

**Land Governance in Urban Renewal-
Induced Eviction and Relocation in Inner
City Areas of Addis Ababa, Ethiopia**

DISSERTATION

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Abstract

The thesis deals with land governance in urban renewal induced eviction and relocation (URIER) in inner city areas of Addis Ababa. It examines the interplay of contexts, legal framework, decision making process, winners and losers of URP, relocation options and actual practices of eviction and relocation to respect or deny the human rights of the affected people. Political economy approach, right based model and land governance norms have been adopted to holistically understand URIER and to look at how their interactions explain contexts, the focus of the government, human rights and development goals. Both qualitative and quantitative data for the study were drawn from primary sources on the basis of intensive field work at two renewal sites (Lideta and Basha Wolde II) and four relocation case study sites. It involves interviews, case studies, FGDs and observation as the principal methods to elicit people's knowledge and experiences for uncovering eviction and relocation and objectives achievement. In line with this, household survey and data from secondary sources have supplemented the analysis at all levels. The study findings show that from the Imperial period to the present day, governments controlled the economic and political power over land and housing allocations and decision making processes to use land in inner city areas as a tool in serving its interests or the interests of the few. It rather did not serve as an essential asset to improve the living conditions of the affected people and social equity. The informal tenure in Addis has been regarded as unlawful or illegal. As a means to access land, it has been coping mechanisms to their marginalization employed by the successive Ethiopian governments as expressions of political power relations.

The decision making processes of policies, plans and legislations also marginalized the participation of the affected people, NGOs and other actors. The consultation meetings were marred by absence of prior and adequate information; meaningful consultation and residents' lack of knowledge of legislations about their rights and power to make decisions. These facts were coupled with the provision of wrong information (absence of condos in the LDP) and intimidating visits. The processes therefore were top-down participatory approach, emphasizing outcome over the process. This is against politics is right conviction of political economy approach. Evictions took place without exploring alternatives to eviction although there were viable in-situ solutions and not in truly exceptional circumstances. URP thus relocated the original poor homeowners and all tenants, and was not mixed income development. Added to this, monetary compensation was unfair and far below the market value, hence unable to construct comparable houses. In most cases, affordable condos were not available, rehabilitation assistance was ignored and effective punishment mechanisms in case of violations of the residents' rights were missing. AACA improved the image of the city and generated large sum of money, enhancing the land lease value and housing markets counting these government interests. Nonetheless, the living conditions of the relocated households changed from bad to worse and their human rights were breached.

The poor, tenants relocated to kebele houses, old poor women in the waiting list and those with informal tenures were negatively net losers of and treated unequally by URIER in accessing in-situ relocation and condo provision. Absence of appropriate, sustainable and affordable replacement housing strategies and ineffective measures taken by the AACA forced the poorest of the poor with little choices and opportunities to rely on informal actors and rules to access condos. Informal exchange of condos were therefore responsive to their needs (condos) and constraints (financial). Informal land and housing users were denied the right to compensation or replacement housing. The study reveals that URIER was constrained by very few organizational gaps and overlap of responsibilities; and absence of Wereda level renewal offices. Poor coordination and integration of LDBURPO with Road authority and Housing development office as well as URP with NGOs working on urban development and parallel programs were also evident. Some policy gaps and inconsistencies related to eviction and relocation, land use restrictions and housing strategies that focus on image building and land value enhancement for economic growth interact in different ways to explain the relocation of the poor, forced evictions, unequal treatment, decline in their living conditions, and avoid mixed income societies. These are also explained by the interplay of lack of financial resources, the provision of condo alone to restore livelihoods and we cannot satisfy all narratives.

The above findings lead to the conclusion that evictions and relocations were corresponded to the government interests than to the genuine public interest and the wellbeing of the affected residents. URIER was not pro-poor although the government pretended to serve the poor. URP did not balance the public and private interests, focusing

on economic or land market efficiency at the expense of social justice. The government thus saw eviction and relocation of poor homeowners and tenants as the only and viable option to achieve its interests. Further, evictions and relocations were forced or arbitrary that violated residents' rights. The government therefore did not employ good land governance and right based model of URIER. The final conclusion is that URP were plagued not only by gaps, inadequacy, inconstancy and incompleteness in some of the policies, plans, regulations and strategies related to URIER and ineffective top-down decision making process, but also by implementation and organizational constraints.

Last, but not least this research concluded that the major problem for enacting inadequate policy, disregarding the available rules, not owning policies, carrying out forced evictions and enjoying renewal benefits inequitably was lack of political will. This informs that maintaining the poor, preserving and strengthening mixed income societies, carrying out legitimate eviction in the genuine public interest, reversing unequal treatment and the subsequent living conditions improvement are possible and viable if the government displays political will. Toward this end, mainstreaming a right-based approach, land governance norms, inner city contexts and mixed income development would go a long way. It also requires pro-poor policies coupled with preferential treatment and affirmative action and a comprehensive city wide and integrated URP into all aspects of eviction policy, directives and plans related to URIER. The policy should also endorse balance and improvement principles; and acknowledge specialized livelihood support program and benefit sharing mechanisms. Finally, the donor agencies and NGOs should find ways to jointly involve in rights and policy advocacy, right sensitization program and community development to reverse relocation of the poor, forced eviction, inequalities in relocation process and impoverishment.

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***Dedication:** To my beloved father, Siraj Mohammed, who sacrificed his life to grow me up; Seid Siraj (my brother); and the relocated poor households with little choices from Lideta and Basha Wolde II in Addis Ababa*

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Acronyms

AACA = Addis Ababa City Administration

AACG = Addis Ababa City Government

AAHDPO = Addis Ababa Housing Development Project Office

ADLI = Agricultural Development Led Industrialization

AMCHUD = African Ministerial Conference on Housing and Urban Development

BWUD = Bureaus of Works and Urban Development

CBOs = Community Based Originations

CESCR = United Nations The commission for Economic, Social and Cultural Rights

CMO = City Manager Office

CSA = Central Statistics Agency

DFID = Department for International Development

ENWA = Ethiopian Network of Women Association

FDRE = Federal Democratic Republic of Ethiopia

FIDH = International Federation of Human Rights

FIG = International Federation of Surveyors

GDP = Gross Domestic Product

GHP = Grand Housing Program

GLTN = Global Land Tool Network

GSDRC = Governance and Social Development Resource Centre Framework

GTP = Growth and Transformation Plan

HDPO = Housing Development Project Office

HDA = Housing Development Authority

HIC-HLRN = Habitat International Coalition – Housing and Land Rights Network

ICES = International Conference of Ethiopian Studies

ICESCR = International Covenant on Economic, Social and Cultural Rights

ICTDA = Information Communication and Technology Development Agency

IDS = Institute of Development Studies

IHDP = Integrated Housing Development Program

IISD = International Institute for Sustainable Development

ILISIPO = Integrated Land Information System Installation Project Coordination Office

IPRIA = Immovable Property Registration and Information Agency

IRP = Involuntary Resettlement Policy

LDA = Land Development Agency

LDBURPO = Land Development, Bank and Urban Renewal Project Office

LDM = Land Development and Management

LDMB = Land Development and Management Bureau

LDCRA = Land Development and City Renewal Agency

LDPs = Local Development Plans

LGAF = Land Governance Assessment Framework

LITC = Land Information and Technology Centre

MDGs = Millennium Development Goals

MWUD = Ministry of Works and Urban Development

MUDC = Ministry of Urban Development and Construction

MUDHCo = Ministry of Urban Development, Housing and Construction

NGOs = Non Governmental Organizations

NEWA = Network of Ethiopian Women Association

ORAAMP = Office for the Revision of the Addis Ababa Master Plan

PASDEP = Plan for Accelerated and Sustained Development to End Poverty

RPF = Resettlement Policy Framework

SDPRP = Sustainable Development and Poverty Reduction Program

UDCBO = Urban Development and Capacity Building Office

ULDMB = Urban Land Development and Management Bureau

ULDMP = Urban Land Development and Management Policy

ULGDP = Urban Local Government Development Project

ULM = Urban Land Management

UN = United Nation

UNCHS (Habitat) = United Nations Commission for Human Settlement

UNDP = United Nations Development Program

UNECA = United Nations Economic Commission for Africa

UNESCAP = United Nations Economic and Social Council for Asia and the Pacific

UPI = Urban Planning Institute

UPII = Urban Planning and Information Institute

UPSBB = Urban Planning Sanitation and Beautification Bureau

URIER = Urban Renewal-Induced Eviction and Relocation

URP = urban renewal program

WB = World Bank

WBIRP = World Bank Involuntary resettlement Policy

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Chapter One

1. Introduction

1.1. Background of the problem

Land is the single greatest resource in most developing countries because it accounts for between half and three-quarters of national wealth (Burns and Dalrymple, 2008; Bell, 2009). Although urban land is limited covering only 2.8% of the earth's surface, it hosts about half of the world population (UN-Habitat, 2008a). It is also the most profitable, dynamic and valuable, but in high demands (IISD, 2007). Increased demands and competition on urban land are driven by rapid urbanization. More than half of the world population has been residing in cities and towns for the first time in history since 2008 (FIG and WB, 2009). The fastest urban population growth occurs in towns and cities of Africa where cities grow by 3.4% annually (Durand-Lasserve, 2009). In 2050, Africa will host 25% of the global urban population (Ibid). Economic growth and increasingly urbanized economy in Africa also intensifies demands on urban land (AMCHUD, 2010). Globalization accompanied by policy and market incentives puts extra demands on urban land for special economic zones, large-scale infrastructure works (IDS, Undated; UN Habitat, 2011d) and city beatification (UN Habitat, 2011d).

The combined effects of all these challenges have led to the ever increasing demand pressure and competition over the urban land that land reformers and managers of the previous century did not face with (Burns and Dalrymple, 2008; AMCHUD, 2010). This increasing demand is causing challenges of unequal access to land; insecurity of tenure; inefficient use of land; and weak institutions for land administration (Palmer, et al, 2009); and massive forced eviction of the poor (UN Habitat, 2011d). These challenges and concerns have given prominence to land and made the land sector relevant to achieving sustainable economic growth and poverty alleviation (Bell, 2009). Land is also a medium for political issues, economic and power gains, and self fulfilling interests (Burns and Dalrymple, 2008). Land issues are therefore sensitive, demanding careful management to avoid tenure insecurity, forced eviction (UN-Habitat, 2011d) and state capture (IISD, 2007). Making land available for public interest projects, attracting investment, enhancing land value and respecting the affected persons rights by balancing competing claims, interests and policy objectives also require careful management (AMCHUD, 2010; IES Academy, 2012).

Governments and international agencies have devoted much effort to overcome these challenges and exploit the potential role of the productive factor, land. As a result, defining rights to land, their land use and value; and establishing structures to manage these rights have been the concern of governments. The approaches promoted by governments to land policy formulation and organizational reforms, and urban renewal have shown a paradigm shift over time to address the above challenges. In the 1950s and 1960s, development discourse was dominated by modernization theory, which viewed development as changing traditional, simple, developing societies into modern, complex and westernized ones (Robinson, 2003). Developing country governments have pushed development initiatives along this path, emphasizing on large-scale, capital-intensive development projects in accelerating economic growth (Ibid). In this approach, urban renewal was focused on slum clearance and relocation of the population to public low-cost housing projects or temporary housing (Arimah, 2010). This approach considered eviction and relocation of residents and their impoverishment as a necessary evil or even an actual good since it led them to economic growth (Robinson, 2003). Development was thus seen as bringing benefits of projects to all in the sense that it is trickled down though this did not materialize (Ibid). It rather increased the costs of large scale urban renewal projects in terms of massive relocation of poor residents to peripheral areas and impoverishment of those affected.

Since the 1990s, the policy agenda on land issues has been dominated by neo-liberal approaches (Daley et al, 2005; IDS, undated; Amanor, 2012) and good governance in land administration frameworks (Amanor, 2012: 11). The liberalization of land markets has focused on making a more profitable use of the land (UN Habitat, 2011d). Similarly, this philosophy views the city as a growth engine, highlighting on making the cities economically efficient (Acharya, 2004). In so doing, cities are competing with each other to attract investment, and governments seek to make them world-class cities (Ibid). Market based urban renewal initiatives has therefore become important (Ibid). This approach attracts foreign direct investment and generates employment, but it threatens the land rights of the poor and increases the scale and frequency of evictions in urban low-income settlements to make way for higher-profit uses (IDS, undated; GLTN, 2012).

Simultaneously, good governance in land administration has been articulated as an essential part of the organizational reforms along with economic liberalism (Burns and Dalrymple, 2008; Amanor, 2012). It emerged within thinking that most land rights-based issues as well as increased inequality and poverty

stem from poor governance (Burns and Dalrymple, 2008). It was also believed that good governance in land management structures is essential for equitable stakeholder participation and benefits, and consistency in law and policy implementation (Ibid). To this effect, developing country governments have introduced conventional and technical land administration. It has emphasized outcomes on producing perfect policies and urban plans (UN Habitat, 2007a) and on capacity building, the establishment and strengthening of land organizations (UNDP, 2008). It also has relied solely on the allocation of registered formal private property titles, assuming this as the key to own and transfer land, and secure property rights (Daley et al, 2005; AMCHUD, 2010). However, most decisions are made based on limited land records as most urban lands are not registered by formal land records in developing countries (Augustinus, 2009).

Existing conventional land administration systems and liberalization of land markets are insufficient to address the current challenges and reverse tenure insecurity and forced eviction, let alone those of the future for a number of reasons. The first reason is that they are inappropriate for the range of governance issues in the land sector (GLTN, undated) and tenures found in Africa (AMCHUD, 2010; UN-Habitat, 2012a). Second, these systems are not pro-poor, unsustainable financially, and unfeasible in terms of available capacity to manage them (GLTN, undated; UN-Habitat, 2012a:1). Third, the existing policies and structures on land give priority for economic considerations at the expense of equity, social justice, sustainability and tenure security (UN Habitat, 2011d). Above all, they ignore the political aspect of land (Augustinus, 2009) and are inappropriate to address the needs of the poor (IDS, Undated).

It is recognized that evictions and relocations are symptoms of broader systemic problems such as patterns of exclusion, market driven development, tenure security crisis and absence of sound land management (GLTN, 2010). Addressing land administration, technical issues and formal markets on their own therefore are not sufficient to explore and practice pro-poor urban renewal or carry out eviction according to national and international laws. As a result, Palmer, et al (2009) outlined that massive forced evictions of original poor residents continue to occur and the poor in the developing countries enjoy limited or no protection of their property rights to land and housing. This conventional land administration and market forces have also led to unequal distribution of the benefits of renewal projects (Robinson, 2003). In addition, most evictions violate international human rights standards as they have rendered urban residents homeless, losing their properties without compensation, and have relocated to areas far from sources of employment and

livelihoods (UN HABITAT, 2011d). Sadly, the poorest societal group excessively shoulders the costs of such projects (Robinson, 2003). These trends generate new demands for involving the affected residents in the process of decision making, maintaining the consolidated communities, balancing social justice and land market efficiency, and procedural requirements for eviction and adequate safeguards to protect the land and housing rights.

Consequently, the focus of the policy agenda on land has moved away from land administration good governance to good land governance in recent years (IDS, undated; Derrand-Leserve, 2009). This reflected the shift from narrow technical tools of land administration towards a more open and broader approach of good land governance that involve both technical and political tools (IDS, undated; Kironde: 2009; Augustinus, 2009). The term land governance is defined as “the rules, processes and structures through which decisions are made about the use of and control over land, the manner in which the decisions are implemented and enforced, and the way that competing interests in land and property are managed” (GLTN, 2008; Durand-Lasserve, 2009; Palmer, et al, 2009). In this definition, land governance encompasses the formal legal and policy framework as well as traditional and informal practices that enjoy social legitimacy (IDS, Undated; Palmer et al, 2009: 10; AMCHUD, 2010). It consists of land agencies and ministries responsible for land in state structures, as well as traditional bodies and informal agents (Palmer et al, 2009: 10; AMCHUD, 2010). It also emphasizes both process of decision making of land policies about decisions on land rights, use, value and development (Enemark, 2009); and outcomes (GLTN, undated; Onesmus, 2011). It finally analyzes stakeholders, interests, incentives, and constraints (Onesmus, 2011).

This entails emphasizing both technical and political solutions and focusing on improving land governance is needed (UN-Habitat, 2012). A good land policy and implementing organizations therefore should endorse improved land governance as it has a significant role in controlling power to avoid land related tenure insecurity and forced eviction (Mbaya, 2000; Palmer et al, 2009), and defeating the vested interests and state captures (GLTN, Undated; Palmer et al, 2009). By implication, land governance is concerned fundamentally about power and the political economy of land (GLTN, 2008; Palmer, et al, 2009). It signifies that policies, plans, organizations and decision making processes related to the use of land and housing, property expropriation, relocation, compensation and rehabilitation are highly influenced by existing power structures within the society. These rules develop in a manner that entrenches the power relations between and among individuals and social groups (Palmer et al, 2009). It is thus increasingly recognized that policy

is not only considered as technical matters but also as political that can be manipulated to serve private interests, with major risks of exclusion and discrimination (GLTN, 2010).

When such power relations are understood, they should be managed to ensure that decisions over land tenure, value and use are not further excluding, disfranchising interest groups and political power (Sietchiping, 2010). It is important to note here that urban renewal induced eviction and relocation (URIER), the focus of this study, is one of the critical land governance issues in inner city parts of cities and thus is basically a political economy issue (GLTN, 2008; Palmer, et al, 2009). Understanding and managing power relations therefore ensure that urban renewal practices are not endangering interests and genuine claims over land use and property rights. Achieving the intended effects of the design and implementation of urban renewal projects is thus much to do with the political economy of land governance (GLTN, undated). In this respect, a political economy lens broadens operational considerations beyond technical solutions to include an emphasis on contexts, stakeholders, institutions, outcomes and processes by which policies and implementation are negotiated and implemented (WB, 2008a).

Land governance is an economic, political, social and environmental issue (IES, 2012, Burns and Dalrymple, 2012). The primary objectives of land governance therefore should not only be considered as the development of effective and efficient land markets, but also include access to land or housing and tenure security by the urban poor (Ibid). This notion assumes that land is both an economic asset and a means to achieve social goals (GTZ, 1998: 4; IES, 2012). As a result, land governance perspective transfers or outsource land policy processes and land management neither to the market forces nor to the civil society for securing tenure, protecting property rights and equal access to land by all (GTZ, 1998: 10; UNDP, 2008; AMCHUD, 2010). Government is thus the lead actor in land policy processes (AMCHUD, 2010), playing a unique role in managing land and its use to protect both public and private interests as much as possible (Ukaejiofo, 2010). This entails that equitable and sound land governance can only be realized if government intervenes in the public interest (UN Habitat, 2008b). The state and its institutions at all jurisdictions are therefore responsible for both processes and outcomes of land governance (Magel et al, 2001). The performance of the state is critical to land governance within urban renewal practices and strategies. Introducing land governance principles therefore captures both processes and outcomes of policy formulation and implementation of URIER. Although there are differences in norms, this study is based on a set of good land governance principles that include universality of tenure security, equity of land

access, subsidiarity, equitable participation, adherence to the rule of law, sustainability, and transparency and accountability (GLTN, undated; Palmer et al, 2009).

Finally, urban development projects have been carried out at a large scale on inner city land (UN Habitat, 2011d). Large scale renewal scheme implies major physical, social and economic changes often at the cost of the urban poor (Acharya, 2004). Urban renewal programs therefore threaten the property and human rights of low-income communities (Palmer et al, 2009). As a result, the promotion of poverty reduction, social justice and human rights have become important developmental concerns in recent decades (Robinson, 2003). Consistent with land governance, this new development paradigm emphasizes the protection of human rights, rights to live, adequate housing and livelihood (Acharya, 2004). According to this concept, development is seen as both bringing benefits and imposing costs (Robinson, 2003). Put differently, in cases where the eviction of original residents is completely unavoidable, the costs should be diminished, or even to convert them into development opportunities to improve the lives and future prospects of the affected people (UN Habitat, 2011d). Indeed, protecting and maintaining the social composition of residents on targeted land against eviction posed by physical improvements is viewed as the first option in this approach (Acharya, 2004). Towards achieving both security of tenure for the poor or respect their rights and socio-spatial integration in a combined manner, mainstreaming a right-based approach to URIER is therefore essential.

In most developing country cities, some of the land policy processes, outcomes, institutions, and actors in the decision making and implementation of urban renewal projects are not well understood. As a result, it is often unclear who is party to the decision making process; who has rights to compensation and replacement housing in the relocated and redeveloped areas; and who benefits and who loses from the existing policies and plans. The income and tenure status dimensions of these issues and the effects of urban renewal on different societal groups on their livelihoods, housing, infrastructure, authority and objective of the program is unclear. In addition, whether the urban renewal agency operates under land governance and human rights principles or not, and their responsibilities remain unnoticed. It is not understood how to exploit the inner city contexts created by large scale urban renewal scheme while retaining urban residents in the inner city areas. It is not clear whether evictions conform to the rules of national laws and international standards or not. It is unnoticed how the economic and social objectives of

renewal have been reconciled in the design of the final urban land management policy, regulations, master plans and local development plans (LDPs) and in practice.

There is, therefore, a need for better understanding of Land Development and City Renewal Agency (LDCRA) from the perspectives of land governance and policies in addressing their objectives and performing their tasks. There is a need for a better understanding of the procedural protections of eviction and relocation in the light of national laws and international human rights norms. It is also needed to examine how policies were decided, who involved the decision making process, whose interests were considered, and who become main beneficiaries, and who loses and gains from urban renewal program (URP) and their rules. Moreover, there is the need to understand how the projects explore alternatives to eviction and preserve social composition of the area, mixing all income groups in the redeveloped areas while carrying out urban renewal that have large positive consequences on the affected people and the society as a whole. In addition, there is a need to be able to better analyze the political economy of policies and urban renewal practices with focus on the processes and outcomes of decision making, contexts and actors; and view their adequacy and gaps in meeting the needs of poor residents, the objectives of renewal and interests of implementers at municipality and local levels.

1.2. Statement of the problem

Ethiopia is one of the least urbanized countries of Africa, with only about 17 percent of its population or 16,141,046 inhabitants living in urban areas (CSA, 2014). However, the country is currently witnessing the fastest rates of urbanization even by the standards of African countries with annual growth rate of above four percent (MWUD, 2007a). This is accompanied by high level of poverty and proliferation of slums where slum areas in Ethiopia house about 80% of the urban residents (MWUD, 2007a; UN Habitat, 2007b; Mathewos et al, 2011). Ethiopia also experiences steady economic growth in the past few years (GTP I, 2010). According to Growth and Transformation Plan I (GTP I), Ethiopia grows at 11%. It is also expected to grow on the average 11 percent per annum until 2019/20 (GTP II, 2015). At the same time, urban development programs have undergone at a large scale (Mathewos et al, 2011). As urbanization, economic growth and urban development initiatives continue there will be increasing demand for urban land by local, foreign investors and public agencies. These have placed enormous pressure on the country's urban land and threatened the tenure security of the majority of poor residents in inner city areas (UN Habitat, 2007b).

This appears to be particularly the case in Addis Ababa, a true primate city, hosting about one-fifth of the national urban population (CSA, 2014).

The Addis Ababa City Administration (AACA) has almost fully exploited government owned urban land in the expansion areas and inner city empty areas (UN Habitat, 2010b). It is exacerbated by high, consistent and contrasting demand for urban land in Addis Ababa to satisfy the needs of the growing population for social justice and property developers for investment, and to ensure sustainable economic growth in the country. On the other hand, about 60 percent of inner city areas and their houses are dilapidated that need complete replacement (AACG, 2002b). These areas do not also conform to the AACA land use standards (Hebel and Elias, 2012). The combination of these factors has entailed large scale urban renewal initiatives. Under such conditions, the pressure to convert valuable inner city land of the majority of the poor to new land uses has increased. As a result, residents in inner city areas have suffered from eviction and relocation to peripheral areas, unfair compensation, inadequate replacement housing, loss of livelihoods and social disintegration.

In 1990s, urban renewal initiatives in old inner city areas however were focused on private investments and commercial activities at the cost of residential units motivated by high value of inner city land (Ashnafi, 2000). The renewal also regarded relocation of residents to peripheral areas as the only option to modernize these areas with no concern for maintaining its residents (Ibid). It thus resulted in large scale eviction and relocation of the poor to the out skirts (Ibid) and had disrupted their livelihood and social support system (UN-Habitat, 2007b). Some work has been going on in the country in the recent past to reduce urban decay and build the image of the city and thereby improving the lives of slum population. The 2002 revised Addis Ababa master plan set aside old dilapidated areas for a new urban renewal initiative aiming at reducing eviction to distant locations (AACG, 2002b) and reduce socio-economic disruptions (AACA, 2007). For this to happen, it promotes a more compact and mixed income and use development through optimal use of scarce land (Ibid). In the mean time, the AACA had started Grand Housing Program in 2004 to gradually replace dilapidated kebele houses. Based on the lessons from such pilot projects, PASDEP (2005/6 to 2009/10) had extended its focus to involve major investment in public-low cost housing and urban renewal projects with the goal of regenerating inner city slums.

Meanwhile, it has been understood that public-low cost housing and investment by private developers were insufficient to reduce slum areas given the magnitude of the deep-rooted problems in inner city of Addis Ababa. As a result, the city administration begun large scale renewal project based on Local Development Plans (LDPs) to improve the image of the city and the living conditions of the affected people. The first of such kind was the Casanchis LDPs, which changed the area in 2006 into new business quarter (Hebel and Elias, 2012). The Federal Government has also introduced new policies, legislations, urban planning and structures. They are aimed at ensuring that rights over any piece of land are secured, land is available for public purposes and land governance is improved.

Despite the existing policy and legal measures, renewal projects were marred by the absence of bottom-up participatory decision making where the process was not transparent (Bacry et al, 2009). If at all available, it respected only the right to information sharing (Ibid). It thus focuses on outcomes at the cost of process, which is at the core of land governance. The AACA carried out renewal projects without clear regulations for compensation and rehabilitation (Belachew, 2010; Ezana, 2011). This may expose them to forced evictions. Most relocated households were paid little or no compensation (Matewos et al, 2011). Residents also could not afford the subsidized condominium units offered as replacement accommodation (Gittleman, 2009). Eviction and relocation to peripheral areas also impoverished and marginalized the affected communities (Berhanu, 2006). URPs gave less consideration to in-situ solutions, the rights of the poor and social justice (Melkamu and Shewakena, 2010). These showed that the rules of law to avoid or reduce eviction, apply mix land uses, offer commensurate compensation and restore their livelihoods were breached. The city administration did not also protect the tenure security rights of most inner city residents to remain in their former locations.

The MDGs and AACA have intended to avoid slums by 2020. To this effect, the administration prepared 14 LDPs that cover 280 hectares of land in six inner city districts and has been undertaking fourteen urban renewal projects accordingly (Hebel and Elias, 2012). For instance, around 6,000 people were living within 1,070 houses in the 26 hectare site of Lideta (UN Habitat, 2010b) under one LDP. If renewal projects continue in the same way, forced evictions and their negative consequences, and the number of evictees to distant places are expected to be larger in Addis Ababa. This will exacerbate the poverty levels of the poor inner city residents and may avoid the good quality of Addis Ababa that mingle the rich and the poor, and commercial and residential units.

The current large scale URP in inner city settlements therefore faces land governance issues emanated from process, policies, laws, plans, structures and practices, which have direct implications for eviction and relocation in urban Ethiopia in general and in inner city areas of Addis Ababa in particular. The government and the general public however are in the sense of joy about the high rise flats and physical improvements resulted from renewal projects despite these land governance and right issues. The government has used renewal projects to display its accomplishments and what it has been doing to improve the image of the city and reduce slums. This however conceals the social costs and the burden of renewal which the affected poor people disproportionately shoulder. Moreover, the adequacy of rules; decision making and consultation processes; violation/protection of the rules of law; tenure security issues, adequacy of compensation and accommodation; and decline, restoration or improvement of livelihoods are not well understood in inner city URP. It is often unclear whether evictions conform to the national laws and international standards or not. These have become a critical urban land governance issue that is addressed in this study: URIER.

