

**AN ASSESSMENT OF URBAN LAND TENURE SYSTEMS AND
HOUSING DEVELOPMENT IN ADDIS ABABA:
THE CASE OF ADDIS KETEMA**

BY

DANIEL TESFAW MENGISTU

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ACRONYMS

AARH	Agency for the Administration of Rental Housing
AAU	Addis Ababa University
AU	African Union
CCF	Christian Children's Fund
CSA	Central Statistical Agency
FDRE	Federal Democratic Republic of Ethiopia
IHDP	Integrated Housing Development Program
NGO	Non Governmental Organizations
OAU	Organization of African Union
UN	United Nation
UN-ECA	United Nation Economic Commission for Africa
UN-ECE	United Nation Economic Commission for Europe
UPIPO-	Urban Planning Information Preparation Office

ABSTRACT

This study identified the major tenure systems with the corresponding property rights and the relationship between tenure and housing development. It also examines the extent to which factors like tenure type, tenure security location of the area, households income, land/housing/ policy, land/housing administration and management affect tenants in developing their piece of land/houses.

A sample of 302 households from three selected kebeles in Addis Ketema Sub City, were selected randomly. These households were divided into public, private and informal tenure types. To conduct the study survey questionnaire, key informant interview, field observation and photography were used.

The result indicated that different kinds of land/housing tenure system such as freehold, leasehold, cooperatives, condominium, public rental and informal coexisted in Addis Ketema. The existing tenure differences had its own effect on the types of rights, level of security and housing development. Concerning property rights, there is a problem of clarity and lack of law enforcement. There is a considerable degree of insecurity on the private owner and public rental tenants, and a high degree of insecurity on the informal tenants side. Due to this, private owners and public rental tenants were involved on developmental activities to improve their house. However, informal tenants were reluctant to develop their house. Those houses under the possession of private owners are in a good condition, while majority of publicly owned rental houses are to the contrary. The availability of basic utilities was in a better condition for private owners. However, a significant number of public rentals do not have tap water and kitchen. The informal tenants reside in shanty houses and have no basic utilities like water and toilet of their own.

A significant number of private owner and public rental tenants confirmed the existence of corruption, employee's capacity problem and prejudice in the adjudication process.

Therefore, the study advocates for promulgation and application of comprehensive land and housing tenure policies. Design and implement a flexible tenure types. Introduce and implement cadastre and promulgate a clear and fair real property rights for all houses and land tenures. Improve the housing conditions and availability of basic infrastructures and utilities by working together with the community, NGOs and private developers. Design a clear and feasible duties and responsibilities for city, sub city and kebele land and housing administrators and managers. Conduct capacity-building programs for employees of land and housing managers and administrators at the sub city and kebele level.

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

Land is an ultimate natural resource and a valuable asset for any kind of development that takes place in urban as well as rural areas. Land is limited in quantity, immobile and permanent. Moreover, it is essential to all human activities (Doebele, W., 1987)

In the cities of developing countries, there is a rapid rate of urbanization due to natural increase, migration and cities boundary expansions, as a result urban land become very scarce. This situation is aggravated by globalization. Thus, urban land becomes very expensive and unreachable to meet the need of most urban dwellers. In order to bring an equitable, effective and efficient land delivery system searching an appropriate tenure measure is mandatory.

Throughout the world, there are different types of tenure systems existed in urban areas. According to the study of Payne, G., (2002) and UN-HABITAT, (2004) documents reports freehold, leasehold, public and private rental, customary or religious and various categories of unauthorized or informal settlements, each with varying degrees of legality and rights are existed in developing countries urban areas. Within this continuum there may even be more than one legally acceptable system operating in a city.

Housing tenure is directly related to land tenure because by its very nature, house is an intrinsic element of a land. Due to this, the different types of housing tenures emanate from land tenure. Private land tenure has freehold and leasehold housing tenure; public land tenure has public rental housing tenure etc.

Rights may cover access, use, development or transfer and as such, exist in parallel with ownership. On this basis, it is clear that the ways in which a society allocates title and rights to land is an important indicator of that society, since rights to land can be held to reflect rights in other areas of public life. (Payne, G., 2002)

The level of legal or customary rights each tenure system holds has a direct impact on the person enthusiasm to engage on investment or any kinds of developmental activities. This is related to security. Under international human rights law, secure tenure is one of the seven

components of the right to adequate housing, which again is linked to the right to land. (UN-HABITAT, 2004).

Therefore, for a government to have equitable, effective and efficient land tenure system is an indispensable issue to protect and refrain from infringing the rights of individuals related to immovable things or real properties such as the right to adequate housing for all and different kinds of property rights ('*usus*', '*fructus*' and '*abusus*' of the real property). (Doebele, W., 1987) in this regard stated that:

"The struggle of every state is to find a system of tenure, which is best optimize the country pulls to productivity and social justice. It is never an 'either or' situation, striking the balance is a quest of every society compromise is not an easy task and affected by constant changes in technological, social and economical conditions. As a result nation should continually redefine tenure relationships as between public and private right."

It is the duty of the state to bring the best optimal tenure type, which address the issue of equity at the same time efficiency in relation to land distribution and development.

By taking these points in to consideration, this paper tried to assess the different types of tenure systems prevailed in the city of Addis Ababa particularly in the study area, Addis Ketema sub-city. Simultaneously the paper also examined the different types of property rights corresponding to each tenure type and their relationship with housing development/investment/.

1.2 Key Concepts

Land Tenure: is a broad concept, which differs in meaning from time to time and place to place depending on the socio-economic and political ideology of a society. During the earliest time, it was referred to as a relationship between lords and tenants who possessed the land with a regular payment of tribute for the landlords. Here land tenure refers to the body of rules governing the terms and conditions under which it is held, used and disposed of (Yeraswork A., 2000). International documents define tenure as the mode by which land is held or owned. In other words it refers to the set of relationships among people concerning land or its product (Payne, G., 1997; UN-HABITAT, 2004). In this study, the concept land tenure is used as a type of relationship between individuals or groups with land. Such type of relationship may emanate from formal, semiformal, or even informal ways.

Real Property Rights: refers to a bundle of rights alienated to immovable property. Such type of rights are enshrined under the law of property. Depending on the legal system a country followed, the law of property dichotomized into real versus personal and immovable versus movable. The former is followed by common law legal system countries and the latter is followed by continental law countries. In both legal systems, the real and immovable property encompasses the issue of land and housing. In this study the concept of real property rights, cover all type of rights, broadly speaking the right to uses, fruits and abuses pertaining to land and housing.

Tenure Security: it has various meanings, one of which is an agreement between individuals/groups/ to land and residential property, which is governed by statutory laws. The prevalence of tenure security drives from the rights of access and use of land. Immoveable property is clearly stated by a known set of rules, and the rights are justifiable. Security of tenure could also be defined as the right of all individuals and groups to effective protection by the state against forced eviction (UN-HABITAT, 2004). For the purpose of this study, tenure security refers to a type of property right enshrined under legal documents and the level of protection for individuals by the government against forced eviction.

Housing Development: Housing development refers to the production of houses for different purposes. There are two ways of analysis pertaining to the major actor(s) in providing house: *radical* and *liberal* (Soliman, A., 2006). The former tends to be a Marxist connotation; it has

tended to emphasis on the construction of houses and made it available by the government. While the later focuses on housing, production is an indicator of the degree of involvement between community, market and state. In both scenarios, production is there but what is missing is quality. Sustainable development of housing addresses the durability of the produced house as well as its consistence. In this study, the durability (quality) aspect of housing will be given more emphasis.

1.3 Statement of the Problem

Article 40(1) of the Federal Democratic Republic of Ethiopia (FDRE) Constitution, states individual ownership of private property and the different rights given to it. Sub article 2 of the same article categorizes the types of private property in to tangible and intangible property. Moreover, sub article 3 of the same article propagates the collective ownership of land. Unfortunately, urban land is not solely owned by the state because the existing legal documents like the lease, land expropriation proclamations, law of succession and other relevant legal documents. Such documents reveal the fact that individuals have a wide range of rights, which is equivalent to ownership on their parcel of land in urban areas. Some of these rights include the right to transfer, donation, usufruct, servitude above all the right to mortgage.

Although, the constitution under article 40(3) stipulates public ownership of urban land, due to historical as well as political reasons; different kinds of tenure modalities existed in the city. A privately owned freehold and leasehold, public ownership and public and private rental houses for residential purpose are the prominent tenure types.

Adequate researches were not conducted on this issue. Even the existing researches conducted by MA students of AAU did not address the issue of urban tenure systems in a comprehensive manner. For example, Bayehu T., (2002) focus on tenure and land market on pre-urban areas; Tesfaye D., (2006) give emphasis on the informal land regulation; and Mesay T., (2008) address the issue of land development and land supply in a particular area of the city (Casanchis and Meri Luke).

Therefore, this study tried to assess different types of tenure systems that exist in urban area and its relationship with housing development. Moreover, the study identified the level of tenure security and the major factors that cause for the existence of various tenure systems;

including the informal (non-statutory) one. More specifically the study addressed the following questions

- What are the major tenure systems prevailed in Addis Ketema Sub-city?
- What is the degree of tenure security and the rights associated with them?
- Is the existing tenure system conducive for the landholder to develop the plot?
- Is there any significant relationship between the tenure system and housing development?
- Do the existing land/housing policy, management and administration system affects housing development?

1.4 Objective of the Study

1.4.1 General Objective

The general objective of this research is to identify different types of tenure systems and their relation with housing development.

1.4.2 Specific Objectives

- To identify the range of tenure types in the study area.
- To assess degree of tenure security and the rights associated with them.
- To investigate the major impediments that hinders the landholder from developing her/his/its plot.
- To examine the relationship between tenure and housing development.
- To study the extent to what the land/ housing policy, management and administration system affects housing development.

1.5 Significance of the Study

The relevance of realizing the different land tenure systems prevailing in the study area is immense. Being land as one of the major source of any kinds of development, an understanding to the specific issues of the nature, incidence and consequence of land tenure has strategic importance for the governors.

Recognizing the occurrence of different tenure types in the area is an input to a comprehensive, efficient and equitable urban land management. The result of this research will also help to understand the existing condition and to formulate policies. Besides, the study will attempt to abridge the knowledge gap in the area of land tenure, housing and development in the

study area. By doing so, the study output may provide basic information for various stakeholders.

1.6 Scope and Limitation of the Study

The study focused on the identification of different tenure systems existed in Addis Ketema sub city and their relationship with housing development. It is revolving around the issues of property rights, tenure security, management of immovable property (land and Housing) and housing development.

The study was designed to assess the major tenure types that prevail in Addis Ababa. However, it was confined to the spatial limit of Addis Ketema sub city. There are a number of reasons as to why the researcher selected the sub-city as a study area. The most important reasons are the demographic as well as geographic peculiar condition of the sub-city. (See table 1.1) Demographically, Addis Ketema is densely populated than the any other sub-city in the metropolis. Geographically, it is the smallest sub-city, having a total area of 7.41 square kilometers. In response to financial and time constraints, this research focuses only on Addis Ketema sub-city.

1.7 Research Methodology

This subtopic is mainly devoted to the study design, the target population, the sources of data, the way of sample selection, types of instrument developed and used, data collection procedures from primary and secondary sources and data processing techniques.

1.7.1 Study Design

The research design is based on the primary data gathered through survey of the different tenure systems. According to Gray, D., (2004), survey is a detailed one to describe the population and it gives a precise map or measurement of data. Qualitative and quantitative data had been collected through questionnaire, interview and direct observations. Survey is the best suited and most commonly used technique for gathering information, whether by qualitative or quantitative means (Henn, M. et al., 2006).

Survey has its own pit fall, in order to overcome this problem the researcher employed field observation and documentary research. As Creswell, J., and Clark, V., (2007), stated the

most common and well-known approach for the mixing methods is the triangulation design. It is useful to obtain different but complimentary data on the same topic to best understanding the research topic. In this study, the researcher used the triangulation design to bring together the strength and non-overlapping weaknesses of quantitative method (large sample size) with those of qualitative methods (in depth interview and field observation).

1.7.2 Target Population

The target population was those people having a domicile in the sub-city. The study covered not only those individuals who own a house formally but also encompasses the informal ones. As the title of this research depicts, the study mainly focused on the different kind of tenants and their relation with housing development by taking security and property rights of tenure in to consideration. Thus, every household who possessed a plot or house in a formal or informal ways became eligible to be selected as sample in the study area.

1.7.3 Data Sources

In order to achieve the intended research objectives, data were collected mainly from primary sources through questionnaires with sample households, interviews with key informants and with selected households and field observations. Secondary data from published and unpublished materials, such as books, thesis, policies and proclamations, reports, and journals were used.

1.7.4 Sample Selection

Based on the Central Statistical Agency (CSA; 2009) report, around 2.9 million people live in the city of Addis Ababa. Out of this, 1,389,817 are male and 1,527,478 are female. The total area of the city reported by CSA reach 526.99 km². The city was subdivided in to ten sub-cities /Kifle ketema/ and farther sub-divided in to ninety-nine kebeles which is the lowest administration organ. Table 1.1 depicts the total area of the city (526.99 km²) and each sub-city in square kilometers; the total population of the city and each sub-city; the distribution of inhabitants per square kilometers and the number of kebeles each sub-city had. Accordingly, the largest sub city is Bole, which accounts 122.08 km², followed by Akaki Kality (118.08). On the other hand, the least sub city is Addis ketema, next to it Lideta comprises a total areas of 7.41

and 9.18 respectively. Concerning to population a large number of inhabitants resided in Kolfe Keranio followed by Yeka. List number of inhabitants resided in Akaki.

From the ten sub-cities, Addis Ketema becomes the study area because this sub-city is densely populated (36,659 person per km²). In the sub-city there are nine kebeles, among which kebele 06/07, Kebele 13/15 and kebele 19/20 were selected to represent the sub-city. (See Map 1) In order to select these sample kebeles I used lottery method to avoid any kinds of bias in the selection process.

Table 1.1 Addis Ababa Sub-Cities Area; Population; Density and Number of Kebeles

Sub-city	Area in sq. km	Population	Population Density	No. of Kebeles
Akaki-Kality	118.08	195,273	1,653.7	8
Nefas Silk-Lafto	68.30	335,740	4,915.7	10
Kolfe keranyo	62.25	456,219	7,448.5	10
Gulele	30.18	284,865	9,438.9	10
Lideta	9.18	214,796	23,398.3	9
Kirkos	14.62	235,441	16,510.6	11
Arada	9.91	255,999	22,805.1	10
Addis Ketema	7.41	271,644	36,659.1	9
Yeka	85.98	368,418	4,284.9	11
Bole	122.08	328,900	2,694.1	11
Total	526.99	2,917,295	5,535.8	99

Source: Federal Democratic Republic of Ethiopia Central Statistical Agency; Statistical Abstract; 2009

After selecting the sample sub-city and kebeles by taking in to account population density and lottery method respectively, the next step is selecting respondents at the household level. Since the major concern of the study is related to possession of land/house for residential purposes, the researcher tried to select only those types of houses served mostly for residential purpose. To get an authoritative figure, the researcher was conducting interviews with the general manager officer of each kebele and the administrator of AARH. At the same time the researcher also took the lists of settlers resides in each kebeles from the Bureau of Finance and Economic Development and the AARH residential house administration database. This fact is illustrated under table 1.2. As per this table, the total number of Kebele residential houses reaches 7001, which accounts 65.9% from the total residential house. The total numbers of residential houses administered by AARH, which are found in the sample kebeles is 2%. These two are considered as publicly owned rental houses, the total of these houses publicly owned

reaches 67.8%. On the other hand, privately owned residential houses are 31.3%. The number of informal settlers accounts for 0.9%.

To simplify the process of selecting sample population from these three kebeles (06/07, 13/15 & 19/20) at the household level, the researcher divided the tenure types in to three broader categories: Public (Rental), Private and Informal. To have a fair representative from each Kebeles as well as tenure category's, the researcher used probability-sampling method. This method involves randomized selection, in which all members of the target group have equal chance of being selected (Henn, M. et. al., 2006). To insure all the above mention tenure type within the target population proportionate stratified random sampling technique was employed. Accordingly, a total of 351 household respondents were chosen by taking 117 households from each kebele. Out of 117 household respondents 56 were a representative of public and 46 were private tenants the remaining 15 households represent the informal one. To have the overall picture about the tenure categories and the distribution of houses in each tenure categories in the selected three kebeles see table 1.2 below.

Table 1. 2: Total Number of Housing Units in Kebele 06/07, 13/15 & 19/20

Kebele	Possession residential area or house		Number
06/07	Public	Kebele Houses	2705
		AARH	6
	Private	Formal owners	1357
		Informal settlers	19
13/15	Public	Kebele Houses	3023
		AARH	30
	Private	Formal owners	779
		Informal settlers	47
19/20	Public	Kebele Houses	1273
		AARH	173
	Private	Formal owners	1194
		Informal settlers	25
Total			10,631

Source: The report of each kebele land development and management core processors.

1.7.5 Instrument Development

In order to gather adequate and reliable data, the researcher used four basic instruments. These were questionnaires, interviews, Key informants and field observations. The questionnaire have both closed and open-ended questions. Initially it was prepared in English and then translated in to Amharic. A systematically designed guideline questions was also developed for the interviewee to gather relevant information from public officials at the sub-city and kebele levels. These public officials considered as key informants. As Payne, G. and Payne, J., (2004) stated key informant or 'Expert Witnesses' are different from 'ordinary' informants to impact and are more visible because they occupy formal positions of authority. To get ample information about the subject matter from the responsible government officials the researcher conducted depth interview. In addition to this an interview were also conducted with selected households. To facilitate this interview with tenants of the three categories unstructured questions were developed. To capture relevant pictures during field observation time a digital camera also employed.

1.7.6 Data Collection Procedure

The data was collected by enumerators and the researcher. Before the collection of data through questionnaire, the enumerators were given half-day training; so that they become acquainted with the items in the questionnaire.

Interviews were conducted with the responsible government officials, such as the core processor of Land Administration Authority of the Sub-city; the core processor of Land Development Agency at the sub-city and kebele level.

1.7.7 Data Processing

Analysis of the data was done made using statistical methods such as mean, percentage, median and correlation. The analysis for qualitative data, which were collected through interviews from key informants and the respondents from selected households, and field observations, has described, interpreted and explained through supporting the related issues addressed by the survey questionnaires.

1.8 Organization of the Study

The research is sub divided in to four chapters and presented in the following manner.

- Chapter one, which is an introductory part, provides background information of the research; statement of the problem, objectives, significant, and scope of the study. And also the methodology adopted in this research; it explains the methodological approaches and data collection methods used in the empirical part of the research.
- Chapter two outlines the theoretical framework for the research. In this part tenure systems, tenure security and property rights, and the relationship with housing development are illustrated by using examples from different countries.
- Under Chapter three, a brief description of the study area following to this the chapter presents the findings of the research and analyzed by using statistical methods. Such as bar graph, percentage, median and correlation
- Chapter four presents conclusion and recommendations of the research.

