gazeta, Year 28th No. 4

⁵³ Addis Ababa city government plan and development commission, Executive Summary report, (2017-2027), 218

4.2.3.1. Institutional structure of LUP enforcement at Addis Ababa level

At the city level, as per Addis Ababa City Plan commission establishment proclamation No. 48/2016, Addis Ababa plan and development commission has established to control and manage the urban plan in general and specifically land use plan. The commission is accountable to the city Mayor. The commission has branch offices in the sub city level.⁵⁴ The sub city plan and development branch office is accountable to Addis Ababa plan and development commission.

The Addis Ababa City Plan and development commission manages the Planning and development control and development commission and also it identify and report the land use plan enforcement irregularities to the Addis Ababa Justice Bureau (Code Enforcement Office) for administrative action. The same structure is applicable in Sub city level.

Addis Ababa City has its own institutional arrangement (vertical and horizontal arrangement) concerning land use plan implementation. For instance, Vertically Addis Ababa city government plan and development commission is at the top, the sub city branch office is at the bottom. It is top down relationship. Horizontally, the commission is cooperatively works with the institutions:

- Addis Ababa city administration land development and administration bureau,
- Addis Ababa city administration land registration and information agency,
- Addis Ababa city administration infrastructural development Integration, Construction Permit and Regulatory Authority,
- Addis Ababa city administration beatification and sanitary bureau,
- Addis Ababa city administration Environmental protection and green development commission,
- Addis Ababa city administration justice bureau,
- Addis Ababa city administration code enforcement agency,
- Addis Ababa city administration river basin and green development and administration agency and Addis Ababa City transport bureau.

⁵⁴ Ababa City Plan commission Establishment Proclamation, 2016, Art. 5, Proclamation No. 48/2016, Addis Negarit Gazeta, year No

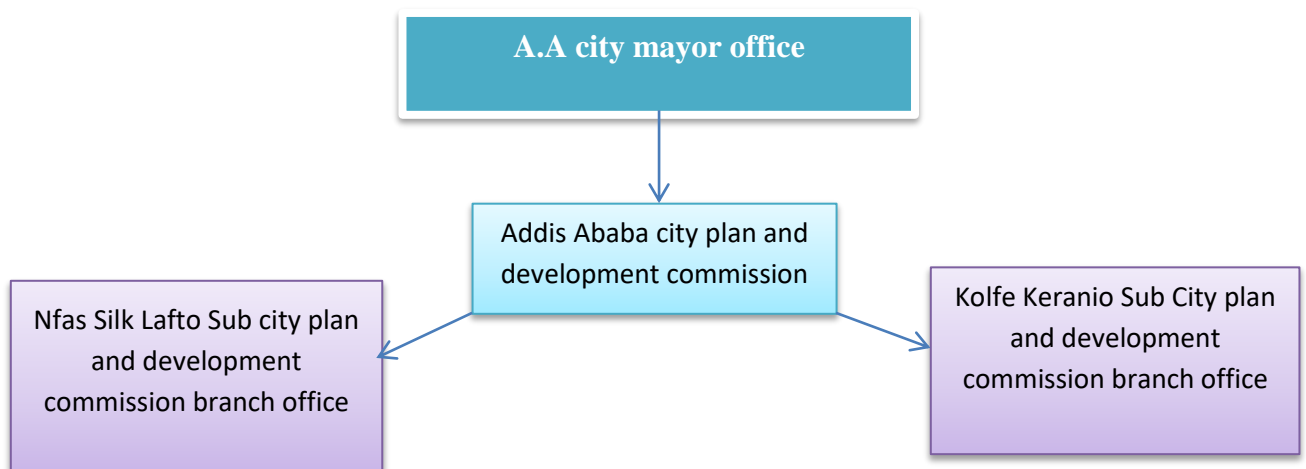


Figure 4: the Institutional structure (top down relationship) of A.A city development and plan commission.

Source: from the current institutional structure/set up of the city administration and from establishment proclamations and other relevant laws.

4.2.3.2. Institutional structure of LUP enforcement at Sub city level

At sub city level, there is a sub city branch of plan and development commission. As per the Addis Ababa city administration structure, the commission has 11 branch offices at sub city levels. From these Nfas Silk Lafto Sub city plan and development branch office and Kolfe Keranio branch offices are two of them.

At sub city level, the above institutional setup (structure) is applicable at office level. Even though, the institutions/offices have equal status with the sub city plan and Development Commission Branch Office, they have the mandate to enforce land use plan. But according to my observation, key informants and experts interview finding there is no adequate cooperation to enforce land use plan.

The responsibility of administering land use planning issues in Addis Ababa city administration is given to Addis Ababa City Plan and Development Commission. While at Sub city level, land use planning issues are delegated to Sub city plan and development branch office. The following are institutions working horizontally with sub city branch plan commission.



Figure 5: the Institutional structure Horizontal Relationship) of Nfas Silk Lafto Sub City branch development and plan office.

Source: from the current institutional structure/set up of the Sub city administration and from its relevant laws.

To ensure effective LUP implementation for the city, it must have well organized and competent institution.

In the study area, the key informants and experts' response and observation finding indicate that there are institutions that are established to perform land use plan tasks. However, these institutions are not fully taking their responsibilities and they are weak institutions. There are not working coordinately, technologically not supported and systematized, not well-structured, controlling and regulating mechanisms to enforce LUP issues.

According to the questioners survey and interviews responses result indicate that the institutions have different departments/directorates to enforce land use plan issues. But the directorate does not use technology to follow up and regulate the implementation of LUP.

The Expert interview response indicate that the technical experts have no adequate experience and lack of technical skill to implement land use plan, there is no adequate cooperation and coordination between institutions/sectors/ and directorates.⁵⁵

Concerning the land use plan enforcement city level, the spatial plan enforcement follow up and regulate directorate has a power to control, follow up and evaluate its enforcement and he reports un lawful LUP practice to concerned body to take legal measure. But the questioniers and experts interview response indicate that their regulating mechanisms are not supported by technology, there is no continues follow up, control and continues evaluation about the enforcement of land use plan and there is no cross check mechanism.⁵⁶

Generally, as an institution, the implementation of LUP may not be effective, unless the institutions have active public participation and strong legal and institutional framework and the strong regulating mechanisms.

4.3. The land use planning enforcement regulating mechanisms in the N/S/L Sub City and K/K Sub City

4.3.1. Land Use plan enforcement regulating mechanism

LUP needs land use regulations takes place within a framework of land use related laws, policies, norm and standards that guide the allocation of land use. To ensure successful regulating mechanisms to enforce the land use Plan in the specified institution;

- It requires having strong legal framework (land use regulation) to enforce LUP.⁵⁷
- It requires addressing the capacity, skill and attitude-related problems of the leaders and experts.

⁵⁵ Interview with Winta Mulugeta, Spatial Plan Enforcement Follow up and Regulatory Expert at A.A City Government Plan and Development Commission Kolfe Keranio Sub City Branch Office. Interviewed in April 03/2023, Addis Ababa

⁵⁶ Ibid

⁵⁷ Government of the Federal Democratic Republic of Ethiopia Ministry of urban development and housing, Urban Plan Preparation and Implementation Strategy, July 2016, 41

- It should address technology supported regulating mechanisms and the experts should introduced to modern technologies and update themselves with modern ways of working.⁵⁸
- It should establish strong leadership that is capable of executing the tasks stated in the LUP implementation focused on reducing gaps that exist in the technical skills and knowledge of experts and leaders engaged in land use Plan implementation.⁵⁹
- It should increase the availability of skilled experts, and establish strong collaborative relationship with the public and other stakeholders/institutions to enforce land use plan.
- Establish best communication system with stakeholders, community and institutions to regulate the enforcement of LUP violation.⁶⁰
- Make accessible the land use related data to the public and establish the system of accountability and responsibility.
- It should provide appropriate and strong laws to regulate and control the enforcement of land use planning and they should have working strong legislations like proclamation, regulations, directive and standards, norms. Provide strong institutions that are capable to regulate and monitor the enforcement of land use planning.⁶¹

The implementation of LUP must be publicized and accessible to the residents of the city and other relevant stakeholders. Apply transparency and accountability in the enforcement of land use planning.⁶²

According to the key informant, experts interview and my observation finding indicates that, the regulating mechanism to enforce land use plan in the study area is very weak. Because, there is a few experts assigned to control and regulate the whole sub city area of LUP enforcement.⁶³ It

⁵⁸ Ibid

⁵⁹ Ibid

⁶⁰ Government of the Federal Democratic Republic of Ethiopia Ministry of urban development and housing, Urban Plan Preparation and Implementation Strategy, July 2016, 41

⁶¹ Ibid

⁶² Ibid

⁶³ Interview with Degefa Guta, community development leader/coordinator at Nfas Silk Lafto Sub City Woreda 1, Interviewed in April 03/2023, Addis Ababa Haile Garment area.

cannot address and cover the whole areas of the sub city. There are no full technically skilled and competent experts. And there is no continuous follow up, regulate and evaluation system.

The questioners and expert's survey indicate that the institutional capacity is not as such strong, there is no adequate communication system with other institutions/stakeholders (lack of collaboration and integration), lack of public participation in the implementation of LUP and lack of information system to enforce, regulate, and control land use plan. There are legislations to enforce land use plan in sectors/offices. But there is no the structural plan proclamation enforcement regulations and directives to enforce LUP.

Even though LUP enforcement office is established at Sub city level (study area), it does not have adequate a regulating mechanism to solve the existing problems of contradiction/incompatibility of law and practice of enforcement of land use plan. These weak regulating mechanisms caused the current problems of improper LUP enforcement (abuse of LUP) in the study area.