Urban land policy, structures and programs therefore need to respond to these issues, establishing an equitable basis for generating revenue and building the image of the city, whilst ensuring that rights of poor residents are protected, their livelihood opportunities are guaranteed and land governance are improved. In relation to the issues of eviction and relocation related to URP, government interventions and efforts for compensation, relocation and rehabilitation must include the pro-poor and inclusive good land governance and human rights principles. This kind of land governance is vital to mediate competing land claims, preserve affected residents, protect the property rights of the poor, enhance the value of land and help the poor seize economic opportunities generated by URPs (GLTN, undated; UNDP, 2008; WB, 2010). Right based approach is also necessary to carry out eviction only as a last resort after exploring all feasible alternatives and only after appropriate procedural and legal safeguards are in place (Kangas, 2011; UN Habitat, 2011e). In addition, urban renewal interventions have to be context specific since the poor face varying constraints and have quite different priorities when looking for alternative to eviction, compensation or replacement accommodation, relocation and rehabilitation from their better-off neighbors. Land governance framework that is tailored to inner city contexts and local needs of different groups is, therefore, needed to meet the needs and aspirations of the affected population and realize land policy goals.

All these are land governance approaches, which involve contexts, processes and outcomes, institutions, stakeholder interests and incentives. It is also associated with human rights principles as it applies to procedural, legal and social safeguards of eviction and relocation. These perspectives ensure economic growth and reduction of poverty and slums; while minimizing eviction, recognizing and protecting property and human rights (IES, Undated, UN Habitat, 2011d) and optimize social outcomes (Palmer et al, 2009). It also protects the tenure security of affected people, ensures participatory decision making and meaningful consultation; transfers decision making power to the local levels; and assists to carry out eviction only based on the rules of law. In the light of the above observations, it is essential to unpack the contexts and processes of decision making and the outcomes and organizations involved in URPs in order to enhance the benefits of the URPs for the city, the affected residents and other stakeholders involved in the project. In other words the governance and right based dimensions of URIER need to be understood in order to address the issues associated with URP eviction and relocation.

A few studies done on URP in Ethiopia can be categorized into three groups. A large group of studies treated the effect of urban redevelopment and relocation on old inner city residents housing conditions, livelihoods and social capital (Birhanu, 2006; Gebre, 2008; Abebe, 2010). Gebre (2008) considered the impact of development-induced resettlement on poor households relocated from *kebele* houses, paying no attention to its effect on homeowners with or without documented legal use rights. The study does not explore the roles and responsibilities of organizations, stakeholders' interests and power in the policy making process. It does not link URIER to human right standards. A small set of studies analyzed urban renewal from the perspectives of small business and physical transformation of inner city areas (Heyaw, 2005; Mathewos et al, 2011). Heyaw (2005) investigated the physical transformation of centrally located market places and the mode of reaction to proposed plans by the merchants and other business community. It focuses on how the intensification of land use caters for the small-scale activities. It however does not address policy decision making processes at national level where decisions with respect to land are made. This study does not include urban renewal in inner city slums funded by the AACA where more than two-third of residents live in *kebele* owned houses. Social issues and socio-spatial integration of the area are also ignored.

A third set of group dealt with governance in land sectors (Abuye, 2006; Burns et al, 2010). The recent Land Governance Assessment Framework (LGAF) study by Burns et al (2010) focuses on the processes of

decision making and availability of policies and land organizations. It, however, ignores the municipality plans, regulations and the actual practice at municipality and local levels. Their target respondents were Land Development and Management Bureau (LDMB) experts at the national level. This study does not however take household analysis into considerations so it ignores the perceptions and experiences of the majority poor households at the project areas where forced evictions and relocations are prevalent. In all these studies, most studies tend to focus on either process or outcome at the expense of the other with little linkage made between the two, while containing some of the elements of political economy. They also rarely analyze URIER in the light of national laws, international rights standards and governance norms. Relative to the overwhelming land governance issues, very few studies have been conducted from the perspective of governance, political economy, and right based approaches.

There is, therefore, a need to draw insights from governance and political economic perspectives to fully understand URIER and the nature of land governance assessing processes, outcomes, contexts, organizations and stakeholders. Closely linking process and outcome in the analysis is needed in getting a deeper understanding of URIER and their underlying causes, and in suggesting policy and strategy choices. In addition, there is the need to see alternatives to eviction, compensation, replacement accommodation and rehabilitation through the specific lens of the human right principles. This study, therefore, attempts to contribute to the literature by examining land governance in URIER of Addis Ababa focusing on macro and city level processes, outcomes, contexts and organizations to improve land governance. This study also attempts to add results to the research domain by investigating URIER from the perspective of national laws, international rights and development standards to recognize and protect the human rights of all the affected people.

1.3. Objectives of the study

The main objective of this study is to understand the contexts, the processes of decision making of urban renewal activities, policies and plans, actors and structures from a governance and political economy perspective. It will also examine the procedural and legal safeguards of eviction and relocation, and losers and winners of URP during the implementation process in the light of the needs and human rights of relocated poor and the interest of the government in Ethiopia.

The specific objectives of this paper are to:

1. Explore the contexts and their influence on equal access to land, decision making and housing; poverty and housing situation; and planned and mixed income development to pinpoint the challenges of URP in the light of historical perspective
2. Review the existing policies, laws and plans pertinent to URIER to identify gaps, adequacy and clarity in the light of international rights and development standards, and reveal inconsistencies and contradictions among national laws in addressing the rights of the poor.
3. Analyze and identify the actors and their interests in the decision making process and influencing mechanisms to win their targets; meaningfulness of consultation process; and power to make decisions.
4. Investigate and explain the actual procedures of evictions in the light of national and international laws to find out the violation or protection of the affected people rights' and their underlying causes.
5. Examine the objectives of URP, and their fulfillment to reveal the focus of the government and the underlying causes in disregarding its objectives, preserving the social mix and the poor as well as the net winners, losers and the most negatively net losers of URP to ensure that the losers become its winners.
6. Explore the roles, coordination and land governance in LDMBs at all levels in fulfilling their roles and improving land governance, and the role of informal actors in addressing the housing needs of the poor.
7. Make policy recommendations on how the rules of law needs to be strengthened to ensure that they conform to international rights laws and consider inner city contexts, and ensure that the future operation of relocation help realize the rights of those affected; and suggest strategies for affirmative action in addressing the needs of the net losers and mediating the national perspectives of pro-poor policies.

1.4. Research Questions

Consistent with these objectives, the following guide the research:

1. How the previous urban and housing policies and plans shape access to land and housing, planned development, housing conditions and the mix of land uses and population? Who controlled power over land and housing allocation and why? What inner city contexts exist and what are the challenges in improving bad and preserve good attributes in Addis?
2. What policies, laws and plans exist to conduct URIER, what are their gaps, ambiguities and inconsistencies to protect the right of those affected? How these are strengthened to ensure that they conform to international laws and make domestic legislations adequate, clear and consistent?
3. Who are the actors in decision making and consultation processes, who tabled them and what issues are discussed and excluded in the meetings? What are their interests and whose interests are advanced? How actors influence each other's interests and constrain meaningful consultation?
4. What rights of the affected people are breached? What are the underlying causes in breaching the particular social group rights and how these can be improved to respect their rights to adequate compensation and housing, livelihood restoration and appropriate relocation sites?
5. What objectives are fulfilled, how and why? What are the focuses of the government in pursuing its objectives? How to improve the living conditions of those affected, maintain the poor and preserve the social mixes by balancing their and public interests and considering inner city contexts?

6. Who are the net winners and losers and the most negatively net losers of URP and why? How are these varied according to tenure, income and spatial variation? How the practices of URIER are improved to ensure that the net losers are not made to suffer the negative consequences of URP?
7. What are the roles and coordination of City Renewal Agency in pursuing their objectives and what is the nature of land governance in this agency and how these can be strengthened to improve coordination and land governance? How informal actors address the housing needs of the poor?

1.4. Scope and Limitations of the Study

The scope of this research in terms of subject was delimited to URIER in two inner city areas of Addis Ababa focusing on the contexts, processes, rule of laws and structures, and actors in the process of decision making and implementation. Procedures of eviction, relocation, rehabilitation, compensation and replacement housing issues were also dealt with in connection with URP. The scope was also narrowed to the economic, social and political and to some extent on physical aspects of this program. Concerns for environmental and cultural heritage issues as well as eviction and relocation caused by the expansion of the existing roads or new road construction, hotel development, and for commercial activities along the road sides are left out of the discussion due to time and financial constraints.

Geographically, the study focused on urban renewal at the neighborhood level in the inner city areas of Sengatera Firdbet I, commonly called as Lideta (hereafter Lideta), and Basha Wolde II, although Addis Ababa city was engaged in massive URP in different parts of the inner-city. In terms of housing tenures, the focus was only in property expropriation of privately owned residential homes and kebele owned rental units. The issues of private home renters, and business home owners and renters were not considered due to the same reason as above. The scope of the study in time perspective was limited to a review of policies, regulations and structure plans relevant for URIER in Ethiopia in general and in Addis Ababa in particular over the last ten years. It also included LDPs prepared and revised after 2009 for the study sites. However, the country or inner city context studies was discussed by going back to the Minelik era and the establishment of Addis Ababa to understand why the city failed to improve the housing conditions and carry out development according to plan.

The research had some limitations that are worth mentioning. The first one is that the interactive aspects of decision making power that shape the citizen participation, and their ability to claim and advance their rights range from the more obvious and visible to those that operates largely unnoticed behind the scenes

(VeneKlasen et al, 2004). For them, certain powerful people and structures behind-the-scenes however set the political agenda and maintain their influence by controlling who gets to the decision-making table and what gets on the agenda (Ibid). Analyzing power to make decisions focusing only on visible power as the place where all politics takes shape therefore reduces the ability to understand how power operates and thereby lessening the development of change strategies. This indicates that the hidden and less obvious power has the potential effect on inequity and exclusion by preventing the concerns and representations of women and the poor (Ibid). Analyzing not only the visible powers, but also the hidden powers is therefore vital to understand the exercise of decision making power that shapes how people participate in the process, whose voices and concerns prevail in decision-making and whose rights get advanced. Despite this, the hidden power and actors, their interests and influencing mechanisms were not addressed in this research. The second limitation is that rehabilitation assistance right was discussed and some benefit sharing mechanisms were suggested in this research. However, the detailed benefit sharing principles of URP, the specific forms of benefit sharing mechanisms and the proportion of appropriate redistribution rules and procedures for translating benefit sharing principles in to practical use in inner city area were not prominently addressed. The final limitation of this study is that it did not view the environmental aspect of URP which is important to improve the unhealthy concerns of the inner city neighborhoods.

The research had also faced some challenges. First, access to relevant primary documents on URIER in Addis Ababa was a daunting task due to very poor documentation of data by LDMB authorities at all levels. It was further restrained by frequent restructuring of UDMBs and the resulting repeated transfer of land professionals from city to sub-city or vice versa and between sub-cities. This made primary documents difficult to obtain because the new professionals in such offices were unable to locate relevant data. In order to draw relevant conclusions for this study, this research relied mainly on Land Development, Bank and Urban Renewal Project Office (LDBURPO) annual reports. The second challenge was the majority relocated residents in the relocation sites were absent since they rent out their condo units and sold their land use rights. Finding sample households for survey and key informants from relocated households therefore was a challenge. In spite of these limitations, attempt was made to involve large number of residents in Basha Wolde that were waiting for replacement housing especially for those in kebele houses to draw relevant conclusions for this study. With regard to interviewees at government land organizations, it was restrained by frequent restructuring of LDMBs, transferring land professionals from city to sub-city or vice versa and between sub-cities and departments or other jobs. It was difficult to find out respondents

familiar with the process of decision making and that led the procedures of eviction and relocation in these bureaus as the new ones lacked such knowledge. Equally, the interviews of LDMB officials that they gave to the city and sub-cities Magazines, while they were at office during relocation process since 2009 were accessed to get concrete and reliable information.

The third was that URP is among the main urban development agenda of the AACAA and GTP. This makes the issue a bit politically sensitive. The respondents particularly from government offices feared to provide genuine and accurate information for questions posed when it comes to criticizing the procedures of eviction by professionals in land organizations. Being aware of these limitations, attempt was made to effectively use all sources and mediums of information using both formal and informal channels mainly LDBURPO annual reports and the city and sub-city Magazines to cross-check issues. The other limitation of this study was related to the initial difficulties in selecting the relocation sites of the case study. The criteria to choose relocation sub-cities or actual sites were based on the large number of relocated households from their previous city, sub-city and wereda offices. The researcher however had difficulty in getting concrete and reliable data on the sizes of households in each and specific condominium and land replacement relocation sites due to poor data management. For instance, the data collected from wereda, sub-city and city LDMBs and officials lacked uniformity. In order to curb this shortcoming, the researcher involved professionals from all LDMBs to select condominium and land replacement sites with large number of relocated households qualitatively.

Finally, the number of samples was small as compared to the number of the relocated households. The overwhelming majority of relocated residents were not available in the resettlement condominium sites since they rent out their homes in order to pay monthly installments. This forced the researcher to rely on small number of samples in relocation sites. Considering this fact, the researcher involved large number of residents in Basha Wolde II that were waiting for replacement housing at the time of this study in order to draw relevant conclusions for this study. This study also employed methodological triangulation using interview, survey, the legislation analysis, secondary documents, observation and case studies to get an objective idea and to cross check the information collected. Notwithstanding these challenges, data gathered was substantial enough to arrive at the study conclusions. Since the procedural protection of URIER contained in the study were derived from two different case study renewal sites in two sub-cities of Addis Ababa, it will be replicated in other old dilapidated inner city areas of sub-cities of Addis Ababa

depending on the context. Nonetheless, care must be taken to implement in other small and large towns of Ethiopia. In addition, the included data and research findings will be useful for research and comparative purposes in other towns and cities of Ethiopia.

1.5 Significance of the Study

Addressing land governance issues related to URIER such as process, outcomes (policies, plans, organization and strategies) and procedural requirements would help in the realization of the affected people human rights and to address the government interests and achieve URP objectives. It will also serve as a pro-poor tool for a number of renewal projects in creating and mainstreaming integrated and comprehensive URP in LDMB. This research is therefore designed to contribute to the literature on URIER as a land governance issue.

This study will fill the gap in the land governance literature by exploring URIER. By investigating the gaps, clarity and adequacy of policies, plans, laws and implementation practices, this study will throw light into the procedural protection and social safeguard measures and development principles used in the domestic and international laws to protect, respect and fulfill the human rights of the prospective evictees. The study will also provide further inputs as to what should be strengthened and what should be done alternatively to preserve residents and improve the living and working conditions of the affected people by examining URP objectives and contexts. Finally, the findings in this study will provide additional inputs to the existing knowledge stock in Ethiopia and can be used as the base for more general statements together with the results from other studies in the areas of exceptional circumstances, continuum of rights to relocation entitlements and restitution principle. This study will enhance the academic understanding of land governance in URIER in Addis Ababa and in a wide range of settings, and will help to instigate further research on this issue.

Apart from its contribution for literature, this research has policy significance. This research will contribute to providing better insights for policy makers and urban planners on how forced eviction policy, urban land laws, plans and organizational responsibilities need to be strengthened and amended to ensure that they conform to international rights and development standards to respect the affected people rights. This is done by investigating the clarity, gaps and consistency in the policies, legislations, organizational roles and

governance norms of URIER. In a similar fashion, this study will offer insights about a pro-poor URIER strategy ensuring that the poor people and other vulnerable groups are not made to suffer the negative consequences of URP. They rather become its primary beneficiaries by improving their living standards. Finally, this study will inform NGOs to focus not only on policy and rights advocacy, but also on community development to produce good policy and assist the affected residents conduct informed and meaningful consultation that benefits and empowers them.

1.6. Organizations of the study

The purpose of this study, as mentioned above, is to examine process, rule of law, land structures and actors as well as the procedures of eviction and relocation in urban renewal programs. Chapter one is dedicated to the introductory part of this research. It introduces and describes about the background of the study, statement of the problem, objectives of the study and research questions, Scope and limitations of the study and finally the significance of the study. Chapter two presents research design and methods emphasizing knowledge claims, strategy of inquiry and methods of data collection. In this part this research answers the question knowledge claims, inquiry strategies and methods are selected and their relevance to the research questions. It is followed by data analysis and the reliability and validity concerns of the research design. The third part critically reviews analytical and theoretical frameworks used in the analysis of URIER. This study uses three interrelated theoretical approaches since the complex and context-specific land and eviction and relocation issues cannot be explained using a single framework. In this respect, their appropriateness and the inadequacies of competing approaches in analyzing land governance in URIER is explored.

Chapter four reviews the literature related to land governance in URIER in Ethiopia. It critically analyzes research works at macro and local case study levels since 2000 to identify research gaps in this area of study. Chapter five provides historical overview of urban land tenure and housing policies, urban plans and urban renewal in Ethiopia; and their influence on the housing conditions, planned development, property expropriation, eviction and mix of population from different income groups. It also gives a broad overview of the Ethiopian urban land tenure and housing policies and urban planning in order to situate urban renewal schemes and highlights its significance in the Ethiopian context.

The sixth part reviews the legal framework for expropriation, compensation, eviction, relocation and rehabilitation pertinent to URPs in Addis Ababa. It reveals the gaps, clarity and inconsistency to address the human and development rights of relocated residents and the needs of local governments. Chapter seven discloses the process of decision making of policies, plans, regulations and programs asking questions who designed, who tabled, who made the decisions, who was party to decision making, whose interests were respected or ignored. It also investigates the interests of actors involved and constraints to involve in the process. It then explains the advance notice and genuine consultation, influencing mechanisms, resistance, actors, how to influence actors interests and the process of participation about alternative to eviction or relocation.

The eighth part is devoted to the procedural protection and social safeguards of eviction and relocation. It reveals fair compensation and affordable replacement housing, the location of relocation sites and income rehabilitation assistance in the light of national legislation and international human rights standards. The ninth chapter explains the objectives of urban renewal, the emphasis of the government and the balance test between economic efficiency and social justice. It also entertains the beneficiaries as well as the losers and winners among different income groups, tenure types and status and relocation sites. From the point of view of implementers, it identifies its impact on image building and slum reduction; the living and working conditions of residents in the targeted land; land value enhancement and preserving social composition of the neighborhood and mingling of the poor and rich which has been the characteristic of Addis Ababa since its formation.

Chapter ten identifies formal land structures, their responsibilities and coordination issues and explores the nature of land governance in LDMBs in the light of land governance principles. The role of informal actors and structures to provide replacement housing for the poorest of the poor filling the void created by formal rules and structures is also presented. The eleventh chapter pulls the main findings from this dissertation together and gives concluding remarks deduced from the study findings. It also outlines implications of this study for policy proposing policies and approaches that maintain residents or relocate them according to national and international laws while carrying out urban renewal. The final chapter highlights the key contributions of this study to research or methodological and theoretical reflections of the study pinpointing issues for further research.

Chapter Two

2. Research Design and Methods

The essence of this chapter is to outline the research design and methodological framework used for the research. The chapter opens by explaining how knowledge claims, strategies of inquiry and methods of data collection are chosen and why these are necessary. Following this, there is a section explaining the data sources, and data analysis. The chapter closes by outlining the validity and reliability of data sources. The overall purpose of this study was to understand the contexts, processes and stakeholders during the policy and plan making, and implementation of urban renewal projects within land governance framework. It also has the objectives of understanding the outcomes of processes such as policies, rules, urban plans, organizations and regulations of land expropriation, compensation, eviction and rehabilitation as well as to identify gaps and constraints to the needs and aspirations of the poor and the implementers. Another objective was to better understand land development and city renewal agency (LDCRA), and URIER in the light of land governance and human right principles. To examine these issues, two urban renewal projects in the inner city of Addis Ababa were used as case studies.

Addis Ababa is chosen as study city for a number of reasons. It hosts about 23% of urban population in Ethiopia and faces the main challenges of rapid urbanization, globalization and economic growth. There is thus a high competing demand for land in inner city slums which exposes policy makers, city councilors and property valuation and compensation sub-process. Another reason is that authorities or personnel in the land development and management offices are relatively qualified and have long association with urban renewal projects and land use planning and information. They can therefore provide detailed information about policies, reform, alternative strategies, processes and losers and winners. Addis Ababa is also chosen because it has undertaken large scale area based urban renewal that causes mass eviction and relocation than other large towns of Ethiopia. Additional factors contributing to the choice of Addis Ababa is that it has been selected as a demonstration project by the MWUD in order to integrate the results into a national policy making process (MWUD, 2007a). Organizations at national and city were the unit of analysis for assessing political economy of land policies and reforms at national and city levels as well as for analyzing LDCRA incorporating land governance and right based principles at city, sub-cities and Wereda (districts) levels. Households were the final unit of analysis in studying perceptions of URIER.

A research design describes a flexible set of guidelines that connects knowledge claims to strategies of inquiry and methods for empirical data collection and analysis with the purpose of directing the situation in which the evidences address the initial research questions (Creswell, 2003; Teddlie & Tashakkori, 2010). Specifically, researcher needs to consider three questions in designing a research (Creswell, 2003):

1. What knowledge claims are being made by the researcher?
2. Which strategies of inquiry will inform the research process?
3. What methods of data collection and analysis will be used? Although treated separately, they are interrelated with one another, and inform the process and design of the inquiry. In this part, these three components of the research design will be elaborated, showing their relevance for the purposes of the study.

2.1. Knowledge claims

The term 'knowledge claims' in this research is reserved for 'paradigms' that lays down the intent, motivation and expectations of the researcher with regard to the research (Creswell, 2003; Mackenzie & Knipe, 2006). It influences the researchers on what should be studied, how research should be done, and how results should be interpreted (Armitage, 2007; Mackenzie & Knipe, 2006). Forwarding knowledge claims at the outset is required to determine the latter choices of strategy of inquiry and methods (Mackenzie & Knipe, 2006). In the traditions of social science research, knowledge claims have currently fallen into four camps, namely "post-positivism", "constructivism", "transformative" and "pragmatism" (Creswell, 2003).

Post-positivism is an approach to the creation of knowledge through research emphasizing the study of social world in the same way as natural sciences treat physical phenomena (Johnson and Onwuegbuzie, 2004) and is sometimes referred to as 'scientific method' (Creswell, 2003). It assumes social reality as objective, hence giving time and context-free generalizations are desirable and possible (Ibid). According to this school of thought, the task of social scientist should be to gather facts and measure how often certain patterns occur by eliminating their biases, remaining emotionally detached, and without involving in the objects of study (Ibid). Researchers then build up an explanation of social life by arranging such facts in a chain of causality. Post-positivism thus reflects a deterministic philosophy in which causes determine effects (Ibid). In contrast, constructivism focuses on subjective experience and intends to understand the human experience because they assume reality as multiple and socially constructed (Tashakkori and Teddlie, 2010). It is stated that constructivism suggests the intimate relationship between the researcher

and the researched (Ibid). In this relationship, the task of the researchers should be to appreciate the different constructions and meanings that people place upon their experience as the subjective knower is the only source of reality (Johnson and Onwuegbuzie, 2004). They therefore tend to rely upon the views of social actors and recognize the impact of their background and experiences on the research (Creswell, 2003). Such researchers emphasize the theory-laden nature of facts, and value-laden nature of inquiry and reality (Tashakkori and Teddlie 2010).

Creswell (2003) proposed three approaches to research: quantitative, qualitative and mixed approaches, associating each approach with particular paradigms and methods. Quantitative researchers articulate assumptions that are consistent with a post-positivist knowledge claims (Johnson and Onwuegbuzie, 2004; Mackenzie & Knipe, 2006). They employ experimentation and survey strategies of inquiry, and pre-determined methods of data collection that result in numeric data (Armitage, 2007). They also formulate hypotheses that are tested through controlled experiment or statistical analysis. By contrast, the underlying assumption in qualitative research is that research design should be based on the constructivist knowledge claims employing case study, phenomenology or interviews as methods of data collection that result in open ended textual data (Ibid).

For a long time, the advocates of post-positivists and constructivists have engaged in ardent dispute, which was termed as 'paradigm wars' (Tashakkori and Teddlie, 2010). From these debates, purists have emerged on both sides, adopting either purely quantitative or qualitative method to design (Ibid). These purists state that it is inappropriate to mix quantitative and qualitative methods due to fundamental differences between post-positivism and constructivism knowledge claims (Ibid). Rejecting incompatibility thesis, pluralists have emerged as an alternative to qualitative and quantitative research. They argue that combining quantitative and qualitative methods is epistemologically coherent, appropriate and valid in many research settings (Ibid). In response to inflexible positivist and constructivist worldviews intense debate, the pragmatic paradigm thus arose as a single paradigm (Creswell 2003).

Pragmatism is epistemologically pluralistic or anti-dualistic that recognizes co-existing worldviews. It thus neither rejects independent existence of facts nor ideas rooted in the mind (Creswell, 2003). Pragmatism is intended to reclaim reality from post-positivism focused on empirical aspects of social reality as well as the socially constructed nature of reality from constructivism. Put simply, it views quantitative and qualitative

approaches as complementary, providing different perspectives and answering diverse specific questions of one issue under investigation. It also emphasizes actions and behavior of the researched separating them from the researcher in addition to meanings of informants without detaching them from the researcher. In short, pragmatist researchers focus on the 'what' and 'how' of the research problem by placing the research problem at the centre, and apply all knowledge claims to understand the problem (Creswell, 2003). Therefore, this study was conducted within a pragmatism perspective. In the following, the reasons why pragmatism knowledge claim is chosen, and its relevance to this study will be discussed.

Pragmatism constitutes the knowledge claims underlying the design of this inquiry and is relevant to this study for a number of reasons. First, pragmatism has problem-centered orientation (Creswell, 2003). For pragmatists, there should be consequences that flow from research, and lead to resolution of human problems. This study is concerned not only with better understanding of land governance issues in URIER, but also with application of that knowledge in practice for positive change. Pragmatism therefore informs the focus of this study. Second, according to Wood (undated), pragmatism is a mode of being that engages with a dynamic, uncertain and continually emerging world. For this School, it is 'a potentially powerful way of knowing because it contains a desire to act in an unstable world with an uncertain future'. In this regard, the human world of activity is complex and influenced by changing contexts (Cox et al, 2008). Land issues in urban areas are dynamic since they are affected by unprecedented rate of urbanization, globalization, economic growth and investment opportunities that demand large tracts of scarce urban land (AMCHUD, 2010). Such demands are diverse, competing and often conflicting that require solutions not only to the existing problems but also to the future needs of the rapidly growing population and economic growth (IDS, undated). It can be addressed only through land governance that involves not only administrative and technical tools but also social and political solutions (Palmer et al, 2009). It thus suggests the use of pragmatist paradigm.

Third, in the wake of a 'non-representational' turn across the discipline, theory and paradigm; pragmatism has the potential relevance to many aspects of diverse and complex land governance challenges (Wood, undated). Land governance requires the contributions from all actors, combining perspectives on formal and informal, and state and non-state institutions (Borras and Franco, 2008). Land issues also necessitate multiple approaches due to the fact that one approach cannot explain the whole range of complex land governance issues. Stakeholder analysis for example rarely indicates the institutional context in which

stakeholders act (WB, 2009b). Additionally, right based approach seldom explains the organizational structures and their responsibility and coordination. This study therefore brought political economy approach, land governance principles and human rights-based lens to the research questions. In addition, the urban research is becoming increasingly interdisciplinary. Taking a non-representational position, therefore, allows this research to emphasize on continua transcending disciplines and use perspectives from economics, political science, sociology and geography in order to understand land governance issues.