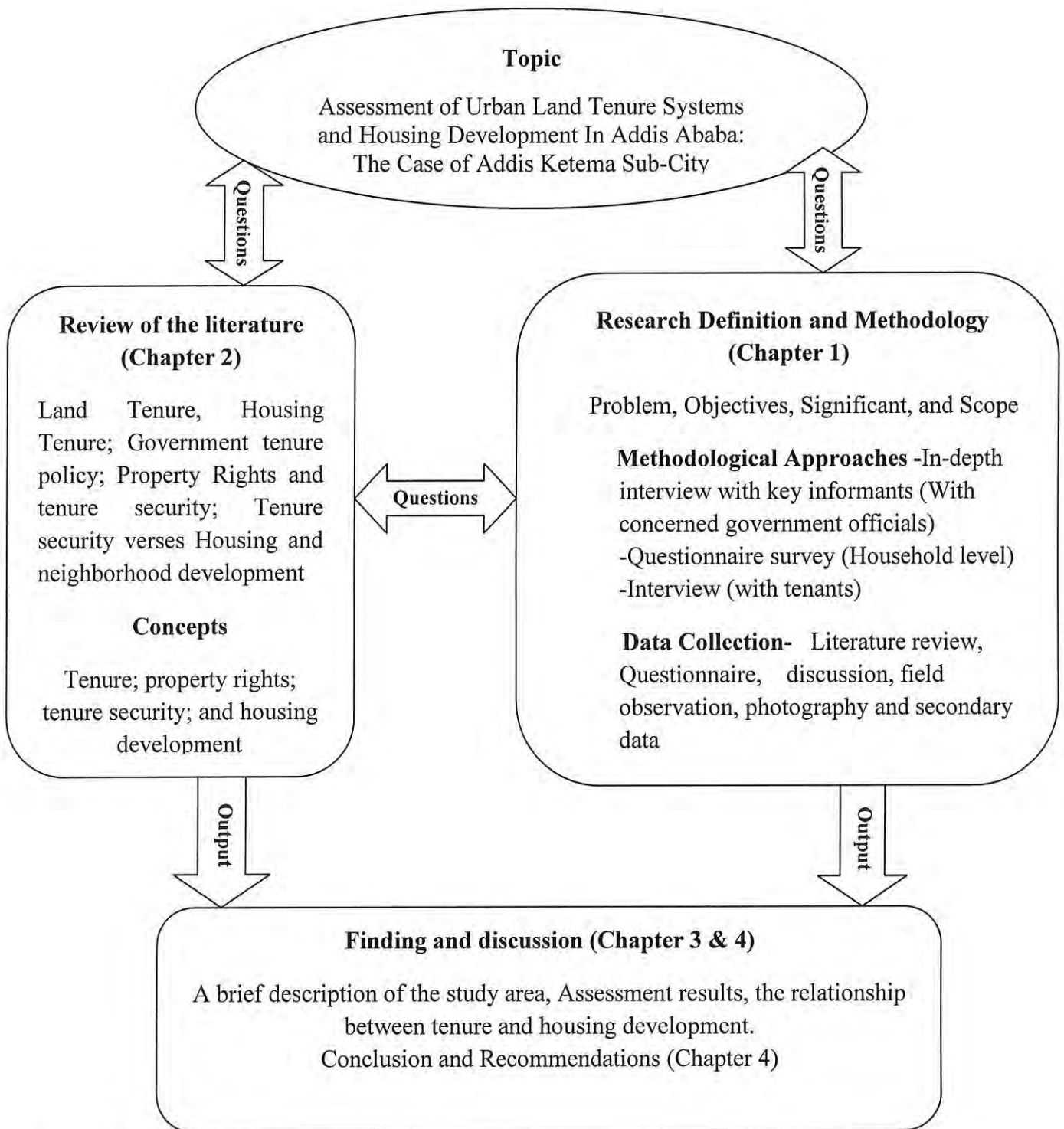


Figure 1: Research Design Followed in this Thesis

CHAPTER TWO

REVIEW OF THE LITERATURE

The term tenure, originated from the Latin word “*tenere*”, which means, “*to hold, to have in possess or to retain*” (Black, H., 1951). People may hold/possess different things (movable or immovable; tangible or intangible) to claim entitlement. However, tenure is quite often used the mode of holding lands or real property (Black, H., 1951). Real property refers to a particular type of good-land or resources embodied in land. (Harvey, J. and Jowsey, E., 2004). It also includes things that are growing on, attached to or erected on land, excluding anything that may be severed without causing injury to the land. (Black, H., 1951) The point is that neither physically movable nor intangible properties considered as tenure.

A person may hold real property (i.e. land and house) through different mode of access. The modalities of holding differ from place to place and even from time to time. In this part first, the researcher will try to briefly address land and housing tenure. Following to this, the different modalities of holding an immovable property i.e. land and house, with their corresponding rights each modality provide; the level of security the holder or possessors have. Then after, the relationship between tenure and housing development will discussed. Lastly, the researcher will try to address different tenure policy options, which will help a country to improve its level of security, accessibility and affordability for all urban dwellers.

2.1 Land and Housing Tenure

2.1.1 Land Tenure

Land tenure is a broad notion, and an interdisciplinary term; at least legal, social, economical and technical disciplines interlink with land tenure (UN-ECE., 1996). All the disciplines provide different meanings with respect to their perspectives as a result land tenure has multiple meanings. For instance, from the legal perspective land tenure is defined as a body of rules governing the terms and conditions under which is held, used and disposed of (Yeraswork A., 2000). From economical point of view, land is considered as one of the major factor for production (Harvey J. and Jowsey E.; 2004). Moreover, from social angle tenure is considered as the interaction of individuals or groups with land or its products (UN-ECE., 1996).

For this study, the researcher used the popular definition, which used by UN-HABITAT and Payne, G. It says, *'tenure refers to the mode by which land is held or own or the set of relationships among people concerning land or its product* (Payne, G. 1997; UN-HABITAT, 2004).

This definition holds two important elements, namely mode and relationship. The former refers to how people possess land. It encompasses the different modalities by which a person chooses to have land. While the later refers to the type of relationship each modality provide for the holder. Payne expresses the extent of the relationship in the broadest sense as follows:

"The key factor in any system of land tenure and property rights is the relationship of an individual to the group, and of different groups to each other and the state, and their collective impact on land." (Payne, G., 2002)

The type of interaction has holistic nature. Every member of the society interacts with one another because of land or its products. This interaction generally creates a horizontal as well as vertical contact. The former refers to the type of interaction among individuals or group of individuals while the later refers to individuals with government and vice versa.

There are different types of tenure modalities, through which individuals hold land or housing, such as public, private, communal. For the purpose of clarity, scholars categorized those different kinds of tenure into two *statutory or customary; legal or illegal; formal or informal; de-jure or de-facto*. All this dichotomies address the same issue of the method of holding, possessing or owning land. (Payne, G., 2002)

The method of accession affects individual's sentiment towards her/his possession. For example, if a person holds a parcel through statutory/legal/formal/de-jure, way s/he will have a strong feeling of ownership on the parcel. On the other hand, if a person illegally managed to possess a plot s/he feels insecure and has pseudo possession. Once a person owns/possess/ a land usually, the issue of property rights and the institution to regulate it follows. (Payne, G. 2002)

2.1.1.1 Property Rights

The concept of property rights has grown out of the law of property. It is a legal concept, which its significance changes with the changes in the legal system, which in turn is conditioned to the economic, political and social development of society. (The New Encyclopaedia Britannica, (2005), vol. 26.)

From the legal point of view, *Property* is frequently defined as the rights of a person with respect to a thing/goods/. (The New Encyclopaedia Britannica, (2005), vol. 26) It is also expressed as a right to possess, use, and enjoy things/goods* (either a tract of land or chattel); it also considered as ownership. (Black H. 1951) There are a number of dichotomies in relation to Property, to mention some of them, '*real verses personal*'; '*tangible verses intangible*'; '*movable verses immovable*' depending on the country's legal system that followed. (The New Encyclopaedia Britannica, (2005), vol. 26).

Such kinds of dichotomy emanates from the western countries legal system particularly, the Common Law and Civil Law. It is not the scope of this study to discuss the different categories of property. However, it is important to have understanding about the type of property, which addresses the issue of land and housing.

Real property or Immovable property is the legal realism used to cover the rights of people emanates from land or house. The major characteristic of such property is that, it has immobile or static nature and the right holders can claim her/his rights against any person or s/he demanded the property itself.

In Ethiopian legal system, land/house is considered as immovable property. For instance, Article 1130 of the civil code states that '*lands and buildings shall be deemed as immovable*', while Article 40(7) of the FDRE constitution reads as: "*Every Ethiopian....the full right to the immovable property he builds and to the permanent improvements he brings about on the land ...*"

Throughout this paper, researcher will use real or immovable property interchangeably to refer land and housing.

*The 1960 Civil Code of Ethiopia, Article 1127 states, "All goods are movable or immovable."

Theories of Property Rights

As stated above, there is a dichotomy of property rights category: *rem* (relationships between persons and things) versus *personam* (relationship between people); *Immovable* versus *movable*. The former is used by the common law countries while the civil law countries used the later. Both legal systems address the property nature of land and housing rights under *rem* or *immovable* realm. Following to this some theories about property rights will be discussed. This is very important to identify which property rights theory employed by our country, in relation to land and housing. (The New Encyclopaedia Britannica, (2005), vol. 26)

A. **The Theory of Eminent Domain:** this theory propounded by Dutch jurist Hugo Grotius in the early 17th century. According to this theory the state has the power to expropriate privately owned properties by paying justifiable compensation. In order to consider the acts of expropriation lawful, the state should take solely the property for public purpose.

This theory emerged in Europe and embodied in common law legal system as well as the French civil code of 1804 with the introduction of private land tenure and property rights. (Payne, G., 1996) In Ethiopia too with the introduction of modern private property law, the theory of eminent domain, enshrined in those legal documents. To mention some of them, during the Emperor periods the civil code stated this fact under Article 1450 which addresses expropriation and article 1453 dealt with compensation. When the Derg came in to power the concept of expropriation faded away; and confiscation of private property become into effect by virtue of Proclamation 47/1975. Like the Emperor period, Article 40(8) of the FDRE constitution also stipulates the power of government to expropriate private property for public purposes by paying compensation commensurate to the value of the property.

B. **Labour Theory:** is formulated by John Locke. According to him seizing of an object is not enough to own rather the fact that he has mixed his labor with the thing in making it his own. This right to a thing arising out of labor is a natural right. It does not require state sanction in order to be valid. It should, however, be protected by the state. Indeed, property is fundamental to the contract that people had made in the formation of the state, and for the state to deny the right to property is a breach of this contract.

If a person closely examines the FDRE constitution on the rights of property, one can easily realize that the constitution incorporates labour theory. It reads:

"Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labour or capital. This right shall include the right to alienate, to bequeath, and, where the right of use expires, to remove his property, transfer his title, or claim compensation for it."(Article 40 (7))

Here the constitution affirms that, to have full right of enjoyment on the immovable property s/he should extract his labour or spent her/his capital on the thing. Otherwise, a mere possession does not give the fullest right of ownership to the holder.

- C. **Utilitarianism Theory:** a British Philosopher by the name Jeremy Bentham introduced utilitarian property theory in late 18th and early 19th century. According to him, property is nothing but an expectation of protection created by the legislator and by settled practice. It is, however, an expectation that should be carefully respected. Since the function of the legislator is to maximize the sum of human happiness, he should know that rarely does any interference with property produce more happiness than it destroys. Bentham's follower John Stuart Mill associated property with liberty and suggested that security of property is essential for humankind to maximize its potential for liberty.

Modern economic theories of property justify property on the ground that there must be an initial allocation of resources to allow the market to operate. On the ground that individual property rights minimize transaction costs derive from the tradition of Bentham and Mill.

- D. **Socialism /Communism/ Theory:** developed by Karl Marx and Friedrich Engels in the middle of the 19th century. For them property is nothing but a device in the social warfare between the capitalist and proletarian classes, the means by which the capitalist expropriates the labour of the proletarian and keeps him in slavery. Reform, according to Marx and Engels, would not come until the revolution, when property would be abolished.

In the history of urban Ethiopia, the socialist theory of property existed after the 1974 revolution. This theory becomes ceased in other types of property immediately after the downfall

of Derg. This is mainly because the succeeding government ideology. However, with regard to land and all natural resources socialist theory of property still prevails. Article 40 (3) of the FDRE constitution asserts this fact. It said, “*The right to ownership of rural and urban land as well as all natural resources is exclusively vested in the State and in the people of Ethiopia.*” In addition to this Article 89(5) of the constitution, give the power to hold land on behalf of the people. By inferring these constitutional facts, the researcher can conclude that, currently in Ethiopia the socialist theory of property existed pertaining to land.

Types of Real Property Rights

Property rights encompass two very crucial elements, the first relates to the different legally recognizable rights provided to the right holders. The second is institution, this is mainly refers to an authoritative organ, which has a mandate to implement and execute rights given to the holder. The different kinds of rights given to the real property possessor or holder are enshrined in countries’ legal documents in some cases in customary practices. The major types of rights, which will be commonly addressed by all countries legal system, are: (UN-HABITAT, 2004)

The right to:		
<ul style="list-style-type: none"> - Occupy, enjoy and use - Develop or improve - - Realize a pecuniary benefit from increased property values or rental income - Access services 	<ul style="list-style-type: none"> - Restrict others from entry - Rent, sublet, or sublet and fix the rent (e.g. free of rent control) 	<ul style="list-style-type: none"> - Buy or inherit

All these rights can be broadly categorized in to:

- (i) the right to the physical use of the thing;
- (ii) the right to generate income from the thing in money, kind or service and
- (iii) The power of management, it includes that of alienation of the thing. Due to this, a person has a different range of rights on her/his/its possession such as ownership, servitude, usufruct, lease, mortgage, etc.

As the FDRE constitution under Article 40(1) stated, every Ethiopian citizens has the right to own private property. This right includes the right to acquire, use, and dispose of it. This article gives the widest right to the possessor. However, there is an exception to land; here individuals have only use right (Article 40(6) of FDRE Constitution).

2.1.1.2 Types of Land Tenure and the Corresponding Property Rights

With regard to urban land tenure, UN conducted a pioneer study in 1973. It was addressed a wide range issues of formal and customary tenure systems of urban land policy and land use control. Although the study omitted any significant discussion of informal or unauthorized tenure sub-systems, it established that many tenure systems exist and that they are based on a wide range of cultural and historical influences. (UN-HABITAT, 2004)

A major complication is that there are often different systems of legislation relating to land, and different forms of tenure, co-existing in the same country and, sometimes, even within the same city, or between an urban area and its surroundings. Each form of tenure has its advantages and limitations depending upon its context. Among the most common types in developing countries are the following: (Payne, G., 1997 and UN-HABITAT, 2004)

A. Customary Land Tenure

As Fisher stated (1993) cited in Payne, G. (1997), *Customary Land tenure* defined as:

“...rights to use or to dispose of use rights over land which rest neither on the exercise of brute force nor on the evidence of rights guaranteed by government statute but on the fact that those rights are recognized as legitimate by the community, the rules governing the acquisition and transmission of these rights being usually explicit and generally known though not normally recorded in writing.”

Based on this conventional definition the salient feature of customary land tenure system are: pertaining to ownership, land is considered as a property of the social group, it is not subject to personal ownership rather communal. Here individuals simply by being member of a community through birth may get the right to acquire a parcel of land. Besides that, Individuals have a ‘usus’ and ‘fructus’ rights on the land. Once a person has a birth right, there is a

subsistence opportunity for each family head. That is each family is granted with the use-rights of habitation and cultivation according to their need. Besides, security of tenure is arises from kinship with and membership of the community group. Here land is a social resource that it is through her/his relationship with the land that the individual perceives a sense of place and personality.

This kind of land tenure has been existed in most parts of Africa, the Middle East, Melanesia and (once upon a time) North America. Here land is regarded as sacred, and man's role considered being one of stewardship, to protect the interests of future generations. (Payne, G. 1997)

In Urban Ethiopia, such type of tenure was applied before the promulgation of the 1907 land decree (Yrgalem M.; 2008).

B. Private Land Tenure

It is happen to arise in opposition to the rules of feudal society, where a local lord had superior rights of ownership specially land ownership, and tenants in the area paid him 'feuds' or fees. (Payne, G., 1997)

This type of land ownership permits the unrestricted exchange of land and property and the development of land and property in which the balance between supply and demand is achieved through the pricing mechanisms. It is also intended to ensure the most efficient and flexible use of land subject to statutory controls and their enforcement. The major limitation of private land tenure is its inability to ensure equitable access to land or property by the lower income groups. (Payne, G., 1997)

Based on duration there are two ways of private ownership of land. The first one is perpetuity (*freehold*), which is concluded for indefinite periods. While the second type is for a specific period (*leasehold*) In this case, the terms and conditions of renewal may be based on either statutory or contractual considerations. (Payne, G., 1997)

For the first time, such kind of urban land tenure system introduced in Ethiopia during the reign of Emperor Menelik (Solomon G., 1994). With the aim of modernizing the urban land holding and delivery system, the Emperor promulgated a land decree in 1907. This decree allows individuals to have a registered private land. Although, in principle the nature of land tenure

system exercised in the contemporary Ethiopia is almost is public ownership; there is a slight different pertaining to urban land. Individuals or investors can privately own urban land through lease system (Article 40(6) of the constitution and Re-Enactment of Urban Lands Lease Holding proc. No 272/2002)

C. Public Land Tenure

The concept of public land ownership was, in part, a reaction to the perceived limitations of society to achieve access to land in some cases; this took the form of reverting to pre-colonial concepts of communal rather than individual ownership, while in others it was the outcome of socialist ideology. By allocating resources according to perceived need, it was envisaged that greater equity would be achieved. (Payne, G., 1997)

Virtually all societies acknowledge the concept of public land ownership to some degree. In its extreme form, the state may own all land and also allocate rights of access, use, development and transfer. (Payne, G., 1997)

The major limitations of this concept have provided to be the demands, which it places up on the capability to respond efficiently to changes in demand. Difficulties in practice have raised the cost of land management and constrained levels of investment and development, which would have benefited lower income groups. Bureaucratic inertia may also have imposed the transfer of public land from rural in to urban use. (Payne, G., 1997) For the first time this type of tenure introduced in the urban Ethiopia during the Derg period with the promulgation of proclamation 47/75.

D. Religious Land Tenure System

As the name indicates such kind of tenure system existed in theocratic states. For instance, in the Islamic countries there are different traditional forms of tenure, which has a religious point of division. In those societies, there are four main tenure categories. These are: *Waqf* land is land 'held for God', whilst *mulk*, or private lands, are also protected in law; *miri*, or state controlled land which carries usufruct rights, is increasingly common, whilst *musha*, or communal lands (Payne, G. 2000). Such type of land holds exists in some cities, like Baghdad and Beirut.

The Orthodox Church had exercised such kind of tenure in Ethiopia. The Church owned land in its own name. The power of holding emanates theoretically from the one-third allotment to the church when land allocation was made originally. Besides, the church becomes owner of land when the state or individual persons give away holdings to the church for its maintenance. some of the

holders transfer their holdings in the form of tribute paid to the church maintenance (*semon*)*. (Aberra J., 2000).