4.3.2. Strong land use plan regulation

As a regulatory legal framework, the federal government proclaimed/issued urban planning proclamation and subordinate laws concerns enforcement of land use plan. Ethiopia has no comprehensive or codified law of Land use plan. Currently, there is no comprehensive land use policy in Ethiopia, which facilitates efficient and effective land use plan.

Though having LUP is useful in providing an overall picture of land use capability at city level but there has not been comprehensive LUP in Ethiopia. This does not mean that, the country has not any land use plan. The city administration has no clear regulations and directives to enforce land use plan (the structural proclamation has no enforcement regulation and directive).

Ethiopia has no comprehensive land use laws. When the country has no comprehensive LUP law in a country, it affects the enforcement of the relevant laws of LUP. This causes to the current problems of improper LUP enforcement in the study area.

Federal Urban Planning Institution has the power to prepare plans that are based on standards, manuals. It prepares base maps to be used in the preparation of urban plans by employing ground

survey, aerial photography and other appropriate techniques, serves as information hub for urban planning as well as other basic urban related information.⁶⁴ It prepares national development plan and prepare detailed plans, monitors the implementation of plans, provide support and feedback to urban centers.⁶⁵ However, the questioner survey indicates that this institution is not adequately working/serving according to the responsibility given by the law.

According to the federal urban plan proclamation No.574/2008, the Involvement of stakeholder /community participation/ in urban land use plan is very important to implement it effectively. The participation gives them the chance to express their needs and interests. However, the questioner survey result indicates that there is no public participation during in the implementation of land use plan/ structure plan of the city. However, the trend of public participation in law drafting and implementation of LUP is not adequate in the study area.⁶⁶

The key expert's interview, questioner survey indicates the process of land use planning depends on the consent of officials than the needs of the community. Moreover, the community did not participate in the LUP implementation process because; the concerned body did not invite them. This shows that problems of unsuccessfulness of LUP due to lack of public participation in the implementation process. Therefore, this has own contribution for the improper implementation of LUP.

4.3.3. Land use planning enforcement strategies

Land use planning enforcement strategy is a process of defining and planning land for various uses to balance social, economic, environmental, and equity goals of LUP.

To bring effective LUP implementation, the participation of community/individuals, intervention of governmental and non- governmental organizations is needed in the city.⁶⁷ Hence the LUP enforcement should have enforcement strategies. For instance active public participation, apply

⁶⁴ Federal Urban Planning Institution Establishment Proclamation, 2005, Art. 6, Proclamation No, 450/2005, Federal Negarit Gazeta, Year 11th, No. 8

⁶⁵ Federal Urban Planning Institution Establishment Proclamation, 2005, Art. 6, Proclamation No, 450/2005, Federal Negarit Gazeta, Year 11th, No. 8

⁶⁶ Nfas Silk Lafto Sub city plan and development branch office, Annual reports, 2021, 34

⁶⁷ D. Betke, S. Klopfer, A. Kutter, B. Wehrmann (ed), Land Use Planning Methods, Strategies and Tools, (GTZ), January 1999, 111- 114

decentralized implementation (independent LUP enforcement), create awareness, Periodic evaluations, monitoring, it should be supported by technically skilled manpower.⁶⁸ The city administration of Addis Ababa and the two sub city administrations become effective in land use plan enforcement if these LUP implementation strategies are properly enforced.

In order to have effective land use plan enforcement, the respective concerned office should provide good implementation strategies as per stated under A.A city government structural plan proclamation 52/2017 and as per the executive summary report of A.A city government plan and development commission. The land use planning enforcement strategies are the main regulating mechanism to enforce land use plan.⁶⁹ The LUP implementation strategies are;

- Building the capacity of institutions at all levels to enable them provide efficient and effective land use plan implementation services. In addition to this, create strong institutional cooperation to enforce LUP.
- Fill gap of problems of lack of skills and create sense of belongingness on the part of the experts and the leadership to enforce land use plan.⁷⁰
- Establish and strengthen organizational structures of land use plan institution provide manpower training for urban land use plan implementation's experts and leader. Increase the awareness and technical skills of experts and leaders to fulfill their gap of knowledge of the implementation of land use plan.⁷¹
- Avoid unethical problems on experts and leadership, developing experts and leadership with professional ethics gives priority and fill the gaps for violation of land use plans and corruption,
- provide efficient, transparent and accountable land use plan implementation system,
- Apply systematic follow up and regulating mechanisms, avoid sense of carelessness that are common place in the land use enforcement process and also provide continues

⁶⁸ Ibid

⁶⁹ Addis Ababa city government plan and development commission, Executive Summary report, 2017-2027, 202

⁷⁰ Ministry of urban development and housing, Urban Plan Preparation and Implementation Strategy, 2016, 28

⁷¹ Addis Ababa city government plan and development commission, Executive Summary report, 2017-2027, 202

evaluating and follow up system for the enforcement of land use plan, strengthen the legal and institutional frameworks to implement land use plan⁷²

- Provide suitable environment to increase participation of the public in land use plan implementation processes and create sense of belongingness for the public/residents to enforce land use plan,
- Improve technology and information system and apply standardized system to enforce land use plan.
- Take legal action (Concerted Action) on those who violate affect the rules of land use plan.

From observations, experts interviews and questionnaire survey findings indicate that violations of the enforcement of land use plan is widely existed in study area due to the lack of adequate land use plan enforcement strategies and regulating mechanisms like enforcement laws and strong regulations.

The city administration has issued manual, norms and standards but it does not issued directives and regulations to enforce city's structural plan. The city government provided executive summary of the structural plan to implementation the plan, and put obligations to take consideration the summary of the structural plan to implement land use plan.⁷³

A major component of the structural plan of the city is land use plan for the city. However, field observation, expert interview and questioners' survey indicate that most of the proposed LUP is not implemented according to the structural plan proclamation provision.⁷⁴ The study found that majority of residents of the city is unaware of the existence of the structural plan for the city. And also there is lack of technically skilled experts, lack of regulating mechanism, lack of strong legal framework. These lead to violation (abuse) of land use plan enforcement.

⁷² Ibid, 28

⁷³ A.A City Government Structural Plan Proclamation, 2017, Art 32, Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

⁷⁴ Interview with Engineer Kasu Gebreyesus, plan preparation higher expert at Nfas Silk Lafto Sub city Construction Permit and Regulatory office. Interviewed in April 04/2023, Addis Ababa

4.4. The Status and extent of laws and Practices of enforcement of LUP in the Nfas S/L/Sub City and K/K Sub Cities.

4.4.1. Abuse of land use planning (Status of Structure Plan Implementation and local development plan) in N/S/L Sub city and K/K Sub city.

LUPs are governed by Addis Ababa city government structural plan proclamation and other laws related with the LUP. To identify the law and practice of enforcement of LUP, the research used the land use plan map that is prepared in the structural plan of the A.A city administration. And also the components of land use plan in Arc GIS tool (Geographical information system data base).⁷⁵

According to the structural plan proclamations of the A.A city administration, the existing LUP classification/categories of Addis Ababa city especially in study area are mixed residential, administrative, commercial, green area, manufacturing & storage, infrastructure Services, urban agriculture, municipal service, street network, transport service, special function.⁷⁶

The Questioner's survey, experts' interview response and observation survey indicate that in practice some of categories of LUP implementation are not match/compatible with the proposed land use plan (Addis Ababa city government structural plan).⁷⁷ Study finding indicates that existing land uses plan enforcement is incompatible (contradicted) with LUP plan format (structural land use map) of the city or the study area.⁷⁸

The structural plan of the city clearly prohibited change of a permitted category of land use service or activity to another category of land use service or activity.⁷⁹ The law and practice is

⁷⁵ Addis Ababa City Structural Plan land use map 1st Term Amendment June, 2022

⁷⁶ A.A City Government Structural Plan Proclamation, 2017, Art 8, Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

⁷⁷ Interview with Engineer Kasu Gebreyesus, plan preparation higher expert at Nfas Silk Lafto Sub city Construction permit and Regulatory office. Interviewed in April 04/2023, Addis Ababa

⁷⁸ Interview with Winta Mulugeta, Spatial plan enforcement follow up and regulatory expert at A.A city Government Plan and Development Commission Kolfe Keranio Sub City Branch office. Interviewed in April 03/2023. Addis Ababa

⁷⁹ A.A City Government Structural Plan Proclamation, 2017, Art 9(2), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

different that means some proposed land use plan and existing practice/enforcement is not compatible or contradicted. These are takes place without amendment of the structural plan of the A.A city administration. So it needs some improvements/correction based on the proposed structural plan proclamation and its land use plan map.

The proposed land use plan categories of Addis Ababa city especially in Nfas silk Lafto Sub city and Kolfe Keranio Sub city is divided into residential, administrative, commercial, green area, manufacturing & storage, urban agriculture, municipal service, road and transport, special function, environmental protection center.⁸⁰

Questioner survey, experts' interview and my observation finding indicates that in the study area, the actual existence of some land use plan enforcement does not compatible or contradicts with the land use plan stated under the structural plan of the city.⁸¹ That means the law and practice of enforcement of land use planning in the study area is not compatible or there is contradiction between the law and practice. The major land use abuses/violations in the Nfas silk Lafto Sub city and Kolfe Keranio Sub city are:-

4.4.1.1. Manufacturing and storage to mixed commercial centre

According to the structural plan (LUP map), majority of the study areas are mainly occupied by mixed residential center, mixed commercial center and manufacturing and storage. But without any amendment on the structural plan proclamation, there is change of utilization of land by violating the provisions of land use plan.