Finally, pragmatists recognize the contexts and the different levels within which research takes place (Tashakkori and Teddlie, 2010). It is argued that the contexts in which developing countries are found is different from developed countries. Moreover, even in developing countries and within Ethiopia, urban land issues are context-specific (AMCHUD, 2010; Sisay, 2011). Hence, it is difficult to address land issues with one size fits all approach and apply the same in Africa including Ethiopia where informal tenures and a wide range of formal tenures that are not based on freehold title exist (Ibid). This study assumes a continuum of land rights approach as more flexible concept to address compensation, replacement accommodation and income rehabilitation for all tenure types; instead of only formal, individual titling, land use separation etc. In conformity with pragmatists, land governance is 'necessarily carried out at multiple levels of the polity: national and local, and even international' to understand processes and renewal efforts in transferring land based wealth and power (Borras and Franco, 2008). Because of the complexities of human interaction in policy making and land management organizations that implement renewal induced eviction and relocation; it is needed to account for the multiple contextual levels of analysis involving local, regional, national levels (FAO, Undated). It implies that without considering the policy making processes and the contexts at which policies are made at national levels, it is difficult to understand whether the procedures of URIER are carried out in accordance with national laws and international principles at the local level. In explaining the whole range of URIER, this study will thus transcend the levels of the study and explore the contexts, processes, actors and beneficiaries as well as organizations, policies and regulations regulating interactions at national, municipality and local levels within the framework of pragmatism.

2.2. Strategy of Inquiry

From the above discussion of knowledge claims, it is understood that taking a particular strategy to a paradigm suggests taking a particular method to a research. According to Creswell (2003), each research

approach is characterized not only by knowledge position, but also by the strategies used to apply and the methods of data collection. The pragmatic approach places strategy of inquiry at the center that connects issues at the abstract level of epistemology and the mechanical level of actual methods (Tashakkori & Teddlie, 2010). In choosing the research strategy and data collection methods, pragmatists mainly link the choice of approach directly to the purpose and nature of the research questions posed by the researcher (Creswell 2003; Johnson & Onwuegbuzie, 2004; Tashakkori & Teddlie, 2010). It suggests that the centrality of the research question force researchers to move beyond the paradigm debate toward the selection of strategy of inquiry and methods that best suit the research problem (Ibid). In addition to the research problem, the choice of strategy needs to take epistemological bases, the nature of the research population and the skills of a researcher in to account (Creswell, 2003).

In general, mixed methods approach is associated with the pragmatic paradigm. Mixed research strategy involves the collection and analysis of data using methods that are drawn from both quantitative and qualitative traditions in a fashion that best addresses the research questions (Creswell 2003; Teddlie & Tashakkori, 2010). It served the research goals of this study well for the following reasons. Research is often multi-purpose and the researcher has to follow a “what works” tactic for answering the research questions rather than committing oneself to qualitative or quantitative approach. According to Creswell (2003), strategy of inquiry is said to be sound, if it chooses a method appropriate to the research question. He noted that research objectives or questions tell the researcher about the research method that is to be employed. As listed above, the objectives of this study need to explain, identify, examine, review and explore. Survey questionnaire, for example, is required to identify the losers and winners of urban renewal projects on poor households and procedures of eviction and stakeholders in the process, while the objective examine necessitates a case study, an in-depth interview and secondary data sources to identify gaps in the policy. It is thus relevant to use a mixed research design in addressing a range of research objectives that needs the assumptions of both post-positivists and constructivists.

Second, mixed method research simultaneously answers a diverse range of confirmatory and exploratory questions (Teddlie & Tashakkori, 2010). It strengthens research through the application of qualitative and quantitative methods in complementary ways (Mackenzie & Knipe, 2006), Therefore, it is used to obtain stronger evidence for conclusion through the convergence of findings from both methods as well as to complement one method with another. The other rationale for adopting a mixed method approach is that it

is justified in situations where complex and pluralistic social contexts demand analysis that is informed by multiple and diverse perspectives. It provides different perspectives to answer two or more questions within one broad area: URIER. The inferences researcher make are in general strengthened by the use of a mix of methods (Brannen, undated). The diversity and complex nature of the land governance issues demand an in-depth analysis of different policies, structures, regulations and practices of urban renewal at different levels and sites, involving different actors and using different types of data. Quantitative data was collected from the affected households to understand actions and behavior of respondents and to assess extent to which phenomena occur (Kirsch, 2006). It involved gathering numeric information on close-ended questions. Qualitative data was collected from respondents in land organizations and key informants to get the motives, aspirations, viewpoints and attitudes of the researched and the researcher. It involved text information from case study and interviews. The final database therefore provides stronger inferences through depth and breadth in answering complex land governance issues.

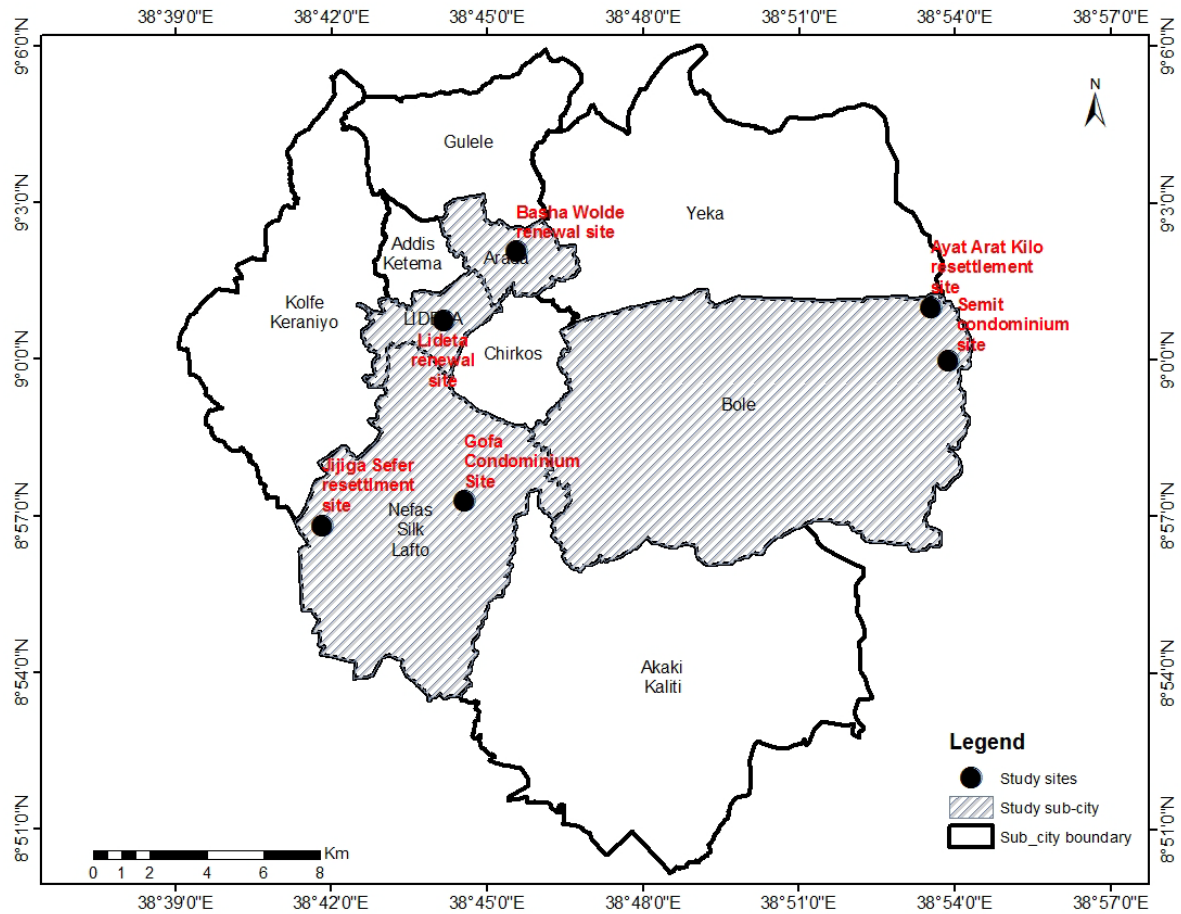
So far, the nature of the research questions, knowledge claims and the logic of enquiry suggest the usefulness and appropriateness of a mixed method approach. Next, the ordering of strategy of inquiry will be considered. Research design of this study was concurrent, but data were collected and analyzed separately. However, FGDs methods was preferred at the start of an enquiry with the aim of selecting sub-groups (poor and rich, home owner and rental tenures) for further intensive study employing surveys, case studies and interviews.

Regarding the weight given to qualitative or quantitative methods of data collection and analysis, this research adopted a more qualitative than quantitative approach. The application of mainly qualitative and to some extent quantitative methods is because of the reason that this study is aimed at getting an in-depth information on URIER, and emphasizes the contexts, processes and power relationships. In this regard, a more qualitative approach proved to be useful and helpful in gathering such information (Kirsch, 2006). Another reason was that this research applied convergent model in the interpretation, merging the two data sets by bringing the separate results together.

2.3. Selection of sub cities, study sites and households

This study is aimed at examining land governance URIER in the inner city areas of Addis Ababa within the framework of political economy, human right principles and governance norms. It thus requires the selection of sub-cities, study sites and households in a multi stage manner. In the first stage, four sub-cities, two inner (Lideta and Arada) and two peri-urban (Nifas Silk Lafto and Bole) sub-cities, were selected purposively. The reason for selecting Lideta and Arada inner sub-cities was that they were undertaking URP with a wide range of activities involving preparations of plans and regulations, property valuation, compensation and eviction. As a result, households in such sites faced land governance issues and rights violation such as tenure insecurity, eviction, unfair compensation, absence of genuine participation. Moreover, Nifas Silk Lafto and Bole sub cities were chosen since they are among resettlement sites where condominium and owner occupied units were extensively constructed by the AACA and evictees, involving formal and informal structures and stakeholders. These areas, therefore, experience lack of infrastructure and services, absence of rehabilitation program, informal transfer of condo units and land to others, loss of social capital and livelihoods.

In the second stage, two renewal project sites namely Sengatera Firdbet I (hereafter *Lideta*) and Basha Wolde II, from the inner sub-cities were chosen purposively. Lideta was chosen because it is a model urban renewal site, where large area based renewal that mixes commercial and residential land uses began to be implemented according to LDP for the first time in Addis despite the revitalization of Casanchis area before it. This project was undertaken and funded largely by government agencies than the previous ones. Another reason was that, it is nearly on the process of completion and some of the condos were distributed to beneficiaries at the time of this study. It thus helps to get a better understanding about what the city administration achieved and learned from the experience of Lideta and improvement made on the process in other project sites. The case of Lideta renewal therefore enables one to explore what a renewal initiative can bring in to minimize eviction and maintain residents, and to reverse the issues of forced eviction in the on-going and upcoming renewal initiatives.



Map 1. The map of six study sites in two renewal and two resettlement sub-cities in Addis Ababa

Basha Wolde II¹ was selected due to the following three reasons: First, there were about 215 residents until July, 2013 waiting for replacement accommodation or compensation, while the rest of their neighbors were relocated. It helped to observe the living conditions of such residents in this area where part of it was demolished and the procedures of eviction, and understand their experiences. This provided the actual situation of the area and the residents' actual needs before and after eviction. Finally, it gave the opportunity to contact kebele house beneficiaries, which was difficult to get those relocated from Lideta since they were resettled in several different parts of the city and due to the absence of data that indicated their locations. In Basha Wolde, however, there were 144 households that request kebele houses as a replacement in other areas, but they were in waiting list because such houses were in limited supply and

¹ After the pilot study or the pre-testing of the questionnaire in Arat Kilo renewal areas, Basha Wolde II was chosen in place of Basha Wolde I from the on-going projects. It should be born in mind that Basha Wolde is one urban renewal site under one LDP covering 39 hectares of land. It is larger than Lideta and difficult to manage at one time. As a result, the administration has divided it in two phases: Basha Wolde I (26 hectares of land) as the first phase and Bahsa Wolde II which encompasses the remaining 13 hectares of land as the second phase.

bad conditions. This site thus helped to approach them. Second, it was chosen because eviction and relocation was on-going at the time of the study in the Basha Wolde II and only small parts of the area were under construction. Therefore, the site provides an opportunity to study the affected households and helps to see whether the attempt of the government to carry out eviction is according to the domestic and international laws. Finally, the AACA vowed to make Lideta the model urban renewal project that will be replicated in other areas. Thus, it is important to take additional renewal sites to understand the replication and improvement made from the previous experience.

Further, four resettlement sites from Nifas Silk Lafto (Gofa condo site and Jijiga Sefer land replacement site at the back of Anbesa Garge) and Bole (Semit condo site and Ayat Arat Kilo Sefer land replacement site in front of Zenebe Frew Real Estate) were selected. These four sites (two sites from each sub-city) were chosen because they are the main relocation sites which had the largest number of relocated households from Lideta and Basha Wolde II. This gave rise to six study, two renewal and four resettlement, sites.

Table 2.1 Population size and samples of study sites

Former location	Population size relocated (Homeowners and tenants)			Population and sample size in relocation sites					Total relocated pop size and samples	
	Owners	Tenants	Total	Lideta redevt site			Jijiga		Gofa	
				owner	Tenants		Owners	Tenants	Pop and samples	% of samples from the pop
Lideta	389	932	1311	80 (3)	11 (2)		*133(11)	450 (13)	674(29)	4.3
				Basha Wolde redevt site			Ayat	Semit	Pop and samples	Percent of samples from the pop
				Owner	Owners waiting land	Tenants waiting condos	Owner	Tenants		
Basha II	277	954	1231	57 (3)	70 (7)	144 (21)	32 (9)	*650 (20)	953 (60)	6.3
Total	666	1886	2552	137(5)					1627(89)	5.5

Source: The 2010 and 2012 annual reports of the City Manager Office, Wereda and own computation

NB: * represents that the data was estimated by the wereda officials due to absence of reliable information

- Those in the bracket are samples

The third stage involves the selection of households. The affected households were in to two groups. The first group was those who received either land replacement or condo, while the other group was in the list waiting for either compensation or kebele house replacement. With regard to the first group, it was difficult to get a stratified and representative sample and sufficient sample size in the six study sites stated above for different reasons. In Gofa condo and Jijiga Sefer, most relocated households went away from the area by renting out their condos and selling their property. In Gofa condo sites for instance the enumerator got only 13 out of 376 relocated households. However, in Semit condo units were not completed while those offered land replacement in Ayat did not build their homes. At the time of the field work, relocated households, therefore, were in private rental accommodation in different parts of the city. Very small sizes therefore were approached on Sunday while they furnish their condos and build houses. As a result, convenience sampling was used. It means that the sample size was selected depending on the available number of relocated households in the case study areas. Accordingly, 13 households from Gofa and 20 from Semit condo sites; five from Lideta (two condo and three land beneficiaries); 11 from Jijiga Sefer; nine from Ayat and three from Basha Wolde land beneficiaries were chosen. This gave rise to 61 mostly middle-income respondents as they were able to live purchasing condos and building their own houses.

Finally, there were 214 households (144 tenants and 70 homeowners) in the waiting list for kebele replacement and compensation during field survey in Basha Wolde. As documented above, it was difficult to locate the whereabouts of Lideta households relocated to kebele houses as they were resettled in several different sites. It therefore was needed to involve kebele house beneficiaries, the poorest of the poor, which can offer sufficient sample size. This was largely possible in Basha Wolde as there were 144 tenants in the waiting list for kebele house replacement during field survey. These dwellers remain there because they were unable to pay the twenty percent down payment for condos and requested kebele houses that were in short supply and bad conditions. As a result, they were waiting to be relocated and their appeals were on the table, claiming appropriate replacement accommodation. Hence, they are the poorest of the poor, hence offering insights about the realities of the poor. Out of 144 tenants, 21 sample poor respondents were selected.

This research also involved 70 households waiting for compensation due to unresolved disputes or disagreement with the sub-city compensation and resettlement sub process in property ownership rights. Accordingly, seven homeowners from Basha Wolde II in the waiting list were chosen. A total of 89

respondents [61 convenient samples from six study sites and 28 samples (21 poor tenants and seven homeowners) from Basha Wolde II in waiting list] were interviewed using a standardized survey questionnaire in this survey. In view of data collection method, these sample sizes are considered sufficiently representative.

2.3.1 Data collection methods

A range of research methods was employed in order to obtain quantitative and qualitative information. Two principal, spatial and attribute, data types were considered for the study that will be gathered from the primary and secondary sources. Primary data were collected from FGDs, survey questionnaire, case studies, observation, and semi-structured interviews.

2.3.2.1. Focus Group Discussions (FGDs)

Two FGDs in Arat Kilo Basha Wolde II for poor public home renters, one for men and one for women having six members in each group, were held in the early phases of the research. Though it was planned to carry out six FGDs, the research is restricted to two since the researcher and enumerators faced difficulty in getting a minimum of six residents from the same group at once in other relocation sites for the reason stated earlier. As this research attempts to identify the most negatively net losers of URPs, it seems more convenient and more useful to select those requesting kebele houses that were in Basha Wolde II waiting for replacement. These residents were in Basha Wolde not only because of low purchasing power of condos but also due to limited supply of deteriorated kebele houses in the city. The selection of respondents for the FGDs was made in consultation with wereda officials and community members in the neighborhoods that this research had access to. Based on this, two separate groups of old poor men and old poor women headed households were selected who share the same experiences, age and sex believing that this characteristic influences a free discussion. The FGDs were held to identify poor and rich societal groups through wealth ranking. It is also used to identify NGOs and other stakeholders involved in URIER. It was also carried out to elicit peoples' views and perceptions on the processes of decision making and consultation meetings, alternative to eviction, and who the losers and winners of policies are and why they lose. The discussions enabled the researcher to gather the responses of the

affected households on issues concerning losers and winners, and the group most negatively affected by urban renewal projects.

2.3.2.2 Data collection from households

Quantitative data is collected from households involving a sample survey. A household survey was employed to collect information on the household tenure status and security, housing, livelihoods, living conditions, in-situ relocation, procedures of compensation, eviction, relocation and rehabilitation. It was also held to find evidence on the process of decision making, prior and meaningful consultation, information on losers or winners in the process, and knowledge of policies, land use plans and expropriation and compensation law.

The survey was administered through questionnaire. The questionnaire was filled by the assistants in the national language, Amharic. Enumerators who know the area very well were employed on a part time basis from each study sites and trained by the researcher on how to approach the respondents and make them familiarize with the various sections of the questionnaire. The researcher assumed a supervisory role in monitoring the field workers. Pre-testing of the questionnaire was conducted with a small group of study site residents and professional in LDMBs in the city by the researcher. Conducting a pilot study allowed the researcher to ensure the clarity of the questions and elicit some comments about the content validity. It was also helped to modify or revise the survey instrument on the basis of comments and suggestions made by the pre-test subjects. Finally, the survey was administered in a face to face manner to convenient sample population.

2.3.2.3. Household and institution (organization) case studies

In explaining what a case is, Yin (2003 cited in Neale et al, 2006) suggests that the term refers to an event, an entity, an individual or even a unit of analysis. He added that a case study is 'a story about something unique, special, or interesting-stories can be about individuals, organizations, processes, programs, neighborhoods, institutions, and even events' (ibid). Case studies are appropriate when there is a unique or interesting story to be told (Neale et al, 2006). There are different ideas about what a case study is, but Johansson (2003) found out the common denominator that most case study researchers agreed on. For most researchers, the case should be 'a complex functioning unit, investigated in its natural context with a

multitude of methods' (Ibid). In this respect, it is difficult to study the urban renewal-induced evictions and relocations that involve relocated household, and land organizations by separating them from their real life contexts since there is no clear boundary between the phenomenon and the context.

The case study gives the story behind the result by offering a more complete picture of what happened in the program and why to bring attention to a particular difficulty in a program or policy change, and to highlight a reform's opportunities (Mohd Noor, 2008). The primary advantage of a case study therefore is that it provides much more detailed information than what is available through surveys by describing what happened, where, when, by whom, to whom, and with what consequences in each case (Neale et al, 2006). In line with this, this study investigates urban renewal program and its evictions (what happened), in inner city areas (where), between 2009 and 2012/13 (when), by the AACA (by whom), on relocated residents, new beneficiaries, rich, poor and/or the general public interest (to whom) with positive or negative consequences (with what consequences). Another advantage is that case study can be useful in capturing the existing and growing properties of life in organizations and the flow of organizational activity, especially where it is changing very fast (Mohd Noor, 2008).

Cases might be selected because they are highly effective, not effective, representative, typical, or of special interest (Neale et al, 2006). As described by Mohd Noor (2008), case studies become particularly useful where one needs to understand some particular issue, situation, feature or unit of analysis in great-depth. By implication, this research for example is not intended to study the entire Land Development and Management Bureau (LDMB), but Land Development and City Renewal Agency (LDCRA) in the city. In order to examine the URIER practices and LDCRA, case study method is appropriate since it enables understand the complex real-life activities of contemporary urban renewal induced eviction, urban renewal agency and relocated residents in depth.

In this research, both case studies of institutions and households were conducted. Eight land development and management organizations that carry out URP were chosen as cases. These cases were LDMB at Ministry of Urban Development and Housing (MUDHo) and LDCRA, UPI and Land Information and Technology Centre (LITC) at municipality level; Compensation and Resettlement Sub-process in two inner sub-cities; and the respective two weredas where URPs have been carried out. Case studies of these institutions were held with eight officials and experts one from each organization using semi-structured

questionnaire. The cases were selected because they represent institutions that engage in eviction and relocation, designed land use standards and offered or denied evidence of ownership, tenancy and sub-tenancy. They also either protected or denied the right of the affected people to remain, carry out meaningful consultation, tenure security of all residents and make decisions transferring power to local levels and following the rules of law. They were thus purposively selected and approached because of their involvement in URIER in pre and during eviction stages even if they were not in their positions at the time of field survey. Cases were asked about urban renewal-induced eviction focusing on good land governance principles such as tenure security, subsidiarity of authority and resources, adherence to the rule of law, transparency, and participation while bypassing reference were given to equity and sustainability. This research derived and composed indicators from the theoretical discussions on these components of good land governance principles to determine the quality of land governance in LDCRA, Compensation and resettlement sub-process. Moreover, the interviews were focused on responsibilities, coordination and gaps, and the objectives of URP and their achievements.

The other cases were poor households affected by URP. Seven households were chosen as cases based on their active involvement in the meetings. To select households for cases, they were first divided into relocated poor households and households in the waiting list to be relocated. Such groupings allow understanding the problems faced by households when neighbors are displaced. Second, relocated poor households were divided in to three based on the compensation type or accommodation received from the city government and relocation sites. These include in situ condominium beneficiaries in Lideta; condominium beneficiaries outside their former locations in Gofa and Semit; and monetary compensation and land replacement beneficiaries in Jijiga and Ayat Sefers. It comprised of five households as cases, one from each of these five sites. This categorization clearly indicates the negative and positives consequences of relocation and in-situ relocation as well as the most negatively net losers and positively net winners. Likewise, two households were chosen from those in the waiting list to be relocated, but were in disagreement with AACA regarding the replacement housing and compensation. This gave rise to seven case studies of households (five from those relocated and two from the waiting lists).

In household cases, emphasis was placed on the decision making of alternative to eviction or eviction; the needs and interest of evictees from URPs; and compensation or alternative housing; and rehabilitation assistance in the light of human rights principles. Its aims were to view the conformity of eviction with

national legislation and international human rights standards. In addition, they were asked about losers and winners of URPs, the benefits of and the consequences of remaining in the renewal and relocation sites, and solutions to the problems. It was aimed at identifying the most negatively net losers and positively net winners and the tools to make all the primary beneficiaries and all winners of URIER. The questions, however, vary depending on the cases. In all, 15 case studies (seven institutions and seven households) were chosen and approached for interview. Qualitative semi-structured interviews were prepared for both institutions and households and inter-case comparisons were made to develop deeper and detailed understanding of the units of analysis.

2.3.2.4. In-depth interviews

Information about land governance issues related to property expropriation, compensation, eviction and relocation were elicited through semi-structured interviews from authorities, experts, international donor agencies, local NGOs and the affected residents at national, municipality, sub-city, wereda levels renewal and resettlement sites. At national level, LDMB and urban planning sanitation and beatification bureau (UPSBB) experts in the MUDCHo, and politicians overseeing and designing policies, reform, and plans were interviewed. Members of the opposition parties were also interviewed in order to get a wide range of ideas on the issue. The purpose of these interviews was to develop a firsthand understanding of the decision making processes of policies, reforms and urban planning; actors' interests and constraints to involve in decision making in the light of political economy of land.

At national level, two respondents, one from LDMB and another from UPSBB, were approached to elicit information about the adequacy and gaps in the policy with regard to the affected persons' rights, the measures taken, the focus of the government (land market efficiency and/or social justice or improving the living conditions of them). Two opposition parties were asked about power and decision making process, the interests of the government and their parties, their involvement in rights and policy advocacy and awareness creation. They were also asked about the violation of rights, appeals for compensation and solutions to the eviction issues. UN Habitat and WB representatives from international organizations were also interviewed. The interviews were focused on their roles in the process of decision making and formulation of policies and policy frameworks related to eviction and relocation; and their ownership by the government. They were also asked about alternative strategies to evictions; their involvement in community

development for those affected by eviction; and domestic eviction laws in the light of national and international human right principles.

At municipality level, four respondents that represent an institution engaged in urban planning and information and in compensation and relocation procedures were interviewed. These respondents included officials or experts in urban renewal Agency, compensation and resettlement desk, Urban Planning and Information Institute and Government Housing Agency. . The interviews were focused on broad legislative of expropriation, compensation, eviction and income rehabilitation, and plans, and processes of decision making and approaches of renewal. They were also interviewed about procedures of eviction in the light of national and international laws; and actors, organizational frameworks and consequences URPs.

At sub-city level, interviews were carried out with individuals with long experience or specialized skills in data collection and implementation of LDPs for urban renewal. These respondents included experts in compensation and resettlement and urban planning and information sub processes in sub-city LDMB. The aims of the interviews were to gather data on the level and extent of participation of local government, planners, NGOs and affected population; compensation, eviction, relocation and rehabilitation; their responsibility and authority; and losers and winners of renewal projects and their regulations and land use plans. It included four from inner sub-cities. At wereda level, officials were asked about effects and constraints; the procedural protection and social safeguards of eviction and relocation such as participation on alternative to eviction and relocation, consultation, eviction notice, compensation and income rehabilitation program. They were also asked about the participation of NGOs, residents in decision making and implementation. The numbers involved were four from inner city weredas, and two from the expansion weredas in resettlement sites.

In each study site, six key informant interviews were conducted with some knowledgeable residents. Interviewees were asked about consequences and benefits of renewal policies, the procedures of expropriation, compensation, replacement housing, eviction, and income rehabilitation program. They were also asked about participation in decision making and implementation; formal and informal actors; and rules and structures. Finally, two brokers, one from Semit and another from Basha Wolde were approached about the informal transfer of condos houses including actors involved, information flows, benefits of such transfers to relocated households etc. Most interviewees were deliberately selected and contacted

because of their access to relevant information or due to their reported knowledge of urban renewal practices. . The selection of the respondents in the study was made in consultation with wereda leaders, and leaders in municipality, sub-city LDMBs and based on their job responsibilities, position and involvement in the subject studied. However, some respondents were also selected on the basis of the researcher's individual judgment that they could provide the necessary information needed for the research.