E. Non-Formal Tenure Categories

As per UN-HABITAT (2004) reports there are a wide range of non-formal tenure categories with varying degrees of legality or illegality. These include regularized and un-regularized squatting, unauthorized subdivisions on legally owned land and various forms of unofficial rental arrangements. Besides, the existence of several forms of tenure coexists on the same plot, with each party entitled to certain rights included under this category. Usually non-formal tenure system, such as squatting, started as a response to the inability of public allocation systems or formal commercial markets to provide for the needs of the poor and operated on a socially determined basis. This type of tenure represents the most common urban tenure category in many countries and accommodates the majority of lower income households. They are also often expanding more rapidly than any other category (Payne, G. (1997). Like all other countries such types of tenure categories coexisted with the formal one in the urban areas of Ethiopia.

2.1.1.3 Model Land Tenure

In the earliest period of urbanization, the urban land tenure system of Africa characterized by customary tenure. (Doebele, W. 1987) During the colonial period mainly two types of tenure systems prevails in urban Africa; namely the indigenous customary tenure and the modern (private ownership) one which introduced by the colonizer. Then after an attempt to modernize the tenure system become a large trend on the part of the postcolonial state in Africa to take over other forms of social authority. (Nioh, A., 1999) These practice of “modernizing” the system through adopting, importing or promulgating of laws mainly designed to control land use activities have as a hidden motive, the protection or promotion of the postcolonial state interests (Nioh, A., 1999). This interest can be caused by political, ideological and financial. With the fast growth of population in those urban cities of Africa, the newly introduced transplanted system adopted from western countries become unable to meet the need of the people for this fact the non-formal tenure categories flourished. As a result different types of land tenure system existed in urban Africa. See Figure 2.1

* “Semon” land is church land

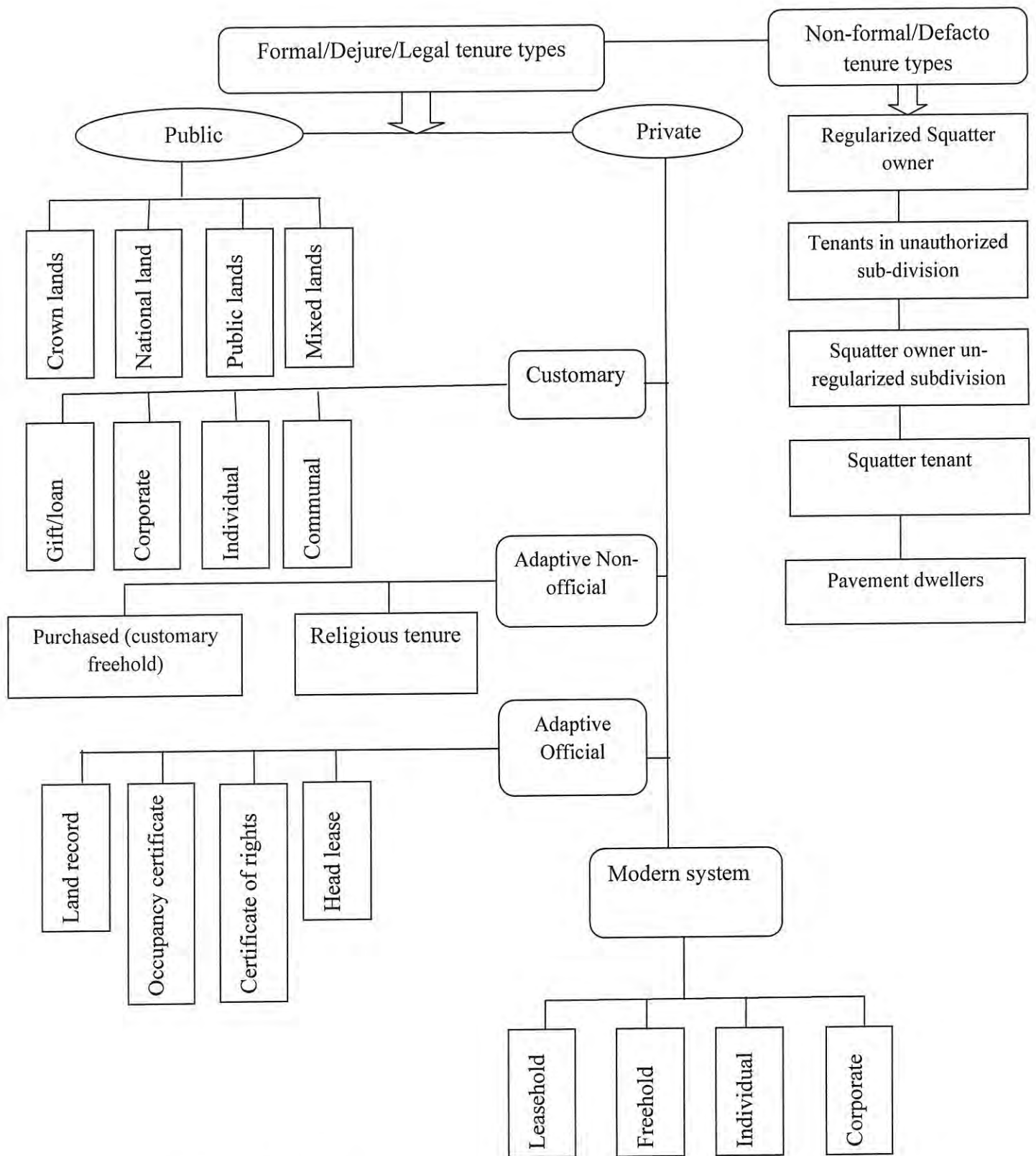


Figure 2.1: Model Land tenure System

Source: Adopted from Nioh, A. J. (1999), and Payne, G., (2002) with some modification

2.2 Housing Tenure

It is very difficult to discuss solely land tenure without looking in to the issue of housing tenure, because house is an intrinsic element of land at the same time, technically no one can construct or having a house without land. For that matter, it is unthinkable to conduct developmental activities without land. The researcher can conclude that housing tenure is an extension of land tenure because most of the housing tenure types, which discussed below directly related to land tenure.

From the legal point of view, housing is categorized under real/immovable property (The Civil Code of Ethiopia (1960) Article 1130). As a result, it is governed by the same provisions, which designed to govern land. The above definitions on land tenure reveal this fact.

In the globe, there are different modalities of housing tenure. The most known housing tenure types explained by UN-HABITAT, (2004) are presented as follows.

2.2.1 Freehold

It is a type of private ownership, which give an optimum right to the householder and the right has the nature of perpetuity. This type of housing tenure provides a high degree of security; freedom to dispose, or use as collateral for loans; maximizes commercial value, and enabling people to realize substantial increases in asset values.

On the other hand, this type of tenure has the pitfall of accessibility by the poor because of its high Costs; Collateral value may not be relevant if incomes are low or financial institutions are weak. Property values can go down as well as up and may trap the unwary in properties worth less than they paid for them.

As already stated above a perpetuity type of private land tenure type considered freehold; at the same time individuals who constructs house(s) on such type of land considered as freehold housing tenure. Such type of housing tenure existed in urban Ethiopia since the promulgation of 1907 land decree.

2.2.2 Leasehold

Is also a type of private ownership for a specified period from a few months to 999 years, in the case of Ethiopia it ranges from 15 years up to 99 years (Pro. No. 272/2002, Article 6). The terms and conditions of such rights are explicitly stated on the contractual agreement. As a result, it is as secure as freehold, but only for the period specified in the lease (UN-HABITAT, 2004).

The major pitfall of this type of ownership is first, it requires legal framework. In order to regulate the terms and conditions of lease contract, clear and enforceable legislations are very important; this in turn requires the occurrence of skilled manpower. Second, costs of access are generally high, particularly for the urban poor.

After the downfall of Derg, a novel concept of land tenure system i.e. leasehold introduced in the urban area through Proc. No. 80/1993. In this proclamation, the government still retains ownership of land, as a result the government become the lesser and the holder become the lessee. Since, the promulgation of the 1995 constitution, a new concept of ownership of land introduced. Unlike Proc. No. 80/1993, which advocates state ownership, the constitution provides the Nations, Nationalities and Peoples of Ethiopia own land. Here the government does not have the fullest right of ownership; rather it has the right of a trustee or that of administration. By virtue of the constitution as well as Proc. No. 272/2002, individuals can hold a land through lease system and constructed house(s).

2.2.3 Public Rental

It refers to the occupation of publicly owned houses by renters. Under such type of housing tenure, the government is in charge of renting and administering public houses usually to the low-income social groups. Study shows that such type of housing tenure provides a high degree of security providing terms and conditions of occupation are met.

The major limitation envisaged in public houses rental tenure system is that the occurrence of limited supply, this in turn may restrict access. Concerning their sight, the rent houses often badly located for access to livelihoods. The terms and conditions created by the contractual agreement might be often restrictive. Due to reluctance from the government, side deterioration may result if maintenance costs not met. (UN-HABITAT, 2004)

This type of housing tenure introduced in the urban Ethiopia during the reign of Derg. The Derg issued a proclamation in 1975 (Proc. No. 47/1975), which gives the power of ownership all urban land and extra houses to the government. Starting from this time public ownership of rental house existed. In Addis Ababa, public rental houses are grouped in to two mainly for administration purpose. Namely those rental houses which administered by kebele (initially by Co-operative Societies of Urban Dwellers)*, and which administered by Agency for the Administration of Rental Houses (gets its autonomy by virtue of Proc. No. 59/1975 and 311/1987). The overwhelming majority of these houses in the current Addis Ababa were built by feudal land lords of the Haile Selassie era, ending with the Marxist coup in 1974. The current government have not changed this policy, and still owns all land, and rather grants user rights (UN-HABITAT, 2008). Due to this the houses were low standards, lacks basic utilities and informal from the planning perspectives.

2.2.4 Private Rental

It refers to the rental scheme of privately owned house(s) to other person. Since the two parties made legally enforceable contract in order to regulate the terms and conditions of the house there is a good security. This type of housing tenure provides tenants with flexibility of movement. (UN-HABITAT, 2004)

However, private rental housing tenure is open for abuse by disreputable owners. In addition, when the houses become deteriorated badly, the rent may not to cover the maintenance costs these are some of the limitation. (UN-HABITAT, 2004)

This type of housing tenure flourished in Addis Ababa during the reign of Haile Silassie. As far back as the 1920s, the value of urban land and houses rent begun to register continuous increase the problem was further aggravated in subsequent years particularly in the 1950s and 1960s.

***Article 22 (4) of pro. No. 47/75 gives the power of administration (collection rent amounting up to 100birr per month per house and repairing it) to the co-operative society of urban dwellers.**

Professor Mesfin argues that 'poor housing and generally low standard of the urban areas is the direct result of this condition of land ownership. People leaving in rented houses or people who have built on rented land are reluctant to invest above what they considered to be the bare minimal.' (Solomon G., 1994) The most affected section of the urban dwellers were the low income groups who could not afford to either buy or lease land for the construction of dwelling houses. They were thus relegated to low standard rental houses with minimum facilities. These houses were the one, which confiscated from private owners in 1975 by the Derg and become public owned rental houses by virtue of Proc. No. 47/1975.

2.2.5 Co-operative Tenure

As the name indicates in this type of tenure ownership is vested in the co-operative or group of which residents are co-owners. Members of the cooperative or group has a sole ownership rights on their part at the same time they have use rights on those things, which provide services for the group. Like private housing tenure types i.e. freehold and leasehold, it provides good security to the group. It also maintains social cohesion.

Cooperative housing tenure has the following limitations. First, it requires a legal framework. Second, the legal framework, which produces restrictions, may reduce incentives to invest. Lastly it requires double registration first of land and of association. (UN-HABITAT, 2004)

In Ethiopia housing cooperatives was introduced in 1969. The governing legal document for the appropriate implementation of cooperatives was the 1978 proclamation No. 138. Based on this proclamation there were three types of housing cooperatives by taking into account the economical status of member of the cooperative. These are:

- i. Regular-usually formed by middle and high income groups
- ii. Aided Self-help - formed by middle and low income groups
- iii. Pure self-help – formed by solely low income groups.

Then after, a new proclamation was promulgated in 1998 to regulate the housing cooperatives. It is known as proclamation No. 147/98. To implement it cooperative offices were established in all regional states and zonal levels. and a more significant attention was given for housing cooperatives.

2.2.6 Condominium

Another approach is that of condominium ownership linked to strata title. Whereas cooperative ownership tends to be based on shares and group tenure rules for the entire building, condominium ownership linked to strata title is based on individual ownership of the residential units and common ownership of the shared areas, such as corridors and lifts (UN-HABITAT, 2003)

Land professionals are generally also involved in the creation of the individual residential unit strata titles. This makes it a more expensive option than cooperatives, where the land professionals tend only to be involved in the registration of the total land site or plot. Condominium ownership associated with strata titles can often be mortgaged. (UN-HABITAT, 2003)

Condominium housing tenure is a recent phenomenon in the urban Ethiopia. It was introduced in Addis Ababa in 2004, with the aim of addressing the two major urban challenges of inadequate infrastructure including housing and unemployment. (World Bank, 2008)

The range and complexity of tenure systems outlined above demonstrates that it is simplistic to think of tenure in black and white terms, such as legal or illegal, since there is generally a continuum of tenure categories within most land and housing possession modalities. In many countries, there may even be more than one legally acceptable system operating, so that migrants moving from customary areas to urban centre may be considered to be behaving illegally, simply because they are operating in accordance with systems, which are not acceptable in their new locations. The co-existence of these different tenure systems and sub-markets within most cities creates a complex series of relationships in which policy related to any one has major importance and often unintended repercussions on the others. Before any attempt to intervene in land policies and regulations is made, it is therefore vital to assess the full range of de jure and de facto tenure systems, which exist in any city (UN-HABITAT, 2004).

2.3 Security of Tenure

The UN Expert Group Meeting on Urban Indicators in 2002, define tenure security as: *“the right of all individuals and groups to effective protection by the state against forced evictions.”* Under international law, *‘forced eviction’* is defined as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and /or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.” (UN-HABITAT, 2003)

A global legal document known as International Human Rights Law states that secure tenure as one of the seven components of the right to adequate housing, which again is linked to the right to land. The other six components are: (1) availability of services, materials, facilities and infrastructure, (2) affordability; (3) habitability; (4) accessibility; (5) location; and (6) cultural adequacy. All human rights apply equally to women and men, and women’s equal right to adequate housing, land and property is firmly entrenched in international law. (UN-HABITAT, 2003)

Legal access to land is a strategic prerequisite for the provision of adequate shelter for all and for the development of sustainable human settlement affecting urban areas. The failure to adopt, appropriate urban land policies and land management practices remains a primary cause of inequity and poverty. It is also the cause of increased living costs, the occupation of hazard-prone land, environmental degradation and the increased vulnerability of urban habitats, affecting all people, especially disadvantaged and vulnerable groups, people living in poverty and low income people (UN-HABITAT, 2004).

Security of tenure for all will require a range of tenure types. An attempt is made to generalize the tenure types as there is great international variation, with each country having different conditions of title/deed. (Title/deeds refer not only to registered rights but also to certificates of occupation, etc). Security of tenure however can come from not only formal legal forms, but also other aspects and instruments. It encompasses: protection against eviction; the possibility of selling, and transferring rights through inheritance; the possibility of having a mortgage, and access to credit under certain conditions” (UN-HABITAT, 2004).

Now a day, it is recognized that “Security is partly a matter of perception. Formal titles are not the only means of making people feel secure enough to invest in their homes and neighborhoods.” (UN-HABITAT, 2004) Other studies also realized that security of tenure is more important for many of the urban poor than home ownership, as slum policies based on ownership and large scale granting of individual land titles have not always worked.” (UN-HABITAT, 2004)

Improving security of tenure and the property rights for millions of the urban poor is a massive challenge. Tenure issues are extremely complex. No single tenure option can solve all these problems. Policy on land tenure and property rights can best reconcile social and economic needs by encouraging a diverse range of options rather than putting emphasis on one option, such as titling. This will involve adapting, expanding existing tenure and rights systems where possible, and introducing new ones selectively.

2.4 Urban Land Tenure and Development

In the contemporary urban world particularly the cities of developing countries, characterized by a range of land rights, which occupy a continuum, with a number of such rights occurring on the same site or plot. For that matter, it is very difficult to separate the different types of land rights into those that are legal and those that are illegal. *Rather there is a range of informal-formal (illegal-legal) types along a continuum, with some settlements being more illegal in comparison to others.* (UN-HABITAT, 2003)

The existence of different tenure continuum in cities creates difficulties in administration; this is mainly occurred because of legal pluralism. Legal pluralism refers to formal land administration systems based on western land laws have failed in developing countries and cannot be applied successfully in some parts of these countries without adjustment. Normative rules from non-formal tenure systems have evolved and operate in parallel with formal land law (Lamba, A. 2005). This intern creates a problem of conducting a sustainable development. In order to bring development tenure security has play a greater role.

Tenure security could not be realized solely through providing title deed. There are a number of alternatives of increasing tenure security, which the government used through regularization. Regularization is the process of transforming informal settlements from

settlements with insecure land tenure and poor living conditions into officially recognized part of the city. As Nioh, A. (1999) distinguished there are two approaches of regularization: Juridical (tenure) and Physical (Material) regularization.

A. Tenure Regularization is concerned with legal recognition of informal settlements. Some of the tools to bring tenure regularization are:

- i) Formalization: refers to the political and administrative acknowledgment or recognition of informal settlements and the absorption of such settlements into the formal city. This may include actions such as gazzetement of settlements areas as 'urban renewal' zone or enactment of anti-eviction laws
- ii) Legislation: refers to the process of providing legal backing to the tenure systems in informal settlement. This can be achieved through the maintenance of legal records of land rights at the community or municipal level. This process requires legislative and administrative adjustments.
- iii) Titling: is the other implementing tool of tenure regularization, which mainly focused on formal adjudication, cadastral survey and registration of individual and/ or group rights in the legal land register and the issuance of certificates of title.

B. Physical Regularization/Physical Upgrading/ manifested with the material creation and/or improvement of physical infrastructure, which includes shelter, social amenities and basic urban services like education, health center, water and sanitation facilities, sewage and drainage system.

To realize an ideal tenure security a sound land administration system is needed. As stated above land administration is a tool to implements land policies and strategies. Ones a nation designed a proper land policy and strategies a well functioning administration system is required to bring development.

2.5 Urban land and Housing tenure policy

2.5.1 Urban Land Tenure Policy

Land policy is a broad notion, which encompasses land management and land administration. It refers as a set of activities where by governments seek to influence the use,

tenure, price and allocation of land, as well as the benefits from and access to it. (Yirgalem M., 2008).

As Yirgalem M., (2008) stated land policy is formulated to achieve effective, efficient and sustainable use of urban land. It is true that the way a city use its land is extremely important for promoting for a sustainable, equitable and efficient urban development. This might be achieved partly through a sound land policy. Once a state formulates a sound urban land policy, a good structure of land management and administration system is very crucial for the proper implementation of urban land policy.

With regards to land management and land administration different approaches have been used to describe their relationship. Some writers have viewed it as a broader notion, which encompass land policy and land administration (Lamba, A., 2005). Others have been seen land management as distinct from land policy and administration (Ibid). Yet others see land administration as a key component of land policy (Ibid). To avoid the confusion Barry and Fourie suggest that land policy, land management and land administration are complementing each other. They are subsystems whose hierarchy is not always distinguishable (Ibid). This academic dilemma as well as practical confusions occur mainly because of interchangeably use of land administration and land management in many African cities. (Yirgalem M., 2008) In those African cities the function of land administration and land management sometimes overlap and most of the time implemented by the same body (Yirgalem M., 2008).