The structural plan proclamation clearly prohibits carryout other activities in the manufacturing and storage center.⁸² For instance, the expert interview indicates that the proposed land use plan map in Nfas Silk Lafto Sub city Woreda 12 and Woreda 02 around Lebu square and Woreda 11 around Lafto square (nearby Haile Garment) area, in manufacturing and storage center built

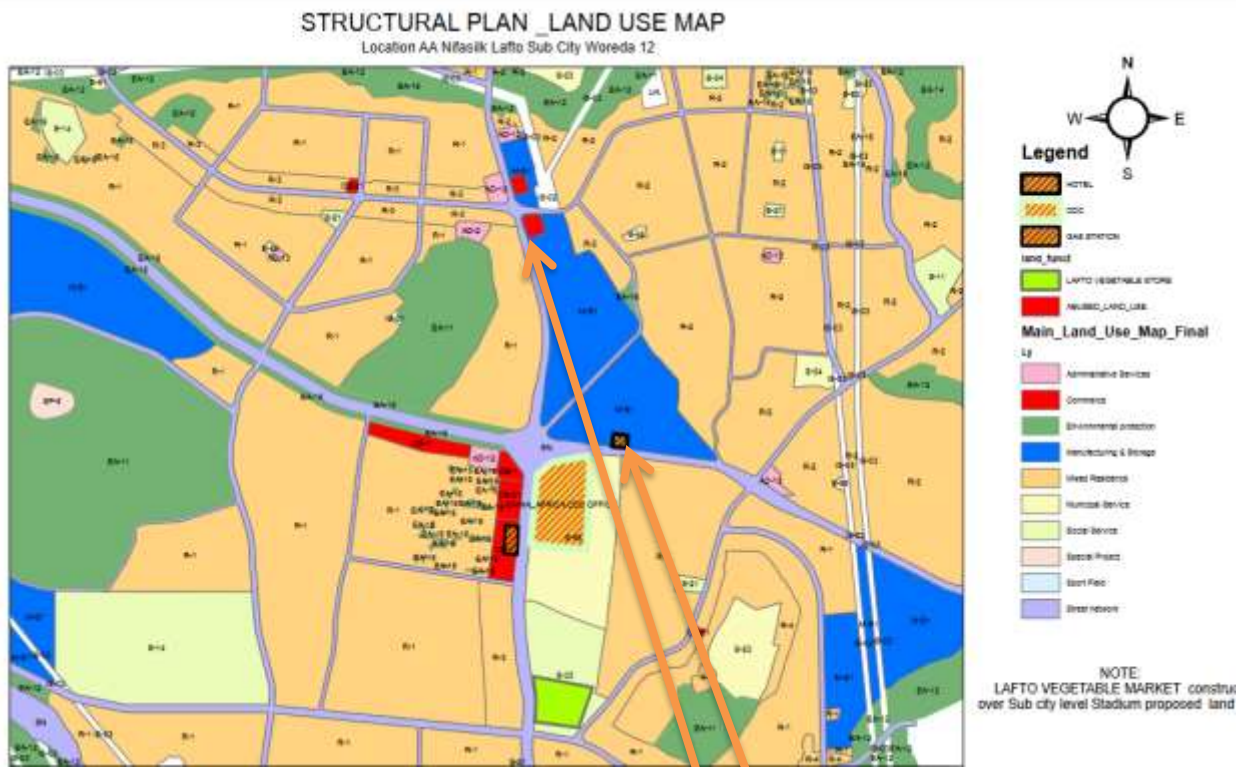
⁸⁰ Addis Ababa City Structural Plan land use map 1st term Amendment June, 2022

⁸¹ Survey Data, February, 2023

⁸² A.A City Government Structural Plan Proclamation, 2017, Art 28(2), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

Hotel building (give hotel service) and built building renting for bank service, restaurant and other commercial purpose.⁸³

Below LUP Map 1: shows that the manufacturing and storage center is changed to commercial center without amending the provisions the structural proclamation of the city.⁸⁴



LUP Map 1: Abused land use plan (Built a building for Hotel, banking, restaurant service and other commercial services in Manufacturing and storage center).

Source: from the 1st Term Amendment in June 2022 Addis Ababa City Structural Plan land use map and from site survey data

4.4.1.2. Trade activities on religious center

The key informant interview, observation and questioner survey result indicates that there is trade activities are practiced in the religious center without considering the proper provisions of structural plan proclamation 52/2017. For instance, article 9 (2) of the structural plan of the city

⁸³ Interview with Engineer Kasu Gebreyesus, Plan Preparation Higher Expert at Nfas Silk Lafto Sub city Construction Permit and Regulatory Office. Interviewed in April 04/2023, Addis Ababa

⁸⁴ Addis Ababa City Structural Plan land use map 1st term Amendment June, 2022, and Survey Data, March, 2023

clearly prohibited change of a permitted category of land use service or activity to another category of land use service or activity.⁸⁵ However, below figure 6 indicates that the existing practice of enforcement of LUP on the ground, which means trade activities, is executed in religious building by renting the building for commercial/business man.⁸⁶ In religious center, law does not allow commercial activities. This practice clearly violates the provisions of structural proclamation.

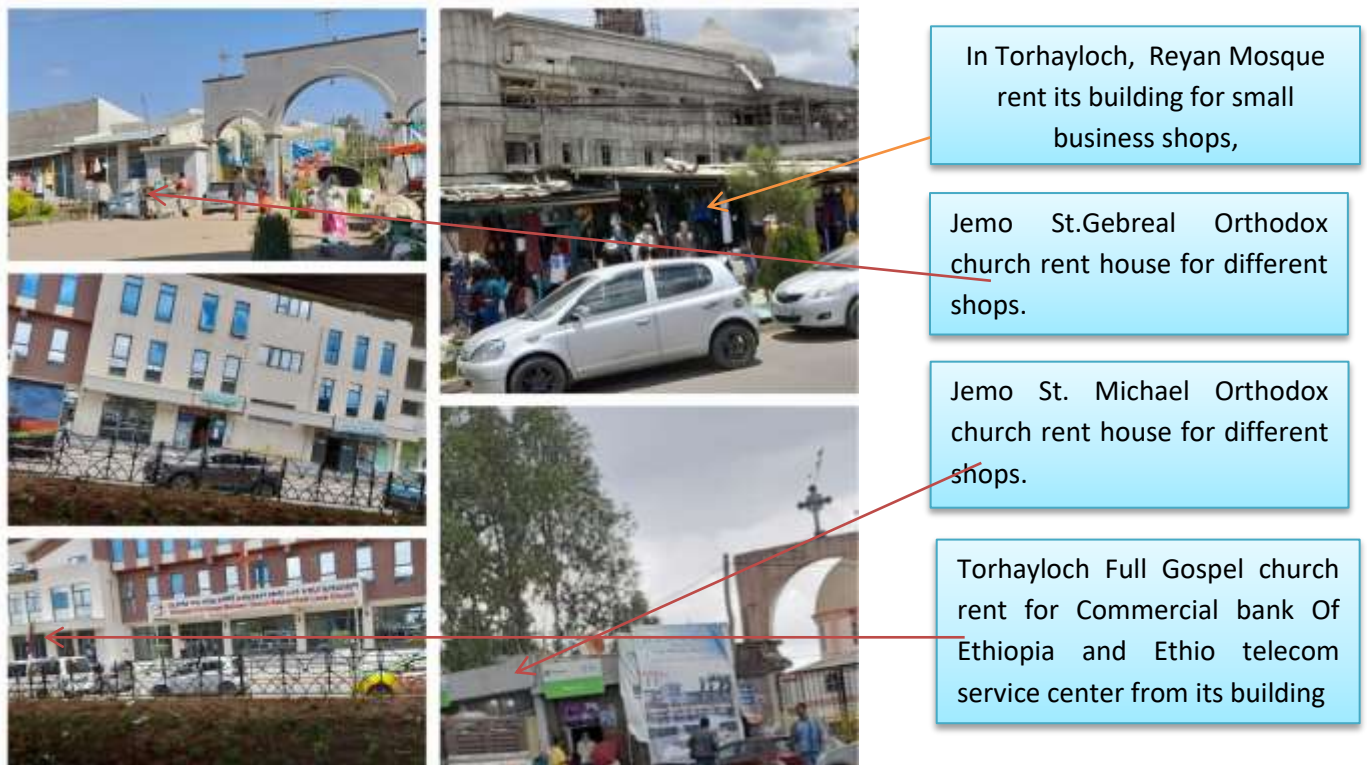


Figure 6: photograph of commercial activity on religious center Located at K/K/ Sub city Woreda 9 around Torhayloch and N/S/L/Sub city Woreda 01 Jemo.