A total of 29 interviews with an average duration of one hour were conducted between November 2012 and May 2013, and most of the interviewees came from six research sites in the four sub-cities. Interviews were held using questions developed in a semi-structured protocol, i.e., a series of open ended questions. A semi-structured rather than structured interview was employed because it offers sufficient flexibility to approach diverse respondents differently while still covering the same issue and area of data collection. Major questions were piloted or tested through small-scale trials to identify ambiguities, and permit early detection of necessary additions or omissions (Mohd Noor, 2008). Piloting also tested for the clarity and the appropriateness of the wording of the questions, the appropriateness and relevance of response categories, the length of interviews and the order of questions. This helps to test the reliability and validity of the measurement instrument. The interviews were tape-recorded to secure an accurate account of the conversations and avoid losing data since it is difficult to write down everything during interview. Every recorded memory card was numbered and labeled with the names of the interviewee in order to avoid complication².

2.3.2.5 Observation

Participant observation is where the researcher observed phenomena in the area studied to generate insight and better understanding on the phenomenon under investigation (Mohd Noor, 2008). Actual site observations were done as another method of data collection to gather spatial and attribute data within which urban renewal activities took place. Activities, events, infrastructures, services and the spatial

² It should be noted that interviewing government officials was a cumbersome task. For instance, one major drawback in terms of interview of land organization was the reluctance by most government officials to give information. In most instances, they completely refused to give interviews or if they agreed, they repeatedly canceled. It thus extended the date of interview up to seven months, primarily due to the very sensitive nature of the topic. Another problem was that they were engaged in the unplanned, but frequent meetings at the time of appointment for interview. Most of the time, they were nearly fully involved in the meetings.

condition of the study sites and the handing over of production materials therefore were observed. Observations served many different purposes. It provided the chance to make informal discussions on the urban renewal policies, regulations and projects with the residents in both relocated and redevelopment sites. These informal talks proved very helpful since they gave the researcher an insight into the real effects of renewal in the neighborhood and on affected residents as well as into the issues of alternative to eviction, participation, and rehabilitation. Apart from this, the researcher made use of actual site observations as a complementary data collection method to draw information which was not obtainable from other methods such as land utilization, image building, actors, beneficiaries and the integration and mix of activities and population. This information was very helpful in validating data from other sources. Most of the observation was done parallel to the administration of the questionnaires, interviews and case studies and the supervision of the assistants. In the process, the researcher took systematic notes and used them in writing about the descriptions of renewal approaches, effects, beneficiaries, winners, and losers of the urban renewal policies and projects.

Originally, it was decided that a final selection of four sub-cities or six case study sites would prove sufficient from which conclusion of the study could be drawn. However, following further observation of condo sites, it was increased to five sub-cities and seven case study sites, to which a further one site, Gotera condo site, was added for observation only. It is mainly to understand the effects of relocation to nearby sites comparing to others, and the variation in benefits from renting condos and other assets in various relocation sites. Another reason is that there was a sense of jubilation on the part of the government about Gotera site that households were relocated to nearby places in conformity with international standards and thereby living conditions improved.

2.3.2.6 Secondary information

Secondary sources played a crucial role in providing important data on land governance that could be verified from primary sources, land institutions and/or the affected population. These also were important to supplement for the limitations of other methods (Mohd Noor, 2008). Secondary data was used to get an overall picture of URIER as well as to assess their degree of implementation and enforcement, their relevance, clarity, adequacy and gaps in the context of the needs of the poor and local governments on the ground. The information involved land tenure, land-use rights, objectives of renewal, land laws and policies,

urban planning, organizations, history of renewal in Ethiopia. In this research, the following published and unpublished policies, reforms, proclamations, plans, regulations, reports and documents pertaining to the URIER were used. At the federal level, the main secondary sources of data were the 2005 National Urban Development policy (UDP), the 2010 Urban Land Development and Management policy (ULDMP) and the 2008 Resettlement Policy Framework (RPF) issued by the government to address land use planning, value and information, and settlement regularization, urban renewal, compensation, eviction and rehabilitation. In addition, the FDRE Constitution, ADLI, the urban part of PASDEP 2005/6_2010 and GTP as they apply to urban land issues and renewal were used. Expropriation of landholdings for public purposes and payment of compensation proclamation No.455/2005, Urban Planning Proclamation No.574/2008, urban lands lease holding proclamation No.721/2010, and Compensation Regulations No.135/2007 were also consulted.

At city level, Compensation and Reinstatement of Land housing Directives No. 3/2002 E.C (2010), the Revised No. 3/2002 E.C (2011) and No. 14/2005 (2013) issued by Addis Ababa Land Development, Banking and Urban Renewal Project Office (LDBURPO) were used.. The 2002 Structure Plan or City Development Plan (2003-2010) of Addis Ababa (ORAAMP, 2002), LDP of Sengatera-Firdbet I (2002), revised LDP of Sengatera-Firdbet I (2009) and Basha Wolde (2009) were reviewed. Finally, the draft document for the restructuring of land development and management Bureau (2011) was also consulted. Apart from the above secondary sources, newspaper articles, LDBURPO and UPII and ideological magazines of political parties, proposals, minutes of meetings and video recordings of Lideta and Basha Wolde consultation meetings acquired from the various actors in the study areas and government officials were used in analyzing the key issues under investigation. Media outlets such as local newspapers, ideological magazines of EPRDF and city and sub-city LDMBs magazines were assessed thoroughly when the researcher faced difficulty in approaching officials either due to frequent transfers or meetings. It also included the statistics, maps, annual reports of LDBURPO and evaluations etc, provided by the city and sub-city LDBURPO and UPII and weredas.

In order to understand the country contexts regarding land tenure system, origin of Addis Ababa and its development, Master plans and urban renewal from a historical perspective using literature review of urban land studies in Ethiopia were carried out. This perspective was necessary because 'the human world of activity is complex and influenced by changing contexts and historical trajectories' (Cox et al, 2008). Finally, both nationally and globally focused official and unofficial documents about alternative to eviction,

compensation, eviction, relocation and rehabilitation, land information and land use planning were used in order to understand the overall context of renewal-induced eviction and relocation. In this regard, documents were collected from the urban planning and information resource center, websites of LDMBs and thesis, journals, text books, articles, plans etc from libraries of various universities. This research also reviewed a broad range of guidelines and practices that guarantee human rights, minimize eviction, ensure economic benefits for all and prevent housing and livelihood rights of the affected residents from the Websites of WB, UN, UN Habitat, FIG, DFID, UNDP, ADB and AfDB.

2.4. Data Analysis

In this study, the data analysis involved the coding, examination, categorization and tabulation of the evidences, both of the quantitative and qualitative data. To begin the data analysis process, descriptive statistics of univariate data was calculated on the dependent variables to summarize the data collected and describe trends in the data. In this regard, frequencies and percentages were utilized in order to describe the respondents' participation, tenure security, housing, livelihoods and living conditions, authority, their perception towards compensation or replacement housing and eviction, losers and winners, knowledge of policies and LDPs and eviction procedures. Cross-tabulation was used to examine the relationships that exist between variables, for example, the relocation sites and the livelihoods and housing conditions, infrastructure etc. It was also employed to compare the groups in terms of the beneficiaries and losers and winners of renewal and eviction on poor and rich; and on renters and owners to identify losers and winners. Independent variables considered in the analysis were residents' income and tenure status, and relocation sites. In all data analysis of the questionnaire data, a statistical software program, SPSS (Statistical Package for Social Sciences) was used for in-depth statistical data analyses.

In qualitative work, data collection and analysis was undertaken at the same time. However, the analysis was not limited in the field. Most of the reflections and analysis were also done after the completion of the fieldwork. The interview and case study data require special attention. Following the consent of interviewees, a digital tape recorder was used during the interviews in most cases. In the rest of the cases, short hand notes were taken on the spot where the circumstances were not conducive. Recorded interviews were transcribed and coded into themes. Analyzing qualitative data involved looking for similarities and differences and focusing on the patterns of interactions and events that are generally

common. This type of analysis identified themes, and the data was then classified into categories and themes. It was favored for its potential to help the researcher describe trends in the data and to determine whether there were relationships between concepts. Regarding case studies, it specified the similarities and differences of the cases and their sub-cases to acquire better knowledge. In order to assess how reasonable the justifications forwarded by the government officials for ignoring and breaching some rights, this research refuted or proved their explanation or arguments using against well established findings, international rights standards and their own objectives, principles and actions. Maps, master plans, photographs, observation and secondary written documents also analyzed and interpreted in relation to the key issues of the research questions, and were incorporated as part of the interview, case study and questionnaire reports.

As for the document analyses, review and assessment of policies, strategies, proclamations and regulations of expropriation and compensation, and structure plan and LDPs were made. This review is aimed at revealing out how the law regulates the rights and power of the actors involved in renewal together with the relations between them. It also aims at disclosing how it handles crucial issues like participation, compensation, eviction and relocation, rehabilitation assistance, protection of the rights of the residents, slum reduction, image building and maximizing land value for economic growth and poverty reduction. The analysis of the law was based on the implicit question of whether it provides an enabling framework for renewal to achieve its goals without violating the needs and housing rights of the poor. The policies, laws and plans were examined and evaluated against their own visions, objectives and actions, and against international rights standards and country contexts.

2.5. Reliability and Validity Considerations

The quality of the data and its analysis, as well as the accuracy and consistency of results are important aspects of social science researches. However, there are different measures taken to achieve quality and consistency of results. Validity and reliability are the most important factors which any researcher should be concerned with while designing a study, analyzing results and judging the quality of the study (Sarantakos, 1998). In general, 'reliability' is the ability of an instrument to yield the same results on repeated trials even by other researchers (Sarantakos, 1998; Neale et al, 2004). Sarantakos (1998) also pointed out that reliability is characterized by precision and objectivity. 'Validity', on the other hand, means the ability to

produce accurate results that are in agreement with theoretical values and to measure what is supposed to be measured (Ibid). It is therefore concerned with the appropriateness of the research processes used to answer the research questions and the extent to which the findings of the case can be generalized to similar cases (Sarantakos, 1998). Leading scholars of research methodologies set certain criteria to improve and evaluate the validity and reliability of research process and findings (Sarantakos, 1998; and Creswell, 2003). To generate valid, reliable and precise data about eviction and relocation procedures in Addis Ababa that reduce the potential effects of researcher bias and influence on the subjects, this research applied a number of measures such as *the strategy of triangulation, member checking, spending considerable time in the field and pattern matching* that are presented below in their order.

According to Creswell (2003), the use of multiple data sources and theory or triangulation, ensures the validity and reliability of findings. Multiple methods and theories were employed to examine an extensive range of historical, political, economic, cultural, and spatial issues (Ibid). To this end, this study used FGDs, interviews, case study, household survey, observation and secondary sources. It also employed political economy theory, land governance principles and human rights-based approach. Detailed literature review from different relevant disciplines was also done. Additionally, the use of multiple case studies also enhances generalizations (Mohd Noor, 2008). In a similar fashion, the researcher treated four resettlement and two redevelopment sites to enhance the accuracy, validity and reliability of the results by capturing the holistic essence of URIER. These provided multiple perspectives to the same phenomena, and reduce potential limitations of any given method, source and the bias of the researcher. It thus deepens the level of understanding and enhances generalization. Explicitly, the use of multiple methods provides content validity.

In mixed research, the inquirer is interested in the accuracy of the final report. To this end, the themes were taken back to participants to be checked because the validity of the findings can be assured through additional questioning of respondents (Sarantakos, 1998). The researcher thus re-entered the field and collected additional data to overcome the gap which was raised at the time of preliminary data analysis. Collecting information for a prolonged time in the field can also develop an in-depth understanding of phenomenon under study or provide detailed information about the site and the people, and increase the validity and reliability of a given research output (Sarantakos, 1998; Creswell, 2003). The inquirer thus stayed on the research site as long as possible. Finally, the validity of research findings does reside with

the theoretical and empirical analyses of the response processes (Creswell et al, 2007) what is called pattern matching. The theoretical frameworks used in this research were adequate for explaining the complex urban land governance issues in eviction and relocation such as tenure insecurity, limited participation in decision making, unfair compensation, lack of adequate alternative housing and absence of rehabilitation strategies.

Chapter Three

3. Theoretical Framework

This chapter begins by discussing the theoretical issues used to frame the study and discussing their relevance for explaining land governance issues in land acquisition, eviction and relocation at national and local levels. The study has made use of various theoretical insights in order to understand URIER within the framework of land governance from different perspectives, which will be discussed in the following sections. Nowadays, urban land issues in developing countries are politically sensitive, complex, dynamic and context-specific (UN Habitat, 2007a; Palmer et al, 2009).

Since 1990s, neo-liberal approach has been guiding land policies and reforms, and their implementation in developing countries (IDS, undated, Barros, 2005). It centers on the workings of the formal land market and free individual land title (IDS, undated; Pauwelussen, et al, 2009). This formal mechanism is supposed to be financially and administratively efficient (Borras and Franco, 2010). This theory assumes that voluntary exchange explained by market based decisions in the distribution of resources is believed to maximize benefits to all actors without harming other individuals in the process (WB, 2008a). The focus of this economic theory is, therefore, the optimal use and the efficient allocation of scarce land to competing uses (Pauwelussen, et al, 2009). In so doing, neo-liberals argue for more market and less state intervention in land policy formulation and implementation (Ibid). Market forces therefore select beneficiaries, set the land price (Ibid) and determines how the urban land is used (UN Habitat, 2011d).

In this way, governments use market assisted land acquisition approach to acquire land for public interest projects and formal land markets to fix compensation. This approach is practiced in countries with efficient and highly developed land markets, clear policies and land management organizations, sufficient technical capacity, and established democratic systems (Pauwelussen, et al, 2009; Wallace, 2010; Viitanen et al, 2010). Developing countries have inadequate legislation, minimal government capacity and weak land management (Ibid). Apart from this, most land rights are unregistered or undocumented (Viitanen et al, 2010). They, however, use the formal land markets and land management to acquire land and fix compensation of dispossessed property and land (Daley et al, 2005; Viitanen et al, 2010). In most jurisdictions, pricing for fixing compensation is relied on government set values, rather than formal transparent land markets (Wallace, 2010; Viitanen et al, 2010). Through such pricing, and formal rules and

land management, those in formal and informal tenures have received unfair or no compensation and insufficient alternative housing.

Correspondingly, development projects accompanying the liberalization of land markets and market land acquisition justified as for serving the public interest and implemented in the name of economic development are increasing eviction of urban low-income communities (UN Habitat, 2011d). Many of these market-linked renewal evictions has aimed at making a more profitable use of high-value land and serving primarily private upper-income group interests (Ibid). Developing countries thus tend to rely on mass land acquisition for urban renewal and clearance (Wallace, 2010). Frequently, such evictions take place before exploring possible alternatives to eviction, and without consulting the relocated residents and providing housing alternatives (UN Habitat, 2004 and 2011d). Market assisted land acquisition under neoliberal approach is, therefore, unable to explain informal market, tenure, institutions, actors and information, as well as cultural and social practices that are common in developing countries. Moreover, it could not explain the political process that shape policies and approaches, why evictions occur without considering alternative to eviction, and why and how informal housing transfer and information address the housing needs and constraints of poor relocated households.

Against the backdrop of market forces, human geographers, political scientists and sociologists have begun to emphasis the need to examine the relationships between formal and informal economic and political structures and processes (GeoDZ, 2009; Edlemann, 2009, OECD, 2010) to understand development challenges. They also highlight the need to extend economic analysis to social spheres that are not profit-oriented economic activities to address the needs of the poor (OECD, 2010). Development projects and its policies and organizations need to strike the balance between the protection of private property rights and the public need for land that promote the most productive use of land (FAO, 2009). This highlights the balance between economic growth, sustainable land use and social justice (IDS, undated). It is argued that the utilization of political economy approaches for urban renewal within the framework of land governance is appropriate and relevant in this context.

3. 1. Political economy approach

Political economy approach provides a problem-solving and solution-orientated tool which can inform program design and improve outcomes (WB, 2008a). So that it analysis why land policy or reform have

failed and what could be done differently to move forward in solving development challenges (WB, 2008a). The need for political economy analysis has been reinforced to address diverse, competing and often conflicting high demands on scarce urban land in Ethiopia. It is therefore useful for assessing the achievements of urban land managers and planners in balancing such interests under the existing political and economic constraints and opportunities. It is also helpful in understanding how they improve the physical, economic, political and social conditions, while protecting the land and housing rights of residents. Political economy has a long tradition in the social sciences. However, the concept political economy means very different things to people with different academic and professional backgrounds. Researchers from political science, economics, sociology and geography have developed their specific theories, methodologies and focal issues with no commonly agreed definition of political economy (Edelmann, 2009).

In human geography, political economy approach first emerged in the late 1960s with radical geography from Marxist approach to understand how economic and political structures and processes are shaping the geographies of cities (GeoDZ, 2009). It gained importance in urban geography with roots in the work of Harvey on urbanism, which he was very much influenced by his close theoretical interpretation of Marx's texts (Ibid). While the earlier focus of political economy was on urban and regional issues, human geographers have been conducting research on a wide range of questions that encompass everything from policies and economic growth to income inequality and poverty (Graham, 2003; GeoDZ, 2009). It has also moved away from a narrow economic interpretation of social relationships to a much broader view which incorporates political and cultural factors (Graham, 2003). Within human geography, however, there is no agreement on the issues to be researched (GeoDZ, 2009). The only common ground that seems to connect the various uses of political economy is the utilization of the economic, political and cultural interpretation of social relationships (Graham, 2003).

Political economy in economics is identical with the understanding of neo-classical economics. Its analysis is more focused on economic spheres that are profit-oriented (Edelmann, 2009). In political science, it is regarded as the interaction between the economy, the polity and society. It assumes state interference in the economic sphere as necessary both to provide subsistence for the citizens and for raising revenues needed for the civil service (Ibid). In recent years, researchers have started to develop a shared understanding of political economy transcending disciplines. They adopt multidisciplinary approaches in development research and practice, using methods drawn from economics, political science, geography

and sociology. This study shares this new interdisciplinary understanding because it fits well with the purpose, philosophical and methodological assumptions and pluralism of the study.

According to Collinson (2003), political economy approaches are concerned with “the interaction of political and economic processes in a society: the distribution of power and wealth between different groups and individuals, and the processes that create, sustain and transform these relationships over time”. This definition provides particular attention to *politics*. Politics in this respect is understood in terms of the process of disputing and bargaining between interest groups with competing claims over rights and resources (DFID, 2009). It is believed that this bargaining determines how resources are used, policies are made and who benefits (Edelmann, 2009, OECD, 2010). Moreover, political economy approach is equally concerned with the *economic* processes that generate wealth and influence how political choices are made (DFID, 2009). OECD (2010) extends this definition and looks at not only on the interrelationship of political and economic factors, but also take into account the social, cultural and religious factors impacting on the policy process. Following this definition, political economy studies have begun to analyze political, economic, social, cultural and institutional factors influencing the political process or the policy environment (OECD 2005).

Land therefore has not just a technical but also a political aspect (UN Habitat, 2007a, DFID, 2009). The purpose of political or land policy ‘process’ is to get agreement among different organizations and groups that have differing views on land issues to get to the outcomes or products (policies, land use plans, regulations, land information systems etc) (UN Habitat, 2007a). However, technical aspects or ‘outcomes’ involve skilled professionals, dealing with complex legal procedures with the aim of producing perfect new policies and approaches (Ibid). The assumption of producing perfect policies is that good policies can be translated into good development outcomes (Edelmann, 2009). Accordingly, most countries have adopted totally technical land policy making process at the cost of political process simply to produce and enact perfect policy in addressing urban development challenges. This policy-making is dominated by technocrats and elites so that the process of policy development is biased against the poor who have little political influence or power (UN Habitat, 2007a). As a result, many of the existing land tools are expensive both for the government and the poor, complicated and bureaucratic, and ignore informal tenure rights that are commonly existed in developing countries (Ibid: 19). Such approaches that detach development from political and social realities have failed to benefit the poor (OECD, 2010).

Consequently, some question this technical solution and suggest the shift from 'getting policies right' to 'getting politics right' (Hyden, 2005 in Edlemann, 2009) to generate pro-poor policy outcomes. Seen in this light, researchers have begun to treat land question as an issue of political power and recognition of land rights. Added to this, Augustinus (2009) stated that in countries with social inequality and poverty, the land agenda should focus on land governance issues. According to palmer and associates (2009), land governance is basically about power and the political economy of land. The approach to land governance emphasizes political economy issues (UN-Habitat, 2008c). Political economy focuses on actors, their relationships, and the incentives and constraints that shape their interaction" (Ibid). Understanding the range of stakeholders in land and the potential outcomes of policies and planning processes on their interests is critical (Ibid). Political economy analysis is a powerful tool in this respect because focusing on interests and incentives facing different actors or groups, it examines how these interests and incentives generate policy outcomes that may or may not be pro-poor (DFID, 2009). It therefore analyzes essentially politics and political processes of contestation and bargaining (Ibid). This analysis is based on the understanding that the process of policy making is highly political that urges to negotiate every aspect of development plans (UN Habitat, 2011d). The involvement of people in the decision making process is therefore increasingly seen as an important part of the political economy analysis (WB, 2008a). Focusing on processes highlights the importance of different ways actors can interact such as dialogue, cooperation, dispute, negotiation, compromise and exit (Palmer et al, 2009). In the political economy analysis, processes underline the questions how issues are put on the agenda, how decisions are made and by whom, who decides who can participate in the process, how are the specific views of the poor incorporated, who is able to influence the debate and how; whose interests are advanced; who may perceive their interests at risk; how those decisions are implemented, and how differences and complaints are managed (Palmer et al, 2009).

Recently, political economy studies have increasingly recognized the key role of power and politics both in development discourse and in policy formulation and change (Edelmann, 2009). This type of political economy approach is power based that is essentially political and examines both process and outcomes of policy making (WB, 2008a; Edlemann, 2009). This model is therefore helpful to explain URIER in developing countries cities where social inequality and unequal distribution of wealth and power are common practices. In the study funded by FAO and UN Habitat, Palmer et al (2009) advised to adopt

political economy approach in explaining land governance which focuses on the relationship between power and how it affects the allocation of scarce land in urban and rural areas. They argue that exploring power relationships and the political economy of land can provide important insights and tools to explain land policy formulation and reform process, and understand the quality of land governance (Ibid). In this research, political economy that approaches urban renewal programs from power based model therefore forms the basis of the political economy of land governance issue, eviction and relocation, and in guiding the research. This is mainly because it integrates economic and technical models with power relations and deals with stakeholders' interests and incentives, contexts, processes and outcomes.

Like neo-liberals, power-based political economy perspective views the market as a force of change. It, however, integrates power with institutions and cooperation in its analysis by dividing society into more and less powerful groups (MDP, 2001; WB, 2008a; Pauwelussen, et al, 2009). It therefore assumes unequal distribution of power and wealth that affects land rights of the poor, and emphasizes who gains and who loses focusing on groups defined in terms of economic status and more recently by gender (MDP, 2001). In this research, data between rich and poor, and original and new beneficiaries as well as between tenures (formal and informal, homeowners and renters) and relocation sites are disaggregated to understand who benefits or loses from URIER practices and its benefits on each group. Power-based model focuses on decisions where the market maximizes benefits to those who have powers, but exclude others (WB, 2008a). Tenure security, property expropriation, compensation, eviction and rehabilitation, for example, are influenced by political, not by economic considerations (Ibid). Hence, agreements on rules, regulations and procedures that govern tenure and housing rights, land use and value; and protect and respond to the needs of the poor are needed (Ibid). In this way, it emphasizes social spheres that are not market-mediated economic activities to address the needs of the poor (Pauwelussen, et al, 2009). Political economy approach is therefore pro-poor in its perspective, and explains why rights are ignored and how the land and property rights of the poor are protected. This suggests that instead of the market, the state should be in control of the land policy, reform, land value and land use plans to counter market forces and powerful groups (Pauwelussen, et al, 2009).

In recent times, political economy discourse has started to influence on a state-led land policy and practices to address the needs of the disadvantaged groups that lack proper political representation (Pauwelussen, et al, 2009). However, when applied to land governance issues, state-led land policy making process may

or may not involve the poor in the process, and generate land and housing policies that protect the land, housing and property rights of inner city slum residents. Therefore, processes of contestation and bargaining within and between different actors in state and society are central in determining policy outcomes (OECD, 2010). The ability of the poor to influence policy outcomes and the outcomes that enhance their ability to participate in, contribute and benefit from growth depend mainly on their relative power and the reconciliation of a range of competing objectives among all stakeholders (OECD, 2010). When there is a great imbalance of power between the government and communities in the proposed land in the negotiations, the poor are excluded from participation (Majale, 2002) or if at all available, contestation or bargaining is one-sided (OECD, 2010). In such cases, the concerns of the affected population may not be considered in the policies (Nabutola, 2007). Land policy outcomes are thus captured by the powerful groups (Pauwelussen, et al, 2009) that relocate local communities in the targeted land without considering alternative to eviction and without due process (GLTN, 2010). It implies that state interventions cannot be seen only as opportunities, but also as constraints if the classes in power have little interest in change that benefits the poor and powerless (Boras, 2008).

Resolving differences and coming up with workable urban renewal projects for the city and the poor thus require a negotiated agreement that reflects compromises made by the key actors and their interests (Palmer et al, 2009). Combining technical and grassroots experience is therefore needed to understand the local realities and solutions and incorporate in the program through the participatory processes (UN Habitat, 2007a). This type of process means a two-way communication between state institutions, civil society and citizens (WB, 2008a). This participatory policy making process enables the realization of policies and programs that are politically acceptable, technically feasible and pro-poor (UN Habitat, 2007a).

In order to understand the underlying causes of poor governance and the underlying processes that have led to eviction and relocation, political economy studies seek to move beyond asking short-term, technical and apolitical 'what' questions to asking long-term and political 'why' and 'how' questions (Collinson, 2003). In the urban renewal context, for example, instead of asking 'what social group faces eviction and relocation,' researchers need to start asking 'why is this particular social group facing eviction and relocation?', and 'How could this be overcome? Political economy analysis is a powerful tool in this respect because it closely links both process and outcomes and helps to propose solutions to land acquisition, eviction and relocation that are tailored to local contexts through a participatory approach (UN Habitat,

2007a). Such insights help to get a broader and deeper understanding of URIER and their underlying causes, and suggest different policies and strategy choices to minimize eviction, exploit country contexts and protect land and housing rights of residents and address the land needs of the government for renewal.

Coming to the focus of this study, URIERs specifically raise fundamental governance and political economy questions (Palmer et al, 2009). These include who determines what is in the “public interest”, by what process and according to what rules; have all alternatives been exhausted, and according to whose judgment; who benefits and how from an eviction. It also consists of who receives compensation; how compensation is calculated; is it fair and just; according to whom; as well as who monitors the process; and what scope is there for appeals and grievances (Ibid). Generally, the answers to these questions reveal whether the urban renewal projects serve the public interest or the private interest or other hidden interests, benefit the poor residents or not and whether eviction and relocation are carried out following due process and protective procedures or not.

Political economy approach also assesses the consequences of regulatory and policy changes on the well-being of the poor and women (WB, 2007). It is assessed by linking among the policy objectives, policy actions, and their effects on key stakeholder groups with a special emphasis given to the losers and winners of the policy making and reform process (Ibid). Assessing the impact of policies and plans on various groups of society is an important dimension of this exercise, as policies or change in policy and plans affect different socio-economic groups differently (WB, 2008a). This therefore calls for understanding of the consequences of land policy and reform on the poor, households with informal tenure and kebele house renters as well as on LDMBs at municipal and local levels in Ethiopia. In this respect, this study will analyze consequences of urban renewal projects on access to infrastructure, livelihoods, housing and the distribution of authority or power to make decisions and implement LDPs. It also examines the quality and responsiveness of public land structures to residents’ needs (WB, 2007). The distribution of authority means changes in power, structures, and processes that govern the formal and informal function and the behavior of government actors and citizens (Ibid). It is directly changed through civil service and decentralization reform that often changes decision making power and result in new rights, obligations, incentives, and sanction (Ibid).