The term Land management refers to the process by which the resources of land are put into good effect (UN-ECE, 1996). It is the process by which land as a resource is effectively utilized from both economic and environmental perspectives (Yirgalem M., 2008). Land management encompasses all activities associated with the management of land and natural resources that are required to achieve sustainable development. The concept of land includes properties and natural resources and thereby encompasses the total natural and builds environment. The performance of a good land management system can be assessed by the generic principles of assessment criteria. (Payne, G., 1997) These are:

A. Clarity:

- ❖ users should be able to understand and use the system
- ❖ Of tenure status; and

- ❖ Registration of all rights, both of which can be measured by the difference between de- jure and de facto tenure status

B. Efficiency:

- ❖ Simplicity- the system should not slow down procedures nor be so complex as to discourage its use
- ❖ Flexibility- system rules should be flexible to accommodate institutional, technical and other changes
- ❖ Transferability, under conditions, which provide a reasonable rate of return on investment and a share in the enhanced value
- ❖ Compatibility with other components of urban land management
- ❖ Potential for improving over time
- ❖ Ability to use land or property as collateral in raising a loan and
- ❖ Ability to generate additional income from the land/ real property within planning regulations

C. Equity:

- ❖ The degree of accessibility to all socio-economic groups
- ❖ The availability of market information
- ❖ A level of security sufficient to encourage investment by residents
- ❖ Transferability, under conditions which provides a reasonable rate of return on investment and a share in the enhanced value and
- ❖ Balance of rights between all parties especially tenants and sub-tenants with owners.

On the other hand, as The UN Economic commission for Europe (1996) defines land administration as “... *the process of determining, recording and disseminating information about the ownership, value and use of land when implementing land management policies*”

Land administration perceived as a combination of routine processes that include “*regulating land and real property development and the use and conservation of the land, the gathering of revenues from the land through sales, leasing and taxation, and the resolving of conflicts concerning the ownership and use of the land*”. (Dale and McLaughlin, 1999; cited in Lamba, A., 2005) As a result, it two dimensions: theoretical and structural (Yirgalem M., (2008), structurally land administration needs sound policy, regulation, governance, institutional arrangements’, records and operational efficiency. While theoretically it covers institutions and

processes associated with the regulation of lands, among which the recording of rights is prominent.

The main challenge in the process of land administration system is to support the implementation of land policy. Land administration system comprises of legal framework, which addresses the issue of land policy and laws; Administrative framework, which deals financial, technical and human capacity as well as service delivery; and organizational framework and infrastructure it, gives much emphasis on enabling technology, land information production processes and flow of land information. This makes use of various tools to operationalize land policy instruments. The essence of land administration is its land information system. The completeness, accuracy and currency of the information in the system determine how well the land administration system will serve society. The two main tools that are used to generate and maintain land information are cadastre and land registration.

Land management is a positive and creative activity that aims at sustainable land use, while land administration is an implementer that follows the law and enhances it. The point is that land management without proper land administration operates without any connection to reality.

2.5.1.1 The Necessity of Land Tenure Policy

An estimated 924 million people (UN-HABITAT, 2003) are presently living without secure tenure in informal settlements in the urban areas of developing countries. This number is projected to increase to 1.5 billion by 2020 and 2 billion by 2030 unless urgent action is taken. (UN-HABITAT, 2003) In some countries, the proportion of people living in unauthorized settlements is already much higher than those in formal land and housing systems. This is a problem for governments seeking to harness the creative energies of their populations to achieve economic development and reduce poverty. (UN-HABITAT, 2003)

Excluding a significant proportion of urban populations from legal shelter reduces the prospects for economic development and escalates the level of poverty. People who fear eviction are not likely to operate to their maximum potential, or invest in improving their homes and neighborhoods. (UN-HABITAT, 2003) In addition, when people are excluded, local and central governments are denied the revenue from property taxes and service charges, which could help

improve urban living environments and stimulate local and external investment. (UN-HABITAT, 2003) In addition to this, uncertainty associated with insecure tenure may hinder external investment and the improvement of other services such as improved water and sanitation; durability of housing etc. (UN-HABITAT, 2003) In order to achieve all rounded development by using land policy, a country should reform its policy.

2.5.1.2 Land Policy Reform

Land reform can have a variety of meanings. It may involve the restoration of land rights to previous owners, a process known as land restitution. It may involve the redistribution of land rights from one sector to another-for example by taking land from the State or from individual owners of large estates and giving it to people who have no land. It may also involve land consolidation in which all landowners within an area surrender their land and are allocated new parcels of comparable value. (UN-ECE, 1996)

The relationship between humankind and land is of fundamental importance to every society and is evident in the land policy that the society adopts. As Lamba, A., (2005) identified four broad evolutionary concepts of land based on humankind-land relationships. Chronologically:

- ❖ Land as a symbol and source of wealth that can be used for fiscal purposes
- ❖ Land as a commodity in the land market
- ❖ Land as a scarce resource whose use should be well planned
- ❖ Land as an agent for social equity that can be used to promote the society's environmental and other interests.

The driving forces to conduct land policy reform are economic, socio-political and ideological trends (Lamba, A., 2005). Socio-political forces for land policy reform emanate from historical injustices and the improvement of equity in land distribution. For that matter, the most known revolutions that took place in the world history were driven by the prevailing prejudice in land distribution. Economic drivers include poverty alleviation. They are associated with donor-led project-type land sector institutional reforms in developing countries.

As Lamba, A., (2005) presented, apart from the above expressed driving forces, land policy reform programs implemented by governments over the year have followed regional trends. These include:

- ❖ **Industrialized countries:** form a purely privatized land tenure systems to the inclusion of public and native (group) land rights
- ❖ **Central and eastern Europe:** from fully nationalized land tenure system to private and minority group tenure
- ❖ **Latin America:** reforms towards neo-liberal policy of mass privatization and individualization of property rights
- ❖ **Africa:** legislative reforms including innovative tools to speed up the land registration process

Land policy reforms may be categorized according to the instruments that are used for their implementation. The implementation tools might be legal or administrative. An example of legal land policy reforms include: Nationalization of land immediately after independent half of sub-Saharan Africa countries nationalized all lands and converted freehold to leasehold. (Lamba, A., 2005). Scholars agreed that whole in all nationalization is particularly susceptible to poor land record. (Ibid). Legislation of non-formal tenure many countries in Africa have recently given legal recognition to customary tenure as well as to the institution administering it. However, they faced difficulties while implementing those laws. (Ibid) and; Gender aware policy the question of gender has been brought to the forefront of land policy debate at the global level (Ibid). Due to this new legislation in many countries is improving the opportunities for women to own real property.

On the other hand, administrative reform in land policy may take one of the common forms of administrative reforms in public management. (Ibid) Delegation transfer of central government functions to parastatal agencies; Deconcentration transfer of state power and functions to central government local agents; and Devolution transfer of functions to autonomous government levels (includes decentralization).

2.5.1.3 Urban Land Policy Options

Tenure policy needs to be considered as part of urban governance, spatial planning and infrastructure provision to ensure that security and rights are balanced with improved access to livelihoods, services and credit. There are four approaches adopted By UN-HABITAT (2003) to achieve these objectives:

- A. Granting of full individual property ownership in the expectation that this will enable the poor to obtain credit, realize the potential value of their property assets and lift themselves out of poverty, whilst also raising revenues from property taxes. It may be undertaken as part of the first approach by granting titles to relocated households. Due to high land costs in areas near employment centers, such relocation projects are often outside the urban area and impose high transport and infrastructure costs on the poor.
- B. The need to introduce or expand 'intermediate' forms of tenure, such as community land trusts, Temporary Occupation Licenses, shares in land-buying companies, shared titles or land leases, etc to provide medium term security at prices lower than formal titles would command. These enable low-income groups to live in areas, which would otherwise be unaffordable.
- C. The need to increase rights of occupancy, use, development, etc, for all households in unauthorized settlements, especially for women. Once the situation has been stabilized, emphasis can then move to building on existing local tenure systems with which people are already familiar, before importing new options.
- D. Finally, the last option involves integrating tenure policy with urban planning and infrastructure provision policies. Ideally, it involves combining forms of tenure, which provide security and access to credit with efficient and flexible land use planning based on the priorities and perceptions of the residents, not just the professionals.

2.5.2 Housing Policy

Housing is one of the three basic needs of mankind. After the provision of food, it is the most important factor for the physical survival of man. It has been shown that housing is one of the best indicators of a person's standard of living and place in the society. It denotes the level of living standards and the degree of prosperity in the society. Therefore, housing is not limited to

serving as a shelter alone. It is a space within which generations of families express their lifestyle, and preserve their history and identities of lineage. (Enemark, S., 2005)

Housing policy and housing problems are largely urban phenomena. Housing is one of the more important phenomena of urban policy (Fowler, E. P. and Siegel, D., 2002). There are a number of preponderance of evidence which alleges this. First, it is an essential good that defines people and their lifestyles. Second, it absorbs scarce resource at the household level and at all levels of government. Third, its visibility and durability mean that the quality and appearance of the housing stock shape of our current and future urban environment.

Housing policy forms a good microcosm of public policy because it involves socio-economic policy. To understand the characteristics of housing policy, it is vital to know the complexity of housing markets, the durability of immovability of the housing socks and the mixed public private nature of housing as a good.

There is a chronic housing problem in the developing countries urban areas. To overcome this problem the primary responsible organ is government. In the globe, different kinds of policies were designed and implemented. These alternatives mainly differ on the perception of policy makers towards the meaning of housing. There are two ways of analysis pertaining to the major actor(s) in providing house: *radical* and *liberal*. The former tends to be a Marxist connotation; it has tended to emphasis on the production of houses and made it available by the government. While the later focuses on housing, production is an indicator of the degree of involvement between community, market and state. Those who advocate housing as a product, followed a radical analysis. They think that the government is the sole maker and provider of supportive analysis. (Soleman, A., 2006)

Like other countries, African governments also employed different policies and programs to resolve the prevailing housing crises. They have often consisted of programs and regulatory measures patterned after those adopted in more developed countries.

Housing Policy in Ethiopia

Ethiopia has no comprehensive urban housing policy to date. Nonetheless, the country has been experiencing various policy measures that have profoundly influenced the course of development the national urban housing sector, at least as of the first few decades of the 20th

century (UN-HABITAT, 2007). The earliest known policy dates back to a 1907 proclamation whereby private ownership of urban land became legal in Addis Ababa. From this period up to the first 10 to 15 years after liberation, there was no strict planned public guidance or control over housing development in the city. As a result, most of the housing was built without any permit and they were small and substandard.

With regards to the master plan of the city, Sir Patrick Abercrombie, devised the earliest post-liberation master plan of Addis Ababa in 1956. In 1959, Bolton Hennessy and Partners put out a second post-liberation master plan for Addis Ababa. This was also the year, when the government established the Department of Housing in the Ministry of Public Works. The 1959 scheme integrated important elements of the Italian and the Abercrombie master plans. With regard to housing development, the plan stressed three imperatives: developing satellite towns, launching an urban renewal program and expanding the municipal tax base. Addis Ababa was yet to see three further master plans. It fell to the French architect L. de Marien to propose the last pre-1974 scheme, in 1965. However, all of the city master plans focused on physical embellishment and disregarded the pressing social and economic problems of the city. (UN-HABITAT, 2007)

During the early 1960s, the Ethiopian government began to include some directives on the urban housing sector in its five-year national economic development plans. The first such directive appeared in the second five-year development plan (1963-1967). This urban housing strategy aimed at launching large-scale, moderate- and low cost housing programs while at the same time calling for the formulation of legislation to define landlord-tenant relationships. While stressing the need to mass-produce healthy dwellings based on standard building designs, the plan highlighted the use of locally available, inexpensive building materials. The third five-year plan (1968-1973) also demonstrated an appreciable and even increasing government interest in the development of the urban housing sector. (UN-HABITAT, 2007)

After the down fall of the Emperor regime Derg issued a proclamation that nationalized all rural land. In July 1975, Proclamation No. 47 nationalized all urban land and rental dwellings in Ethiopia. A significant reduction in monthly rent payments was also thrown in, in an apparent bid to alleviate the rent burden on low-income tenants.

The key players in the production of housing, while the Derg was in power were housing cooperatives, the Agency for the Administration of Rental Housing (AARH) and a limited number of private households or individuals on a subsidized basis. The subsidies were provided mainly in the forms of land, basic infrastructure, technical support and low interest rates on loans. (Solomon M., et al., 2004) Currently only subsidies in the forms of land and infrastructure provision are still in place while the rest were done away with consequent to the liberalization of the economy in the early 1990s.

The first legal document promulgated in 1978 to regulate housing cooperatives. (Proc. No. 138/78). The types of housing cooperatives were clustered in to three by taking into account the economical status of member and the level of aid granted to the cooperatives. These are: Regular- usually formed by middle and high-income groups, aided Self-help - formed by middle and low-income groups and pure self-help – formed by solely low-income groups. Following to this the current government enshrined the issue of housing in the constitution. It reads: National Policy Principles and Objectives:

*'To the extent the country's resources permit, policies shall aim to provide all Ethiopians access to public health and education, clean water, **housing**, food and social security* (The 1995 EDRE constitution, Article 90).

For effective implementation of this provision the government design an Integrated Housing Development Program (IHDP) in 2004. It is an innovative program designed to provide low-cost and affordable housing simultaneously generating employment and building human capital and entrepreneurship in the construction sector. (World Bank, 2008)

CHAPTER THREE

DATA PRESENTATION AND ANALYSIS

This chapter consists of four major parts. The first part will describe the study area in a short and precise manner. In part two, the main theme of this study, specifically description and analysis of the data collected through primary and secondary sources from the study area will be presented. Under this part the demographic feature of the respondents, Issues related to tenure, and issues related to real property rights will be the main discussion points. Following to this the relationship between tenure and housing development will be addressed under part three. The last part of this chapter will address land policy, land management and administration practices in the study area.

3.1 Description of the Study Area

Addis Ababa, the capital city of Ethiopia; is a primate city with a population of 2,917,295 (CSA report of 2009). Empress Taytu Butul was the one who founded Addis Ababa in 1886, who also give the name to the new settlement. (Bahru Z., 2005) Starting from March 1887, widespread building programs were undertaken. Then after the coronation of Emperor Menelik II as King of Kings of Ethiopia in 1889, the city became the political, administrative, and religious hub of the country (Garretson, 2000). Currently, the city is also the diplomatic capital of Africa, housing numerous embassies and international organizations, including the United Nation Economic Commission for Africa (UN-ECA) and the African Union (AU) formerly known as Organization of African Union (OAU).

The city lies at an average altitude of 2300 meters (above sea level). The relative location of Addis Ababa is perforate by the Regional State of Oromia, which is found at the center of Ethiopia. Astronomically the city is located at the coordinates of 9°1'48''N and 38°44'24''E. As a result of its location at the center of the country it has been a melting pot to hundreds of thousands of people, coming from all corners of the country in search of better employment opportunities and services.

As per the CSA 2009 census report, the demographic feature of the city is characterized by 1,389,817(47.6%) men and 1,527,478 (52.4%) women. The city population increases at a rate of 2.1 % per annum during the period of 1994-2007. The total area of Addis estimated

526.99.km² and city has an estimated density of 5,536 person per sq. km. Addis Ababa has a sub-tropical highland climate. Its altitude and the city's position near the equator gives a low variation in temperature around the year.

The economic activities in Addis Ababa are diverse. According to official statistics from the Federal Government, some 119,197 people in the city are engaged in trade and commerce; 113,977 in manufacturing and industry; 80,391 homemakers of different variety; 71,186 in civil administration; 50,538 in transport and communication; 42,514 in education, health and social services; 32,685 in hotel and catering services; and 16,602 in agriculture. In addition to the residents of rural parts of Addis Ababa, the city dwellers also participate in animal husbandry and cultivation of gardens. Currently 677 hectares (1,670 acres) of land is irrigated annually, on which 129,880 quintals of vegetables are cultivated.*

Since the overthrow of the military government in 1991, the country implemented a federal state structure, as a result, like the regional states, Addis Ababa is an autonomy self-ruled city, which granted by the merit of the constitution (FDRE constitution Article 49 (2)). Thus, the city of Addis Ababa has been exercising a level of self-rule by using a charter. (Proc. No 361/2003) currently, the city is sub-divided in to ten sub-cities and ninety-nine *kebeles* (the lowest level of administration unit). Different types of power are also devolved from the center to the lower administrative sub-sects such as sub-city (*kifleketem*) and *kebele*.

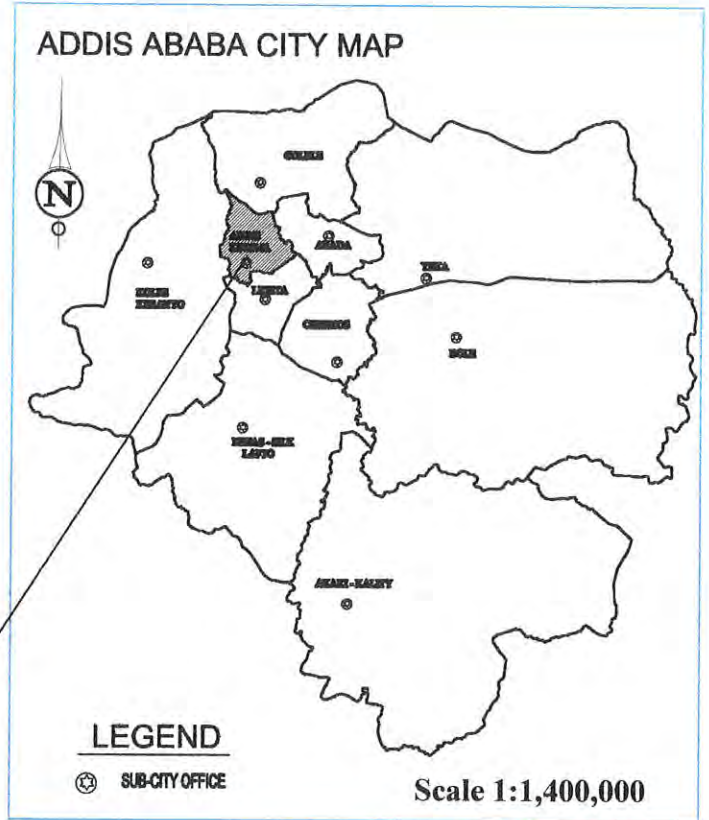
From the ten sub-cities, Addis ketema, (the study area) is locates in the northwestern part of the city. It has a population of 271,644, with a total area of 7.41 square kilometer. Gulele surrounds the sub-city in the north, Arada in the east, Lideta in the south and Kolfe-keranio in the west.