Source: Photograph by the researcher 2023

4.4.1.3. Mixed commercial centre to Fuel station

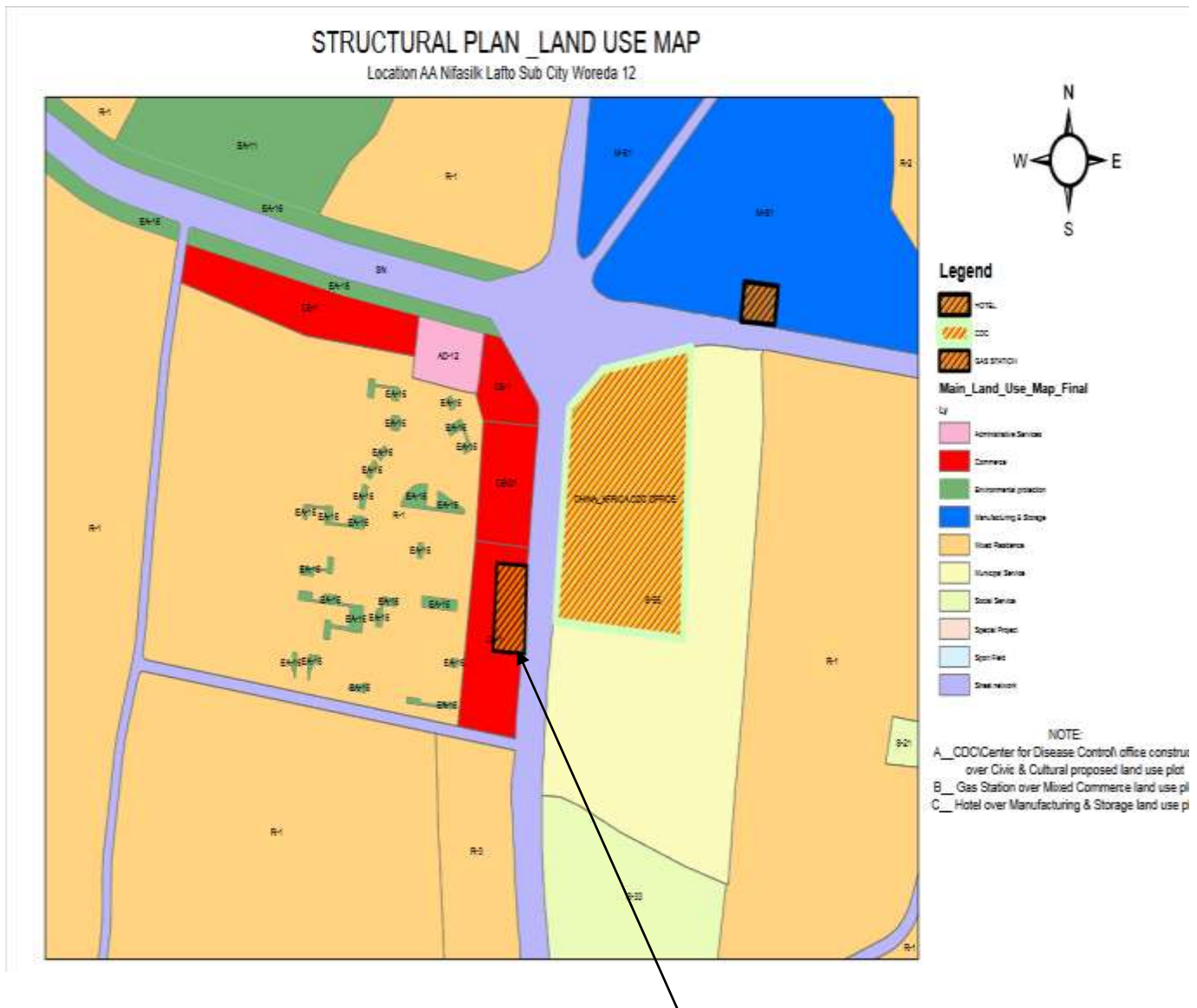
The expert interview, questioners and field observation survey indicates that in the area of Nfas Silk Lafto Sub city Woreda 01 around Haile garment round about near to N/S/L/sub city

⁸⁵ A.A City Government Structural Plan Proclamation, 2017, Art 9(2), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

⁸⁶ Survey Data, February, 2023

administration head office building, the proposed structural LUP map of mixed commercial center changed to fuel depot (gas station).⁸⁷ This is totally against the provisions of the city structural plan proclamation and its land use plan map.

The land use plan maps and the existing practice shows that the law and practice of enforcement of LUP is not compatible/contradict. For instance, below LUP Map 2 clearly shows that the existing situations are violating the city structural plan proclamation provisions. And also it indicates that what the law and practice look like concerning LUP enforcement.⁸⁸



⁸⁷ Survey Data, February, 2023

⁸⁸ Survey Data, March, 2023

LUP Map 2: Abused land use plan (built Fuel depot/gas station in mixed commercial center), Location, AA N/S/L/S/city W-01 near to N/S/L/S/city head office.

Source: from the 1st Term Amendment in June 2022 Addis Ababa City Structural Plan land use map and from site survey data

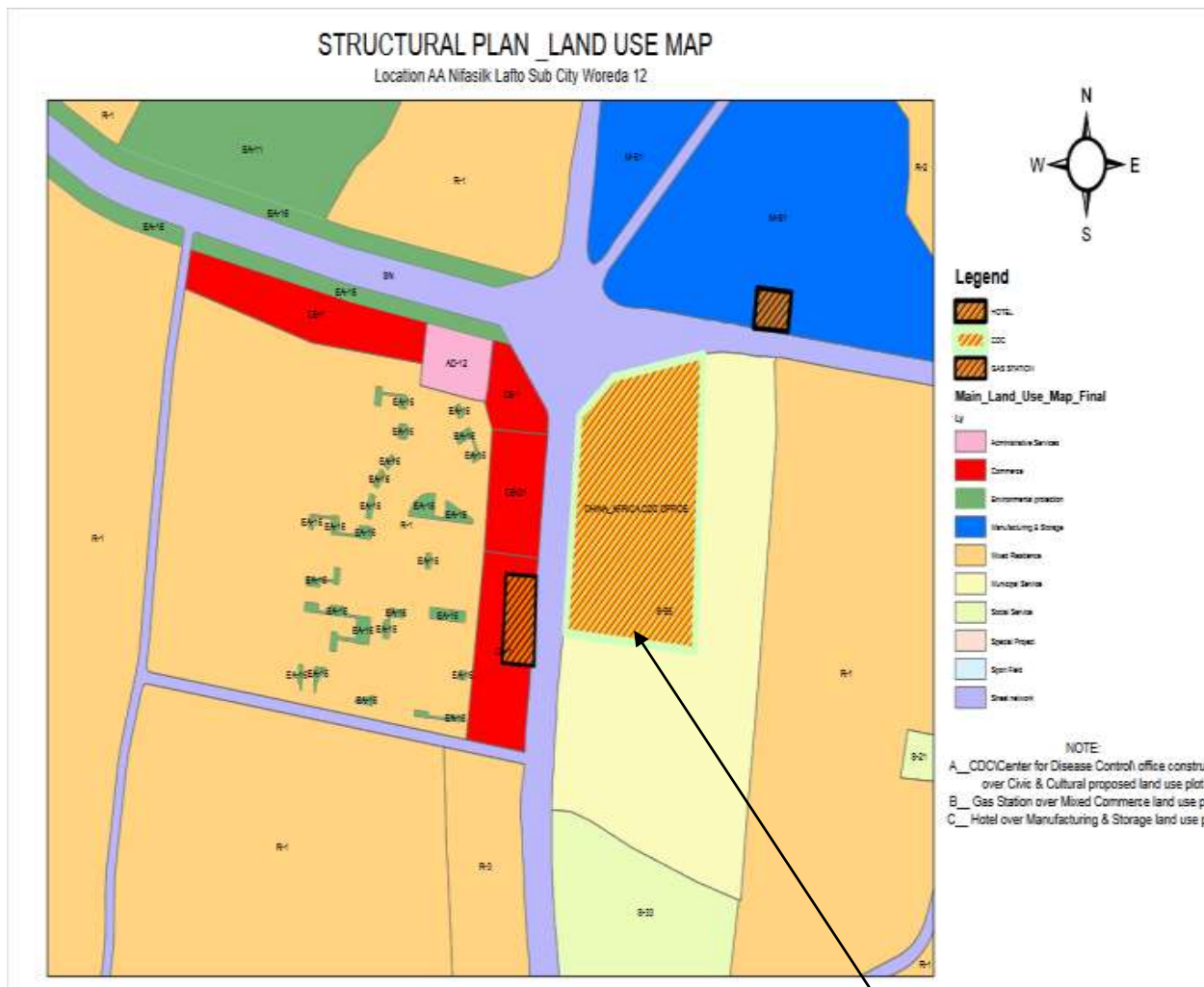
4.4.1.4. Sport facility/sub city stadium/ to Fruit market center

The experts interview, questioners survey and observation indicates that the proposed LUP map in Nfas Silk Lafto Sub city Woreda 11 around commonly called Sefera area, the sport facility (sub city stadium center) changed to fruit market center.⁸⁹ According to the SP proclamation, the proposed land use is for sub city stadium.⁹⁰ But Below LUP Map 3 shows that the land use plan maps and the existing practice are clearly violate the structural plan proclamation provisions and land use plan formats the city.⁹¹ This is what law and practice is incompatible.

⁸⁹ Interview with Engineer Kasu Gebreyesus, Plan Preparation Higher Expert at Nfas Silk Lafto Sub City Construction Permit and Regulatory Office. Interviewed in April 04/2023, Addis Ababa.

⁹⁰ A.A City Government Structural Plan Proclamation, 2017, Art 16(3(c)) and 16(5), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

⁹¹ Ibid



LUP Map 4: Abused land use plan (Built China Africa CDC office in the cultural and civic center).
Source: from the 1st Term Amendment in June 2022 Addis Ababa City Structural Plan land use map and from site survey data

4.4.1.6. Green areas changed to informal settlement (residential center)

City Green Areas include any natural elements in the cities and sub cities that provide an ecological or ecosystem service function. Green areas are important for cities and contribute to the quality life standards, to maintain and regulate environment.⁹⁵

⁹³ A.A City Government Structural Plan Proclamation, 2017, Art 16(3)(c), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

⁹⁴ Survey Data, March 2023

⁹⁵ Alemaw Kefale, Challenges and Opportunities of Urban Green Infrastructures in Inner Sub Cities of Addis Ababa: the case of Lideta and Kirkos Sub Cities, September, 2017, 1

Legislations, norms, and standards have influence on the implementation of LUP especially green infrastructure service.⁹⁶ The A.A structural plan provides the framework to organize the city's green areas in an economically productive and environmentally healthy way.

According to my observation, expert interview and questioner survey indicate that the structural plan address the principal land use classes like the environmental aspect (the green spaces) are proposed in the study area.⁹⁷ However, in the study area, the proposed land use plan has not been fully implemented.⁹⁸

My interviews with experts and questioners survey indicated that some of the proposed green area or open space has changed to various land uses like residential/mixed land uses/ by requesting LUP change from the municipality by circular letter.⁹⁹ This is against the provision of city structural plan proclamation specifically the provisions of land use plan.