The concept political economy approach is useful for the purpose of analyzing contexts, institutions, and power relations, and actors in the processes of decision making and implementation in urban renewal programs in Addis Ababa, Ethiopia. It, however, requires multiple analytical tools to explain the complex urban renewal-linked eviction and relocation issues that emphasize the importance of context, power, institutions and actors. Analytic tools of political economy perspective to examine country contexts, institutions and actors are historical, institutional and stakeholders analysis, respectively (WB, 2008a; DFID, 2009; OECD, 2010; Amanor, 2012).

3.1.1. Historical and power analysis

The country level context refers to the broad socio-economic and political factor or history (Palmer et al, 2009). From a land perspective, key of these factors include the general context of land tenure that has evolved over this history, including tenure type and its main constraints; and inequality in land use rights (WB, 2008a; Palmer et al, 2009). They also comprise the predominance of slums, its formation and features, and urban renewal in history (Ibid). These factors are the long-term contextual factors that change only slowly over time and are beyond the direct control of local actors (DFID, 2009; WB, 2008a). They however determine the types of land tenure and market that exist in a country (Palmer et al, 2009). It is important to analyze the country context as it reveals power structures, institutions and actors in the decision making (Borras and Franco, 2008). According to Wallace (2010), the country context is the starting point of any decisions and strategies. They also shape key contemporary issues (Amanor, 2012). In our case, the contemporary issue is urban renewal program and the associated eviction and relocation. An understanding of the power dynamics and the political economy of land governance therefore begins with a brief analysis of the macro-level country context (Palmer et al, 2009).

Moreover, URIER has the land and housing questions. The land question (Amanor, 2012) and pro-poor land policy (Borras and Franco, 2008) should be historical in their perspectives. Some of the reasons for placing the land question within a historical context are to understand the issue of land-based wealth creation and political power transfers; and identify the specific economic, political, and social factors (Amanor, 2012) that have shaped URIER in the country. Historical analysis examines the influences of past policies and planning on the present (Ibid). Exploring the link between legacies and the present situations is important because historical legacies constrain the policy and strategy choices of today by shaping the

policy making and reform context (WB, 2008a). It also provides insights that help identify institutions, stakeholders, relationships, sources of influence and interests that is important during policy making and reform processes (Palmer et al, 2009). It finally contributes to future policy directions based on reflections and deliberation (Amanor, 2012). This study therefore used historical methods of research, which involves an organized but brief examination of the past events and activities that shape policy and strategy choices like land tenure, urban planning, housing conditions, expropriation and urban renewal in history, composition of people and land uses and eviction using desk review. As documented below, URIER should consider the country and inner city neighborhoods contexts such as unplanned settlements, and informal development, the mingling of the poor and the rich, the predominance of sub-standard rental accommodation and the poor etc.

To uncover where the real power in a society lies and how power is distributed geographically, institutionally and socially, power analysis as a diagnostic tool is used. This analysis is based on an understanding that sustained poverty reduction requires poor to have access to political power and resources that make their voices heard and be represented in decision-making process (Sida, 2006). Unequal distribution of land and related assets represents power that intensifies inequalities (MDP, 2001). In this respect, the ability of actors to participate is decided by power and land related assets at the disposal of each potential participant (MDP, 2001). Dialogue, voice, participation and disputes in the process, relocation or alternative to eviction, compensation amounts, and relocation and rehabilitation assistance are, therefore, determined by the power and assets of actors. Power analysis related to land asks questions such as “why land and authority are not transferred to lower levels of government in spite of decentralization reforms; and why poor people’s land use rights tend to be neglected, and what could be done about such expressions of politics of poverty” (Sida, 2006). Such analysis serves to understand why unfair compensation, forced eviction, lack of replacement accommodation and rehabilitation program, and tenure insecurity prevail, and what could be done about informal and formal power relations, structures, and actors incentives contributing to this state of affairs.

3.1.2. Institutional and Stakeholders analysis

Institution refers to the societal “rules of the game” and “structures” (WB, 2008a; Palmer et al, 2009). *Rules of law* can be described as the rules (policies, regulations, plans, social norms, traditions and experience)

and rights governing land (Palmer et al, 2009). Organizations however are individual actors, groups and structures bound together by some common purpose to achieve objectives (North, 1990). In this sense, rules of the game provide the framework upon which organizations function. According to Palmer et al (2009), institutions for land governance can range from formal with documented rules and structures having legal recognition and support to informal rules and organizations that enjoy social recognition and support.

Institutions are considered as a system of incentives and sanctions that can create constraints, and present opportunities in the policy making and implementation process (WB, 2008a). They are the main arenas in which stakeholders interact with one another (Ibid) and shaping their behavior (Palmer et al 2009). Assessing institutions therefore identifies how institutions are being affected by policy changes and how they affect social relations and reform outcomes (FAO, undated). Analyzing institutions that manage land, and recognize and protect the land use and housing rights are essential as they either provide political resources to the poor in society, or deprive them of such rights (Borras and Franco, 2012: 5). UN Habitat (2008) and IES (undated) argue that centrally and strategically located urban land often falls under competing and conflicting demands and claims supported by policies and land use plans. Institutional analysis is therefore a useful tool for understanding how institutions manage land and reconcile competing and contrasting interests for valuable inner city lands, why evictions are taking place and how it is minimized.

Institutional analysis is used to reveal actors and give general insights into their relationships, potential vested interests, incentives, constraints, sources of legitimacy and potential areas of conflict (WB, 2008a; Palmer et al, 2009). Institutional analysis also examines relevant formal and informal institutions and their relationships, and the structure and process of these institutions in relation to a specific issue (FAO, undated). In this research, the specific issue is urban renewal scheme and the resulting eviction and relocation. In URIER context, institutional analysis begins to explore the policy making and reform processes and identify all the relevant formal and informal rules regulating land or tenure, use, value and development, as well as land acquisition, eviction, relocation and rehabilitation. It is followed by the assessment of policy content and objectives of policy, ongoing programs, and the motivation for policy and organizational change to understand reform or policy context (WB, 2008a). Particular attention in this regard is given to the assessment of the key policy changes (Ibid), specific barriers, opportunities (Ibid; DFID, 2009) and gaps to address the needs and constraints of the affected community and local

governments within URP. In the process of such analysis, the specific actors that are likely to be impacted by renewal projects and their relationships, potential vested interests, incentives, constraints, sources of legitimacy and potential areas of conflict are identified. Institutional analysis also involves examining the ways rules of the game and structures affect land, housing, livelihood strategies and social support system of the relocated residents. Next to this is the assessment of informal and formal land organizations, and their responsibilities, vertical and horizontal coordination. By understanding formal and informal structures, potential land sector reforms can be identified to enhance the quality of land governance (WB, 2008a).

Rakodi (2007) argues that human interactions and organization, and individual choices in the policy making and implementation process are not only guided by formal rules but also by informal ones such as traditional procedures and customs, social obligations and habitual ways of doing things. For him, the study of institutions should go beyond the formal structures and rules to include how the actors challenge the formal structures and rules, and the sources of legitimacy necessary to make challenges. This analysis is based on the understanding that formal rules and structures in many developing countries are poor in channeling the needs of citizens (OECD, 2010). Frequently, they are obstacles to finding more efficient and equitable alternatives (GTZ, 1998). In settings where formal institutions are weakly set up and enforced, informal norms and behaviors help to understand implementation issues and constraints to address the needs of the affected poor residents (Kirsch, 2006). They also explain how things really get done (DFID, 2009). Such institutions in a society are revealed through transactions and disputes (Razzaz, 1998 cited in Rahodi, 2007).

Rakodi (2007) suggests that institutional analysis helps to explain the importance of informal institutions to urban land transactions as a strategy for people who are marginalized by formal institutions. As a frame of analysis, institutional analysis provide better insights into processes of urban land transactions and the associated informal rules and structures (Ibid). By extension, institutional analysis provides a better explanation about condominium housing transactions and how information about housing transactions are shared as a strategy for relocated residents who are unable to access replacement housing by formal institutions as well as informal actors and structures in the processes. This analysis also helps to understand and explain how informal institutions fill the gap opened by formal rules and structures to address the land and housing needs of relocated residents in Addis Ababa. These institutions carry out informal housing transactions on the basis of trust because informal institutions are more flexible or

dynamic over time; but they can also be very rigid, very strong, recognized or understood and very clear to internal participants (FAO, undated). Informal institutions therefore address the needs of the poor relocated residents to access replacement condominium units than the formal structures.

Stakeholders in land sector are individuals, organized groups and institutions (palmer et al, 2009). Stakeholders related to urban renewal programs are people who have vested interests in the land of the project area or who can affect the use of land, who use the land, and have something to gain or lose from urban renewal, compensation, eviction and relocation (Ibid). It also includes those who makes decisions and who are excluded from decision-making process. Decision-making processes are the result of negotiations between different stakeholder interests, power relations, access to and use of information, incentives and usage of formal and/or informal institutions, and the level and inclusiveness of public debate (WB, 2008a). The stakeholders with their economic and political interests mediate, drive and are affected by the process (Ibid). A stakeholder analysis is therefore essential to understanding the interests, incentives, constraints, influence, roles and responsibilities of the different actors in or over decision making and operation of the program, and the needs of those affected by a problem (UN-Habitat, 2008c). It is also applied to identify the key and most influential actors in and those excluded from decision making and implementation, and the winners and losers of development initiatives (DFID, 2009). In so doing, the analysis of stakeholders examines formal and informal interaction between the political, economic and social actors and their positions, interests, the sources of legitimacy, powers, priorities; and actual and potential alliances in the policy making process (WB, 2008a).

In general, the political economy approach is used as a way to understand government power, interests, policies and urban planning towards the affected residents as well as the relationship between the government and the residents in terms of alternative to eviction, compensation, eviction, relocation and rehabilitation. It is also employed such relationships between the government and NGOs and other actors. It is used as a framework to understand the involvement of the affected people in decision making and consultation, the rights, needs and constraints of the residents towards urban renewal, its effect on their housing, livelihoods and infrastructure; and the distribution of authority among actors. It is also applied how informal institutions serve or deny the replacement housing and information needs of relocated residents.

Because of proximity and concentration of activities, assets and people in urban areas, it is difficult to create a robust analytical framework for urban studies (Augustinus, 2009: 4). In addition, land is a dynamic, complex, context-specific and conflicting issue (UN Habitat, 2008d; Palmer et al, 2009). So that it should be approached from various angles to understand the issue under investigation and suggest integrated and locally tailored solutions. Further, the concepts covered in this thesis are much wider to be captured by one approach. Above all, land problems featured in URIER cannot be fully explained only by political economy perspective as its practical application is constrained by the contemporary philosophy and norms of land governance. It thus requires the implementation of good land governance principles to improve the quality of land governance in order to make urban renewal policies, program and its structures more equitable, transparent, participatory, decentralized etc (Palmer et al, 2009; Wallace, 2010). Hence, the principles of good land governance framework supplement political economy to make it more explanatory by providing a deeper level of understanding about universality of tenure security, subsidiarity, adherence to the rule of law, citizen participation and transparency of URIER.

3.2. Good land governance principles

Government involves formal institutions and procedures with top down planning and decision making and implementation, where authority is centralized and exercised hierarchically (Meehan, 2003). In the second half of the 1980s, developing country governments experienced low growth, poverty and inequality due to the forces of globalization (Meehan, 2003), weak performance of structural adjustment program and institutional weakness (Haq and Zia, 2006). Central decision-making by formalized institutions thus do not represent the reality of contemporary politics. Similarly, government does not capture the reality and the ambitions for new ways of resolving problems (Ibid). This state of affairs has compelled governments to embark on a wide range of reforms in their institutions of governance with the goal of achieving economic growth (Ibid). Over the last two decades, the issue of governance has gained significant attention on the global development agenda and become a key component of policies for economic development (Ibid). In an extreme form, it has been considered as a fourth dimension of sustainable development (Burns and Dalrymple, 2008).

Governance is not government as it acknowledges that there is a range of formal and informal rules and structures, and state and non-state actors who are involved in making decisions (UNDP, 1997; Haq and

Zia, 2006). It is accepted that there is a marked difference between government and governance. It however does not mean that governance is displacing government (Meehan, 2003:2). In this case, government is viewed as one of the stakeholders among several in governance by which decisions are arrived at and implemented (ESCAP, 2006). Different organizations define "governance" according to their own experiences and interests. There is however no universally accepted definition of governance. Nonetheless, Palmer et al (2009: 9) point out that there is at least consensus on the following four important characteristics of governance. First, governance is broader and more inclusive than government as it comprises government, customary authorities, civil society and private sectors. Second, governance emphasizes processes and institutions that govern and mediate relationships, decision-making and enforcement. Third, governance emphasizes authority and thus recognizes the importance of politics and power relationships that has significant impacts on the understanding of a given issue. Finally, the quality of governance can be good or weak, improving or declining. In order to determine whether governance is effective or weak, the researcher must look at both processes and outcomes. This characterization is the one which this study adopted and discussed.

Moving to the land sector, the persistence of poverty and inequality, corruption and growing land scarcity has brought land agenda to the fore in recent years (FAO, 2007; Borras and Franco, 2008b). As the awareness in the importance of institutions increase, attention has been turned to governance around land policies in 1990s. Governance around land policies has focused on the issues of economically efficient (re)allocation of land or land market and has promoted de-politicized administrative efficiency (Borras and Franco, 2008b). Such government responses from administrative perspective to the land question often remain very technical, ignoring the political aspect of land (Augustinus, 2009:9). It is too narrow to be able to address tenure insecurity, eviction and relocation issues, thus, unable to explain urban renewal practices in developing countries. Recently, there has been a thematic shift from governance in land administration to land governance (Durand-Lasserve, 2009). The inadequacy of the traditional governance in land administration and the failure of the government to reconcile competing interests for valuable urban land and satisfy the land needs of the government, while protecting the housing and property rights of the poor forced developing countries to move land management from technical solutions to land governance. Land governance therefore should be seen not only as management of land markets or land policy reforms, but also as the distribution of wealth and political power to make decisions (Borras and Franco, 2008b). This general move from governance in land administration to a broader focus on the power relationships among

actors has made good land governance principles the vital point in urban renewal. As a result, good land governance preoccupies the policy agenda of UN Habitat, GLTN, FAO, WB, UNDP and DFID with objective of improving the rules, structures and processes of urban development activities in the new millennium. The focal point of these international discussions therefore has been the processes behind policies, plans, structures and programs and how these perform and contribute to the achievement of broader objectives in the context of land issues.

At any level, there are multiple development objectives and multiple actors who have interests that range from basic survival to personal enrichment to societal well-being (Palmer et al, 2009: 10). There is competition between stakeholders over access to and use of scarce urban land. Promoted by policies, government needs land used by slum dwellers for the sake of urban renewal (Palmer et al, 2009). When land governance is weak, the powerful are able to dominate the competition for scarce and valuable inner city land (Palmer et al, 2009). Urban redevelopment programs therefore threaten low-income communities (Palmer et al, 2009: 10). Most development projects evict slum communities in Africa without consultation of residents and with little or no compensation (GLTN, 2010; UN Habitat, 2011d) and without considering alternative to eviction (GLTN, 2010). Agreements may also be made in secret by a small number of people (Palmer et al, 2009). Weak land governance in land tenure therefore undermines efforts to secure tenure, restore rights and promote urban inclusiveness, but leads to further marginalization of the poor (Antonio, 2008).

By contrast, improved land governance result in informed decisions when choosing between competing interests in land (UN-Habitat, 2008c: 8). Security of tenure can be ensured, benefits from urban renewal are responsibly managed and the benefits are equitably distributed, when land governance is good. Good land governance makes processes of land expropriation efficient, fair and legitimate (Viitanen et al, 2010). When good land governance exists, decision-making is more transparent and participatory, the rule of law is applied equally to all, and urban renewal agency is becoming more accessible and effective (Palmer et al, 2009: 11). What matters here is good land governance. The quality of land governance is therefore determined by the impact of the exercise of the decision making and implementation power on the quality of life enjoyed by the citizens in general and the affected residents in particular (Haq and Zia, 2006).

UN-Habitat strongly believes that different countries with similar natural resources, money, technology, and social structure may have varied societal well being. Much of this is attributable to standards of land governance. ADB (2005) blamed weak land governance for the failure of developing countries to reduce poverty and achieve economic development. Towards this end, UN Habitat and FAO have proposed reforms that ensure good land governance norms. Good land governance principle refers to a set of idealized principles and guidelines of how governments and other stakeholders should function. However, there is no consensus on land governance principles and its application to the real world. The indicators established by GLTN and Palmer et al (2009) became a yardstick with which to measure good land governance in this study because their works are more urban focused. In addition, Magel and Wehrmann (2001) in particular have extended and adopted land governance principles to land management practices and institutions. These studies stated that good land governance is characterized by principles of universality of tenure security, sustainability, equitable participation, adherence to the rule of law, subsidiarity, effectiveness and efficiency, and transparency and accountability. This study focuses on tenure security, civic engagement, rule of law and subsidiary, but bypassing reference is given to equity and transparency.

The quality of land governance is critical to the achievement of urban renewal objectives and to the fulfillment of residents' rights. Its quality affects the consequences of policy, planning, reforms and projects designed to address URIER (Palmer et al, 2009). Good land governance principles need to be extended to land tenure, value, plan and development and land expropriation, eviction and compensation (Antonio, 2008) related to URP. The key indicators of good land governance noted above therefore should be considered when evaluating the performance of LDMBs in general and LDCRA in particular. Applying these norms to URP can help assess the meaningfulness of consultation meetings, recognition of the bundles of rights or universality of tenure security, transparency of decision making and information, decentralization of decision making authority and responsibility and adherence to the rule of in the implementation of policies, projects, organizational reforms. It also provides a better insight about the performance of land development and management organizations at national, city and local levels and the nature of land governance in renewal practices.

In the context of URIER, a narrow technical understanding of URP based on policies, planning and land administration imperatives does not provide a sufficiently comprehensive framework to benefit the poor

residents from the fruits of renewal. It does not also reduce eviction, deliver adequate compensation or replacement housing and income rehabilitation program. In a similar context, land governance involves actors, their power relationships in the process of decision making; and the efforts of all actors to promote inclusive, participatory and pro-poor urban renewal. The concept land governance when applied to URIER has both technical and political dimensions which need to be coordinated for transparent, participatory and inclusive, and universal tenure security of urban renewal schemes. Tenure insecurity, secret decision making, centrally made plans and policies and exclusion of the poor from decision making and benefits of urban renewal, and loss of livelihoods are not only technical issues that cannot be addressed through the establishment of structures, organizational reform and capacity building. It is therefore needed to understand processes that led to such events, and policies, plans, structures, approaches programs etc in URIER in the broader domain of good land governance principles that can affect the process of allocation and distribution of power and wealth.

Human Rights Resource Center of Minnesota University explains that “a rights-based approach is founded on the conviction that each and every evictee is a holder of rights”. Human rights standards thus focus on individual rights while political economy approach emphasizes group interests. Therefore, in order to understand the violation or the realization of individual rights or interests, political economy is supplemented by right based approach. Political economy analysis that focuses on group behavior such as gender, age and wealth sees for example the poor as homogeneous entity governed by a single set of rules. This cannot capture individual differences within the poor group having varied needs and constraints, and conflicting values and priorities. In addition, URIER requires tools for property expropriation, eviction, compensation and replacement housing, relocation and rehabilitation that comply with international human rights principles and guidelines for social safeguards. These cannot be explained by political economy and land governance norms. Right-based approach is useful in this regard as it has a series of such tools consistent with land governance norms and political economy approach to measure procedures, and evaluate social safeguards in limiting the negative impact of urban renewal on the poor. The political economy concept thus needs to be supplemented by right-based conceptual approach within framework of good land governance to make it more explanatory by providing a deeper level of understanding about the procedural protection and social safeguards of eviction and relocation in terms of national laws and international human rights standards and guiding development principles.

3.3. Right-based approach

There are two broad approaches through which the government acquire and provide land for urban renewal program on which the land taker depends for in-situ solutions, compensation and replacement housing, eviction and relocation, and rehabilitation. These are market acquisition systems and human rights based models (Viitanen et al, 2010). For reasons stated earlier, market assisted model is inappropriate to developing countries context. An approach more adaptable to the circumstances of developing countries context that avoids eviction where possible or implements eviction according to human rights standards where not possible is therefore required. Right based approach is useful in this regard. According to United Nation (UN) Fact sheet No 25, the impetus for adopting this approach comes from the recognition of the negative human consequences of eviction and relocation processes. Unlike market based model, right based approach includes additional components to empower land users, demanding the government to:

- acknowledge the entitlements of formal and informal tenures not recognized under the law;
- ensure that all relocated persons are eligible for resettlement assistance, alternative housing and fair compensation for loss of both land and non-land assets and rights;
- Calculate the rate of compensation at full replacement cost;
- provide relocation and livelihood assistances or income rehabilitation program for economically displaced persons at full replacement cost; and
- provide effective and efficient information, full participation and consultation processes with affected persons and other related parties about the project and its impact on communities in the early project preparation stage and in all other stages (Viitanen et al, 2010; UN Fact sheet No 25).

Right based approach ensures that those affected should benefit from the development process on a sustainable basis (Viitanen et al, 2010). Cernea (2008) and Bugalski and Pred (2013) believe that the affected people should become the primary beneficiaries of development projects through benefit sharing mechanisms. Bringing back the lives and livelihoods of relocated residents in a proper manner to at least their former level is the other focus of this approach (UN Fact sheet No 25; Viitanen et al, 2010). This notion is based on the understanding that government responsible to the eviction is also responsible to restore affected communities as far as possible to the same position as they were in before relocation (UN Habitat, 2011d: 6). From this it is understood that approaching land acquisition, eviction and relocation concerns from the point of view of human rights puts a clear focus on the legal obligations of governments

to respect, protect and fulfill housing and human rights (UN Fact sheet No 25). In this way, right based approach seeks to resolve the problems of market assisted approaches.

Governments have the rights to compulsorily acquire private land and/or property rights for public purposes or projects using the powers of eminent domain. Exercising this power is often necessary and unquestionable because this interest cannot be frustrated by an individual refusal to offer land to the government at a reasonable time and cost, claiming unrealistically high compensation (Kombe, 2008; Viitanen et al, 2010). The power of the government to take land, however, is regulated by legislative processes and standards of acquisition to protect the rights of the residents in the targeted land (Ibid). Land expropriation needs not only clear policies that define the specific purposes for which the government obtains land, but also transparent procedures for acquiring land, providing compensation (FAO, 2009: 2) and rehabilitating evictees (Viitanen et al, 2010). In this sense, the specific public interests for which the governments acquire land should be established by a participatory process that takes the views and interests of those living in the project areas (UN Habitat, 2007a; UN, 2009: 9).

In a number of countries, land expropriation followed either by permanent eviction or by preserving the consolidated communities exploring alternatives to eviction have been used as tools to help assemble land in order to promote urban renewal in deteriorated slum areas (Mustefa, 2000; Viitanen et al, 2010). However, land expropriation that results in eviction is not the best and effective option in addressing urban development challenges such as slum and slum poverty reduction with great potential benefits for both city and the residents in the targeted land (Westman, 2007; UN Habitat, 2011g). Supporting this, UN Habitat (2011e) and Bugalski and Pred (2013) emphasize that eviction caused by projects should be a last resort after consideration of all alternatives. From this angle, eviction takes place only when there is no other feasible alternative.

UN Habitat (2011d) made similar point that "the best eviction alternative is one that preserves the community in the same place and gives people secure tenure rights to that land". Viitanen et al (2010) considered alternatives to eviction as the best tool to provide land for urban renewal through land expropriation while preserving the social structure. Westman (2007) confirmed that properly planned and implemented alternatives to eviction strategies done in close consultation with the affected households has proven to be a much more effective option in addressing urban development challenges. This notion

believes that almost all evictions happening today are preventable (UN Habitat, 2011d). Alternative to eviction in this context equates with redeveloping dilapidated inner city neighborhoods to improve the physical, economic and social conditions of the area, and providing land for URPs. At the same time, it involves legitimizing the rights of the poor people to stay in their home or land with adequate and affordable social housing and improved livelihoods for residents.

Although most evictions are preventable, most countries ratify civil and political rights and have land expropriation and eviction laws; the governments provide insufficient compensation, and inadequate support for alternative accommodation, livelihood and employment rehabilitation to the affected land users (Viitanen et al, 2010) As a result, massive forced evictions of inner city residents continue to occur in practice in all countries and increases in number and scale (GLTN, 2010). Some of the reasons attributable to this are, first, the available legislation for land acquisition mostly focuses more on providing land for investors and economic growth rather than on achieving the necessary provisions for the social sustainability of residents (Viitanen et al, 2010). Second, legal provisions on market-based land valuation are often missing from the legislation in some other jurisdictions. Finally, the affected community and social associations are excluded from developing land legislation regarding land acquisition, eviction and relocation process (Ibid).

In expropriation for both permanent and in-situ relocations, there are risks that human rights may not be appropriately protected (ibid). For successful urban renewal, international organizations have therefore applied right based approach to explore the process of land or property expropriation, compensation, eviction, relocation and rehabilitation in the context of national and international human rights standards. It attempts to balance the public need for land; and the provision of tenure security that protect property rights and respect and fulfill the human right to adequate housing of the affected communities (FAO, 2009). Right-based approach therefore provides win-win approaches for all involved (Bugalski and Pred, 2013) in particular for the government and the residents in the targeted land.

Although alternative to eviction may be the best option for the poor; there are cases where relocation may be the only option (UN Habitat, 2011d). When an eviction is completely unavoidable, it must be carried out in accordance with the national law and with the international standards set out in General Comment No.7 of the Committee on Economic, Social and Cultural Rights (CESCR). It must also be carried out in line with

the 2007 and 2009 UN Basic principles and guidelines on development-based evictions and displacement (henceforth development principles). This is so because the development principles have improved and significantly expanded the protection against forced evictions, involving social safeguards based on experiences gathered worldwide since 1997. Right-based approach therefore depends more on the international of human right standards of CESCR and UN development principles.

According to the 1997 CESCR, eviction may be carried out only as a last resort, once all other feasible alternatives have been explored and only after appropriate procedural and legal safeguards are in place. These include genuine consultation with affected people; prior adequate and reasonable notice; and information on the proposed eviction and on the alternative purpose for which the land or housing is to be used. Above all, it states that “Evictions should not result in individuals being rendered homeless.... Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement ... is available”.

Article 21 of UN development principles further lay down stringent criteria under which relocation can occur. This article stipulates that “Any eviction must be authorized by law; carried out in accordance with international human rights law; undertaken solely for the purpose of promoting the general welfare; reasonable and proportional; regulated so as to ensure full and fair compensation and rehabilitation and carried out in accordance with the present guidelines. The protection provided by these procedural requirements applies to all vulnerable persons and affected groups, irrespective of whether they hold title to home and property under domestic law”. World Bank Involuntary resettlement Policy (IRP) and UN development principles added the establishment of alternative livelihood strategies to get an outcome where the affected people’s lives are restored as a result of relocation. It assumes restoration or restitution principle (COHRE, 2005). Restitution in this case means that an individual ought not to gain or lose from the decision by the state to acquire his or her land for public interest (Kombe, 2010). The purpose of compensation, for instance, is to ensure that the dispossessed are restored to the position they were in prior to property expropriation by the government (Ibid).

International human rights standards, development principles, World Bank (IRP) commonly share most of these principles. Now let us have a look at some of these principles a bit in detail. To begin with, *the*

general welfare as development principle refers to steps taken by the government consistent with their international human rights obligations, in particular the need to ensure the human rights of the most vulnerable. Bugalski and Pred (2013) uses the phrase “general welfare threshold” to confirm that whether development projects are in the public interest or not. They clearly explains that “A project will not meet the general welfare threshold if its public purpose cannot be affirmed through a meaningful consultation with ... affected persons about their development priorities, with an emphasis on poor and marginalized groups; if it will violate affected people’s human rights; or if the magnitude of displacement and the degree of risk of harms to affected persons is not reasonable and proportional to its public value”. Apart from public purposes, eviction is unavoidable if it takes place only under “exceptional circumstances”, aiming at protecting health and well being of residents, and when the location lies in the way of a municipal infrastructure project that cannot be changed (UN, 2009; UN Habitat, 2011d). Moreover, major international business or sporting events; and measures deemed necessary to reduce the risks associated with natural hazards are considered to involve eviction for public interest (UN, 2009; Palmer et al, 2009; Viitanen et al, 2010).