The birth of Addis ketema is directly attached with Mercato (an indigenous open market). When the Italians occupied the Country (1936-1941), they used their segregation policy to restructure the city for administration purpose. As a result, the Italian possessed the previous commercial center i.e. Piazza. To cater for the commercial needs of the Ethiopians a new market i.e. Merkato was set up. Then this commercial center has become the cause around which a new urban settlement rose by the name Addis Ketema (New Town). (Bahru Z., 2005)

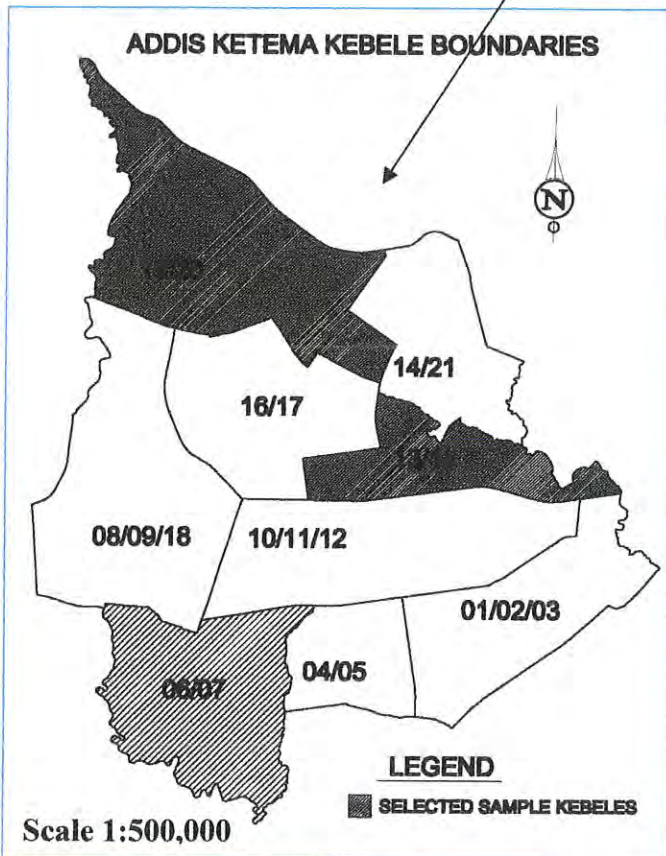
Currently Addis Ketema comprises of nine *kebeles*. The map stated below shows the location of Addis ketema and its *kebele* boundaries, with the selected sample *kebeles*.

* http://www.newworldencyclopedia.org/entry/Addis_Ababa

Map 3.1 The City of Addis Ababa



Map 3.2 The Sub-City of Addis Keteme



Source: Addis Ketema Sub-City Urban Planning and Information Preparation Office, 2010

3.2 General Description of the Respondents

To describe and analyze the nature of tenure and housing development in Addis Ketema, I distributed 351 questionnaires out of which 302 were properly responded. This shows that the response rate was 86.3%. Of those respondents 151 were public rentals, 122 respondents were private owners and the rest 29 were informal settlers.

The demographic features like gender, income, occupation, head of the family and family size, issues related to tenure, property rights and development are the discussion points, which will be addressed in this part of the study.

3.2.1. Demographic Features of the Respondent

The demographic features of the respondents is presented in the following charts and table.

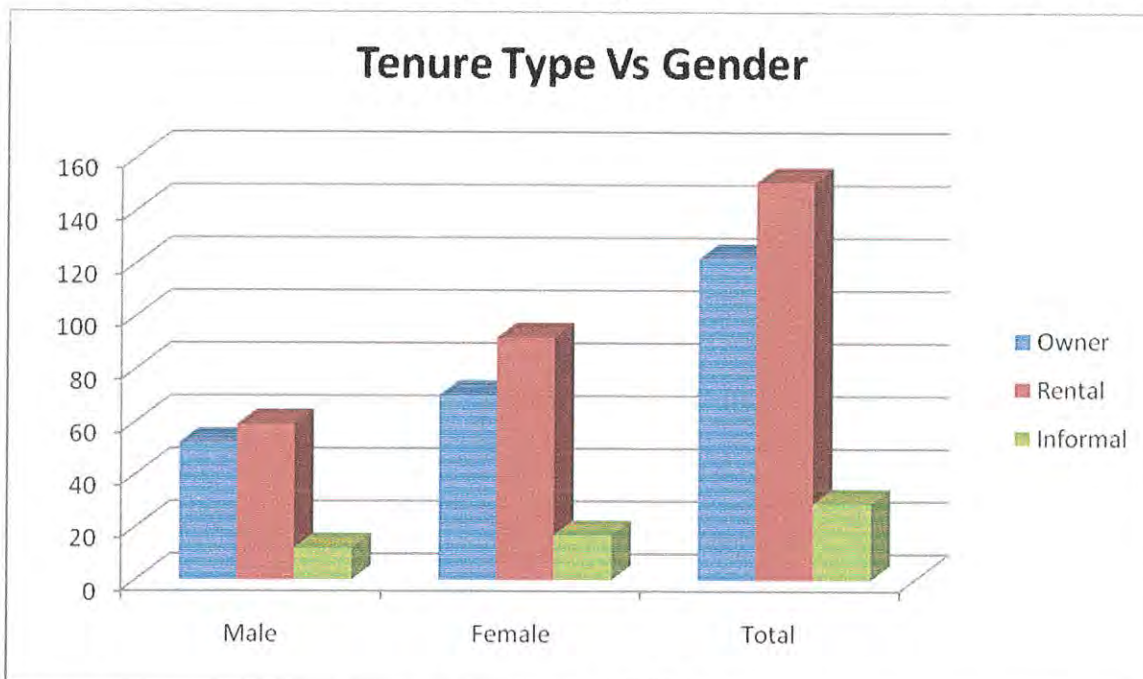


Figure 3.1: Number of Respondents From the Three Main Tenure Type; Source: Survey result of 2010

This figure reveals, that out of 302 respondents, 40.3% were male and the remaining 59.3% were female. Concerning the respondents distribution on the types of tenure, out of 123 male respondents 42.3% were private owners, 48% were public rentals and 9.8% were informal. On the female respondent side, 39.1% were private owner, 51.4 % were public rentals and 9.5% were informal settlers.

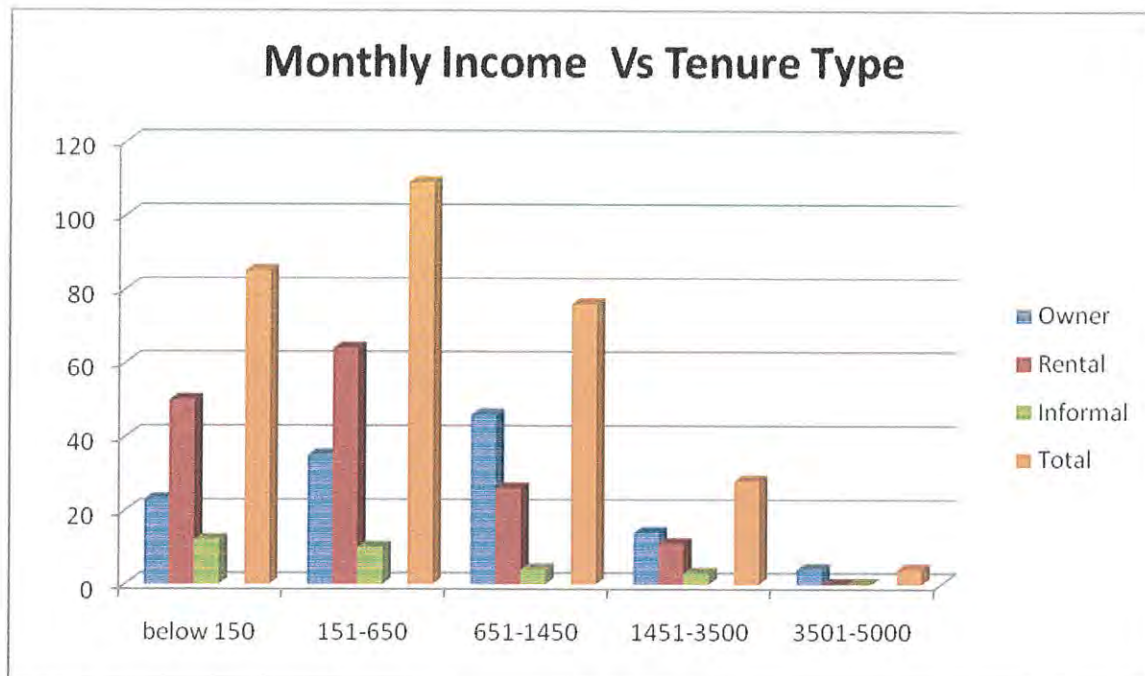


Figure 3.2 Monthly Income of the Respondents;

Source: Survey result of 2010

The income distribution of the respondents, which is presented on figure 3.2 was positively skewed. Accordingly, the number of respondents who earned below 150 birr was 28.1%. The majority of the respondents' 36.1% monthly income failed in the range of 151-650 birr. The number of respondents who earn greater than 651 were smaller, and towards the maximum income level their number became insignificant.

The number of owners increased from 23 with income below 150 birr to income range 651-1450 birr to 46. Then the number of this group of respondent decreased successively towards to the maximum income level. Likewise, the number of public rentals increased from 50 with income below 150 birr to income range 151-650 birr to 64. Then the number of this group of respondent also decreased successively towards to the maximum income level and becomes null. On the other hand the income distribution of informal settlers characterized by a continuous decrease as the income level increases.

Table 3.1: Head of the House and Family Size Profile of the Respondents

Tenure Type	Head of the family				Family size							
	Male		Female		1 – 3		4 - 6		7 - 9		Above 9	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
Owner	71	58.2	51	41.8	18	14.8	56	45.9	35	28.7	13	10.7
Rental	87	57.6	64	42.4	23	15.2	70	46.4	38	25.2	20	13.2
Informal	18	62.1	11	37.9	6	20.7	18	62.1	5	17.2	-	-

Source: Survey result of 201 0

Table 3.1 depicted that from private owner respondents, 58.2% were male headed families and the remaining 41.8% were female headed. In relation to public rental tenants, 57.6% and 42.4% are male headed and female headed families respectively. Like the private owner and public rental tenants, the number of male headed families (62.1%) exceed female headed families (37.9%) in the informal tenure type too. Overall, the total number of male headed family in the three major tenure types accounted 58.3% and the remaining 41.7% were female headed.

Regarding family size, in all types of tenure type’s majority of the respondents’ family size is within the ranges of 4-6 family members. The family members within the range of 7-9 were the second largest on the rental and owner tenant sides.

3.2.2 Issues Related to Tenure

Under this sub-topic the major types of tenure modalities that prevail in the study area, through, which individuals possessed or held the plot/house and period of possession will be discussed. To support the survey findings relevant interview and key informant responses are also added.

As the literature states, in third world cities different forms of tenure, co-existing within the same city, like all other third world cities there are different formal and legally accepted tenure types that exist in urban Ethiopia. According to the Sub-City Urban Planning and Information Preparation Office (UPIPO), Ato Mulugeta Abebe:

“There are different tenure types that co-exist in Addis Ababa. The major reason for the co-existence of different types of tenure in the city as a whole and in Addis Ketema Sub-city in particular is directly related to the history of Addis Ababa. Throughout the history of the city different types of tenure prevailed. To mention,

*some of them, the feudal tenant, this is the earliest tenure type, private rental, direct ownership (by private individuals and government) and a lease system. Currently the lease system is the legal/formal way of holding land. Generally since Addis Ketema is part of the city where all types of tenure measures are taken and exercised at the city level will be directly reflected in this sub city. Thus, the major tenure types that exist in the city also prevails in Addis Ketema. These are private ownership through either freehold or lease holding system and public ownership expressed through kebele rental houses and Agency for the Administration of Rental Houses (AARP).” **

There is undeniable fact, that is, if there is insufficient and improper land administration system, the society will develop its own ways of getting land in an informal/ illegal ways. In this regard, Ato Mulugeta states:

*“In general there is a pronounced land management and administration problem. The major reasons for this problem includes the non-existence of cadastre system and base map, a problem of real property registration and documentation, and shortage of skilled manpower. Due to these problems, majority of the land had been possessed through informal and locally made transactions (Yemender wele).” **

Based on the relevant literatures and the interview, the major tenure types that existed in the three selected kebeles were: private ownership, Public rental and informal. The way of holding, the plot/house differs from tenure type to tenure type. Before I discuss the tenure modalities, it is better to show the general housing units currently exist in the selected sample kebeles.

Concerning ways of holding or possessing the plot /house, Table 3.2 demonstrates the major ones. Accordingly, the majority (92.6%) of the private owner respondents, they owned their place for residential purposes through freehold. But only a few individuals used leasehold, cooperative and condominium to possess a plot/house (2.5% for each).

***An interview with Ato Mulugeta Abebe, Addis Ketema Sub-City Urban Planning and Information Preparation Office core processor, on March, 22 2010.**

Table 3.2: Tenure Modalities of the Respondent

Tenure Type	Types of holding	Freq	%
Owner	Leasehold	3	2.5
	Freehold	113	92.6
	Cooperative	3	2.5
	Condominium	3	2.5
Public Rental	Kebele House	132	87.4
	AARH	17	11.3
	Other	2	1.3
Informal	Squat	29	100

Source: Survey result of 2010

On the other hand, individuals could use two major ways to possess a residential house through contractual base. The first one is Kebele rental house, which accounts 87.4%, of the total publicly owned residential house. The second way by which respondents possessed a house was renting from AARH. 11.3% were possesses by such a means. There were still few individuals who used to reside in publicly owned houses for a short period without a contractual base. Such kind temporal shelter provided by the government for residential purpose was known as *Meteleya* by the local language, which constituted 1.3%.

Table 3.3: Ways of Acquiring the Land or the House

Methods of acquire	Owner		Methods of acquire	Rental		Methods of acquire	Informal	
	Freq.	%		Freq.	%		Freq.	%
Buying	50	41.0	Ranted from kebele	132	87.4	Buying	3	10.3
Gift	9	7.4	Rented from AARH	17	11.3	Simply invading	26	89.7
Inheritance	19	15.6	Temporal Shelter (<i>Meteleya</i>)	2	1.3	-	-	-
Lease	3	2.5	-	-	-	-	-	-
Uscuption	7	5.7	-	-	-	-	-	-
Land permit	31	25.4	-	-	-	-	-	-
Others	3	2.5	-	-	-	-	-	-

Source: Survey result of 2010

Table 3.3 shows that the methods of acquiring the plot/house, differ from tenure type to tenure type. For private owners, a predominant method of acquisition was buying which accounts 41% followed by land permit by the government 25.4%. Since the study area is an old settlement place, there was no enough space for new settlement and that was why only a few, 2.5% respondents used lease method. There were still a few 5.2% individuals, who primarily hold the land informally, and then through time by paying land tax for more than 15 consecutive years, having legal recognition, become owners; such kind of possession is known as uscuption.

With regards to publicly owned houses, individuals can get residential houses only through formal contractual agreement with Kebele administrator or AARH. If these formal methods became non-accessible and unaffordable individuals, use their own ways. On the other hand, 89.7% of the informal settlers used the method of invasion of vacant lands without asking recognition from the owner (i.e. Government). The remaining respondents possessed land through informal transaction or by occupying the plot without getting approval from responsible government organs.

Table 3.4: The Period in which Respondents Possessed the Plot/House

Year	Owner		Rental		Informal	
	Freq	%	Freq	%	Freq.	%
Before 1967 E.C	78	63.9	38	25.2	-	-
Between 1967 - 1987 E.C	31	25.4	86	57.0	3	10.3
Between 1988 - 1996 E.C	5	4.1	20	13.2	10	34.5
After 1997 E.C	8	6.6	7	4.6	16	55.2

Source: Survey result of 2010

Table 3.4 describes the period in which individuals possessed a plot/house. The Majority, 63.9% of the private owners possessed their plot before 1967. This explains the fact that the area is an old residential settlement place. With this, regard Ato Mulugeta Abebe said:

“Addis Ketema sub-city is one of the oldest and notorious places in the history of Addis Ababa. It was initially established by the Italians to implement a segregation policy for administration purpose. To this effect, the Italian prepared a master plan, which served to guide the different settlement patterns in the city. Accordingly, Piasa become a business center to the white settlers and Cazanchies was served as a residential district for them. To the contrary, Addis ketema was left for the indigenous settlers to serve both as a commercial as well as residential center”.

Following to this period, a significant number of respondents 25.4% possessed land during the period 1967-1987E.C. In the history of Ethiopia a significant events took place during this period. In relation to urban centers, the prominent one is the confiscations of extra urban land and houses by proclamation no.47/75. By virtue of this proclamation, some of the respondents possessed a parcel of land through governmental permit. The number of respondents who possessed houses during the recent periods is insignificant.

As the literature depicts publicly owned rental house policy was for the first time implemented in the urban history of Ethiopia in general and Addis Ababa in particular, during

the reign of Derg. This policy emanates from its political ideology (i.e. socialism). That is why more than half (57%) of the renters possessed their house during the period 1967-1987 E.C.

Like private owners, the number of respondents who possessed public rental house during the recent period is insignificant. This is caused by two major reasons, first is the government policy, the government followed a slum clearance and renewal to modernize the city. As a result, the government is the one who provides houses. In support of this idea, the three sample kebele managers stated that the kebele is not engaged in renting the houses, rather if in case there are vacant houses the kebele administrators prioritize to give it to those individuals who lost their house by road or condominium construction. The other reason is those kebele houses are considered as shanty houses so the government wants to change those houses.

3.2.3 The Issue of Property Rights

Right is a claimable thing, it becomes exercised if other infringes one's right. To claim her/his rights individuals should have legally recognized rights and tangible evidence. That is why at first documentary or other legally acceptable evidences presented before the types of right that each tenants have. Table 6. (a) and (b) show the type of document individuals acquired to claim the plot/house. From private owners only 42.6% households have titled deed. More than half, 57.4% of the respondents do not have title deed. The other fact was that a significant number 30.3% of respondents do not have neither title deed nor legally accepted ownership document (*debter*), rather they have a bill paying tax for land. Of course those individuals having such documents possessed legal entitlement on the plot by virtue of Article 1168 sub article 1 of the civil code. It reads as follow "*the person who has paid for fifteen consecutive years the taxes relating to the ownership of an immovable shall become the owner of such immovable*".

Here on Table 3.5 (a), 'Other' refers to those individuals who acquired the condominium house and were in the process of receiving a house from the government.

Even though it was not demonstrated in a tabular form an interview with the three-kebele managers reviles the fact that public rental house tenants have a contractual agreement as a legal document. In addition to this, they can use bills paying for water and electricity by their name.

Table 3.5 :(a) Document of owner respondent's to demonstrate entitlement of the plot/house

Types of Document	Owner	
	Freq	%
Title deed	52	42.6
<i>Debter*</i>	30	24.6
A bill paying tax for the land	37	30.3
Other	3	2.5

Source: Survey result of 2010 * '*Debter*' refers to legally acceptor ownership document

Table 3.5: (b) Document of Informal Respondent's to Demonstrate Entitlement of the Plot/House

Types of Document	Informal	
	Freq	%
Blue print map of the house	2	6.9
Other	27	93.1

Source: Survey result of 2010

Table 3.5 (b) shows the types of document acquired by informal settlers. Almost all (93.1%) of the informal settlers, used different materials for the entitlement over their house. Most of them used residential identification card as a major document and their registration list by the kebele as supplementary evidence; otherwise, they could not have any legal documents. Very few individuals use a blue print map of the house as a document to show the entitlement of over the house.

According to the household survey, about 75% of the respondents made no effort to apply for title deed, while 25% made an effort to obtain title deed. The main reason for not applying for title deed is probably fear of government denial to approve their holding. Since informal settlers considered themselves as an illegal settler, they do not apply for title deed.

Once individuals have legally acceptable documents they can exercise their rights. If they do not have the document, it is very difficult for them to claim their rights. Therefore, in the following discussions only real property rights exercised by private owners and public rental dwellers will be considered.