Below figure 7 shows that green areas are hold by illegal holders/informal settlers in the study area especially in Nfas Silk Lafto sub city Woreda 01 around St. Abraham trinity orthodox church green area (around Haile Garments round about) and Kolfe Keranio Woreda 5 and 8 (Betel Mendida green area and Keranio green area).¹⁰⁰

⁹⁶ Addis Ababa city government plan and development commission, Executive Summary report, (2017-2027), 167

⁹⁷ The Addis Ababa City Structural Plan land use map 1st term Amendment June, 2022

⁹⁸ Survey Data, March, 2023 And also Interview with Tadesse Birhane, Spatial plan data team leader at A.A plan and development commission, Interviewed in May 04/2023, Addis Ababa

⁹⁹ Interview with Yilma Gebre Michael, Experts of Land Providing at Nfas Silk Lafto Sub city, Interviewed in April 02/2023, Addis Ababa

¹⁰⁰ Survey Data, March, 2023

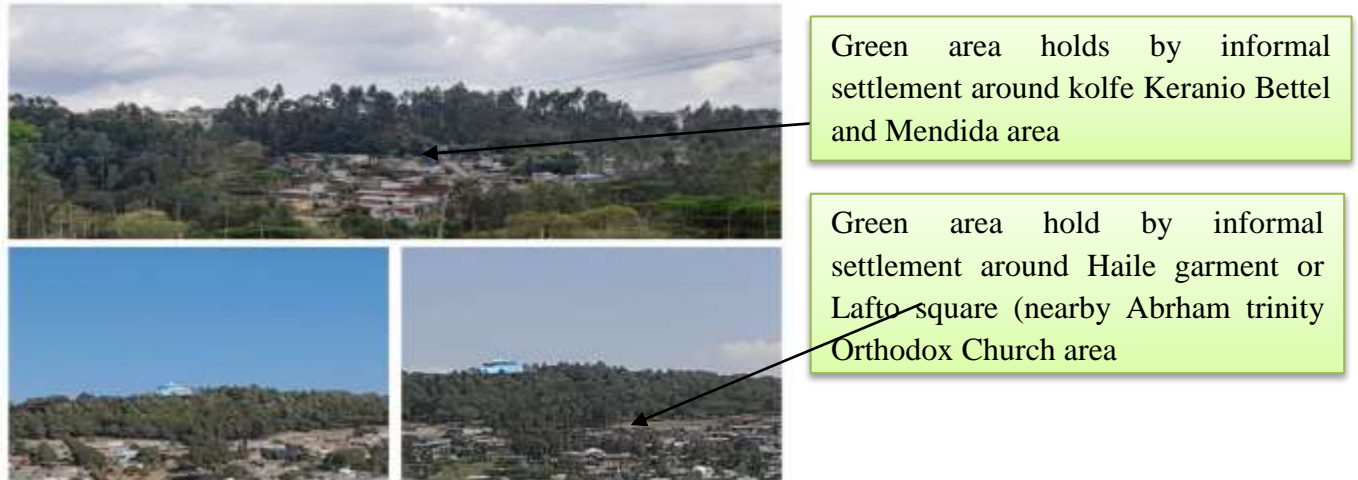


Figure 7: Green area hold by informal settlement around Lafto square and Bettel area.

Source: Photograph by the researcher 2023

4.4.1.7. *Unplanned Worship Places:*

According to my observation, Orthodox, Protestant and Catholic Christians, and Muslims are the major religious groups in the study area. Worship sites shall be accommodated in the mixed residence land use according to religious organizations land allocation regulations to be issued.¹⁰¹ But there is no enacted religious organizations land allocation regulations.¹⁰²

According to observation, Protestant Worship places are randomly constructed/rent a house from private owned commercial or residential house to take place religious service. But according to the SP, the areas not reserved for religious center.¹⁰³ This shows that there is unplanned or inappropriate distribution is also existing challenges.

The structural plan proclamation clearly states that worship sites shall be accommodated in the mixed residence land use according to religious organizations land allocation regulations to be issued. But, according to the questioner survey, key informant interview finding, in study area the existing worship places are executed without proper regulation issued concerning religious organizations land allocation.

¹⁰¹ A.A City Government Structural Plan Proclamation, 2017, Art 16(4), Proclamation No.52/2017, Addis Negarit Gazeta, Year 20th, No. 52

¹⁰² Ibid Art.18 (4)

¹⁰³ Ibid Art. 16(4 and 5)

4.4.1.8. High tension center to commercial and residential center

High-tension electric line buffer is categorized as the land use plan of infrastructural service and it has code IS-03 to enforce LUP.¹⁰⁴ High-tension line requires a corridor of 30m (15m buffer on either side).¹⁰⁵ A building a long high-tension power transmission line/cable is prohibited unless the minimum requirement is fulfilled. According to Ethiopian electric utility service and A.A city structural plan/land use plan standard, high-tension center (HTC) should be at the minimum distance of 15 meter from building.¹⁰⁶

Figure 8 indicates that HTC in the study area is passing on the roof of many small business/commercial buildings as well as residential houses.¹⁰⁷ They are so much closer to high-tension center. The residents are vulnerable to any health effects. For instance, according to my observation in Kolfe Keranio Sub city Woreda 4 and 10 in Alem Bank and Kolfe Keranio nearby military training area there is land abuse of HTC buffer zone. This practice is against the LUP standard of the city.



Figure 8: the high tension power lines near to commercial and residential house.

Source: photograph by the researcher, 2023

¹⁰⁴ Ibid Art. 18(3)

¹⁰⁵ Addis Ababa city government plan and development commission, Executive summary report (Electric line clearance standard), 2017- 2027, 188

¹⁰⁶ Ibid

¹⁰⁷ Survey Data, March, 2023

4.4.1.9. Unplanned waste management

Waste management standard is a system that comprises of planning and managing the proper and timely collection and disposal of liquid waste.¹⁰⁸ According to the my observation and questioner survey indicates that the residents disposed/released liquid waste to main road and still now it is stored/accumulated in certain place and flows to the river by crossing private persons residence compound.¹⁰⁹

According to my observation, there is no proper sewerage line in that sample study area. The concerned body (the Addis Ababa city water and sewerage authority) didn't take any action/measures. This creates a range of environmental problems and it affects the health of residents who live there. The existing liquid waste disposal system is against the city structural plan proclamation provision/and the rules of water and sewerage authority.. It affects the road and the flow of traffic management.



Figure 9: Unplanned liquid waste management in Kolfe Keranio Sub city Woreda 5 around Anfo 75 cooperative residential houses area.

Source: photograph by the researcher, 2023

¹⁰⁸ Addis Ababa City Government Plan and Development Commission, Executive Summary Report; Waste Management Standard, 2017-2027, 187

¹⁰⁹ Interview with Asnake Abebe, key informant or resident at kolfe Keranio sub city Woreda Interviewed in April 05/2023, Addis Ababa Haile Anfo Alfa area

4.4.1.10. River side areas/Buffer zone to residential area

Riverside development plan aims to make land demarcated on the Structure Plan as a river buffer green and attractive for recreation, and ultimately to make rivers clean.¹¹⁰ A river buffer zone of 15 m along each riverbank reserved for recreational areas for residents who live nearby.¹¹¹

The buffer zone along two sides of the river is proposed to protect the river from the direct intervention of the residents such as construction of houses, and keep the sanitation situation of the riversides. Consequently, a green area will also create, and uses for recreation.



Figure 10: Builds of houses nearby the river side (river buffer zone) K/K Sub City W- 8 around the Abajale and Keranio area.

Source: photograph by the researcher, (2023)

The offset distance of the buffer from the center to both right and left sides of the river is 7.5 meters. However, currently it is violated which means people use the river near by their site used as waste disposal. Some houses are built nearby the riverside and linking their toilets to the river. According to my observation, the riverside areas in the study area are not well-kept and are not used as per the stated standards. According to the A.A structural plan/LUP's river buffer zone

¹¹⁰ Addis Ababa city government plan and development commission, Executive Summary report, (River Buffer Zone Standard). 2017-2027, 188

¹¹¹ Ibid

standard, the river buffer zone/center length is ranges from 10m-30m.¹¹² But according to my field observation and interview with experts and residents, the proposed riverside green development of 2017 structural plan are not implemented as per the proposed LUP standard.

Most of the proposed riverside buffer zones are highly abused by building residential house by the residents. Particularly, most of the riverside areas in the study areas are not well kept and utilized as per the acceptable standard.¹¹³ The concerned government body didn't take appropriate measures on the law violators.