Another principle of development to protect, respect and realize the human rights of the human rights of the affected people, while practicing URPs is an attempt to balance the public interest in undertaking eviction and relocation against the private rights and interests. In the international human rights standards, development principles and WBIRP, balance of public and private interests in renewal projects is translated as realizing the rights of the affected residents to remain in renewal sites exploring viable alternatives to eviction in consultation with these residents. If this is not possible, balance test is interpreted as providing adequate housing and compensation; improving their livelihoods; entitling the residents as primary beneficiaries sharing the benefits and protecting the rights of the poor and other vulnerable groups. Balance principle in human rights analysis therefore plays a central role in distinguishing legal provisions and actions by governments that protect or negatively affect the residents’ human and development rights. For instance, eviction that is justified on public interest grounds, but violated the affected persons’ rights or disproportional interventions with individual rights fails the balance test.

Finally, another way of reducing the social cost of relocation is the protection of the rights of the poor and other vulnerable groups. The CESCR imposes an additional obligation upon Governments to ensure that eviction by development projects should not result in the vulnerability of groups that are already

marginalized. It specifies that the priority beneficiary groups of land and housing policies, laws and land use plans must be those most vulnerable to the loss of their homes. Particularly, it indicates that “States parties must give due priority to those social groups living in unfavorable conditions by giving them particular consideration. Policies and legislation should correspondingly not be designed to benefit already advantaged social groups at the expense of others.” The poor and other vulnerable groups such as women, children, youth, older persons etc suffer disproportionately among those relocated from the practice of forced eviction. Thus, the WB’s IPR calls for particular attention to the needs of vulnerable groups who may not be protected through national legislation. This shows that right based approach emphasizes special measures to protect the most marginalized members of the affected persons facing eviction and relocation.

These standards and social safeguards indicate the legitimacy of eviction and relocation procedures, and/or the appropriateness and adequacy of procedural protection and due process of eviction, relocation, compensation and rehabilitation. In this sense, the legitimacy, violation or fulfillment of rights and losers and winners of URP in Addis Ababa depends not only on the recognition of these standards and the introduction of social safeguards in legislation but also on how appropriate the procedural protection and due process are in practice. In other words, countries with legislations may violate the affected people right to remain, adequate compensation and housing and rehabilitation assistance. Relying on the legal fiction that government speaks for and represents the interests of the public at large therefore is inadequate. Much of the reason attributable to this lies to great imbalance of power between the government and residents (GLTN, 2010). In such circumstances, implementing that forced evictions should only happen in the public interest, in exceptional circumstances, and only after due consultation and consideration of all available alternatives is difficult (Ibid).

Though international human rights standards and development principles do not prohibit outright every possible manifestation of eviction, right-based approach strongly discourages the practice and urges states to explore all feasible alternatives prior to carrying out any forced evictions. It also demands governments to demonstrate that eviction is unavoidable, confirm that the project is carried out in the public interest and consistent with international human rights standards as UN Special Rapporteur on adequate housing (2007) explains. CESCR further urges governments to ensure no one is rendered homeless as a consequence of an eviction. The interesting thing in this respect is that where the affected residents are unable to provide adequate housing for themselves, the governments must take all appropriate measures

to ensure that adequate alternative housing or sustainable relocation is available and provided (Ibid). Their standards, social safeguards and acceptable practices are therefore used to evaluate the existing policies, plans and URPs and its eviction, relocation and rehabilitation.

The CESCR defines forced evictions as the “permanent or temporary removal against the will of individuals, families or communities from the homes or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection”. Therefore, evictions that take place in conformity with the above provisions of international human rights principles are considered legitimate (Ibid, 2007). However, care must be taken to label eviction as forced because every eviction that is carried out by force does not constitute a forced eviction. In this sense, eviction followed by appropriate safeguards is lawful and does not violate the prohibition on forced evictions even if it involves the use of force. In contrary, the practice of eviction without genuine consultation and the involvement of affected residents in the decision-making processes, adequate relocation options and compensation, and rehabilitation assistance are forced (Westman, 2007; UN, 2009; UN Habitat, 2011). Evictions are also considered forced when carried out with the use of physical force or violence when implemented violating the human rights standards (UN Special Rapporteur on adequate housing, 2009). However, evictions carried out peacefully can also be considered as violating human rights standards when undertaken without full legal justification or appropriate procedural protection and due process (Ibid). The important thing to determine the legitimacy of eviction is not the use of force or peaceful eviction, but the appropriateness and adequacy of procedural protection and due process of eviction and relocation based on human rights standards.

Approaching urban renewal-induced eviction, relocation and rehabilitation from the human rights perspective therefore provides clear criteria against which legislation and action can be examined and evaluated. Additionally, it helps the researcher to examining the legitimacy, realization of the elements of right standards and to assess how reasonable most of the justifications forwarded by the government are in practical and human terms (UN Fact sheet No 25). It thus offers a yardstick with which to determine or conclude the legitimacy, violation or respect and effects of evictions. Adopting human rights based approach identifies areas in which the legislations and policies fall short of human rights standards to the realization of the property and human rights. It also pinpoints protection gaps in in-situ solutions, eviction and relocation, compensation and rehabilitation procedures. Such a perspective creates a systematic

framework relevant to specific country for developing appropriate legal and other measures leading to a substantial reduction in the practice of forced evictions (Ibid).

Although there are several beneficiaries of urban development projects, the costs are being borne disproportionately by the poorest (Robinson, 2003), and the poor communities living in slums are the greatest targets for evictions in most African cities (Westman, 2007; UN Habitat, 2011d). What makes the situation more difficult is that the poor are the groups worst prepared to the effects of eviction and almost unable to find affordable alternative housings (UN Habitat, 2011d). It calls for the use of pro-poor approaches to in-situ relocation, compensation, relocation and rehabilitation assistance that requires the application of right based approach for realizing human rights of the poor (UN Habitat, 2002: 10) and other vulnerable groups. Since a right based approach underpins pro-poor tools, it provides a framework for poverty reduction based on the full complement of civil, cultural, economic, political and social rights (UN Habitat, 2002; UN, 2012). Right-based approach that focuses on pro-poor in-situ solutions, compensation, adequate housing and rehabilitation assistance is important to understand URIER in Addis Ababa where the majority of evictees are the poor. Increasing evictions that relocate the poor to distant places, unfair compensations, denial of affordable replacement housing, and loss of livelihoods are common practice in most urban renewal schemes. It is therefore needed to understand these issues in the broader domain of right based approach. This research consider right based approach as a central notion because of its social, economic and political relevance for exploring the national legislation and principles of land, housing and other human rights on paper, and their application at local level in the context of URP in Addis Ababa.

Chapter Four

4. Review of Related Literature

4. Literature Review: The Nature of land governance in URIER in Ethiopia

The purpose of this chapter is to provide the empirical background of land governance in URIER of residents based on some secondary sources. Essential elements of the research that will be reviewed are process, rules, structures and approaches, and some land governance norms. Procedural protection and social safeguards of eviction and relocation, and practices, as well as the analysis of some related research work at national and local project site levels will also be made. Based on this, this section is organized under two headings. First, it will describe land governance issues emanating from process, rules, plans, structures and approaches. It is intended to understand their implications for forced eviction and the quality of land governance in line with their consequences on residents and implementers over the recent decades in Ethiopia. Moreover, it is aimed at examining their manifestations.

Following this, procedural protection and social safeguards of eviction and relocation and their effects from the affected residents' point of view will be analyzed. This will facilitate to have a better understanding about procedural protections and social safeguards of eviction and relocation and their consequences. Second, this thesis will critically look at some previous empirical research works at national and local project site levels on urban renewal in inner city slums in Ethiopia. This enables to draw some insights on the URIER issues, and to identify certain research gaps that need to be addressed. Prior to delving into the review of related literature, the contextual definition of slums in Ethiopia is presented.

Most studies and statistical data show that the extent of slums in Ethiopia is one of the highest in the world. ORAAMP (2002) asserted that 60 % of the housing in inner city Addis Ababa is slum. The situation in the other urban centers of the country is the same as Addis Ababa (CSA, 2007). Though the magnitude of Ethiopian slums might appear debatable, there is a general consensus on the overcrowded, dilapidated housing without adequate facilities in city centers poor conditions of housing, services and infrastructure in most urban neighborhoods across the country (Matewos et al, 2011). There is also agreement in the unplanned nature of, the mingling of rich and poor, and land uses in these settlements (Elias, 2008; Heisel, 2012). Different countries and organizations defined slums according to their own experience and history of

urban development. In what follows this study will attempt to offer contextual definition of slums in Ethiopia in general and in Addis Ababa in particular by comparing slums in Ethiopia and old colonized developing countries in Africa.

In other old African countries, slums are the result of sub-urbanization and are surrounded by central business centers (Elias, 2008). Similarly, slums in these countries occupy a limited and separated area of the city (Elias, 2008). As a result, they show a high degree of separation between housing classes, the rich and the poor as well as native and European quarters (Heisel, 2012). Unlike the old inner cities in colonial Africa, inner city areas in Addis Ababa are delineated based on the origin and development of the city (Elias, 2008). Originally, these areas were developed as unplanned areas spontaneously and continued to grow without plan interventions (Bahru, 1986; Elias, 2008). These settlements thus cover large areas of land rather than occupying a limited and separated part of the city (Elias, 2008). Further, the poor and the rich are living together in these neighborhoods, combining commercial and residential structures (Heisel, 2012: 263). Although these settlements are dominated by public rental housing and occupied by low-income tenants, no part of the city is separately occupied by the rich or poor except some newly built satellites for the upper class (Heisel, 2012: 263). Last, but not the least, large areas in the old inner cities, slums, are mostly single story substandard housing developments along with lack of services, and crowded conditions (Hebel and Elias, 2012). According to ORAAMP (2002), slums are characterized by dilapidated housing structures, congestion, poor urban image, lack of open spaces, poorly developed infrastructure and basic services, and inefficiencies in land utilization.

In short, slums in Ethiopia are contextually defined according to the origin and planned development of urban centers, the area they cover, mix of the income status of residents, and housing, infrastructure and services conditions. Accordingly, slums in this study are understood as non-planned old inner city settlements, dominated by single story substandard public rental houses with poor infrastructures, and occupied mainly by low-income tenants having some tenure rights. These areas also mingle the population of different income groups and mix residential units with commercial activities. In this study, 'slums' and 'old dilapidated inner city areas' are used interchangeably.

4.1. An overview of land governance and URIER in Ethiopia

Urbanization in Ethiopia has been growing at a faster rate with 4.3 percent per annum (MWUD, 2007a). This rapid pace of urbanization has been driven by push factors, and predominantly by a multitude of pull factors, such as more economic opportunities and attractive jobs in the cities or positive expectations and motives by incoming migrants. It does not match with the socio-economic growth and infrastructure service requirement of growing urban population. This unprecedented growth rate has aggravated the urban land use challenges and resulted in the irregular and uncontrolled patterns of growth of towns and rapidly changing land uses (Abuye, 2006). It also intensified the competition over valuable inner city land, the level of slums and poverty, and the risks of eviction and relocation (Mihretu, 2005).

Within the inner city areas, the current slums, poor housing and infrastructure conditions, and unplanned settlements are mainly the product of failed policies and practices of housing and land tenure in the past (Mihretu, 2005; Yewoineshet, 2007). In addition, high land values, poor governance and land management, and capacity problems have played their roles to such problems in urban areas (Melkamu and Shewakena, 2010). Recent economic growth accompanied by large scale urban development programs that demand large tracts of land put pressure on urban land in Ethiopia. All these thus have contributed to the current poor state of land governance and the ensuing eviction and relocation to the outskirts that ignore the needs and priorities of residents in Ethiopia (Birhanu, 2006; Mihretu, 2005).

4.1.1. Land governance and Urban renewal projects

Ethiopian urban centers suffer from poor governance in urban renewal projects, proliferation of slums, and poor urban land management and capacity problems (Abuye, 2006; Melkamu and Shewakena, 2010). They also experience urban decay and a shortage of infrastructure and basic services (UN-Habitat, 2010b). Clearing low income inner city settlements to give way to new commercial malls, hotels, office buildings and high-rises had been a common practice in the past decade renewal projects of Addis Ababa (Mihretu, 2005: 1). It resulted in the relocation of the entire residents in the neighborhood to outskirts (Mihretu, 2005; UN-Habitat, 2007), which impoverished and marginalized the affected population (Birhanu, 2006).

Various studies suggest that inappropriate eviction and relocation procedures are caused by weak land governance. In Ethiopia, there are no clear and equitable policies defining rights to land (Desalegn, 2009). The macro-economic policies of land tenure, and land use have contributed to the poor land governance.

Burns et al (2010) clearly demonstrated that rural land tenure in Ethiopia is better recognized than urban areas. In urban areas, all informal tenures are not recognized in policies and regulations. The main reasons for limited recognition of such rights are high levels of informality and weaker administrative tools and structures (Ibid). This problem is exacerbated by poor land data management system (Matewos et al, 2011), ineffective land information and records system (Abuye, 2006). It implies that about a quarter of the urban informal inner city dwellers and renters are vulnerable to eviction without compensation or replacement housing if the policy fails to recognize and formalize them. It is confirmed by the fact that residents with unregistered land and property were paid little or no compensation for the loss of nonregistered rights (Burns et al, 2010).

Processes of decision making also strain the quality of land governance. Ethiopian land governance is characterized by the absence of clear and equitable processes (Desalegn, 2009). The main constraint to the effectiveness of policies, reform and urban renewal practices is limited public participation of the affected population in land policy decision making process (Gebre, 2008; Abebe, 2010). In Ethiopia, the involvement of the community and CSOs in the federal policy making process at the grassroots is limited (Bacry et al, 2009; AfDB, 2012). Likewise, there was low level of participation of the community and other stakeholders in planning process of urban improvement scheme (Ashnafi, 2000; Heyaw, 2005; Mathewos, 2011). If at all available, it is nearly limited to information sharing (Bacry et al 2009). The community was not aware of the policy making and planning process because the process was hidden to the general public (Dejene, 2005; Ezana, 2011) and was not invited to participate in the local development planning process (Dejene, 2005). Reasons for the inability of the poor to take an active role in decision making are poverty and absence of slum associations (Mathewos, 2011) and the absence of activist groups lobbying for people affected by development projects (Ezana, 2011). This shows that the residents in targeted land have limited power in decision making on policies and plans that affect them.

Specific rules, land use plans and regulations on urban redevelopment, and its land expropriation, compensation, eviction and relocation have their own roles to weaken land governance. In this respect, typical problems are lack of well-defined inner city improvement policies (Birhanu, 2006; Tolon, 2008), inappropriate urban land use planning at city or micro level (Burns et al, 2010) and lack of clear, up to date and binding regulations governing compensation, eviction and relocation (Belachew, 2010; Wendwosen, 2008). Burns et al (2010) identified poor land use planning and management. It is caused by the inability of

master plans and inadequacies of municipal planning capacity to address the needs of inner city residents and the land need of the government to improve image and generate revenue (Ashenafi, 2000; Wendwosen, 2008). Another land use planning related problem is poor relation of urban planning to rapidly evolving situation (Abuye, 2006), and unaffordable land use, building standards and regulations (Abuye, 2006). Accordingly, the government emphasizes physical improvements and the beautification of dilapidated inner city areas than improving the socio-economic lives of the low income families (Ashenafi, 2000; Ezana, 2011) and preserving the long standing residents in the inner city (Miheretu, 2005). As a result, the poor has been relocated to distant places. This therefore has brought about the breakdown of social network of residents (Ezana, 2011) and has disturbed their social and economic conditions (Ashenafi, 2000; Dejene, 2005). This suggests that land use plans and management are not tuned to the realities of the poor and ignore the right of residents to remain in the neighborhood.

Inefficient and inadequate land information systems have also made their contributions to weak land governance. Significant proportions of the inhabitants do not have title deeds or certificate of home ownership (Abuye, 2006). With regard to organizational arrangements, most of the land management bureaus in Ethiopia have unclear, fragmented and overlapped responsibilities (Desalegn, 2009; Melkamu and Shewakena, 2010). This has resulted in uncertainty and duplication of efforts (Ibid), and inconsistencies in land related legislation and policy implementation (Abuye, 2006; Desalegn, 2009). Lack of uniformity in mandates, and unclear and overlapping assignment of responsibility also illustrate land management units at Federal, Regional and municipal land organizations levels (Abuye, 2006). It is aggravated by limited supporting guidelines below Federal level to support policy implementation (Burns et al, 2010) and inadequate coordination of the various organizations involved in urban renewal (Ashenafi, 2000; Wendwosen, 2007).

Poor land governance is partly the result of financial capacity constraints to perform their roles and responsibilities in planning and land information as well as in facilitating appropriate eviction procedures. The key problem is shortage of financial resource to be paid for the loss of property or compensation (Matewos et al, 2011) because most local authorities do not generate revenue needed for urban development initiatives (Abuye, 2006; Matewos et al, 2011). Therefore, lack of finance made property expropriation for urban renewal projects more difficult. It is worsened by lack of emphasis on building organizational infrastructures with clear responsibilities (Abuye, 2006) and lack of public-private or CSOs

partnership in urban revitalization (Wendwosen, 2007). It has minimized the financial and technical sustainability of urban renewal practices in the country (Matewos et al, 2011).

In addition, land governance in urban renewal scheme has encountered challenges that range from decentralization, sustainability and tenure security to transparency issues. The allocation of land management responsibilities among the three spheres of government involves decentralization process. Nonetheless, land structures in Ethiopia are not empowered properly in terms of legal and financial resources (Belachew, 2010). Urban land development and management bodies at local levels are not given the required degree of autonomy to manage land (Melkamu and Shewakena, 2010: 1). They thus have negligible power in urban development activities (Yewoineshet, 2007:7).

Part of the explanation for poor land governance is the problem of top-down decision making process. Lack of community participation in the formulation and execution of inner-city improvement policies and programs at the grass root levels harms the decision making and consultation processes (Wendwosen, 2007; Matewos et al, 2011). The other major problem lies in the adherence to the rule of law. Urban renewal has been carried without appropriate procedural protection. For instance, the international law of selecting suitable relocation sites for income earning activities and the provision of adequate housing in terms of affordability are breached. In this respect, the price of condominiums is beyond the reach of most of the affected residents (Gittleman, 2009; UN-Habitat, 2010b). Many condominium sites are also located on the periphery of the city and do not acknowledge the need for employment opportunities of residents.

The other sign of weak land governance is tenure insecurity of residents. Tenure security was a serious concern as there are about 25 percent of informal tenures in inner city of Addis Ababa (Burns et al, 2010) and 40 percent of public rental housing units in the city (UN Habitat, 2007b). Recently, eviction result from large scale urban renewal program threatens the tenure insecurity of residents of a substantial number of tenants in rental accommodation and homeowners in the inner city areas (UN-Habitat, 2007b). Residents in this location have been relocated to the outskirts mainly because of inappropriate urban renewal approach, unplanned nature of settlements, dilapidated structures and lack of concern for socio-economic issues and for the protection of the existing communities (Ashenafi, 2000).

Corruption is a critical challenge in the public land institutions. Secretive non-transparent bidding processes are prevalent (Burns et al, 2010). Expropriation of land is thus largely falling in the hands of large commercial investors (Ibid). Reasons that created a comfortable situation for corruption and wealth creation were the previous urban land lease policy of Ethiopia (Sisay, 2012), lack of inventory and records of public land (Burns et al, 2010) and lack of up to date, clear and binding regulations governing expropriation, compensation, and rehabilitation (Belachew, 2010). Lack of transparency places further land governance strain on inner city poor residents, which is manifested in the decisions that relocate the entire residents to peripheral areas.

The approach to renewal has also been the main cause of eviction and relocation. Urban renewal in Ethiopia has focused on improving the physical condition of the area to build the image of the city and make the city internationally attractive (Mihretu, 2005: 97; Gittleman, 2009). According to Ashenafi (2000), eviction and relocation of residents to the out skirts of the city was considered as the only viable option to modernize the inner cities, assuming that physical improvement is the sole solution for all urban problems. This program was unable to balance the needs of the government to modernize and improve the image of the city so as to better fit the model of a globally competitive city and to bring in more revenue; and the preferences of the low income residents to remain in the neighborhood (Mihretu, 2005: 97; Gittleman, 2009). Urban renewal efforts also had no concern for social-economic issues and the protection of the existing communities, and could not balance residential and commercial activities (Ashenafi, 2000).

Ethiopia has therefore practiced urban renewal approach that relocates most residents to public low cost housing or undeveloped land in the outskirts where livelihoods and social support system are disrupted, and infrastructure and social services are minimal (Mihretu, 2005). Such an approach proved ineffective decades ago. Most researchers blame the approach of urban renewal for the absence of alternative to eviction and the persistence of eviction and relocation to the peripheral areas at large scale. The scheme therefore failed to respect and protect the right of residents to stay or live in the inner city areas and benefit the inner city poor populations (Mihretu, 2005). The most affected group of the society by urban renewal projects are the poor (Matewos et al, 2011: 54).

Comparing the experience of developing countries in urban renewal with Ethiopia, Matewos and associates (2011: 54) found out that the Ethiopian URP is characterized by limited practice of land sharing, mostly

relocation to other areas, less integrated socio-economic and spatial planning and focus on physical planning and physical improvement. It is also featured by low capacity, absence of slum associations, low level of public awareness, weak partnership with the private sector, NGOs and community associations, and the absence of targeted subsidy for the poor (Ibid).

Any urban development project, including urban renewal has both negative and positive effects on the affected residents and on the public interest or society at large. In terms of positive consequences, a good number of the recent studies reported that the scheme has improved the physical conditions of slums and there by the image of the city and the country, attracted investment and injected more revenue (Dejene, 2005; Mathewos et al, 2011). Above all, it has contributed to the country's economic growth (UN-Habitat, 2010b). From the perspective of relocated residents, it has improved the housing conditions of households' relocated to public low cost housing (Tebarek, 2008; Abebe, 2010; UN Habitat, 2010b). In terms of negative consequences, however, these and a number of other studies disclosed that urban renewal was unable to mix commercial and residential units (Ashenafi, 2000; Mathewos et al, 2011) and poor and rich residents (Mathewos et al, 2011).

Renewal projects that resettle inner city residents to urban fringes also caused the loss of jobs, assets and social support systems, which resulted in a significant decline in income and living condition (Gebre, 2008; Abebe, 2010). It also worsened the infrastructure and social services of residents (Birhanu, 2006; Tebarek; 2008; Gebre, 2008) and increased the transport cost from and to place of work, market centers, school and healthcare facilities (Gebre, 2008; Abebe, 2010). Added to this, the loss of locational advantage for income generation possibilities was a common practice (Ashenafi, 2000). Losing locational advantage implies difficulty for people with restrained resources to cope with the negative consequences of renewal (Ibid).

Some studies revealed that the current urban redevelopment schemes impoverished and marginalized the affected communities (Birhanu, 2006; Tebarek; 2008; Abebe, 2010) for a number of reasons. First, urban renewal projects has targeted at improving the physical condition of the neighborhoods with little concern to the socio-economic impact (Ashenafi, 2000). Second, there is absence of concern for the protection of the existing communities (Ibid) and the inability of governments to balance competing demands over valuable inner city lands with focus on land value enhancement (Ashenafi, 2000; Heyaw, 2005). This is

accompanied by lack of an integrated solution of the physical, social and economic problems of the city (Ashenafi, 2000; Dejene, 2005).

The urban renewal in inner city areas that move and resettle residents to outskirts has varied effects on the relocated households and on the public interest. This is observed in terms of differences in the quality of housing, living conditions, livelihood opportunities, and access to infrastructures and social services. Tebark (2008) revealed that the living and housing conditions and provision of infrastructures are different depending on the type of compensation they provided. This study unveiled that relocated households who received land and money as compensation and those in temporary shelters suffer a lot in terms of housing conditions and infrastructure and social services, livelihood opportunities and distance to place of work and market than those in the condominium houses (Tebarek; 2008; Gebre, 2008).

It is also viewed in terms of differences in income status and gender of relocated residents. In this respect, the most affected societal groups were female poor (Tebark, 2008). In addition, the most severely affected societal group by eviction and relocation often were the poor which exacerbating poverty among a section of the population. Mathewos et al (2011) confirmed that urban renewal threatened the livelihood of relocated poor households in contravention with the intentions of pro-poor development policy of Ethiopia. It therefore fails to equally benefit the affected group and is less effective in achieving its objectives of improving the living conditions of the residents.

4.1.2. Procedural protection and social safeguards of eviction and relocation

Coming to the procedural protection and social safeguards, relocated households complain about the procedures of eviction and relocation (Ibid: 46). One of the weaknesses of inner city renewal and its eviction and relocation was lack of community participation in the decisions regarding alternative to eviction or relocation (Ashenafi, 2000). Evictions took place with little or no dialogue with the affected residents and without their consent (Mihretu, 2005). Residents claim that no other consultation meeting took place after the first meeting (UN-Habitat, 2010b). This public consultation about eviction was made after the city government prepared LDP (Ezana, 2011). This technocratic nature of participation process and consultation only during the implementation stage negatively affected the participation of residents (Ezana, 2011). In the consultation, the bargaining power of the residents was low because of the absence of activist

groups lobbying for people affected by renewal projects (Ezana, 2011) and slum associations that demand their rights to remain and to adequate housing (Mathewoa et al, 2011). This shows unequal power relations between governments and urban residents in the policy formulation and implementation processes.

There was no any assessment about the needs of the entire residents found in the targeted land (Mihretu, 2005). This was revealed by the fact that the majority of inner city residents was not willing to give up central areas and move to the out skirts of the city (Ibid). Similarly, low level of public awareness about the renewal projects features urban renewal in Ethiopia (Matewos et al, 2011). Most residents claim that they were not informed of the intention of the municipality well ahead of relocation (ibid). Lack of information well ahead of eviction means short time span was given to make psychological and economic preparations to deal effectively with the effects of renewal (Ibid). Particularly, relocated households complained that they were not given adequate and reasonable eviction notice and time to move since they were given only 45 days advance notice (UN Habitat, 2010b).

Most relocated households had a negative opinion. They reported that they were paid either inadequate compensation (Gebre, 2008; Daniel, 2009; UN-Habitat, 2010b; Matewos et al, 2011), or they were relocated without any form of compensation (Matewos et al, 2011). Moreover, compensation in the form of money and land was not done in an expedited manner and in advance (Ibid). Some of the reasons that made the residents unhappy with the amount of compensation were the fact that compensation covers only the value of the house at the time of construction (UN-Habitat, 2010b). The value of expropriated land associated with the location was not compensated because land is owned by the state (Daniel, 2009). Referring to this, UN Habitat (2010b) concluded that the compensation has certainly not been sufficient to build a comparable house in another location. This shows that the constitutional guarantee for commensurate compensations is not respected (Daniel, 2009). One of the main challenges the municipality faced associated with compensation is that how to provide compensation for the land occupied informally (Abuye, 2006).