Table 3.6. (a): Real Property Rights for Private Owners

Questions	Responses			
	Yes		No	
	Freq	%	Freq	%
Do you have the right to use the area as you wish?	111	91.0	11	9.0
Do you have the right to exclude un-authorized person from your possession?	112	91.8	9	7.4
Do you think you have sufficient legal protection from un expected eviction?	73	59.8	46	37.7
Can you make a free decision for the development of your plot?	69	56.6	53	43.4
Can you use your area/house for mortgage or as collateral?	80	65.6	41	33.6
Can you inherit your plot/house to your heir?	116	95.1	6	4.9
Do you have the right to rent?	119	97.5	3	2.5
Do you have the right to sublet and fix the rent?	121	99.2	1	.8
Do you think that you have the right to sale your plot/house?	103	84.4	19	15.6
Do you think that the existing property rights provided by law satisfy you?	79	64.8	37	30.3

Source: Survey result of 2010

By referring the table 3.6 (a) almost all private owner respondents have the right to use the area, exclude an authorized person from their possession, inherit the land, the right to rent, sublet and fix rent and the right to sale. Studies depicted that private owners have full right to enjoy emanated from their immovable property (Payne, G. 2002, UN-HABITAT, 2004). However, contrary to this there are four types of rights, which face compliance from the private owners side. First, freedom of decision, around 43.4% of owner respondents stated that they do not have freedom of decision to develop their parcel. Second, the right to use the property as collateral, in this regard 33.6% of the respondents indicated that they are not able to use their possession for mortgage. As per, some private owner informants, the major cause is absence of title deed and unable to have a title deed, especially if their holdings shares with kebele houses. Third, the right to protect from an expected eviction, in relation to this 37.7% of owner respondents expressed their feeling about the prevalence of insufficient legal protection from unexpected eviction. Finally, concerning their satisfaction about the existing property rights, 37.3% of the respondents were dissatisfied.

Table 3.6. (b): Real Property Rights for Public Rental House Dwellers

Questions	Responses			
	Yes		No	
	Freq	%	Freq	%
Do you have the right to use the area as you wish?	128	84.8	23	15.2
Do you have the right to exclude un-authorized person from your possession?	151	100.0	-	-
Do you think you have sufficient legal protection from unexpected eviction?	90	59.6	55	36.4
Can you make a free decision for the development of your plot?	39	25.8	112	74.2
Can you use your area/house for mortgage or as collateral?	-	-	151	100.0
Can you inherit your plot/house to your heir?	25	16.6	126	83.4
Do you have the right to rent?	48	31.8	103	68.2
Do you have the right to sublet and fix the rent?	42	27.8	109	72.2
Do you think that you have the right to sale your plot/house?	-	-	151	100.0
Do you think that the existing property rights provided by law satisfy you?	76	50.3	70	46.4

Source: Survey result of 2010

Table 3.6 (b) depicted that, the type of real properties that are fully enjoyed by public rental house dwellers are the right to exclude an unauthorized person and the right to use the house. However, the rest of the right types are not fully exercised by rental dwellers. Even the right to use the house as collateral and the right are not totally enjoyed by them. This is mainly because they have a lesser right than the owner (government).

Concerning dwellers, satisfaction about legal protection from unexpected eviction is almost synonymous with private owner respondents 36.4%. Like the private owners, public rental has also a fear of eviction. The literature reveals that public rental tenants have high security so long as they are in line with the contractual agreement (Payne, G. 2002, UN-HABITAT, 2004), but in the study area, a significant number of the respondents feel insecure. The existing property rights provided by law do not satisfy some of the respondents of public rental dwellers.

3.3 Tenure verses Development

Under this topic issues related to tenure and development will be addressed. This part sub divided into tenure verses land and housing development and tenure verses the existing housing condition.

3.3.1 Tenure verses Land and Housing Development

Under this sub topic by using the previous development status of the house as a base, the type of development made by the owner or renters will be examined. In addition to this individuals devotion to neighborhood development as well as the major hindrances that deter individuals from investing their capital for their own plot/house and neighborhood development will be assessed based on the survey result. Finally, I will discuss tenure and housing development by looking into housing structure, construction materials and physical condition.

Table 3.7: Developmental Status of the Plot/House during the Initial Stage of Holding

Developmental status of the house	Owner		Developmental status of the house	Informal	
	Freq	%		Freq	%
Built	40	32.8	Built	1	3.4
Half Built	6	4.9	Vacant	28	96.6
Vacant	76	62.3	-	-	-

Source: Survey result of 2010

Table 3.7 represents owners and informal settler respondents housing condition during their preliminary stage of possession. From the total private owners 62.5% respondents had a possession of vacant land and around 32.8% respondents received built houses. Like owners, almost all 96.6% of the informal settlers possessed vacant land. In the case of public rental house dwellers, it is meaningless to ask the preliminary development status of the house because; the government is the one who is in charge of providing a complete house for rental purpose.

Table 3.8: Respondents Devotion to Alter Their House

Questions	Alternatives	Owner		Rental		Informal	
		Freq	%	Freq	%	Freq	%
Did you alter the previous condition of the house?	Yes	117	95.9	124	82.1	8	27.6
	No	5	4.1	27	17.9	21	72.4
If yes, on which type?	Reconstructing the house	26	22.2	-	-	1	12.5
	Constructing additional houses	29	24.8	14	11.3	1	12.5
	Maintaining the house	102	87.2	115	92.7	7	87.5
	Constructing utility services like toilet and kitchen	-	-	41	33.1	-	-
	Others	11	9.4	9	7.3	1	12.5

Source: Survey result of 2010

After holding a house through either formal or informal ways, the next question is how holders treat her/his house. According to table 3.8, almost all 95.9%, of private owners altered the previous condition of their house. Likewise, around 82.1% public rentals developed their house. On the contrary, only few 27.6% of informal settlers employed their capital to develop their house. From this, one can conclude holders' interest to improve their house decreases depending on their tenure type.

From the three tenure type respondents who alter the previous condition of their house, most of them engaged in maintaining the house. The next developmental activity performed by owners is constructing additional house, which accounts 24.8%. On the public rental side constructing utilities like toilet and kitchen take the second position which performed by 33.1% of the tenants. Usually, public renters get such kinds of utilities from the owner (government), but in the study area, since these houses were constructed informally from the designing perspectives they lack basic utilities such as toilet and kitchen as a result renters were forced to construct it (Solomon G., 1994).

Table 3.9: Respondents Involvement in Neighborhood Development Activities

Questions	Alternatives	Owner		Rental		Informal	
		Freq	%	Freq	%	Freq	%
Did you invest your capital for neighborhood development?	Yes	116	95.1	142	94.0	21	72.4
	No	6	4.9	9	6.0	8	27.6
If yes, on which type?	Road construction	97	83.6	115	81	5	23.8
	Strait light	41	35.3	36	25.4	3	14.3
	Public toilet	25	21.6	26	18.3	9	42.9
	Playground construction	3	2.6	-	-	-	-
	Public recreation center	4	3.4	1	0.7	-	-
	Others	109	89.3	125	88	16	76.2

Source: Survey result of 2010

Like holders, involvement in altering their houses, most of them also spent their capital for neighborhood development. From table 3.9 around 95.1% owners, 94% public rental dwellers and 72.4% informal settlers involved in neighborhoods development. The involvement of informal settlers in neighborhood developmental activities is unusual, studies depicts that such kind of tenants does not involve on developmental activities this is mainly because of insecurity (UN-HABITAT, 2004). From these respondents most of them invested their capital on solid waste collection and beautification and developmental activities in general which is collected by the kebele. The second for owner and rental is involvement in road construction, which accounts 83.6% and 81% respectively. On the informal settler side involvement in public toilet construction, which account 42.9% take the second.

Table 3.10: Problems that Deter Respondents from Developing their Plot/ House

Problems	Alternatives	Owner		Rental		Informal	
		Freq.	%	Freq.	%	Freq.	%
The type of tenure	Yes	13	10.7	51	33.8	26	89.7
	No	109	89.3	100	66.2	3	10.3
Administration bureaucracy	Yes	46	37.7	84	55.6	22	75.9
	No	76	62.3	67	44.4	7	24.1
The threat of eviction	Yes	36	29.5	102	67.5	26	89.7
	No	86	70.5	49	32.5	3	10.3
Financial problem	Yes	88	72.1	98	64.9	17	58.6
	No	34	27.9	53	35.1	12	41.4
High cost of construction materials	Yes	70	57.4	40	26.5	14	48.3
	No	52	42.6	111	73.5	15	51.7
The location of the parcel/house	Yes	28	23.0	22	14.6	18	62.1
	No	94	77.0	129	85.4	11	37.9

Source: Survey result of 2010

There are different factors that deter holders from developmental activities. Table 3.10 depicts the major reasons for each type of tenants.

On the private owner side the major reasons are financial problem and high cost of construction materials which were cited by 72.15% and 57.45% respondents respectively. Although it is not a major one, administration bureaucracy and threat of eviction has also a significant role in deterring tenants from developmental activities. As studies reveals privet owners does not affected by eviction, this is mainly because they possess the land in a formal procedure and acquired the legal entitlement in a form of title deed or any other legally acceptable manner (UN-HABITAT, 2004). Contrary to this, a significant number of privet owners develop a sense of insecurity. As some informants stated this is mainly because of the government act of renew the city.

For public rentals the major hindrance, which mentioned greater than half of the respondents, are sequentially threat of eviction (67.5%), financial problem (64.9%) and administration bureaucracy (55.6%). Though majority of them did not considered it as a major

problem there are still a significant portion (33.8%) of respondents who considered the type of tenure as deterrence for developmental act.

Unlike the two types of tenure, almost all of them are major problems for informal settlers that affect their interest from developing their area. The two major reasons, which have equal weight, are the type of tenure and treat of eviction (89.7%). The second is administration bureaucracy (75.9%) and followed by the location of the area (62.1%). Financial problem is also the other problem that affects them from developing their area.

Table 3.11: Respondents who Generate Income from the Plot/House

Question	Alternatives	Owner		Rental		Informal	
		Freq.	%	Freq.	%	Freq.	%
Do you get any income generating from your plot/house?	Yes	77	63.1	67	44.4	11	37.9
	No	45	36.9	84	55.6	18	62.1

Source: Survey result of 2010

People usually invest their capital to maximize profit that is either economic or social (getting recognition and prestige). Previously respondents' involvement on development activities has been discussed. According to table 13.11, from the total owner respondents 63.1% receive income from their plot/house this is to be expected; but the unexpected one is generating income from publicly owned rental houses and informal houses, which accounts 44.4% and 37.9% respectively. Particularly kebele 13/15 almost all of the respondents generate income by renting bed. According to some informants, they received 10 to 15 birr per bed per night. In this particular kebele all the tenure types have constructed bed rooms near to the roof locally known as *kote* for the purpose of generating income. The act of generating income by public renter and informal settlers is a pseudo right, which did not have legal recognition. As studies depicted in other countries such kinds of tenants does not engaged in income generating activities emanating from the house contrary to the agreement.

To compare the three tenure types in relation to income generation, table 3.12 shows multiple comparisons. According to this table 95%, confidence interval levels both rental and informal settlers generate more income than the private owners. However, there is no significant relation between rental and informal settlers.

Table 3.12: Multiple Comparisons among Tenure Types on Income Generation
Do you get any income generating from your plot/house?

(J) HolType	HoleType	Mean Difference (I- J)	Std. Error	Sig.	95% Confidence Interval	
					Lower Bound	Upper Bound
Owner	Rental	-.1874*	.0599	.002	-.305	-.069
	Informal	-.2518*	.1017	.014	-.452	-.052
Informal	Rental	-.0644	.0998	.519	-.261	.132

*. The mean difference is significant at the 0.05 level.

3.3.2 Tenure and Housing Development

In this section, the thesis will discuss tenure and housing development by looking into housing structure, construction materials and physical condition. Besides that, the availability and possession status of major utilities like electricity, water, toilet and kitchen will be discussed.

Table 3.13: Tenure and House Types

House Type	Owner		Rental		Informal	
	Freq	%	Freq	%	Freq	%
G+1 and Above	8	6.6	6	4.0	-	-
Villa	52	42.6	4	2.6	-	-
Detached House*	26	21.3	19	12.6	13	44.8
Raw House	33	27.0	122	80.8	-	-
Condominium	3	2.5	-	-	-	-
Other	-	-	-	-	16	55.2

Source: Survey result of 2010

*Detached house refers to a type of house smaller in size than villa house.

As table 3.13 portrays the majority of houses possessed by private owners are old villa houses, which accounts 42.6%, while under publicly owned rental tenure type around 80.8% live in a row house. On the other hand more than half 55.2% of the informal settlers respondents live in shanty shelters *yelastic bet* and *yeshera bet*. (See Figure 3.3) The second type of house possessed by private owners is raw houses (27%) followed by detached house (21.3%). Under this tenure type, the least house type is condominium (3 or 2.5%). On the publicly owned rental tenure, system the second type is detached house (12.6%) followed by G+1 and above (4%). While the remaining, 44.8% informal tenants lived in detached houses.



Figure 3.3: Informal Settlers House Type Source: Field survey around *Sime Mieda* (Kebele 13/15), 2010

Table 3. 14: Construction Materials and Existing Conditions of Private Owners' House

Structure	Construction Materials			Rating of the existing condition of the house							
	Material	Freq	%	Bad		Fair		Good		V. Good	
				Freq	%	Freq	%	Freq	%	Freq	%
Foundation	Soil	36	29.5	24	19.7	16	13.1	30	24.6	52	42.6
	Masonry wall	86	70.5								
Floor	Soil	16	13.1	10	8.2	20	16.4	54	44.3	38	31.1
	Cement	61	50.0								
	Parquet	34	27.9								
	Tiles	11	9.0								
Wall	Mud & wood	98	80.3	5	4.1	28	23.0	63	51.6	26	21.3
	Block	19	15.6								
	Bricks	5	4.1								
Roof	Corrugate iron	117	95.9	8	6.6	27	22.1	44	36.1	43	35.2
	Other	5	4.1								

Source: Survey result of 2010

Table 3.14 demonstrates the construction materials used for building the house and it tries to examine the existing condition of the house of private owners. Most of the houses (70.5%) owned by private individuals are constructed by masonry wall, the rest erected on the soil. While evaluating the existing condition of foundation 42.6% are in a very good condition, 24.6% in a good condition, 13.1%, and 19.7% are in a fair and bad conditions respectively.

Half of the floors of owner houses are constructed by cement following to this parquet cover i.e. 27.9% of the respondents' house. Still there are houses that use the ground as a floor and extremely modern houses covered by tiles. Of the total houses, 31.1 % and 44.3 % are in very good and good conditions respectively.

About 83.3% of walls are constructed by mud and wood, and followed by block (15.6%). The evaluation depicts that around half of the wall are in a good condition followed by fair condition.

Almost all (95.9%) of the houses are covered by corrugate iron. The remaining are covered by either concrete or roof tile.

Table 3.15: Availability and Possession of Private Owners House Utilities

Utilities	Availability				Possession					
	Yes		No		Private		Rented from private		Communal	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
Electricity	122	100.0	00.0	00.0	121	99.2	00.0	00.0	1	.8
Water	114	93.4	8	6.6	111	97.4	1	.9	2	1.8
Toilet	120	98.4	2	1.6	94	78.3	00.0	00.0	26	21.7
Kitchen	117	95.9	5	4.1	110	94	00.0	00.0	7	6.

Source: Survey result of 2010

Table 3.15 depicts that all of the houses owned by private individuals have electricity and almost all the owners possess the service it privately. Only few houses do not have water (6.6%), toilet (1.6%) and kitchen (4.1%). Concerning possession, most of them enjoy the utilities of water, toilet and kitchen by owning privately. However, there are few individuals households who rent water from private individuals and share with others. There are also individuals who shared toilet and kitchen with others.

Table 3.16: Construction Materials and Existing Conditions of Publicly Owned Rental House

Structure	Construction Materials			Rating of the existing condition of the house							
	Material	Freq	%	Bad		Fair		Good		V. Good	
				Freq	%	Freq	%	Freq	%	Freq	%
Foundation	Soil	115	76.2	102	67.5	18	11.9	25	16.6	6	4.0
	Masonry wall	36	23.8								
Floor	Soil	73	48.3	66	43.7	35	23.2	44	29.1	6	4.0
	Cement	62	41.1								
	Parquet	16	10.6								
	Tiles	-	-								
Wall	Mud & wood	138	91.4	53	35.1	56	37.1	37	24.5	5	3.3
	Block	10	6.6								
	Bricks	3	2.0								
Roof	Corrugate iron	149	98.7	24	15.9	65	43.0	55	36.4	7	4.4
	Other	2	1.3								

Source: Survey result of 2010

Table 3.16 showed that around 76.2% of the foundations of publicly owned rental houses are erected on the soil. As a result, the highest numbers of the foundations are in a bad condition. Even relatively, highest portion (48.3%) of the houses used the ground as floor. Due to this, the floor of respondent houses state in a bad condition.

Like the privately owned houses majority of the walls are constructed by mud and wood, due to this and other additional factors like lack of maintenance, improper use and old age, most of the houses are in a bad and fair condition (cumulatively 72.2%). In this tenure type there are still few houses constructed by block and bricks.

Almost all of the roofs of public rental houses are covered by corrugated iron; however most of them are aged as a result they are in a fair condition. There are a significant number of roofs stated in a good condition. According to the response of some informants, the act of repairing the roof is conducted by the tenants' /renters/ initiation. (See Figure 3.4)



Figure 3.4: The Condition of Publicly Own Kebele Row Houses Source: Field survey around former kebele 34, 2010



Figure 3.5: The Condition of Publicly Own Kebele Row Houses. Source: Field survey around Amanuel, 2010

Table 3.17: Availability and Possession of Publicly Owned Rental House Utilities

Utilities	Availability				Possession					
	Yes		No		Private		Rented from private		Communal	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
Electricity	151	100	00	0.0	126	83.4	-	-	25	16.6
Water	92	60.9	59	39.1	67	72.8	-	-	25	27.2
Toilet	127	84.1	24	15.9	25	19.7	-	-	102	80.3
Kitchen	96	63.6	55	36.4	44	45.8	-	-	52	54.2

Source: Survey result of 2010

As table 3.17 depicts like the owners there is no problem of availability of electricity. Even most of the rentals have their own electricity and a few of them share the service with others. However, there is a significant problem of tap water. Out of the total number of publicly owned rental house 39.1%, do not have tap water.

In relation to availability of toilet most of the households have, a toilet but the majority of the households use the toilet communally. An interview with rental dwellers reveals that some toilets are used by more than 6 households. Beside the condition of those toilets is rundown and affects the privacy of users. (See Figure 3.6)

Regarding the availability of kitchens, the majority of them have a kitchen. However, a significant number of respondents do not have kitchen. From those respondents who have kitchen more than half of the respondents make use of it communally.