Table 1: The Status of Sample Land Uses plan's enforcement (Abused LUP)

Code No	Proposed Land Use	Existing Land Use Area	Status of SP implementation	Place of violation
M-S1	Manufacturing and storage center	Commercial service/hotel	Violated	Nfas silk Lafto Woreda 12 and 02 (around Haile Garment). Lebu square (round about)
CB-1	Mixed commercial	fuel station	Violated	Nfas Silk Lafto Woreda 13 (near to the N/S/ sub city administration office)
EA-1	Green area	Residential/in formal settlement	Violated	Nfas silk Lafto Woreda 1 (in front of Hachalu Avenue or near to St Abrham orthodox church) and Kolfe Keranio sub city Woreda 6 and 8 between betel and Menedida, Bira Sefere Woreda 8.
-	Social	Make	Violated	Nfas silk Lafto Woreda 2

¹¹²Addis Ababa city government plan and development commission, Executive Summary report, (River Buffer Zone Standard). 2017- 2027, 170

¹¹³ Ashenafi Daba Abdi, Effects of Land Use Forms and Pattern on the Demand for Public transport (The case of Addis Ababa, Asko Merkato Piassa Corridor, 2018, 5

	service/religious center	commercial activities on religious center		Around Jemo Michael square St. Michael orthodox church around Jemo 3 St. Gebreal orthodox Church, Torhayloch Full gospel protestant church and Reyan mosque Woreda 9
EA-1	Green area	Informal settlement	Violated	Kolfe Keranio Woreda 6 around Bettel residential area
S-55	cultural and civic center	China Africa CDC office	Violated	Nfas silk Lafto Woreda 12 (around Haile Garment)
R-1, R-2	Residential center	Worship center/religious activity	Violated	Around Alem bank, Jemo Musika Sefer, Ayertena, Lebu Mebrat etc. and also it exists in many place of the study area
S-31	Sport facility/National stadium	Vegetable and fruit distribution center/market place	Violated	Nfas silk Lafto Woreda 11 around Sefera area
IS-03	High tension electric line buffer	Residential and small commercial business center	Violated	Kolfe Keranio woreda4 Alembank Anfo, Kolfe 18 near to military training center
EA-12	River buffer	Residential center/informal settlement	Violated	Kolfe Keranio Woreda 10 and 8 Abajale and Keranio, Mekanisa kore

4.5. The practical problems to enforce/implement LUP in the N/S/L/Sub City and K/K Sub City

Among key informants and experts interviewed about many of them mentioned weak experts and leadership as the cause for inappropriate land use plan implementation in the study area while the other experts/official put poor monitoring/regulating and evaluation, absence of regulation and directive to enforce SP, corruption, external influence, lack of strong institution to enforce LUP, and lack of skilled man power as the major causes of the problem.¹¹⁴

In general, the research result indicates that there is weak institutional legal framework, weak monitoring and evaluation of plan implementation and lack of skilled manpower, lack of strong regulating mechanism are the main causes of abuse of LUP implementation in study area.

The interview of key informants also stated that weak regulating mechanism of LUP implementation is causing misuse of land use plan, shortage of open space and green areas. This negatively affects the socio-economic wellbeing of the city as well as sub city residents. Thus, it needs providing lawful LUP enforcement as proposed on the structure plan of the city.

The expert's interview, key informant interviews, my observation and the questionnaire survey result indicate that there are practical problems to enforce LUP are in the study area.¹¹⁵ These are:

- First, there is no rule of law: the government it self and individuals didn't respect the relevant laws regarding the enforcement of LUP.
- Second, the leaders and experts are not technically skilled full and the leaders are assigned by their political views only.
- Third, there is strong LUP enforcement regulating mechanisms. The concerned organ didn't properly control, follow up and evaluate the enforcement of LUP. And there is no cross check mechanism for the status of enforcement of LUP.
- Forth, there is corruption and unethical practices

¹¹⁴ Interview with Tadesse Birhane, Spatial plan data team leader at A.A plan and development commission, Interviewed in May 04/2023, Addis Ababa

¹¹⁵ Interview with Engineer Kasu Gebreyesus, Plan Preparation Higher Expert at Nfas Silk Lafto Sub city Construction Permit and Regulatory Office. Interviewed in April 04/2023, Addis Ababa

- Fifth, there is weak institutional and legal framework to enforce land use plan. There is no working regulation and directives to enforce the city structural plan proclamation.
- Sixth, the institutions have no adequate cooperation and coordination between other sectors to enforce land use plan.
- Seventh, There is no public participation in the LUP implementation process,
- Eighth, there is no political will and commitment to enforce land use plan. The concerned organ did not take immediate legal action on the violators. There is lack of commitment on experts and leaders to enforce LUP.
- Ninth, there is inefficiently and ineffectively manage and administer the land and land registration is not fully registered by competent organ.
- Tenth, there is absence of responsible and committed experts and leaders to enforce LUP
- Eleventh, unnecessary government official interference by providing and sending circular letter by higher officials to change the LUP by name of benefiting farmers.
- Twelfth, There is unclear working relationship between the different institutions
- Thirteenth, Lack of focus and prioritization in the implementation of LUP at the study area
- Fourteenth, there is no enacted regulation to implement LUP and to direct the relationship between the Land development & Planning commission and other public institutions like land development and administration office, construction permit and regulatory authority and other institutions.

Therefore, this study results indicate that these improper planning implementations of LUP proposals are the main challenges of LUP implementation in the Sub city. These cause many of the proposed LUPs in 2017 structural plan (land use plan) enforcement violation in the study area are mixed commercial center to fuel station/distribution, built hotel on manufacturing and storage center, sport center changed to vegetable distribution market center and other

Through cross examination of the land use plan of the study area and the existing situations show that some areas allocated on the land use plan are either non-existent or converted into different land-uses. The questioner survey indicated that some land use plan categories/components especially green areas, manufacturing and storage center, commercial center, river buffer zone are found only in city plan document, but not implemented on the ground.

4.6. The Main factors that hampers LUP enforcement in N/S/L/Sub City and K/K Sub City.

In order to examine the major factors that hamper the implementation of LUP implementation of the study area, the data collected using questionnaires' survey and experts' interview responses are analyzed. The results of finding indicated that the major factors are¹¹⁶

- First, lack of rule of law
- Second, lack of Skilled Man Power (professionalism problems),
- Third, lack of strong enforcement regulating mechanisms,
- Forth, corruption/unethical practice,
- Fifth, lack of strong legal and Institutional framework to enforce LUP
- Sixth, lack of adequate institutional cooperation and integration
- Seventh, lack of political commitment
- Eighth, lack of Public awareness (community participation).
- Finally, lack of clear land use policy

4.6.1. Lack of rule of law

The Addis Ababa city administration has certain relevant laws to enforce land use plan. But according to the questioners and interview survey finding, the concerned government organs and individuals violate the provision of the relevant laws and the land use plan format(LUP Map) of the city in general and Sub Cities in specific Manner. Due to different inconvincible reasons and corruption, the government and individuals didn't respect the law. So this is the main factor for the in effectiveness of LUP enforcement.

4.6.2. Lack of Skilled Man Power

The responses from the interview question response, the annual report of N/S/L/sub city plan and development commission branch offices report indicate that the common problems are insufficient lack of skilled full experts, less technical capacity of the existing professionals, lack of building technical skill. For example, many of the respondents from the development and plan commission sub city branch offices described that, majority of the existing technical experts are

¹¹⁶Interview with Engineer Kasu Gebreyesus, Plan Preparation Higher Expert at Nfas Silk Lafto Sub city Construction Permit and Regulatory Office. Interviewed in April 04/2023, Addis Ababa

not technically skilled full. This creates lack of sense of belongingness and commitment on experts.

4.6.3. Lack of strong enforcement regulating mechanisms

All experts interview and questioners survey indicate that in the major factors that affect the enforcement of Land use plan in the study area are¹¹⁷:-

- Lack of continuous follow up, control and evaluation of its enforcement,
- Lack of coordination and communication between institutions;
- lack of immediate, reasonable and legal action/measure
- lack of skill regarding LUP enforcement,
- Inadequate institutional and legal framework,
- lack of active community participation in the implementation of LUP
- Lack of budget/financial stability,
- lack of commitment and sense of belongingness to apply the relevant laws,
- lack of institutional collaboration to enforce LUP,
- lack of technological advancement and
- Lack of SP implementing regulation and directives, and lack of enforcement strategies.

4.6.4. Corruption/Unethical practice

Corruption/Unethical practices are one factor for the obstacle the enforcement of land use plan. The questioner survey indicates that there is some problems of unethical practice are shown by some experts and leaders. The questioners' and interviews' survey indicates that there is no adequate accountability, responsibility system and lack of good governance.¹¹⁸ These are the major factors hampering land use planning implementation in Nfas Silk Lafto Sub city and Kolfe Keranio Sub city.

¹¹⁷ Interview with Winta Mulugeta, Spatial Plan Enforcement Follow up and Regulatory Expert at A.A city Government Plan and Development Commission Kolfe Keranio Sub City Branch Office. Interviewed in April 03/2023. Addis Ababa

¹¹⁸ Interview with Nigusu Shitaye, Land providing and issuance expert at Nfas Silk Lafto Sub city Sub City land development and administration office, Interviewed in April 30/2023, Addis Ababa and Interview with Tadesse Birhane, Spatial plan data team leader at A.A plan and development commission, Interviewed in May 04/2023, Addis Ababa

1.1.1 Lack of strong legal and Institutional framework to enforce LUP

In order to be effective institution, it must have strong legal and institutional framework. The A.A city administration and its subordinate Sub cities have institutional arrangement and working proclamation, to enforce/implement LUP. But the study result indicates that there is no strong legal and institutional framework. The city administration has no working regulations and directives of the city structural proclamation no. 52/2017.

4.6.5. Lack of Public awareness (community participation).

Lack of public participation and lack of adequate public awareness and lack of collaboration, communication gap between the community, professionals and the leaders as the main causes of poor land use plan implementation.¹¹⁹ The questionnaire survey indicates that active public participation must be continuously ensured in the land use plan and implementation processes. Because, the community or individuals may violate the LUP enforcement. So it has great impact on land use plan enforcement.

4.6.6. Lack of adequate institutional cooperation and integration

In order to be effective institution, the institution must cooperate and integrate with the other institutions to achieve the institutional goals. The sectors/institution has work connectivity contract as a plan to work together. But the study result indicate that there is no adequate institutional cooperation and integration. The same is true on the city and sub city plan and development commission.

4.6.7. Lack of political commitment/Government Official commitment

When the concerned government organ has lack of commitment and sense of belongings to enforce land use plan, it creates gap for the violation of enforcement of land use plan/structural plan of the city. Most questioner survey and expert interview states that there is no commitment and technical and leadership skill to enforce land use plan in the study area. Most leaders are political leader and they are politically assigned one they have no technical skill about the plan enforcement and also they are influenced by external executive bodies.¹²⁰

¹¹⁹ Interview with Tadesse Birhane, Spatial plan data team leader at A.A plan and development commission, Interviewed in May 04/2023, Addis Ababa

¹²⁰ Interview with Tadesse Birhane, Spatial plan data team leader at A.A plan and development commission, Interviewed in May 04/2023, Addis Ababa

4.6.8. Lack of clear land use policy

The land use policy provides guiding principles, states the use of allocating land for its social, economic and sustainable use. It ensures integration of land use planning. There is no comprehensive land use policy in Ethiopia with guiding principles that states about an integrated land use plan and assists for the allocation of land to its social, economic and environmental sustainability.