The government offered subsidized condominiums as the main alternative to replacement accommodation for low-income households. This however is no longer an option for many low-income households as most displaced peoples are too poor to afford this housing (Mihretu, 2005; Gittleman, 2009; UN-Habitat, 2010b). In addition, the government has only minimally accounted for the social costs of this housing (Gittleman,

2009). Therefore, these new condominiums affected relocated residents negatively as opposed to the intention of the program (Gittleman, 2009). Past resettlements projects were enacted without negotiations with the affected dominantly low-income groups (Alebel and Genanew, 2005). In the recent past, relocated households promised support by the government in moving their belongings to the resettlement sites (UN-Habitat, 2010b). But this was not materialized (Tebarek, 2008; UN-Habitat, 2010b). The government also failed to pay compensations for business interruption (Tebarek, 2008). With regard to location, the usual practice is relocation of people from the inner city to the outskirts where land is not developed with limited or no access to water, electricity, road, education and health facilities (Tebarek, 2008; Daniel, 2009; Matewos et al, 2011). The relocation sites were remotely connected to the outside market and did not acknowledge the need for employment opportunities for residents (Tebarek, 2008). It demanded residents to travel longer distance to place of work opportunity, markets and social services. It thus placed further financial strain in the form of daily transport costs especially for those with restrained resources (Ashenafi, 2000; Gebre, 2008; UN Habitat, 2010b).

In general, relocated residents are not comfortable with the eviction and relocation procedures. Most studies argued that the procedures and social safeguards of eviction and relocation were inappropriate and paid little attention (Dejene, 2005; Matewos et al, 2011). Above all, eviction without exploring alternative to eviction, prior notice, consultation and compensation or with little compensation; lack of public awareness, absence of relocation and rehabilitation assistance etc have been a common practice in URPs of Ethiopia. The above discussion shows that the procedural protection and social safeguards of URIER were not in conformity with national legislation and international right standards.

4.3. Research gaps on land governance and URIER

Land lies at the heart of social, political and economic life of most African countries including Ethiopia. It is also one of the key factors for economic growth and poverty reduction (Desalegn, 2009). In the urban areas, it is the foundation for shelter and source of wealth. Housing in Ethiopia is not considered only as a shelter but also as asset, a means of social security and indicators of social status (Yewenshet, 2007: 6). In Ethiopia the land issue has been the most important debatable issue in any discussion of development over the past several decades. This is mainly because of inequality in wealth and power, and tenure insecurity

and growing threats to a considerable population in inner city slums of the country. This is also due to the fact that land is the source of wealth and power.

The growing threats and persistence of eviction and relocation to distant places and the improvements in infrastructure and the image of the country and the city through the modernization process over the past two decades have attracted the attention from domestic and international researchers. These studies are different in focus, methodology, theoretical framework and coverage in terms of variables and area they cover. Most of these works however provide scant attention to the land governance issues in UUR which has been increasing at alarming rate. Some studies focus on impacts of renewal on relocated resident while others on the content of policies and land management organizations. Therefore, it is needed to critically review related literatures at national levels more related to land governance, and local or city level researches specific to Addis Ababa.

4.3.1. General literature at national level

Desalegn (2009) studied the availability of land organizations and their responsibilities at national level that cut across rural-urban divide. This study uses desk review method at the macro level and draws on experience from African countries. His interesting finding is that there was complex and a wide variety of land tenure regimes and rights of access in different parts of the country during the Imperial regime, which were considered by many to be inflexible and obstructionist. On the basis of this, this study credited the 1975 land reform since it avoided the multiplicity of tenure types and replaced them with a uniform system of land holding, user rights and obligations. The argument made by Desalegn regarding the varied tenure system being inflexible and obstructionist however could be questioned from two perspectives. First, he uses the term land governance to understand land institutions at national level. It is noted that land governance recognizes continuum of rights including customary and informal that existed in developing countries. Its assumption thus is not home-grown and is not tailored to local needs and experiences. Second, the argument that a variety of tenure systems is inflexible and obstructionist is questionable since uniform tenure is not the solution to land problems in the country, arguing that there is no perfect tenure. What makes the tenure regime perfect is therefore the quality of land governance, anchoring land interventions in land governance frameworks and finding expression in policies, planning, structures and strategies.

This research has given by passing reference to policies and process, disclosing that Ethiopia has not been successful in putting clear and equitable rules defining rights to land and democratic processes. Its focus is land structures that regulate and enforce rights to land at the national level across rural urban divide. The study seems to be mainly preoccupied by traditional main stream good governance in land administration approach. It therefore considers the development of new land administration structures or improvement in the existing ones; and building their capacity as a viable solution to all urban land problems. It ignores the process of making decisions on structures and policies, which is recently seen as the most important aspect besides the technical aspects or outcomes (policies and land structures) of decision making process.

4.3.2. Specific URIER literature in Addis Ababa

In an article entitled "Assessment of urban development practices on business expansion in Ethiopia", Mathewos and associates (2011) seek to understand the impact of URP on business communities, identify the constraints of URP and propose ways to minimize constraints on business expansion. They attempt to see these both in absolute terms and in comparison with Asian, Latin American and other African countries. This study employed data from three regional cities and five sub-cities of Addis Ababa by conducting survey of business persons and interview with relevant land management experts from relocated persons and governments' point of view. The redevelopment and housing projects that have been undertaken in the last decade are the criteria for the selection of cities and specific study sites.

The study has drawn two relevant conclusions about urban renewal from the point of view of small scale business. The first one is that the main target of urban renewal project is improving the physical condition of the neighborhoods with little concern to social and economic impact on small scale business. No consideration is made to the disparity between the micro-level context differences in the study sites for example in terms of compensation and replacement housing types. It is therefore important to realize the municipality in Dessie is quite different from Addis Ababa in financial and human resource capacity and alternatives offered to relocated residents. Second, the existing urban renewal practices seem to favor commercial activities and new and rich beneficiaries than residential units and poor relocated residents that live for long period of time in the redeveloped areas. The renewal projects on redeveloped areas were thus

unable to mix functions and different income populations. They argue that a mix of functions and income population is not a matter of choice but of necessity. This is an interesting observation as commercial functions and residential housing units, as well as rich and poor are found and lived mixed together in the neighborhoods, which are the inherent characteristics of Ethiopian urban centers.

Their work has paramount importance in two important respects in understanding URPs in Ethiopia. First, their research has documented some interesting contrasts between Ethiopia and developing countries in Asia, Latin America and other African countries in addition to studying national contexts in absolute terms. It also has found out less integrated socio-economic and physical planning focusing on physical improvement, mainly relocated to other areas, inaccessible services to the local community and the poor are often the most severely affected. This provides some clues about urban renewal in Ethiopia and help use the best practices such as land sharing, strong slum associations, partnership between the government and NGOs etc as a yardstick up on which to base in getting a broader understanding of renewal. The second is that an attempt is made to examine urban renewal for different purposes such as infrastructure, commercial activities and mixed use and income that range from private commercial in Dessie and mixed income and population in Lideta, Addis Ababa. These are viewed in different contexts and geographical locations in the country and in a given city. This context specific study helps understand the contextual problems and opportunities of URPs, and identify solutions that are tailored to purposes and locations.

Their study seems to provide little emphasis on the political aspect or power relationships in decision making process and concentrate on physical and economic aspects, and technical matters that produce perfect policies, plans, structures and approaches. This approach is obsolete and thus unable to capture the land governance dimensions as land governance is fundamentally about power relations and political economy. They also inappropriately suggest in-situ relocation to all urban renewal projects in all towns and cities including road side plot based projects that expropriate the land of one to three residents' homes in order to make the cities inclusive living environments. There is no question that in-situ relocation has the role of preserving the existing economic and social support system and benefiting both the government and the residents. The problem, however, is with how the government can access land in the inner city areas for in-situ relocation and how and where the residents would live until mixed income condos are built.

An article by Ashenafi (2000) looks at inner city renewal and locational stability of the poor, analyze the causes of deterioration of inner cities, conflicting interests and impacts of public sector interventions. His interesting finding is that the decision makers and planners are guided by market forces against a conscious and well conceived policy frame in solving complex and challenging urban problems. It also identifies that the city government considered eviction and relocation of residents to the out skirts of the city as the only viable option to modernize the inner cities, assuming that physical improvement is the sole solution for all urban problems. Moreover, it considers producing perfect policies, plans, structures and approaches as a viable solution to all urban land problems. It ignored the land structure that gives clear policy, legal, technical, and financial guidance for land.—This study discloses that reversing the trend of '*forcing*' low-income settlements in inner city areas to resettle in peripheral areas is a serious challenge for planners and housing professionals. When forced eviction and relocation is mentioned, it brings huge human rights violation to mind as prescribed by the Ethiopian legislation and international laws. Nonetheless, this study uses the term forcing without positing what '*forced eviction*' is. What makes eviction forced and what standards are taken as a yard stick to determine whether eviction is forced or legitimate are not employed. This calls for the use of criteria in order to measure the procedural requirements of eviction.

By taking Addis Ababa city as a case study, Mihereu (2005) explored the low-income housing strategies in inner city areas as part of urban renewal. This study identified that most people prefer to stay in the inner city even if there is no improvement in the living environment and the quality of housing units. One of the interesting conclusions is that low income people generally prefer good location over improved housing units, indicating location is the most significant priority in shelter provision and has considerable meaning to residents. This study also found out that relocated residents to distant places prefer social attachment or benefits than economic benefits they obtain from their former neighborhood, and prefer inner city relocation than improved housing units at the out skirts.

The problem lies in the suggestion forwarded based on outputs and conclusion in order to make urban renewal approach effective, sustainable and pro-poor that benefit both residents and the government. This research suggested on site relocation or the development and provision of low income housing close to their neighborhood within the inner city. In my view, there is contradiction between the result that social support system is more important than economic benefits, and the recommendation that relocation to

nearby areas. In the inner city areas, condos were built at a smaller scale in a given site due to land scarcity and crowdedness of the inner city areas (Wondesen, 2007; UN Habitat, 2010b). Condominiums built in nearby locations thus unable to accommodate all residents. As a result, residents will be distributed to different sites that cannot conserve the social composition and social support system.

This thesis reported that government follows public low cost housing approach to provide shelter to the relocated residents that has proven ineffective decades ago and unsustainable for the housing provision of the poor. This has forced the researcher to recommend that the government should play the role of the facilitator than becoming the provider in the process of housing replacement and provision as the long term practical and sustainable solution. In fact, his suggestion has some truth if it is seen from land governance perspective in a country that has weak land governance system. It however is based on traditional studies and approaches. In this respect, his theoretical underpinning seems market oriented that see the government as a regulator or facilitator. Even, UN Habitat (2010b) accepted that public low cost housing can address the needs of the poor through land governance approach along with right-based approach. It addresses the needs of the poor, integrating land and housing policies, not housing policies per se, poverty reduction strategies, urban planning etc. Therefore, the involvement of the government in housing provision as one actor and as one strategy as opposed to the sole provider can contribute to reduce the housing backlog and utilize the land effectively and infrastructure cost effectively.

Birhanu (2006) makes a detailed examination of the impact of urban development induced eviction and relocation on the livelihoods of displaced households at Casanchis urban renewal project, Addis Ababa. He stated that the poor households account for a large proportion of slum population in Ethiopian urban centers and relocated to out skirts. One critical issue worth mentioning in relation to this research finding is the fact that only 2.5 percent of the displaced households were satisfied with the new resettlement houses contrary to Nebiyu's finding where 99 percent of them were satisfied with the houses in relocation sites. This wider gap tells that urban renewal issues in Ethiopia has neither been examined adequately nor understood thoroughly. It is needed to exercise caution when utilizing this result. This output therefore needs to be verified by undertaking empirical researches at various cities in the country and at different levels with in Addis Ababa. An article by Tebarek (2008) assesses the perils and promises of urban redevelopment projects and housing from policy and gender perspectives in Ethiopia, Addis Ababa. Basing his study at Arada sub-city, this research applies only quantitative methods assuming that this is

representative and generalization is possible. It does not however capture the considerations and the perceptions of people. There is the need therefore to undertake study from the perspective of other stakeholders such as poor households and urban renewal and planning institutions, and policy making processes through the application of qualitative methods.

The interesting thing here is that this study disaggregated data between poor and rich female households, and according to housing tenures in relocation sites (Condos, villa and temporary shelter) to understand their satisfaction with their housing condition, livelihoods and services in relocation sites and previous locations. This is thus context-specific. This study revealed that large number of condominium occupants was more satisfied with their housing conditions and services than those in temporary shelters and villas. It however identified that the vast majority of relocated poor female headed households were the most affected in all aspects than their rich counterparts. He finally suggested integrated urban redevelopment to meet the needs and constraints of relocated poor female headed households and make the scheme sustainable. For this to happen, urban renewal policies must focus on the improvement of the socio-economic status of women. He identified that large number of respondents faced difficulties in running businesses and carrying out local works in the resettlement sites. He then concluded that there is lack of integration in the urban redevelopment scheme between eviction, housing supplies for the poor in resettlement sites and livelihood strategies.

He reached at a conclusion that the current housing policy expresses commitment to address the housing needs of the poor and challenges the legacies and imbalances of the past. Although the subsidy scheme promotes gender equality, it seems that housing policy objectives and strategies which are adjusted to women are lacking. Tebarek strongly blamed the implementation strategy of the policy as the main detrimental factor in addressing the needs and priorities of the relocated female headed households. It is known that the policy is evaluated based on its objectives. If the housing policy objectives and strategies that are adjusted to women are lacking, it is not plausible to blame implementation strategy.

UN Habitat (2010b) looks at the factors and decisions that contributed to the success of the IHDP of Addis Ababa and evaluates its current drawbacks and effects on new beneficiaries and relocated households. This study revealed that the program has greatly increased the number of homeowners, and has reduced the existing slums. Furthermore, it also identified that many condominium peripheral sites disregard the

need of relocated residents for employment opportunities, which incur additional costs on evictees in the form of daily transport costs. It disclosed that the most pressing unanticipated challenges are the affordability of condominium units for low-income households. A theoretical underpinning of this investigation for relocated households due to urban renewal seems right-based approach. This paper applies the appropriate procedural protection and due process of development induced eviction and relocation. It thus argues that eviction should be carried out for public purposes and in exceptional cases, and in strict compliance with the relevant provisions of national laws and international human rights standards. This research however leaves out alternative to eviction that preserves residents while demolishing and renewing the area as the first option and the most important dimension of right based approach. It ignores alternative to relocation assuming that the renewal project is for public purposes and carried out under exceptional cases which was decided both by residents and the city government. Rather, this research attempts to promote the efforts the government put on urban renewal that completely relocates all residents. It thus minimally accounts for social composition of residents and the social costs of relocation to condominium units either to the nearby places or to the out skirt.

In terms of eviction and relocation procedures, this research stated that the most frequent complaint of those affected is that they are not offered adequate compensation, and were not given adequate and reasonable time to leave the area. It also revealed that except the first assembly, there was no other consultation meeting, no government representative was available during relocation of residents, and residents were not given legal aid. This paper question whether due process is exercised during the eviction procedure and the commitment of the government to pro-poor urban renewal approach. It, however, shows reservation to conclude and label that the procedures of eviction is forced or legitimate eviction based on its own such evidences. It, rather, prefers to say that some consider the approach to be a 'forced eviction. It suggests the carrying out of eviction and resettlement process based on procedural protection and due process. Nonetheless, it does not forward an approach that preserves the residents while redeveloping the area even if it concluded that many relocation sites ignore the need for residents' employment opportunities. This research seems to recognize relocation as if it is unavoidable and meant for public purposes and is carried out under exceptional circumstances.

MA thesis by Ezana (2011) assessed the factors that facilitate or hinder affected group participation in urban redevelopment process in Addis Ababa by taking Senga Tera-Fird Bet I project as a case study. The

study reveals that the planning process is expert driven with one-way information flow. The public consultation started immediately after the finalization of the LDP with a view of convincing the project to the public. It thus makes the project less responsive to the residents' demand. An interesting observation of this study is that of the three groups, private homeowners and commercial premise renters were able to influence the AACAA to consider their concerns at least partially than public housing renters. This study attributed it with the leadership capacity, organizing and resource mobilizing capacities of the two committees. He did not however show that these groups are organized simply for the sake of bargaining during discussion period or before. It did not also explain why commercial premise renters influence the decisions of the government to consider their interests than kebele house renters where both land and property of these two groups are owned by the government. There are some studies that the bargaining power of the community is determined by the wealth in terms of income, land and/or property ownership, and the political power. However this study is limited it to the leadership, organizing and resource mobilizing capacities.

These two groups of studies (the one that focus on the content and availability of policies and land organizations at macro levels and that emphasize case studies at local level) differ with regard to two important issues. In the first place, they are different in their unit of analysis. Those who focus on the content and availability of policies and land organizations mostly considered macro/national level data, while the case studies were carried out at local level. The other discrepancy is the concept at which the studies concentrate. Macro scale studies focus on the outcomes of decision making (policies, plans and national land management organizations), while local case studies treat either participation or the impacts and implementation procedures of urban development programs in general or URPs in particular. Even local case studies diverge in the perspectives up on which they depend on and the concept at which the studies concentrate. In the former case, some studies give attention to seeking explanations for impact of urban renewal-caused eviction from the perspectives of tenants in the public rental housing and/or homeowners while other studies view it from the perspectives of business persons. The latter case is those that explore IHDP as a regeneration of inner city areas apart from the major objective of provision of shelter along with their impact on the affected residents. A few of these researches provided by passing reference to urban renewal projects practiced based on LDPs as their focus is to evaluate IHDP in Ethiopia in general and in Addis Ababa in particular. The other specific research is those that observe the participation and the procedures of eviction in urban renewal projects at Lideta and elsewhere practiced according to LDPs.

In a nut shell, this dissertation has benefited and got insights from the preceding literature on the complexities of land governance in and procedures of URIER. Most of these studies however tend to focus either on process or outcomes at the cost of another with little linkage made between the two. It is recognized that closely linking both process and outcomes are important to get a broader and deeper understanding of URIER and its underlying causes. Linking process and outcome also has the potential to suggest different policy and strategy choices that suit both the government and the affected residents. Most studies also ignored informal institutions, actors, source of information and condominium houses transfer as a strategy to fill the void created by formal rules and structures. Therefore, how these address the needs and priorities of the relocates are not taken in to consideration. Additionally, all the researches take either the perceptions of relocated households or governments into consideration without disaggregating data based on income and tenure status although some disaggregate data spatially and based on gender. Only a few of these researches attempted to explore processes, rule of laws, actors, positive consequences of renewal and opportunities of policy reform and implementation. Further, eviction is a much talked about problem in Addis Ababa, Ethiopia, but the argument is concentrated on the policies, negative impacts, economic issues etc, and has rarely been examined using land governance and right based perspectives. Above all, there is little attempt to view URIER procedures and organizations from the perspectives of land governance principles and human rights standards. This research attempts to fill these gaps in the literature.

Chapter Five

5. Country Contexts

This chapter will attempt to review existing body of knowledge on land tenure systems and housing policies, the historical development of the capital city and urban planning, and urbanization in Ethiopia. In addition, it will review their empirical relationship with the formation and continuation of substandard housing, non-planned settlements, mixed income residential structure and poverty situation in inner city of Ethiopia and Addis Ababa. Analysis will also be made about the recent debates on land policy and their implications for the property rights of residents, particularly for compensation, replacement accommodation and rehabilitation. Finally, it will also identify the challenges of urban renewal programs and their expropriation, compensation, eviction, relocation and rehabilitation. In a historical context, this part therefore gives a brief overview of urban land tenure and housing policies, urban planning and the history of origin and development of Addis Ababa, poverty levels and power relations in order to situate urban renewal schemes in the older inner city areas and highlight its significance and effect in compensation and eviction and relocation context. Before entering into the review of country context, the reasons behind country context explanation will be presented.

The country contexts that have relevance to URIER are urban land and housing policies, urban plans and urbanization. These are basically country-specific and must be examined in this context to accommodate peculiarities (Bacry et al, 2009). As noted above, understanding the context allows solutions to be developed in the context of a country's history and is the underlying starting point of any decisions and strategies (Wallace, 2010). This is because historical legacies of policies, plans and urbanization often have profound effects on shaping current dynamics. In this case, these dynamics are power relations, housing conditions, planned settlements, mingling of poor and rich, land and housing tenures existed, and eviction and relocation. Capturing the longer processes and how societies continue to deal with policies, plans and urbanization provide depth and perspective to such current dynamics that have become the way they are today. According to WB (2009), such analysis typically means reaching back several decades. However, the country context study in this research is limited to Menilik era and to the history and the formation of Addis Ababa because modern form of urbanization and stable seat of the government came to exist during this period. The study therefore draws on the country's experience since the establishment of

Addis Ababa and the introduction of private ownership of urban land, summarizing the key lines of evolution and the interplay of process, rule of laws, and actors in shaping these lines.

On the basis of land tenure system, three different ruling regimes can be distinguished: the *Imperial* regime, 1886 – 1974; the *Derg* regime from 1975 –1991 period; and the *existing* regime since 1991 (Melkamu and Shewakena, 2010). As land tenure system guided the development of urban housing policies and urban plans (UN-Habitat, 2007), they are entertained under such categorization of regimes. In this study, the pre-evolution period is treated as one regime because the land tenure system was basically the same for long period. A small overview of some repealed policies, plans and programs after 1991 is going to be made. Urban population growth and its influence on housing conditions, non-planned settlements and the predominance of rental housing is explained as a cross cutting issues, rather than providing separate heading under each regime. In the following sections, the land policy, urban plans, housing policy, expropriation and eviction, and urban renewal across these different ruling periods will be analyzed based on a reading of the available scholarly literature.

5.1. Urban Land Tenure systems

Understanding the Ethiopian land tenure system is important for it gives general historical and factual ideas about the land holding system in the country during the respective regimes. This also gives an insight about how economic and political powers have been allocated or changed. In order to understand who owns the land and controls wealth and power on land distribution and allocation, it is therefore needed to complement this research through the study of both process and outcomes. This type of study is also required to understand the power differentials within the Ethiopian society and land owners, landlords and the governments, and their role in hampering or facilitating reform that benefit the poor. The analysis in this research is thus focused on land governance, the political economy of land as it is fundamentally about power relations. The next part will present a brief survey of land tenure system and its developments. The aim of this section is not to provide new insights about the history of land tenure, but it is to understand its role in creating the current urban land and housing tenures, housing conditions, non-planned settlements and eviction and relocation in Ethiopia. It is also intended to view the recent land policy debates from the point of view of land governance and their implications for decision making, compensation, replacement accommodation and rehabilitation.

In the past regimes, Ethiopia has no comprehensive national urban development policy in general until March 2005 and urban land development and management policy until 2010. Urban land policy in this part, therefore, refers to the articles found in various national economic development policy documents, some proclamations, civil codes and regulations regarding national urban land sector. Nonetheless, these measures have influenced the housing, infrastructure and living conditions, land use pattern, and social composition and relocation of residents in old inner city areas in Ethiopia and Addis Ababa at least as of 1907.

5.1.1. Imperial urban land tenure policies

According to Pankhurst (1966), the establishment of Addis Ababa in 1886 and its subsequent development as an administrative, political, military and economic capital city of the country contributed to the emergence of urban property in land. This also suggested the end of the long history of the constant shift of the capital (Pankhurst, 1966; Eshetu Assen, 1986: 79). However, there was no legislation governing urban land holding for over 20 years since 1886 (Solomon, 1994: 280). In 1907, the landmark legislation that recognized private ownership of urban land for the first time was issued by Menelik (Solomon, 1994; UN-Habitat, 2007). It introduced a basic change in the ownership of urban land, although the land had been granted by Emperor as of 1886 (Eshetu Assen, 1986). Solomon (1994) on his part further emphasized that by establishing private ownership of land in the city, this decree to a greater extent transformed the insecure temporary possession into permanent occupation. It therefore removed the air of impermanence and insecurity that constantly frustrated residents in Addis Ababa (Bahru, 1986).

The decree with 32 articles made it mandatory for any person who owns land to register the holding and receive a certificate (Solomon, 1994: 280). However, the majority landowners did not respond positively (Baheru, 1986). The government then issued a legal notice in 1921 banning the sale, exchange and mortgage of their lands without the possession of a certificate (Ibid). As a result, the registration and issuance of a total of 4,500 certificates was completed by 1935 (Ibid). This decree laid the foundation for the concentration of the land in the hands of few feudal nobility, landlords and royal family members (Eshetu Assen, 1986: 79; Solomon, 1994: 281; Abuye, 2006) and contributed to the introduction of the first

land registration system (Sisay, 2011). It therefore laid the basis for the land administration system in Ethiopia.

During the reign of Haile Sellassie, the private ownership of urban land was reemphasized in the 1931 Constitution, the revised Constitution of 1955 and the Civil code of 1960 (Solomon, 1994: 280; Abrham, 2011). The consolidation of private urban land ownership in these rules made landlords more powerful but the poor the disadvantaged (USIAD, 2011:3). One case in point here is that the proposed land reform to offer the poor tenants their own private land was blocked and resisted strongly by the parliament members dominated by landlords (Ibid). Powerful landlords blocked this land reform as it means losing their power, wealth and status. It was thus captured by the landed parliament members or vested interests. It manifested the weak bargaining position of poor tenants, home renters and leases in rural and urban areas. In addition, the government had not taken practical measures to reform the land holding system and implement a land reform (Abrham, 2011). The ownership of most of the urban land in the hands of few landlords thus persisted.

The most important consequence of land privatization of imperial period was that almost all the urban land was possessed by a small number of wealthy individuals and landlords. An estimate made in 1966 indicated that about 95 percent of privately-owned land in Addis Ababa was in the hands of only about five percent of the population (Mesfin, 1966; UN-Habitat, 2007). One of the factors that led to this situation was extensive granting of land to the nobility, military chiefs and the church (Pankhurst, 1966) and its privatization (Abuye, 2006). The absence of attractive investment alternatives forced wealthier persons to buy buildings, apartments and villas in towns and thus contributed to such ownership (Cohen and Koehn, 1977). Another factor was that small elite that owned most urban land and property attempted to protect the land holdings that provide a firm basis for their wealth, power and status (Cohen and Koehn, 1977; Abuye, 2006). They therefore blocked the land reform fearing the loss of power and wealth and continued the concentration of land in a few hands.

Apart from high concentration of urban land in few hands, privatization of land had implication for the production of substandard and small sized housing units with minimum facilities. Mesfin (1966) explained that landlords divided their idle land into small plots below the standard for lease for a period of twenty or thirty years as a response to demand for cheaper land. It had increased in the value of land lease (Ibid).

The high land lease value in turn compelled most residents to lease small plots of land and construct houses smaller in size with minimum facilities that were not in conformity with the city plan (Ibid). The land owners did not also allow the lessees to legally register with the Municipality as they owned the houses erected on the rented urban land (Ibid). This forced them to develop houses informally (Elias, 2008:82). Under this arrangement, the land renters were naturally less likely to invest on durable houses and invest housing improvements (Mesfin, 1966:28). They rather built houses made of wood and mud on small plots of land. This made the majority of the housing conditions poor, substandard and small. According to the report of De Leuw Cather international Inc (1967 cited in Solomon, 1994), an estimated 57 percent of the housing units in Addis Ababa were sub-standards.

The emergence of private ownership of land ensured tenure security of land holders. This motivated landlords to invest much in the development of rental housing (Solomon, 1994; Abrham, 2011). It was fueled by the absence of attractive investment alternatives (Abuye 2006). This led wealthier landlords to build small and poor quality rental housing to meet the housing requirements of the rising population (Elias, 2008:82). Motivated by the increase in rental values and high demand, they produced large number of substandard rental accommodation as of 1950s (Solomon, 1994). As a result, more than two-third of the households in major towns and cities in Ethiopia were renters (Ibid). These substandard rental houses with minimum facilities accommodated the low-income groups who could not afford to buy and lease land (Ibid: 282). The most affected section of the urban dwellers by private ownership of urban land were therefore the low income groups who could not afford to either buy or lease land for the construction of dwelling house.