Figure 3. 6: The Condition of Communally Used Toilet Rooms Source: Field survey around, 2010



Figure 3.7: The Existing Scenario of Houses Source: Field survey around Autobis Terra, 2010

Table 3.18: Construction Materials and Existing Conditions of Informal Settler House

Structure	Construction Materials			Rating of the existing condition of the house							
	Material	Freq	%	Bad		Fair		Good		V. Good	
				Freq	%	Freq	%	Freq	%	Freq	%
Foundation	Soil	25	86.2	25	86.2			4	13.8		
	Masonry wall	4	13.8								
Floor	Soil	25	86.2	25	86.2			3	10.3	1	3.4
	Cement	3	10.3								
	Parquet	1	3.4								
	Tiles										
Wall	Mud & wood	11	37.9	17	58.6	6	20.7	5	17.2	1	3.4
	Block	2	6.9								
	Other	16	55.2								
Roof	Corrugate iron	11	37.9	17	58.6			9	31.0	3	10.3
	Other	18	62.1								

Source: Survey result of 2010

Table 3.18 depicts the housing condition and the construction materials of informal tenant houses. Here the construction material of both foundation and floor of informal houses is dominated by soil (86.2%); as a result, both foundation and floor of these houses are in bad condition.

Concerning to the construction material of the walls, more than half of the informal houses (55.2%) are constructed by *plastic*, *madaberia* and *shera*. Due to this, they are at risk (in bad condition). On the contrary, around 37.9% of informal tenants house walls are constructed by mud and wood. Like the house foundations, most of the construction materials of roof are *plastic*, and *shera*. (See Figure 3.3)

Table 3.19: Availability and Possession of Informal Settlers House Utilities

Utilities	Availability				Possession					
	Yes		No		Private		Rented from private		Communal	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
Electricity	18	62.1	11	37.9	1	5.6	17	94.4	-	-
Water	1	3.4	28	96.6	1	100	-	-	-	-
Toilet	16	55.2	13	44.8	6	37.5	-	-	10	62.5
Kitchen	6	20.7	23	79.3	6	100	-	-	-	-

Source: Survey result of 2010

Table 3.19 reveals the fact that, informal type of tenure is affected by inaccessibility of basic utilities. For instance, almost all (96.6%) of the tenants could not get water. In this regard, a discussion with informants shows that, the only way of getting water is buying from water vendors.

Informal tenants also get the service of electricity from private individuals. They get this service through rent. Some informants explain this fact by saying, “we are renting electricity from private owners. The amount expected from us to pay is 25- 30 birr per month for a bulb.” (See Figure 3.8) Though they did not get recognition access to those utilities from the government side, they used different kind of alternatives like buying, renting from private individuals. The other method of getting those utilities is explained in toilet. The tenants get this service by means of donation. An international organization, by the name CCF, constructed the toilet and provided it for them. Currently, the house is in a deteriorated condition because of lack of maintenance. (See Figure 3.9) Like other utilities informal settlers, tenants do not have kitchens.



Figure 3.8: The Source of Electricity for Informal Settlers Source: Field survey 2010



Figure 3.9: Toilet Constructed by CCF for Informal Settlers.

Source: Field survey at *Sime Meda* , 2010

3.4. Issues Related to Policy, Management and Administration

In the urban history of Ethiopia, different kinds of land policies had been implemented. To mention some of them the traditional landlord and tenant, this was prevailed during the earliest stage of the urbanization, Private ownership implements starting from 1907 up to the over throw of Emperor Haile Sellassie, public ownership from 1974 up to 1993 and leasehold since 1993.

Currently lease system has become the governing urban land policy. The law that set out the comprehensive land tenure system for urban area is the Re-establishment of Urban Lands Lease Holding Proclamation N^o.272/2002 at the federal level.

Based on proclamation N^o 272/2002, individuals can get urban land in one of the following ways: by auction, by negotiation, by allocation, by drawing lot for building residential house or by reward.

For effective and efficient application of the prevailing tenure system, it is very important to evaluate the existing condition of the management and administration system. In the following pages I will try to present the perception of respondents.

Table 3.20. Perception of Privet Owner Tenants on Land/Housing Management and Administration System

Questions	Responses									
	Strongly Disagree		Disagree		Undecided		Agree		Strongly agree	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
The land administration system is easily accessible to conduct developmental activities	17	13.9	19	15.6	34	27.9	26	21.3	25	20.5
There is corruption in land administration system	15	12.3	11	9.0	44	36.1	15	12.3	37	30.3
The government should improve the efficacy of the land management system based on the public interest	6	4.9	5	4.1	14	11.5	23	18.9	74	60.7
The building permit procedure is conducive to develop my plot in terms of time I spend for the process	18	14.8	14	11.5	33	27.0	32	26.2	24	19.7
The building permit procedure is conducive to develop my plot of in terms cost I spend for the process	7	5.7	17	13.9	43	35.2	31	25.4	22	18.0
Employees, who work on land, have pronounced capacity problem	8	6.6	15	12.3	29	23.8	42	34.4	25	20.5
There is unbiased and fair adjudication process to resolve disputes arising from land	25	20.5	22	18.0	34	27.9	12	9.8	23	18.9
The type of tenure that I have does not hinders me from developing my plot	28	23.0	13	10.7	9	7.4	21	17.2	48	39.3
The existing urban land tenure is conducive to bring sustainable development	19	15.6	11	9.0	32	26.2	25	20.5	34	27.9

Source: Survey result of 2010

Table 3.20, shows that the accessibility of land administration system is taken as a means to conduct housing improvement activities. Among the respondents, 43.8% confirm its accessibility. However, 29.5 % of the respondents disagreed on its accessibility. The remaining 27.9% have no clear idea on the issue

With regards to the existence of corruption, 42.3% of the respondents assert that there is corruption. However, 21.3% of the respondents disagreed with this opinion. The remaining 36.1% have no clear idea on the issue.

In relation to the necessity, to improve the efficiency of land management system, 79.6% respondents agree that it needs to be improved. However, 9 % of the respondents disagreed on this opinion. The remaining 11.4 % are undecided.

Concerning the time and cost spent by individuals to get a license for developing or altering one's plot or house, around 45.9% and 43.4% agreed on its conduciveness in terms of time and cost respectively. About 27% and 35.2% of respondents were in a dilemma, and the rest indicated the need for an improvement on the performance to provide fast service and reconsideration of the cost.

In relation to the capacity of workers, more than half (54.9%) of the respondents confirm on the existence of pronounced capacity problem. About 23.8% has taken a neutral position and the remaining 18.9% affirm the non-existence of capacity problem.

With regards to the existence of unbiased and fair adjudication system, 28.7% of the respondents confirm the existence of prejudice. However, 38.5 % of the respondents disagreed with this opinion. About 27.9%% have taken a neutral position.

On the table respondents tenure type is seen as a driving factor to involve on developmental activities. Among the respondents more than half (56.7%), considered that there is no obstacle in relation to tenure to develop one's plot or house. However, 23.7% of the respondents assert the existence of problem to conduct developmental activities on ones plot/house by using this tenure type. The remaining 7.4% respondents have taken a neutral position.

From table 3.20, it is clearly showed that the current land lease policy is seen as an instrument for sustainable development. Among the respondents, about 48 % indicated that lease policy could bring sustainable development. However, 24% of the respondents disagreed with this opinion. The remaining 26% have no clear idea on the issue.

Table 3.21 Perception of Publicly Owned Rental House Tenants on Housing Management and Administration System

Questions	Responses									
	Strongly Disagree		Disagree		Undecided		Agree		Strongly agree	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
The housing administration system is easily accessible to conduct developmental activities	31	20.5	39	25.8	21	13.9	32	21.2	25	16.6
There is corruption in housing administration system	13	8.6	16	10.6	55	36.4	30	19.9	36	23.8
The government should improve the efficacy of the housing management system based on the public interest	6	4	1	.7	26	17.2	42	27.8	74	49
The building permit procedure is conducive to develop my plot in terms of time I spend for the process	27	17.9	24	15.9	28	18.5	28	18.5	42	27.8
The building permit procedure is conducive to develop my plot of in terms cost I spend for the process	15	9.9	25	16.6	48	31.8	31	20.5	30	19.9
Employees, who work on housing administration, have pronounced capacity problem	30	19.9	12	7.9	43	28.5	32	21.2	26	17.2
There is unbiased and fair adjudication process to resolve disputes arising from the house	27	17.9	11	7.3	47	31.1	36	23.8	30	19.9
The type of tenure that I have does not hinders me from developing my house	44	29.1	22	14.6	18	11.9	23	15.2	42	27.8

Source: Survey result of 2010

Table 3.21 shows that the accessibility of housing administration system is taken as a means to conduct housing improvement activities. Among the respondents, 37.8% confirms its accessibility. However, 46.3 % of the respondents disagreed on its accessibility. The remaining 13.9% have no clear idea on the issue

With regards to the existence of corruption, 43.7% of the respondents asserted that there is corruption. However, 19.2% of the respondents disagreed on its opinion. The remaining 36.4% have no clear idea on the issue.

In relation to the necessity, to improve the efficiency of publicly owned housing management system, 76.8% respondents agree that it needs improvement. However, 4.7 % of the respondents disagreed on this opinion. The remaining 17.2 % were undecided.

Concerning the time and cost spent by individuals to get a license for developing or altering one's plot or house, around 46.3% and 40.4% agreed on its conduciveness in terms of time and cost respectively. About 18.5% and 31.8% of respondents were in a dilemma, and the rest indicated the need for an improvement on the performance of individuals to provide fast service and reconsideration of the cost.

In relation to the capacity of workers, 38.4% the respondents confirmed the existence of pronounced capacity problem. About 28.5% has taken a neutral position and the remaining 27.8% affirm the non-existence of capacity problem.

With regards to the existence of unbiased and fair adjudication system, 43.7% the respondents confirmed the existence of fair tribunal. However, 25.2 % of the respondents disagreed on this opinion. About 31.1% have taken a neutral position.

With regard to the existence of a conducive environment to get permit to develop housing unit, the majority (43%) have the opinion of confirming the existence of conducive environment. On the contrary, nearly 38% of the respondents believe that, there are many obstacles that hinder developing housing units. The rest have taken neutral position.

In general all the responses given by publicly owned rental house tenants in relation to land/housing policy, management and administration, asserts that like the private owners there is a prevalence of all sorts of problems in the overall housing management and administration system.

CHAPTER FOUR

CONCLUSION AND RECOMMENDATIONS

4.1 Conclusion

Different modes of land tenure co-exist in Addis Ketema sub-city. The most prominent ones are; private owner tenure system, public owner tenure system and the informal tenure system. Among these, public owners tenure type was the predominant one followed by private ownership. Like land tenure there are different kinds of housing tenure, such as freehold, leasehold, cooperatives, condominium, public rental and squatter settlers. Of these housing tenure systems, public rental houses stood first followed by freehold.

With regards to ways of possession, majority of private owners hold the plot through buying, and a significant numbers through government permit. A few holders became owners by succeeding their deceased relatives. There were also limited number of private owners, who hold their land through a lease contract, gift and uscupion (paying a land and housing tax for consecutive fifteen years). On the other hand, almost all of the public rental house tenants possessed the house through contractual agreement. Unlike the two types of tenures almost all of the informal tenants, hold their plot through land grabbing of marginalized vacant land, which is found along the river banks and solid waste dumping areas.

Concerning the period of possession, majority of private owners held their parcel before 1988E.C, while most of public rental tenants possessed between 1967-1987E.C. However, possession of land by informal tenants was a recent phenomenon; most of them held it after 1988 E.C. Every holder used different documents to claim entitlement over the plot/house. Most private owners used title deeds and legally accepted ownership document (*Debter*). There are also a considerable number of private owners, who used a bill paying tax for land and house as a document. Almost all public rentals used the contract, which is subject to renewal every year as a major document. To the contrary, none of the informal tenants have any kind of legally acceptable document.

Pertaining to the types of property rights, a greatest majority of private owners exercised the right to use, rent, sub-let and fix the rents, exclude unauthorized person from their compound, sale, mortgage and freedom of decision to develop their house/plot. Nonetheless, a significant number of private owners could not use their plot as a collateral, do not have a freedom of decision to develop their plot/house and do not trust the existing laws, which is mainly promulgated to protect individuals interest from unexpected eviction. For the public rental tenants, the right to use and the right to exclude an unauthorized person are prominent. Although it was contrary to their agreement, a significant portion of rental tenants exercised some de-facto rights like the right to rent, sub let and fix the rent and inherit. Since the plot/house is under the ownership of the government they do not have freedom to develop the house as they wish, use as a collateral and sale it. Like the private owners, a significant number of public rental tenants have fear of eviction.

When it comes to developmental conditions of the plot/houses, at the time of acquisition, even though, majority of private owners held a vacant land, the number of owners who possessed built houses was significant. Almost all informal tenants possessed a vacant land. Almost all private owners and majority of public rentals exert their effort to improve the house in their possession. However, informal tenants refrain from improving their house. Hierarchically, maintaining the house, constructing additional houses and reconstructing additional houses were the major once frequently used by private owners while improving their house. On the public rental side, maintenance is the most often exercised by renters followed by construction of utility services like toilet and kitchen. From those few informal tenants who exert their efforts to develop the plot majority of them did maintenance acts.

In relation to involvement on neighborhood developmental activities, almost all type of tenants participate in the development of their surroundings. Even the majority of the informal settlers contributed for neighborhood development activities. Sequentially road construction, street light, public toilet constructions are the major activities performed by the involvement of private owners and public rental tenants. A large portion of all the three tenure types contributed for solid waste collection and

beautification and different kinds of developmental activities. Most of the tenant generates income from their house including the informal one. The major obstacles that deter tenants from developmental activities on their houses for private owners are financial problem. To some extent administration bureaucracy, threat of eviction, and the cost of construction materials affects their development efforts. For public rental tenants' administration bureaucracy, threat of eviction and financial problems are the most significant impediments. For some public rental tenants type of tenure is an impediment from developing their house. On the other hand, for informal settlers' tenants' type, threat of eviction and administration bureaucracy are the major obstacles, which hinder individuals from development activities. Following to these financial problems and the location of the areas plays a significant role in affecting individuals' interest on developmental activities.

There were different kinds of houses existing in Addis Ketema. Private tenants mainly owned Villa and row houses. For public rentals, the mostly available ones were row houses. Shanty houses were also possessed by informal tenants.

With regards to the existing conditions of houses, most of privately owned houses foundations were made of masonry wall, their floor made of cement and parquet, their wall made from mud and wood and almost all of their roof are made of corrugated iron. All in all those houses under the possession of private owners were in a better condition. On the other hand, most of public rental houses foundations are simply erected on the soil, they use the ground as a floor and the wall is made of wood and mud. As a result, a greater majority of the houses are in a rundown condition.

Pertaining to availabilities of the four major utilities namely electricity, water, toilet and kitchen in private owner side, almost all of them are available. Only few individuals do not have water, toilet and kitchen. Even, all of the owners have separate electricity service. Moreover, a greater majority have separate water bill and private kitchen. However a significant number of household used toilet room communally. For public rental, majority of the households have electricity, water, toilet and kitchen. However, a significant numbers of households did not have tap water and kitchen. Even few of them did not have toilet room at all. A significant number of public tenants used

electricity, and water services communally. A greater majority used toilets communally and more than half-used kitchen communally.

With regards to the existing conditions informal tenant houses, a greater majority of the houses were simply used the ground as a foundations and as a floor. Majority of the walls were made of *plastic* and *madaberia*, and *shera*, while a significant number made up of mud and wood. Even most of the roofs are made of *plastic* and *shera*. Due to this, all in all those houses under this tenure type were shanty. Relating to the availability of electricity, a significant number did not have it even those who access electricity, get it through rent from private individuals. Almost all of the tenants did not have access to water. A significant number have communally used toilet room.

The overriding policies of land tenure in the city of Addis in general and in Addis Ketema in particular are the Constitution, the Re-establishment of Urban Land Leas holding (Proc. No. 272/2002), and Expropriating of Landholdings for Public Purposes and Payment of Compensation (Proc. No. 455/2005).

About the accessibility of land administration system to the privet owners, most of them confirmed that it is accessible. However as the study depicts that there is a high degree of corruption, capacity problem on the employee and the adjudication process is not free from prejudice. As a result, most of them indicate the need to restructure the land management and administration system. For public rental, there was problem of accessibility of the housing administration system to the tenants. There is a significant level of corruption and capacity problem on the employee side.

4.2 Recommendations

As the study showes, there are a number of land tenure related problems that exist in Addis Ketema sub-city. First, the existence of different tenure types without a comprehensive policy, which encompasses the issue of different tenure types. Second, lack of clarity in relation to possession and property rights, absence of cadastre system, which shows the plot of an individual, and the types of real property rights become defected due to bureaucratic causes. In relation to this lack of trained manpower who works on cadastre and executing property rights. The prevalence of corruption in

land/housing administration and management is the third reason, which hindered individuals from improving their holding. Last but not least is the existence of obsolete, rundown houses with a chronic problem of accessibilities of basic utilities such as water, toilet room and kitchen. In order to mitigate these deep rooted and complicated problems, the following recommendations are suggested:

- Formulating a clear and comprehensive land policy at the city level and proper implementation. The city does not have an all rounded land policy, which encompass the issue of all tenure types exercised since the Emperor as well as the Derg period. It only propagate and implement only one type of tenure i.e. lease, by its very nature lease only addresses the interest of few social groups. Thus, it is advisable to follow holistic approach by developing a hybrid tenure policy.
- Formulating a clear and comprehensive housing policy at the city level and implementing it properly. Until now, not only the city but also the country does not have a housing policy. The government constructs condominium houses through low cost housing scheme. Therefore, it is appropriate for the government to formulate a housing policy, which tries to accommodate all the issues relating to housing accessibility, affordability and quality.
- Designing and implementing flexible tenure types at the sub-city as well as kebele level. Tenure by its very nature differs from place to place. As a result, the ways to overcome the problems relating to tenure also differ from place to place. Thus, I recommended that by using their autonomy the sub-city and Kebele managers and administrators should implements temporal and flexible tenure types such as temporal licensing and renting the land for short periods.
- Introducing cadastre system for real property registration as fast as possible.
- Promulgate a clear and fair real property rights for all houses and land tenure types, which also incorporates anti-eviction provisions. Moreover, the adjuration process should follow due process of law and be free from prejudice.
- Providing a capacity building program for those employees working at land and housing administration. In addition to this, trying to hire qualified workers at the sub-city as well as kebele levels.

- Design a clear and feasible horizontal and vertical duties and responsibilities for city, sub-city and kebele land and housing managers and administrators.
- To improve the housing condition, instead of relaying only on the government, to provide house, it is advisable to call private developers and NGOS. They can reduce the problem by enshrining some obligatory provisions on the real estate developers contractual bid to construct a certain portion of houses (say 2-5% from the total housing units) for the low income groups. The sub-city or Kebele administrators could also mobilize the community together with NGOs and investors to invest on basic infrastructure and services.
- It is also advisable to follow a *block slum clearance method* technique to keep social ties as well as economic sources of the society.