Generally, Ethiopia has land use law but it has no land use policy.¹²¹ The Ethiopian land policy did not show the detail about the land use plan. The questioners' survey indicates that absence of land use policy may be one factor to hinder the enforcement of land use plan. So it should have land use policy for better enforcement of land use plan.

Table 2: Response rate of respondents on indicating the major factors affecting land use plan enforcement.

No	Major factors affecting land use plan implementation in the study area	Residence of the respondent		Percent	percent
		N/S/L/ Sub city	K/k Sub city	N/S/L/Sub city	K/K Sub city
1	Lack of strong regulating mechanisms	32	18	82%	81.8%
2	Lack of public awareness and participation	38	22	97.4%	100%
3	Lack of skilled personnel	31	20	79.4%	90.9%
4	Corruption(Un ethical practice)	22	16	56.4%	72.7%
5	Lack of commitment	29	17	74%	77.27%
	Total	39	22	77.8 %	84.5%

According to the table 2, about 81.2% the respondent rate indicated that major factors affecting land use plan implementation in the study area are: lack of strong regulating mechanisms, lack of public awareness and participation, lack of skilled experts or lack of professionalism, Corruption

¹²¹ Zemen Haddis et al, Ethiopia's Move to a National Integrated Land Use Policy and Land Use Plan, May 2017, 14

(unethical practice) and Lack of commitment. The respondent's response indicated that these factors caused the current abuse of land use plan in the study area.

Generally, the study indicates that ineffective implementation/enforcement of land use plans are caused by lack of political will, , lack of skilled experts or lack of professionalism, Lack of public awareness and participation, corruption, lack of strong institutional and le and regulating mechanisms as challenges facing land use planning enforcement.

4.7. Consequence of incompatibility of law and practice of enforcement of LUP In general

LUP represents the economic, social and cultural activities like commercial, residential, industrial, and recreational uses etc...) are practiced in the place of the plan is indicated for the purpose of social, political, economic development, environment, culture and sustainable development. Abuse of land use plan enforcement has many consequences on the economy, social, environment and politics.

4.7.1. Environment Consequence

Abuse of land use plan enforcement has wide environmental consequences. These are affects ecosystem (loss of biodiversity, climate change), inconvenient of life, create health risks to livestock and humans, creates Poor water and air quality, affecting the life of people, creates uncomfortable life standard and creates inconvenience for livability, walkability, create urban sprawl and it creates significant environmental stress. So proper implementation of LUP is important in order to protect environmental sustainability to meet the needs of current and future generations.

4.7.2. Economic Consequence

Land used as one source of economy for the development of the city of Addis Ababa. The urban land needs plan for its usage and properly apply LUP. Otherwise it causes imbalance of equity, economy and ecology. It causes ineffective transportation system, traffic congestion, increment of informal settlement, affects the infrastructure service, impacts on commercial activities, impact on manufacturing service. These factors have direct and indirect consequence or impacts on economic development of the city.

4.7.3. Social consequence

It causes inadequate provision of social services like lack of educational centers, sport facility services, health centers, social care service, and recreational centers/services. It affects the social life of people and creates inconvenience for living there. It cause unplanned waste management and worship centers poor quality service for the society. Strong city's LUP enforcement is essential to manage these and other problems.

4.7.4. Political consequence

If the city administration didn't properly implement or enforce the land use plan, it crates political disturbance/instability, creates raise of unnecessary question by the people, the government may lack support of people. Because irregular and unsound LUP enforcement is not supported by people who live there and need to implement the plan properly. And the governing body may lost his acceptability by people.

Generally such existence of incompatibility between law and practice of enforcement of LUP, it hinders the achievement of environmental, social, economic goals of land use plan of the city as well as a country. And also it affects the development of the city and it hinders the aim of being smart city.

4.8. The key solutions for the problems of enforcement of land use planning in N/S/Lafto Sub City and Kolfe Keranio Sub City

According to the relevant laws of the city, the respective institution should take necessary legal and administrative measures on who violates the provisions of structural plan and master plan of the city. After addressing the problems facing the enforcement of land use planning, the research stated the main possible solutions.¹²² These are:-

- First, the A.A city administration should provide strong institutional and legal framework to implement LUP and he should fill the gaps of structural plan proclamation enforcement regulations and directives and properly apply rule of law.
- Second, the A.A city administration should give priority to avoid corrupt and unethical practice and issue accountability and responsibility regarding the implementation of land use plan.

¹²² Interview with Engineer Kasu Gebreyesus, Plan Preparation Higher Expert at Nfas Silk Lafto Sub city Construction Permit and Regulatory Office.

- Third, the A.A city administration plan and development commission and its subordinate Sub city branch office must fill the technical skill gaps of the experts and leaders, develop the sense of ownership/belongingness the implementation of land use plan and provide qualified and technically skilled experts to enforce land use plan ¹²³,
- Forth, the A.A city administration plan and development commission and its subordinate Sub city branch office must provide strong regulating mechanisms and strategies to enforce LUP and they should make continues follow up, control/regulate for LUP enforcement.
- Fifth, the city and Sub city level plan and development office should create strong cooperation and integration between different institutions,
- Sixth, the A.A city administration plan and development commission and its subordinate Sub city branch office provide public awareness and introduce public participate to enforce LUP.
- Seventh, all concerned institutions should focus and prioritization in the implementation of land use plan at the study area,
- Eighth, the A.A city administration should provide good relationship between the Land development & Planning commission and other public institutions like land development and administration office, construction permit and regulatory authority and other institutions and others,
- Finally, the A.A city administration and the Subcity administration should have political will and commitment to enforce land use plan.

5. Chapter Five: Conclusions and recommendation

5.1. Conclusions

The study used questionnaire survey, key informant interview, expert interview, field observation and land use plan map and different relevant materials to LUP enforcement in order to examine the status and challenges of 2017 structural plan (land use plan) implementation in

¹²³ Interview with Tadesse Birhane, Spatial plan data team leader at A.A plan and development commission, Interviewed in May 04/2023, Addis Ababa

Nfas Silk Lafto sub city and Kolfe Keranio Sub city. Based on the analysis and generated results of qualitative data, in this study the following conclusions are put.

The finding indicated that the key challenge/problem of incompatibility of the law and practice of enforcement of LUP are lack of strong regulating mechanisms, lack of strong legal and institutional framework, lack of institutional coordination and integration, lack of adequate public participation, lack of experts' technical skills and public awareness, lack of political will and commitment, unnecessary government official intervention, corruption and lack of accountability and responsibility.

The main study findings are there is some contradiction/incompatibility of the law and practices of LUP implementation in the study area are mixed commercial land uses to fuel station, iindustry centre to mixed commercial centre/hotel service, Trade activities on religious centres, Green areas change to residential center or hold by informal settlement and others.

The main reason for the incompatibility of the law and practice of LUP plan implementation in the study area are due to lack of strong legal and institutional frameworks, absence of coordination and continuous evaluation of the enforcement of LUP, lack of active public participation, lack of awareness, lack of strong regulating mechanisms, lack continues follow up and evaluation, lack of skilled experts on the LUP field of area. The study also indicated possible solutions and recommendations for the problems to enforce LUP.

Abuse of land use plan enforcement has many consequences on the economy, social, environment and politics. Generally these practical problems show that how the law and practice of LUP enforcement is incompatible or contradiction between the law and practice of enforcement of LUP. Hence these major land use plan enforcement violation (land abuses) should be taken appropriate and legal measure by concerned body.

5.2. Recommendation

Based on the data and results acquired during the study, the following recommendations can be used for future improvement of the current status of land use plan implementation of Addis Ababa city administration.

- First, the A.A city plan and development commission and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and other relevant sectors should provide competent (technically skilled) experts/professionals and fill the technical skill gaps of the expert to bring effective land use plan implementation.
- Second, the A.A city administration council should enact the structure plan proclamation enforcement detailed regulation, directives and standards to improve the enforcement of land use plan and solve the practical problem of land use plan enforcement and to create compatibility between the law and practice of LUP enforcement.
- Third, the A.A city plan and development commission and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and Both subcities' land development and administration Office, Construction permit and regulatory office, environment protection and development office should have adequate and strong LUP implementing legal and administrative frameworks/guidelines.
- Forth, the A.A city plan and development commission and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and other relevant sectors should Strengthening its institutional and legal framework as well as its subordinate sectors to enforce land use plan.
- Fifth, the A.A city plan and development commission and its subordinate offices should establish strong land use plan enforcement regulating mechanisms at all level.
- Sixth, the A.A city plan and development commission and the N/S/Lafto and K/Keranio Sub cities plan and development branch office and N/S/Lafto and K/Keranio Sub cities plan and development branch office and Both subcities' land development and administration Office, Construction permit and regulatory office, environment protection and development office and others should fill the technical skill gaps of the experts and leaders and create awareness.
- Seventh, the A.A city plan and development commission and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and other relevant sectors must fill the legal and institutional gaps to enforce land use plan.
- Eighth, the A.A city plan and development commission and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and other relevant sectors should encourage public participation in the enforcement and preparation of land use plan.