BIBLIOGRAPHY

- Aberra Jembere (2000) *An introduction to the Legal History of Ethiopia 1434-1974*,
MUNISTER: LIT.
- Bahru Zewde (2005) The city center: a shifting concept in the history of Addis Ababa, in
Simone, A. and Abouhani, A. (Eds) *Urban Africa : Changing Countries of Survival in the
City*, Dakar, University of South Africa Press.
- Bayehu Tadesse (2002) The Nature of Land Tenure and Land Market in Pre- Urban Area. AAU
MA Thesis.
- Black, H. (1951) *Black's Law Dictionary* (4th ed.), ST. Paul, minn, West Publishing Co.
- Central Statistical Agency (2009) Statistical Abstract, Addis Ababa.
- Civil Code of the Empire of Ethiopia (1960) Pro. No. 165, *Neg. Gaz.*, Year 19, No. 19
- Constitution of the Federal Democratic Republic of Ethiopia (1995) Proc. No. 1, *Fed. Neg. Gaz.*,
Year 1 No. 1.
- Creswell, J., and Clark, V. (2007) *Mixed Methods Research*, SAGE Publication, London.
- Doebele, W. (1987) The Evolution of Concepts of Urban Land tenure in Developing Countries,
Habitat International, Vol. 11(1),.
- Enemark, S. (2005) Land Management and Development, European Professional Qualifications
In Geodetic Surveying Brussels, 1-2 December 2005.
- Federal Democratic Republic of Ethiopia (2002) Re-enactment of Urban Lands Lease Holding,
Proc. No.272, *Fed. Neg. Gaz.* Year 8 No 19.
- Federal Democratic Republic of Ethiopia (2005) Expropriation of Land Holdings for Public
Purposes and payment of Compensation Proc. No.455, *Fed. Neg. Gaz.* Year 11 No 43.
- Fowler, E. P. and Siegel, D. (2002) *Urban Policy Issues: Canadian Perspectives* (2nd ed.),
Oxford press.
- Gray, D. E. (2004) *Doing Research in the Real World*, SAGE Publication, London.

- Harvey, J. and Jowsey, E. (2004) *Urban Land Economics* (6th ed.), PALGRAVE MACMILLAN, China.
- Henn, M., Weistein, M. and Foard, N. (2006) *A Short Introduction to Social Research*, SAGE Publication, London.
- Lamba, A. (2005) Land Tenure Management Systems in Informal Settlements, Paper Presented to the International Institute for Geo-Information Science and Earth Observation (ITC), Enschede, The Netherlands.
- Mesay Tefera (2008) An Assessment of Land Development and Land Supply the Case of Casanchis and Meri Luke Development Areas, AAU MA Thesis.
- Nioh, A. J. (1999) *Urban planning, Housing and Spatial Structures in Sub-Saharan Africa: Nature, impact and Development implications of exogenous forces*, Ashgate publisher.
- Payne, G. (1997) *Urban Land tenure and Property Rights In developing Countries a Review*, IT Publications, London.
- Payne, G. (2000) Urban Land tenure Policy Options: Titles or Rights? Paper Presented at the World Bank Urban Forum, Westfields Marriott, Virginia, USA.
- Payne, G. (Ed.) (2002) *Land Right and Innovation: Improving Tenure Security for the Urban Poor*, ITDG publishing Great Britain.
- Payne, G. and Payne J. (2004) *Key Concepts in Social Research*, SAGE Publication, Cromwell press Ltd, London.
- Proclamation (1975) Government Ownership of Urban Lands and Extra Houses, Proc. No.47, *Neg. Gaz.* Year 34 No 41.
- Proclamation (1993) Lease Holding of Urban Land, Proc. No. 80, *Neg. Gaz.* Year 53 No 40.
- Soleman, A. (2006) Housing Mechanisms in Egypt: A Critique *Journal of Housing and the Built Environment*, Springer Publisher Netherlands, Viewed on line (<http://www.springerlink.com/index>) accessed on 17 March 2010.

- Solomon Gebre (1994) Urban Land Policies and Issues in Ethiopia, in Dessalegn Rahmeto (Ed.) *Land Tenure and Policies In Ethiopia After The Durge*, Tenure Project institute of Development Research AAU.
- Solomon Mulugeta, Mathewos Asfaw and Tesfaye Yalew (2004) Federal Democratic Republic Of Ethiopia Urban Sector Millennium Development Goals Needs Assessment: Improving the Lives of Slum Dwellers, Addis Ababa.
- Tesfaye Dinssa (2007) Informal Residential Land Regularization in Addis Ababa: The Nature, the Process and its Consequences, AAU MA Thesis.
- The New Encyclopaedia Britannica (2005) (Vol. 26) Macropaedia Knowledge in Depth (15th ed.), Encyclopaedia Britannica, inc. Chicago.
- UN-ECE (1996) Land Administration Guidelines, United Nation, New York Genève.
- UN-HABITAT (2003) Hand Book On Best Practices, Security of Tenure and Access to Land, Viewed online (<http://www.chs.ubs.ca/Pdf>) accessed on 17 March 2010.
- UN-HABITAT (2004) Urban Land For All, Viewed online (<http://ww2.unhabitat.org/campaigns/tenure/.pdf>) accessed on 17 March 2010.
- UN-HABITAT (2007) Situation Analysis of Informal Settlements In Addis Ababa, Cities Without Slums Sub -Regional Programme For Eastern And Southern Africa Addis Ababa Slum Upgrading Programme, Nairobi, Kenya.
- UN-HABITAT (2008) Ethiopia: Addis Ababa Urban Profile, Viewed online (<http://www.unhabitat.org>) accessed on 9 June 2010.
- World Bank (2008) The Employment Creation Effects of the Addis Ababa Integrated Housing Programme, Publisher, The World Bank, 1818 H Street NW, Washington, DC.
- Yeraswork Admassie (2000) *Twenty years to nowhere: Property Rights land Management and Conservation in Ethiopia*, The Red Sea Press.

Yirgalem Mahiteme (2008) The Growth and Management of Addis Ababa: Visible and Invisible Actors in Urban Management and Emerging Trends of Informalization: a Case Study from kolfe keranio Sub-city Addis Ababa, Ph. D Thesis.

ANNEXES

ANNEX - 1
QUESTIONNAIRE FOR PRIVATE
OWNERS

Addis Ababa University

College of Developmental Studies

Department of Urban Development and Management Center

Research Questionnaire for Sample Owners of Urban land or house(s) Respondents

This questionnaire is designed by a student of Addis Ababa University Urban Development and Management Center to conduct a research on the topic *Assessment of Urban Land Tenure Systems and Housing Development in Addis Ketema Sub-city*. The purpose of this questionnaire is to get information from different tenants reside in this sub-city.

The quality of the research output will depend on the information that you give. Therefore, I politely request you to give a genuine information on the matter that you requested by the enumerator. I would like to thank in advance for your cooperation.

Instruction: use 'X' mark for answers of questions with various alternatives in the box provided and write the specific issue when required in its appropriate place.

I. General Information

A. Kebele: 06/07 13/15 19/20

B. Gender : Male- Female-

C. Income level monthly: below 150 151-650 651-1450
1451-3500 3501-5000 above 5000

D. Head of the House: Male Headed Female Headed

E. Family size: _____

II. Issues related to tenure

1. Under what tenure rights do you hold the parcel/house?

Leasehold Freehold Cooperative

Condominium Other (please specify) _____

2. When did you acquire this plot/house?

Before 1967 E.C. Between 1967-1987 E.C.

Between 1988-1996 E.C. After 1997 E.C.

3. By what means did you acquire the plot/house?

Buying Gift Inheritance Lease

Usuction Given by the government

Other (Specify) _____

4. What was the development status of the land/house during the transaction?

Built Half-built Vacant

5. What kind of document you have to show the plot is yours? Title deed Book

A bill paying tax for the land water and/ or electricity bill

A blue print map of the house Other (Please specify) _____

6. If you do not have a title deed did you apply for title deed? Yes No

7. If 'No', what are the reasons? Fears of seizing the plot by the government

personal perception i.e. the officials will not willing to give title deed

Other (please specify) _____

8. Did you alter the previous condition of your house? Yes No

9. If 'Yes' what kind of act you did it? (More than one answer is possible)

Reconstructing the house Constructing additional houses

Maintaining the house Other

(specify) _____

10. If 'No' what were the possible reasons? Financial problem

Difficulties to get construction/maintenance/ permit A threat of eviction

Other (please specify) _____

11. Do you get any income generating from your plot/house? Yes No

12. Did you invest your capital for neighborhood development? Yes No

13. If 'Yes' on which type you spend it? (You can select more than one)

Road construction Strait light Public toilet

Playground construction Public recreation center

Other (Specify) _____

14. What are the major problems that deter you from investing in your land/house?

	Questions	Yes	No
A	The type of tenure that I have		
B	Administration bureaucracy		
C	The treat of eviction		
D	Financial problem		
E	Lack of available construction materials		
F	The location of the parcel/house		

III. Instruction: - Use 'X' mark for the answer, which most closely expresses of your feelings.

Remark: 5=Strongly agreed 4=Agreed 3=Undecided 2=Disagreed 1=Strongly disagreed

	Questions	5	4	3	2	1
1	The land administration system is easily accessible to conduct developmental activities					
2	There is a full flange of corruption in land administration system					
3	The government should improve the efficacy of the land management system based on the public interest					
4	The building permit procedure is conducive to develop my plot in terms of time I spend for the process					
5	The building permit procedure is conducive to develop my plot of in terms cost I spend for the process					
6	Employees, who work on land, have pronounced capacity problem					
7	There is unbiased and fair adjudication process to resolve disputes arising from land					
8	The type of tenure that I have does not hinders me from developing my plot					
9	The existing urban land tenure is conducive to bring sustainable development					

IV. Questions related to real property rights:

No.	Questions	Yes	No
1	Do you have the right to use the area as your wish?		
2	Do you have the right to exclude an authorized person from your possession?		
3	Do you think you have sufficient legal protection from an expected eviction?		
4	Can you make a free decision for the development of your plot?		
5	Can you use your area/house for mortgage or as collateral?		
6	Can you inherit your plot/house to your heir?		
7	Do you have the right to rent?		
8	Do you have the right to sublet and fix the rent?		
9	Do you think that you have the right to sale your plot/house?		
10	Do you think that the existing property rights provided by law satisfy you?		

V. Questions related to the existing housing condition

Housing type	Structure	Material used for construction	Existing condition (use "X" mark)			
			V. good	Good	Fair	Bad
	Foundation					
	Floor					
	Wall					
	Roof					
Availabilities of basic utilities						
Utilities	Available		Possession entitlement (use "X" mark)			
	Yes	No	Private own	Rented from private	Communal	
Electricity						
Tube water						
Wet house						
Kitchen						

NB. Housing type: G+1 and above=1; Villa=2; Detached house=3; Row house=4; Condo=5; Other=6

➤ Enumerator name

_____ Signature _____

Supervisor name _____ Signature _____

Date _____

ANNEX - 2
QUESTIONNAIRE FOR PUBLIC
RENTAL HOUSE TENANTS

Addis Ababa University

College of Developmental Studies

Department of Urban Development and Management Center

Research Questionnaire for Sample Urban Rental House Tenant Respondents

This questionnaire is designed by a student of Addis Ababa University Urban Development and Management Center to conduct a research on the topic *Assessment of Urban Land Tenure Systems and Housing Development in Addis Ketema Sub-city*. The purpose of this questionnaire is to get information from different tenants reside in this sub-city.

The quality of the research output will depend on the information that you give. Therefore, I politely request you to give a genuine information on the matter that you requested by the enumerator. I would like to thank in advance for your cooperation.

Instruction: use 'X' mark for answers of questions with various alternatives in the box provided and write the specific issue when required in its appropriate place.

II. General Information

- A. Kebele 06/07- 13/15- 19/20-
- B. Gender : Male- Female-
- C. Income level monthly: below 150 151-650 651-1450
1451-3500 3501-5000 above 5000
- D. Head of the House: Male Headed Female Headed
- E. Family size: _____

II. Issues related to tenure

2. Under what tenure rights do you hold the parcel/house?
Kebele House Rented from the Agency for the Administration of Rental Houses
Other (please specify) _____
2. When did you rent this house?
Before 1967 E.C. Between 1967-1987 E.C.
Between 1988-1996 E.C. After 1997 E.C.
3. Did you alter the previous condition of this house? Yes No

4. If 'Yes' what kind of act you did it? (More than one answer is possible)

Maintaining the house Constructing additional houses

Constructing utility services (toilet and kitchen)

Other (specify) _____

5. If your answer for question 3 is 'No' what were the possible reasons?

A threat of evicting from the house at any time Financial problem

Lack of feel of belongingness to the house

Other (please specify) _____

6. Do you get any income generating from your house? Yes No

7. Did you invest your capital for neighborhood development? Yes No

8. If 'Yes' on which type you spend it?

Road construction Strait light Public toilet

Playground construction Public recreation center

Other (Specify) _____

9. What are the major problems that deter you from investing on the house?

	Questions	Yes	No
A	The type of tenure that I have		
B	Administration bureaucracy		
C	The treat of eviction		
D	Financial problem		
E	Lack of available construction materials		
F	The location of the parcel/house		

10. How much do you pay per month? _____ Birr

11. Thought you are paying the necessary payment, do you feel insecurity? Yes No

12. If your answer for question 11 is 'Yes' why?

The owner has an absolute right to expel me from the house at any time

Absence of legal provisions which protect me to stay in the house as per the agreement

Absence of contractual agreement before renting the house

Other (Please specify) _____

III. Instruction: - Use 'X' mark for the answer, which most closely expresses of your feelings.
Remark: 5 =Strongly agreed 4=Agreed 3=Undecided 2=Disagreed 1=Strongly disagreed

	Questions	5	4	3	2	1
1	The housing administration system is easily accessible to conduct developmental activities					
2	There is a full flange of corruption in housing administration system					
3	The government should improve the efficacy of the housing management system based on the public interest					
4	The building permit procedure is conducive to develop my housing units in terms of time I spend for the process					
5	The building permit procedure is conducive to develop my housing units in terms of cost I spend for the process					
6	The existing housing administration system is back ward					
7	Employees, who work on land/house administration, have pronounced capacity problem					
8	There is unbiased and fair adjudication process to resolve disputes arising from the housing					
9	The type of tenure that I have does not hinders me from developing my plot/ house					

IV. Questions related to real property rights:

No.	Questions	Yes	No
1	Do you have the right to use the area as your wish?		
2	Do you have the right to exclude an authorized person from your possession?		
3	Do you think you have sufficient legal protection from an expected eviction?		
4	Can you make a free decision for the development of your plot?		
5	Can you use your area/house for mortgage or as collateral?		
6	Can you inherit your plot/house to your heir?		
7	Do you have the right to rent?		
8	Do you have the right to sublet and fix the rent?		
9	Do you think that you have the right to sale your plot/house?		
10	Do you think that the existing property rights provided by law satisfy you?		

V. Questions related to the existing housing condition

Housing type	Structure	Material used for construction	Existing condition (use "X" mark)			
			V. good	Good	Fair	Bad
	Foundation					
	Floor					
	Wall					
	Roof					
Availabilities of basic utilities						
Utilities	Available		Possession entitlement (use "X" mark)			
	Yes	No	Private own	Rented from private	Communal	
Electricity						
Tube water						
Wet house						
Kitchen						

NB. Housing type: G+1 and above=1; Villa=2; Detached house=3; Row house=4; Condo=5; Other=6

➤ Enumerator name

_____ Signature _____

➤ Supervisor name

_____ Signature _____

➤ Date _____

ANNEX - 3
QUESTIONNAIRE FOR INFORMAL
TENANTS

Addis Ababa University

College of Developmental Studies

Department of Urban Development and Management Center

Research Questionnaire for Sample Urban Informal Tenant Respondents

This questionnaire is designed by a student of Addis Ababa University Urban Development and Management Center to conduct a research on the topic *Assessment of Urban Land Tenure Systems and Housing Development in Addis Ketema Sub-city*. The purpose of this questionnaire is to get information from different tenants reside in this sub-city.

The quality of the research output will depend on the information that you give. Therefore, I politely request you to give a genuine information on the matter that you requested by the enumerator. I would like to thank in advance for your cooperation.

Instruction: use 'X' mark for answers of questions with various alternatives in the box provided and write the specific issue when required in its appropriate place.

F. General Information

A Kebele: 06/07- 13/15- 20-

B. Gender : Male- Female-

C. Income level monthly: below 150 151-650 651-1450
1451-3500 3501-5000 above 5000

D. Head of the House: Male Headed Female Headed

E. Family size: _____

II. Issues related to tenure

1. When did you acquire this plot/house?

Before 1967 E.C. Between 1967-1987E.C.

Between 1988-1996 E.C. After 1997 E.C.

2. By what means did you acquire the plot/house?

Buying Gift Inheritance Usкупtion Simply invasion

Other (Specify) _____

3. What was the development status of the land, while possessing it?

Built Half-built Vacant

4. What kind of document you have to show the plot is yours?
 A bill paying tax for the land water and/ or electricity bill
 A blue print map of the house Other (Please specify) _____
5. If you do not have a title deed did you apply for title deed? Yes No
6. If 'No', what are the reasons? Fears of seizing the plot by the government
 personal perception i.e. the officials will not willing to give title deed
 Other (please specify) _____
7. Did you alter the previous condition of your house? Yes No
8. If 'Yes' what kind of act you did it? (More than one answer is possible)
 Reconstructing the house Constructing additional houses
 Maintaining the house Other (specify) _____
9. If your answer for question 7 is 'No' what were the possible reasons?
 Financial problem Difficulties to get construction/maintenance/ permit
 A threat of eviction Other (please specify) _____
10. Do you get any income generating from the plot/house? Yes No
11. Did you invest your capital for neighborhood development? Yes No
12. If 'Yes' on which type you spend it?
 Road construction Strait light Public toilet
 Playground construction Public recreation center
 Other (Specify) _____
13. What are the major problems that deter you from investing on your land/house?

	Questions	Yes	No
A	The type of tenure that I have		
B	Administration bureaucracy		
C	The treat of eviction		
D	Financial problem		
E	Lack of available construction materials		
F	The location of the parcel/house		

V. Questions related to the existing housing condition

Housing type	Structure	Material used for construction	Existing condition (use "X" mark)			
			V. good	Good	Fair	Bad
	Foundation					
	Floor					
	Wall					
	Roof					
Availabilities of basic utilities						
Utilities	Available		Possession entitlement (use "X" mark)			
	Yes	No	Private own	Rented from private	Communal	
Electricity						
Tube water						
Wet house						
Kitchen						

NB. Housing type: G+1 and above=1; Villa=2; Detached house=3; Row house=4; Condo=5; Other=6

➤ Enumerator name

_____ Signature _____

➤ Supervisor name

_____ Signature _____

Date _____

ANNEX - 4
INTERVIEW QUESTIONS FOR
GOVERNMENT OFFICIALS

Addis Ababa University
College of Developmental Studies
Department of Urban Development and Management Center

Interview questions for government officials

1. How do you describe the overall tenure system of this sub-city/kebele?
2. What are the major problems encountered in relation to land administration?
3. What kinds of measures did the sub-city/kebele take to address the problem?
4. Does the government take any measure to improve the type of real property rights and tenure security? If 'yes' describe the major one; If 'no' why?
5. Is there any formalization and regularization measures conducted by the sub-city?
6. Does the sub-city/kebele encourage individuals to develop their area? If 'yes' tell me the major supports; If 'no' state the reason
7. Generally what kind of strategy the sub-city/kebele employed to increase tenure security and housing development?

DECLARATION

I, the undersigned, declare that this thesis is my original work, has not been presented for a degree in any other university and that all sources of materials used for the thesis have been duly acknowledged.

Name: DANIEL TESFAW

Signature: 

Date of Submission: 16-07-2010

This thesis has been submitted for examination with my approval as a university advisor.

Name: Yirgalem Mahiteme, Ph. D

Signature: 

Date: 14 07 10