- Ninth, the A.A city plan and development commission and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office must continuously monitor, evaluate and regulate the implementation of land use plan.
- Tenth, the A.A city plan and development commission and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and Both subcities' land development and administration Office, Construction permit and regulatory office, environment protection and development office and others should create strong communication and integration system between different institutions in land use planning implementation process.
- Eleventh, the A.A city plan and development commission should have strong coordination and integration with all relevant institutions like A.A city administration land development and administration bureau, A.A city administration construction permit and regulatory bureau, Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office, Nfas Silk Lafto and Kolfe Keranio Sub cities land development and administration office and Nfas Silk Lafto and Kolfe Keranio Sub cities construction permit and regulatory office and others.
- Twelve, the A.A city plan and development commission should provide annual or biannual discussions with the community on the issues of implementation of the structural plan/land use plan.
- Finally, and the Nfas Silk Lafto and Kolfe Keranio Sub cities plan and development branch office and Both subcities' land development and administration Office, Construction permit and regulatory office, environment protection and development office and others should work for minimization of corruption and unethical practices.

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Lists of Interviewees

- ✓ Interview with Winta Mulugeta, Spatial plan enforcement follow up and regulatory expert, A.A city government plan and development commission Kolfe Keranio Sub City branch office, April 03/2023
- ✓ Interview with Engineer Kasu Gebreyesus, plan preparation and issuance higher expert, Nfas Silk Lafto Sub city Construction permit and regulatory office, April 04/2023
- ✓ Interview with Nigusu Shitaye, Land providing and issuance expert, Nfas Silk Lafto Sub city Sub City land development and administration office, April 30/2023, Addis Ababa
- ✓ Interview with Teklie Akalu, construction permit team leader, Nfas Silk Lafto Sub city Construction permit and regulatory office, April 04/2023
- ✓ Interview with Tadesse Birhane, Spatial plan data team leader, A.A plan and development commission, May 04/2023, Addis Ababa
- ✓ Interview with Netsanet Getu, Spatial Plan Enforcement Follow up and Regulatory Expert, A.A City Government Plan and Development Commission, April, 22/2023
- ✓ Interview with Yilma Gebre Michael, Land providing expert, Nfas Silk Lafto Sub city land development and administration office, April 02/2023
- ✓ Interview with Degefa Guta, Resident (Key informant), N/S/L/Sub city Woreda 13 administration, April 06/2023
- ✓ Interview with Asnake Abebe, Resident (Key informant), Kolfe Keranio Sub city Woreda 5 administration, April 05/2023

7. Appendixes

Appendix 1

Table 3: Sample Areas and key Informants/Residents:-

	Sub city	Woreda	Number of respondents and methods			
			Residents	Method	Key informants	Method
1	Nfas Silk Lafto Sub city	Woreda 01 and 13	8	Questionnaire	3	Group discussion
		Woreda 2	7	Questionnaire	3	Interview
		Woreda 11	6	Questionnaire	2	Interview
		Woreda 12	8	Questionnaire	2	Interview
2	Kolfe Keranio Sub city	Woreda 8	5	Questionnaire	2	Interview
		Woreda 5 and 4	7	Questionnaire	3	Interview
		Woreda 9	6	Questionnaire	3	Interview
	Total	9	47		18	

Table 4: Primary data are collected from experts of the concerned institutions:-

	Place	Name of the Institutions	Questionnaire	Interview
1	Addis Ababa	Addis Ababa plan and development commission	4	2
2	Nfas Silk Lafto Sub city	Nfas Silk Lafto Sub city plan and development branch office	10	1
		Nfas Silk Lafto Sub city land development and administration office	10	2
		Nfas Silk Lafto Sub city	12	2

		construction permit and regulatory office		
		Nfas Silk Lafto Sub city Environment protection development office	3	
3	Kolfe Keranio Sub city	Kolfe Keranio Sub city plan and development branch office	10	1
		Kolfe Keranio Sub city land development and administration office	4	
		Kolfe Keranio Sub city construction permit and regulatory office	4	
		Kolfe Keranio Sub city Environment protection development office	3	
	Total		61	8

In total, 47 Residents, 61 experts and 18 key informants were questioned and 15 are interviewed.

About 40 % of the Residents, key informants and experts were in the age group between 18 and 35 while the remaining 60% were in the age range of 35 and above. Out of the total number of Residents, 90% key informants and experts have BA degree and above, the remain 10 % residents have below bachelor degree.

Appendices 2

Questionnaires

Questionnaires prepared for respondents Introduction

This research is prepared at Addis Ababa University College of Law and Governance for Fulfillment Master of Art Urban property and land law Graduating Class. The questionnaires are

Distribute to Respondents set by Cheru Debiso Woldesenbet for graduating Program of MA under Urban property and land law on the title that “Enforcement of Urban land use planning in Nfas Silk Lafto and Kolfe Keranio Sub cities: the law and practice:”. Request First, I thank you for your contribution in relabeling my research by responding this questionnaire. Additionally, I would like to inform you that your response to this questionnaire will serve for my academic purpose only and will remain confidential.

Dear, respondent, writing your name is not mandatory, but providing me with information on the rest is critical and requests you kindly to take some minutes in filling up the questionnaires. Instructions Use the sign “X” in the box you select options. If the space is not enough for your opinion, you can use on the back stating the number. Sex _____ age _____ Address _____ occupation _____ Title (position) _____ Educational level _____

1. Do you think that the enforcement of land use planning’s law and practice is compatible in areas of Nfas Silk Lafto Sub city? Yes No
2. If your answer for question number-1 is “no”, have you observed problems/incompatibilities of law and practice of enforcement of land use planning from the following categories of land use planning by violating the 10th master plan and structural plan proclamation as stated in Nfas Silk Lafto sub city.
 - 2.1.Mixed residential land use to commercial centre
 - 2.2.mixed commercial centre to commercial centre
 - 2.3.Industry centre to mixed commercial centre
 - 2.4.trade activities on religious centres
 - 2.5.land use of social service (Sport facilities) to Market Place
 - 2.6.violation of building height regulation
 - 2.7.Informal settlement (illegal house building in green areas and open spaces)
 - 2.8.Mention the other problems which are existed in Nfas Silk Lafto Sub city

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3. What do you think the main factors for incompatibility of law and practice in the land use plan enforcement in Nfas Silk Lafto sub city?

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4. What are the place of major land use planning problems occurred in the Nfas Silk Lafto sub city? Mention them.

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5. How do you evaluate the current existence of Green Areas and Open Spaces in Nfas Silk Lafto Sub city as per the land use planning?.....

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6. Have you observe informal settlement on green and open space in your areas in Nifas Silk Lafto Sub City? State some of them.

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7. Do you think that is there a comprehensive legal and institutional framework to enforce urban land use planning in Nfas Silk Lafto sub city? Yes No

8.If your answer for question number-7 is “No”, state sate your opinion why you say “No”?.

9. Do you think that there is an adequate regulating mechanism to enforce urban land use planning in Nfas Silk Lafto sub ci Yes No

10. If your answer for question number-9 is “No”, state sate your opinion why you say “No”?.

11. Is there any norms guidelines and standard to enforce land use planning Nfas Silk Lafto sub city?

11. How do you evaluate the coordination of institutions to enforce land use plan in Nfas Silk Lafto sub city

12. Have you observe violation of building height regulations in Nfas Silk Lafto sub city?

11. do you think the dwellers of Nfas Silk Lafto sub city are well informed about land use planning laws like A.A Structural plan proclamation, 10th master plan proclamation) clearly? Yes
No

12. Do you think that the Sub city land administrative organs effectively administer urban land use planning? Yes No

13, if your answer for question No-12 is” no”, what do you think the causes of their ineffectively? Lack of capacity Lack of good governance corruption if you have additional opinions state your idea?

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16, how can the government protect illegal or inappropriate enforcement of land use planning in Nifas Silk Lafto Sub city? Raising citizen’s awareness about existing land use planning regulations?

17. Who are involved in violation of the rules and regulations of land use planning Nifas Silk Lafto sub city?

19. What do you think about the possible solution for the problems of the incompatibilities of law and practice the enforcement of land use planning?

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Notice: the same questioner is conducted in Kolfe Keranio Sub city

Appendix 3

Interview for experts and key informants,

1. What do you think about the compatibility of law and practice of enforcement of land use planning in Nfas Silk Lafto Sub city? What is the status of land use plan enforcement in Nfas Silk Lafto Sub city?
2. Is there a legal and practical incompatibility to enforce land use planning in Nfas Silk Lafto Sub city?
3. Is there a comprehensive legal and institutional framework to enforce urban land use planning in Nfas Silk Lafto sub city?
4. How do evaluate the knowledge and skills of the expert and leaders?
5. How do you work with other sectors to enforce land use plan?
6. Is there adequate regulating mechanisms to enforce urban land use plan in Nifas Silk Lafto sub city especially in your office?
7. Are there any guidelines, standards and norm to enforce land use planning Nfas Silk Lafto sub city?
8. How can the government protect illegal or inappropriate enforcement of land use planning in Nfas Silk Lafto Sub city? Raising citizen's awareness about existing land use planning regulations?
9. How do you observe and evaluate the violation of building height regulations in your area?
10. How do you observe and evaluate informal settlement in green and open space in your areas?
11. How do you evaluate effective liquid waste management in the Nfas Silk Lafto Sub City?
12. How do you observe and evaluate community participation in land use plan enforcement?
13. What do you say about the possible solution for abuse of land use plan enforcement/incompatibility of law and practices

Notice: the same interview is conducted in Kolfe Keranio Sub city and A.A city plan and development commission

Appendix 4

Interview for residents and key informants

1. Have you knowledge/information about the enforcement of land use planning?

2. Have you ever worried for the existence/necessity of green areas and open spaces in your area?
5. How do you generally observe preservation of green areas and river buffer in the city?
6. Have you observe misuse of land use planning in your areas? Mention the major misuse of land Use planning.
7. How do you observe and evaluate the liquid waste management in your areas??
9. How do you observe and evaluate trade activities on religious centres in your areas?
10. How do you observe and evaluate worship places in your area.
11. Have you observe informal settlement in green areas/open space?