Added to privatization, four factors are responsible to the proliferation of substandard informal rental housing. First, it was caused by rapid population growth after the Italian liberation. The population of Addis Ababa continued to grow at even faster rates in the 1950s and 1960. As a market response to the shelter requirements of the increasing poor urban population and new migrants the existing lots and residential buildings were subdivided in producing affordable small and substandard rental dwellings. Large number of new small, substandard rental accommodation that lacked proper foundations and basic infrastructure and facilities were also produced (UN-Habitat, 2007). It was clearly seen in the western parts of Addis Ababa, which had been designated as the native quarter during the Italian occupation (Ibid). Second, land owners had strong political and economic power in the pre-1974 to the extent of violating the master plans (Abuye,

2006; UN-Habitat, 2007). In contrary, municipality officials lacked authority to enforce plans and building standards (Elias, 2008). With the intention of extracting maximum rents from tenants, the land owners produced substandard unauthorized rental houses exercising their political and economic power (UN-Habitat, 2007). As a result, about three-fourth of the housing units produced in Addis Ababa had no municipal permits in the early 1970s (Tolon, 2008). Finally, there was legislation that forbade the construction of durable houses, requiring special permission from the king in order to build a durable house prior to 1957 (Tesfaye et al, 1987 cited in Elias, 2008: 82). This contributed to low standard housing. The prohibition of the king that extends as far as deciding the durability and quality of housing implies the strong power of king although the Constitutions and civil code recognized freehold private rights.

Another important effect of the imperial land tenure system was that it discouraged the development of squatter settlements. The strong power of the property owners discouraged illegal occupation of land by anyone (Tolon, 2008: 18). There was thus insignificant number of illegal occupation of the land owned by the few feudal and wealthy individuals. This land holding system also resulted in the mingling of the rich and the poor (Elias and Hebel, 2012). Land tenure system of the imperial regime had negative consequences on urban development. High concentrations of urban land in a few individuals hand imply lack of urban lands needed for development (Abuye 2006). It therefore constrained the development of public or private formal sector low-income housing, infrastructure and housing improvement etc (Abuye, 2006; UN-Habitat, 2007). Such ownership was also a limiting factor for urban upgrading and renewal, and the cause and perpetuation of slums, slum poverty and sub-standard rental housing in the inner city areas and poverty and sub-standard housing in the inner city areas (Abuye 2006).

The chief features of urban private tenures in Ethiopia during the imperial period were high concentration of land, housing and power in few hands; land lease system from landlords with insecure tenure. Widespread sub-standard housing without municipal permits and the predominance of renters; unauthorized congested non-planned inner city settlements; and rising land price and housing rent were also the main characteristics of this land holding system. The most affected section of the urban dwellers was the low income groups as they were relegated to sub-standard rental accommodation. All these had been the products of land holding system that allowed a few feudal to have strong power so as to guarantee the control of land and wealth.

5.2.2. Derg Land Tenure

The issue of land was one of the motive forces behind the February 1974 revolution in Ethiopia. Accordingly, the Derg issued Proclamation No. 47/1975 for the nationalization of urban land and extra rentable houses. The main policy objectives of the proclamation were to provide the broad urban dweller with urban lands for the construction of dwelling houses, appropriately allocate disproportionately held land and income, and eliminate the exploitation of the many by the few (Cohen and Koehn, 1977, Solomon, 1994: 285). This proclamation put all land in the hand of the state and outlawed private land ownership, land lease and customary rights. It however transformed the use and benefit rights of land to individual land holders. Transferring the usufruct land rights by sale, mortgage, succession, or otherwise were severely restricted. This land reform thus fundamentally changed the land holding system that existed in the country for so long and the Ethiopian socio-economic and political arrangements.

The reform was successful in several aspects. The first one is that the land reform removed the predominance of land ownership by a few feudal landlords (Sisay, 2012: 3) and shifted the use and benefit rights to the people of Ethiopia. It thus effectively eliminated gross inequities in land distribution (Cohen and Koehn, 1977). The legislation also fundamentally altered and abolished the then tenant - landlord relations in Ethiopia (Melkamu and Shewakena, 2010) and destroyed the political domination of the landed classes (Dessalegn, 2009). Finally, it provided cheaper land to self-help housing associations or cooperatives through state land allocation system. It thus played its own part to produce a big stock of new houses in the expansion areas of Addis Ababa and some other towns (Abuye 2006).

However, a number of problems were documented. The Derg reform put all land under state ownership and prohibited the transfer of land by sale, mortgage and lease. In such a setting, land was considered neither a commodity nor an asset worthy of producing wealth, which paralyzed land marketing in urban areas (Abuye, 2006). Moreover, the reform was designed to eliminate the exploitative relations between land lords and tenants as well as the influence and power of land lords (Abrham, 2011). Nonetheless, the ownership, control and distribution of land were highly concentrated in the hands of the state. Some thought that although the land reform in Ethiopia eliminated the influence and power of the landlords, the previous land owners were replaced by the state with even much power to intervene in land and housing issues (Ibid). According to UN-Habitat (2007: 3), this proclamation seemingly designed to guide and to

control the courses of social, economic and political development in the country. The proclamation therefore established state control of political and economic power and state allocation of urban land.

Last but not least, the law banned the existing collective, private ownership and lease holding, informal possession of urban land and private rental accommodation existed at that time without taking into account the culture and tradition of the people. The unfortunate implication of this was that the decree excluded land holding system that provides land for housing or rental housing for the majority of poor urban dwellers. Although this proclamation prohibited any form of land ownership and other than public ownership and use rights, informal unauthorized building and informal renting of kebele houses and informal subdivisions of private and public rental houses to build a house in a plot inside their houses persisted. It has thus created informal tenants and sub-tenants.

5.1.3. The existing Land Tenure

Because of the drawbacks and stagnant nature of city development during the Derg regime, the existing government considered the land problems and urban decay as urgent issue and designed to create land and housing market (Abuye 2006). It has adopted a free market economic policy with agricultural development led industrialization as its leading development strategy in 1991 (Ibid). Such market economy oriented strategy induced the government to adopt a number of urban land policies and programs aimed at accelerating urban development by introducing the land market, and improving the physical conditions of housing, infrastructures and services in inner city areas. Hence, it was within this reform framework that urban land leasing policy, plans and legislation were promulgated and put in to effect as of 1993. Initially, while the economic policy of the Transitional Government of Ethiopia in 1991 adopted free market economic policy; it has kept both urban and rural land as public property. The state also retained the right to take back and redistribute land as needed. The 1995 constitution reaffirmed the constitutionality of the State ownership of land in Ethiopia. Since all land belongs to the state, only the movable and immovable properties developed on land are treated as private and hence transferable in any form. People however have land use rights that are transferable through inheritance, gifting and divorce.

Unlike the Derg, it put in place various mechanisms to boost the value of the land and private sector investment on urban land. In 1993, the Lease Holding of Urban Lands Proclamation No. 80/1993 was

issued to introduce the urban land lease holding system. This proclamation allowed land transaction and the right to acquire and use land for any person through lease arrangement with the government as the only owner of urban land (Abuye 2006). This shows that the bundles of rights of the current land regulations have changed compared to former land tenure regimes as it involves public land rent. This proclamation was revised and replaced by proclamation No. 272/2002. In terms of who owns the land, the revised proclamation was similar to that of proclamation No. 80/1993 for the reason that the core principles of state ownership of land and leasehold rights for private purpose via land rent system were maintained (Sisay, 2012).

Introducing and revising urban land lease policy was aimed at giving market determined exchange value to land; encouraging investment; generating revenue; and allowing the recycling of prime lands for best uses (Abuye, 2006). It therefore provided monetary value for the utilization of urban land with a fair price consistent with the principles of free market (Abuye, 2006; Belachew, 2010). It has also enabled the government to transfer urban land administration from permit system to leasehold system (Belachew, 2010). However, some important issues that was not covered in these proclamations, but considered as the main challenges of urban land management practices were the regularization of informal tenure; and the detailed requirements of a land rights registration system (Abuye 2006). Seemingly, most urban renewal projects during this period took place before regularizing the informal tenures in the old inner city areas and registering them. This may be one of the reasons that strained the government to provide fair compensation and replacement housing for informal land and housing tenures.

With regard to types of land tenures and markets, land lease policy attempted to reduce land speculation and land prices. Policies also continued to restrict informal land and housing tenures and markets to operate. In contravention to the policy objectives, informal land and housing tenures and markets to operate and illegal practices continued to operate in cities. In a similar manner to that of the Derg, there is no rationalization of different tenure systems, except public ownership. Seemingly, it had negative implication on the compensation and replacement accommodation of URIER. In conclusion, one of the common features of land tenure regimes and land politics in Ethiopia is that the state attempted to maintain the dominant power in allocating urban land and housing. In the public leasehold system, city authorities are the sole suppliers of land and the government retains a high degree of control over land use and design

(Tolon, 2008). From this, it can be concluded that little change has been made to urban land allocations and power to make decisions on policies and regulations.

Land policy has continued to be remained at the center of a controversial public debates. The question of land was a major theme in socio-economic and political discussion, for example, in 2005 Ethiopian election. The debate has largely been carried out along two antagonistic arguments: maintaining state ownership over land versus privatization. The government and the ruling party advocate state ownership of land. The argument forwarded by the government rests on the issue of equity and historical injustice. One of reason for continuing government resistance to private ownership of land is a legacy of the injustices experienced under the private urban land ownership prior to 1974, which concentrated land in a few hands (USIAD, 2011). The government thus advanced state ownership of all land as crucial to ensure the continued redress of historical injustices under the Imperial tenure system (Ibid). This is accompanied by a great fear that opening land markets will dispossess the land from the people and will lead to concentration of land in the hands of few wealthy individuals (Bacry et al, 2009). Another reason is that state ownership of land is essential to guarantee equal access to land for all people as the poor are unable to access land under conditions of increasing competition (USIAD, 2011). They argue that state control of land entitles free land to all to ensure adequate housing for urban poor dwellers blaming that private land ownership restricts access to land for the poor due to high costs (Bacry et al, 2009).

In the urban public land leasehold context, the theoretical assumptions attest that public leasehold provides revenue from land leases as a significant source of income by securing an appropriate return from land, a national asset (Bacry et al, 2009). This is especially true under conditions of limited opportunities to raise revenue locally. This system also facilitates land redevelopment and reduces the costs of land acquisition for urban renewal or other public uses as the government compensates the land user and lessee only for the property and repossesses the land (Ibid). The government has thus continued the control of land and urban land allocation because giving it away would result in loss of much needed revenue and the right to redevelop deteriorated inner city areas by repossessing the land at lower financial costs.

In contrary, the Ethiopian Economic Association, some opposition political parties, and a number of donor agencies advocate the private ownership of land (Birhanu et al, 2003; Crewett et al, 2008). They largely base their arguments on tenure insecurity and economic inefficiency. They tend to argue that private land

ownership causes a land market to emerge and increases tenure security of the landholder, thereby increasing investment in productivity so as to benefit the country (Birhanu et al, 2003; USIAD, 2011). They also argue that private land tenure system ensures most intense and efficient use of land (Bacry et al, 2009). Finally, the supporters of private ownership of land fear that government may use land as political weapon by giving or taking it away (Abrham, 2011). This has resulted in tenure insecurity, lack of investment in land and housing improvement and low productivity of the economy.

There are some problems with the debate. First, the land policy debates focus on ownership issues and a dichotomy of views on state versus private formal ownership in present-day Ethiopia. However, this dichotomy is not a sufficient framework to approach the land reform debate in Ethiopia, which historically has accommodated a large diversity of customary and informal land rights. This debate, therefore, fails to account for the diversity in the land tenure systems that actually existed in the rural and urban Ethiopia. Second, there has been only limited evidence to prove the above arguments and the underlying assumptions and benefits of either privatization or state ownership (Bacry et al, 2009). Third, public land ownership in Ethiopia and the attendant land management practices have attracted heated debates over the years, to the extent of holding it responsible for all failures in the overall socio-economic development (Ibid). The debate is therefore highly politicized and characterized by fundamental ideological differences and assumptions rather than the existing situation or tenures in the country in general and in urban areas in particular (Crewett et al 2008). Lastly, most debates focus on land ownership issues, ignoring the political aspect or the process of decision making. Despite the prevailing debate about the private and public ownership of land, the debate from the point of view of land governance is excluded. This debate and country context, thus, provide an insight to base the analysis of URIER on land governance and continuum of rights, the political economy of land as it is fundamentally about power relations.

Above all, the important lesson to be learnt from the above country experiences is that the debate must not focus on the choice between public and private land holding systems that are not mutually exclusive, but on land governance. It is about the effective process of decision making with regard to specific policy and urban plans, and designing specific land structures that respond to different political, economic, and social contexts to minimize problems associated with both systems. The reason behind this argument is that no land tenure system is perfect to address both the needs of the government and the residents at the grassroots (Payne, 2000). In conclusion, there is no good or bad land tenure system, but there is a poor or

bad choice. The choice may be good if it suits the existing tenures. In contrary, it is bad if the choice ignores the contexts that existed in the country and cities. What makes the choice bad or good is therefore the decision that considers the country contexts or not on the basis of land governance.

Land and its policy is the real source of power in Imperial, Derg and contemporary Ethiopia (Crewett et al, 2008). Thus, all the governments in Ethiopia continued to keep the power to distribute land (Ibid) and maintain political control (Bacry et al, 2009). The evolution of property rights shows that landowners, landlords or state, have had upper hand in shaping policies that favor their interests (Bacry et al, 2009: 5). Ethiopian governments build and accumulate power structures largely through the control of land and land allocations, and decision making of land tenure regulations. This shows that in Ethiopia, land is a significant source of power and land owners do not want to surrender its ownership as it means losing power on the distribution and allocation of land, and thus the political power to rule the country. This has implications for urban renewal and its expropriation, compensation, eviction and relocation. In Ethiopia, there is more than one legally acceptable system operating in cities (Ibid). 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 may have major and often unintended consequences on the others. The governments at any tiers that begin renewal before recognizing all tenures and registering their land and housing may provide no or little compensation or relocate them without replacement housing. It is vital therefore to assess the full range of all formal and informal tenure systems and sub-markets that exist in any city and recognize in legislation before any attempt is made to intervene in urban renewal program and its expropriation and compensation. Otherwise, it will affect most residents in inner part of urban centers where the majority is poor and most land and housing tenures are informal in terms of compensation or replacement accommodation. The challenge is therefore how to compensate, replace housing and rehabilitate those with informal land and housing tenures, and sub-tenants which are not recognized in policy.

No attempt was made by the respective governments to give away their ownership, the potential and actual changes in the existing land distributions and allocations and regulatory powers except the land reform of the 1960s. Even then, the reform was blocked and resisted by the powerful landlords. Those in political office during the respective regimes accumulated power to make decisions. In conclusion, the main actors in policy making were therefore the land owners and the majority land users were sidelined, thus were not participatory. During the past one hundred or more years, land in Ethiopia has been used as a tool in the

hands of a few landlords or state to exclude the majority poor urban population from the benefits of urban land tenure system or hijack a land reform by state capture to control both economic and political power.

5.2. Housing policies, programs and housing conditions

5.2.1. Imperial Housing policies

Since 1886, Menilik granted land to nobility, military chiefs and important personalities. They in turn provided land to their followers in building houses surrounding them. Despite their substandard nature, the city did not suffer from any housing shortage when the Italian occupied the city (UN Habitat, 2007b). The Italian occupation in Addis Ababa changed the economic base of the city from a heavy reliance on taxes to an increasing dependence on commerce, wage labor and industry (Solomon, 1994). It attracted people from different parts of the country to the city. In addition, they had no housing strategy to accommodate migrants (UN-Habitat, 2007). The Italians also temporarily issued proclamations that prohibit the maintenance of the existing buildings and the production of new dwellings in order to reduce compensation expenses in May, 1936 (Elias, 2008). This contributed to the first housing shortages (Bahru, 1986; Pankhurst, 1986), and housing deterioration in Addis Ababa (UN-Habitat, 2007).

Fifteen years after liberation, there was no planned public housing development in Addis Ababa (Tolon, 2008). This contributed to the production of mostly small and substandard housing units without any municipal permits. With regard to planned development of housing, the development plans between 1956 and 1969 proposed public low cost housing and attempted to introduce Mortgage Banks to lend money for the poor (Solomon, 1994). In 1959 the government established the Department of Housing in the Ministry of Public Works (UN-Habitat, 2007). Nonetheless, the Kolfe Low Cost Housing Scheme was the only one which provided replacement housing for 91 relocated low-income households from inner-city areas (Ibid). They were displaced from their inner city houses to make way for the construction of larger public and commercial buildings in 1960s (Ibid). In fact, it was not meant to address the shelter requirements of a predominantly poor urban population and migrants for low-income housing but to replace for those who lost their dwellings. Despite the existence of the Department of Housing, Addis Ababa had no any meaningful public-low-cost housing and effective government response to ever-increasing demand for low-income housing (Ibid).

Three major factors constrained the development of public or private formal-sector low-income housing in pre-1974 Addis Ababa. The limiting factor primarily was the imperial land tenure system where a few landlords privately-owned most urban land in Addis Ababa (Ibid). This system provided the land and property owners strong political and economic power. Using this power, they resisted land expropriation needed for public interest project such as public-low-cost housing (Abuye, 2006). Second, it was constrained by the low-income structure of the needy households and lack of the financial resources on the part of the municipalities (Ibid: 10). Finally, the municipal authorities lacked the legal backing required to plan and implement effective public housing programs. The absence of any significant government sponsored low-income housing program worsened the housing crisis, thereby accelerating the proliferation of unauthorized and informal housing development (Tolon, 2008: 18). Nonetheless, the city did not experience any acute housing shortage when the 1974 revolution broke out (UN-Habitat, 2007).

5.2.2. Derg Housing Policies and Programs

The landmark legislation affecting urban housing was the proclamation 47/1975, which nationalized urban extra rental housing. Through this proclamation, all extra-houses owned, but not personally used by individuals were nationalized without compensation to previous owners. The decree also allowed that a person requiring land for the purpose of building a dwelling house was to be granted free of charge up to 500m² by permits (Ibid). Land use rights was allocated by the government, which helped program of housing supply by self-help housing associations to build a big stock of new houses in the expansion areas of Addis Ababa and some other towns (Abuye, 2006). Gradually, the housing supply by government declined, and created housing shortage, thereby worsening the housing crisis.

The administration and management of the nationalized houses with a rental value of less than 100 Birr were put under the *kebele* administrations. They also took the responsibility of administering and allocating urban extra houses and housing improvement. When this proclamation was issued, rental accommodation accounted for about 60 percent of the housing units in Addis Ababa (UN-Habitat, 2007). The units brought under kebele control accounted for about 93 percent of all rental accommodation in the city. Each kebele was expected to collect rent payments and to use the income primarily for housing and neighborhood development purposes. Nonetheless, the city government did little to improve the existing dilapidated inner

city houses. The 1975 proclamation outlawed private production of houses for the purpose of renting, terminating ownership of more than a single dwelling house but allowing the right to privately own a single dwelling house (Abrham, 2011). No one was also allowed to obtain income from urban house. The law thus banned private rental accommodation which had been the main source of housing for majority of poor urban dwellers. The net effect of this directive was acute housing shortage (Ibid). It also accelerated the proliferation of informal settlements (Wondesen, 2008). The reform was however successful in providing cheaper housing for the poor.

Although this proclamation prohibited unauthorized transformations of the *kebele* houses; informal renting and informal subdivisions of public rental houses to rent persisted. Despite restrictions, the majority of the tenants were disobedient to the rules and informal practices evolved within the formal *kebele* housing to add space to their units. It further aggravated the congested non-planned condition of inner city settlements, and made land registration system, use right and the control of who actually inhabited the house very weak (Elias, 2008:84). Additionally, the government houses began to be deteriorated. The dilapidation of inner-city settlements emanated first from the 1986 Master Plan of Addis Ababa that prohibited the improvement of single story houses made of temporary materials located in the inner-city. It prevented their upgrading of foundation less houses with the aim of redeveloping the whole inner-city settlements through renewal scheme (Elias, 2008:83) The Derg also nationalized substandard small houses that were made of mud and wood. In 1975, public rental accommodation accounted for about 60 percent of the housing units in Addis Ababa (UN-Habitat, 2007: 11). However, these houses remained without maintenance during the Derg regime. Hence, having large scale substandard houses and preventing their renewal in the 1986 master plan accelerated the further decay of kebele houses in the inner city settlements (Abuye 2006) and aggravated the problem of inner city decay.

5.2.3. The Current Government Housing Policies and Programs

All such bottlenecks of city development forced the government to promote market economy, create housing market, and urban development (Abuye 2006). In 1991, the existing government took the notion of a mixed economy one or more steps further through market-oriented policy. Despite the change of regime and economic system, however, the state ownership of the nationalized housing continued. With regard to urban development, the second most important policy decision made by this government was the urban

land lease legislation. One of the objectives was to adopt a market-oriented housing development system although land remained State property. It was also to generate revenue for city authorities so as to use the generated revenue to improve municipal services (Ibid). It involved the provision of land for housing through leasehold system at lower prices (Solomon, 1994). For this to happen, the municipality of Addis Ababa established a Land Development Agency to help convert agricultural land to urban development (Sisay, 2011).

This legislation motivated real estate developers and allowed private production of houses for sale and rent. Since then it offered houses to rich societal groups. This condition ate away land of the city in expansion areas. In the mean time, the Ethiopian government developed a strategy to address urban poverty in its SDPRP I. However, it focused on housing policies development rather than public low-cost housing development and shelter provision. The government withdrawn itself from the production of houses and remained as a facilitator and regulator until 2004. Recognizing the drawbacks of the past approaches, the city government launched GHP in 2004 to provide housing, regenerate slum areas and reduce poverty through homeownership. In addition, PASDEP considered housing provision as a way of addressing poverty in urban slum areas thereby reducing slums. It thus planned to produce 400, 000 public-low cost housing between 2005/06 to 2009/2010. Recently, the city government has been the main supplier of low-cost housing for the poor (Tolon, 2008: 23). This program provided houses to the needy although some has blamed that low cost houses ended up to the middle class and rich households (Ibid). Further, condominiums are built in expansion areas that exposed the beneficiaries to income decline and loss of social capital (Gebre, 2008; Abebe, 2010).

In the Millennium Development Goal (MDG), Goal 7, Target 11 specifically aims at improving the lives of at least 100 million slum dwellers by 2020. Goal 7, Target 11, is more relevant to the Ethiopian case where an estimated 60 percent of the urban population of the country is currently living in slums. Old, deteriorated public rental accommodation also constitutes the overwhelming majority of the houses in inner city areas. Nonetheless, the city has not had a comprehensive urban renewal policy or regulation of government owned houses in inner city areas (Tolon, 2008: 17). The public rental houses exposed to further decay as they were made up of temporary construction materials and because of long years of neglect. Policies continued to restrict informal housing tenures and markets to operate. Contrary to policy objectives, tenants in public rental accommodation sub-let and transfer kebele houses at market prices through subdivision of

the existing houses and hidden arrangements. It has negative consequences on URIER. First, replacement accommodation for those with informal tenures in inner city areas may be denied. Second, it worsened the congestion of non-planned inner city settlements. Third, it may provide an opportunity for illegal practices or corruption which the land policies aimed to attack. It also caused disputes on who actually rent the kebele house and thereby on replacement accommodation rights. This practice seems to complicate the right to replacement accommodation when urban renewal is implemented in these areas.

5.3. The establishment, urban planning and development of Addis Ababa, Ethiopia

5.3.1. The origin and development of Addis Ababa (1886-1936)

Addis Ababa was founded by Emperor Menelik in 1886. Since then the Emperor granted large tracts of land around the King's palace to the nobility, important personalities of the state, the high ranking military officials, the church and foreign legations (Techeste, 1986; Solomon, 1994; Hebel and Elias, 2012). Individually, they began to build their own dwellings around the royal palace haphazardly in all directions (Bahru, 1986; Techeste, 1986). They in turn allotted plots of land to their immediate subordinates and followers to build around their chiefs' residence or camps (Techeste, 1986). The houses were single storied, made of wood and mud (Elias, 2008:73). Addis Ababa looked more like a military camp than a city dominated by tents and tukuls with a population of about 60,000 (ibid). The camps were called *sefers*, small neighborhoods within the city (Bahru, 1986; Heisel, 2012). At that time, substantial vacant spaces including rivers, streams or slopes separated these *sefers* (Bahru, 1986; UN Habitat, 2007b). With the passage of time, the vacant spaces in the original settlements filled up with houses and resulted in the emergence of a residential structure where the wealthy and the poor live, and residential and commercial activities are existed side by side (Heisel, 2012). High population pressure contributed to the utilization of vacant spaces. Non-planned settlements with substandard houses mixing residential and commercial activities and combining the poor and the rich, therefore, began to be the city's distinctive feature (Bahru, 1986). In this way, the first stage of the land use pattern of and the mingling of the rich and the poor in Addis Ababa evolved (Techeste, 1986).

5.3.2. Imperial Period Urban Planning-Master plans (1936-1974)

When it comes to planning, the first modern master plan for the City and Ethiopia began in 1936 during the Italian occupation prepared by the famous French architect Le Corbusier (Techeste, 1986: 249; Bacry,

2009: 51). Italians first plan was decreed in 1936 and revised in 1938 but enacted on January 16, 1939 (Bahru, 1986: 50; Pankhurst, 1986: 127). This grandiose plan was based on the radical reorganization of the city to change the settlement pattern of Addis Ababa (Pankhurst, 1986: 128). The main feature of all the Italian plans was the creation of the separate quarter for Ethiopians and Europeans (Bahru, 1986: 50). The policy of segregation necessitated the eviction of Ethiopians who occupied the area reserved for Italians (Ibid) The native quarter was located in the northwestern part of the town (Bahru, 1986: 50) and was the only part of the city in which Ethiopians could dwell (Pankhurst, 1986: 131). This area was named as *Addis Ketema* or new town, which was physically separated from the Italian quarter (Bahru, 1986: 50). The eastern part of the palace and the areas towards the Dessie road however were allocated to the Italian residence (Pankhurst, 1986). The houses of the natives in the original settlements were cleared to implement Europeans quarters and replaced by modern housing and office blocks for Italians (Elias, 2008).

They planned to remove one hundred thousand persons (Pankhurst, 1986), but only 20 percent of the plan was actually realized by 1941 (Bahru, 1986). Thus, the Italians were not successful in creating the native quarter (Pankhurst, 1986) and the city continued to grow spontaneously without any planning intervention (Bahru, 1986). This is because five years were not sufficient to realize the grandiose plan of zonal divisions and change the settlement pattern, but it passed leaving some important traces (Bahru, 1986). In constructing of the new city, proclamation was issued to stop the maintenance of the existing and construction of new houses in order to reduce compensation expenses (Elias, 2008). This had contributed to housing shortages and dilapidation of houses.

In 1956, the famous British planner, Sir Patrick Abercrombie, proposed a master plan of Addis Ababa with the main objectives of dividing the city into political, residential, commercial and industrial zones (Bahru, 1986). With regard to overcrowding, this scheme put forwarded the creation of new satellite towns around the inner-city Addis Ababa at Kolfe, Gerji and Mekanissa to ameliorate the congestion problem (Techeste, 1986; UN-Habitat, 2007; Elias, 2008; Bacry et al, 2009). As opposed to the plans of Italian occupation, the main proposals of the sketches included neighborhood units as the basic city organizing concept, abolishing the concept of segregation (Elias, 2008; Bacry et al, 2009). Like the Italians, this plan remained largely unrealized (Bahru, 1986; Elias, 2008). As a result, the *sefers* continued to grow haphazardly, mixing residential and commercial activities and combining the poor and the rich (Bahru, 1986).

The British consulting firm Bolton and Hennessey Partners prepared a master plan in 1959 (Techeste, 1986; UN-Habitat, 2007; Bacry et al, 2009). This plan envisaged the future role of the city as that of the seat of government and a trade center (Techeste, 1986: 256) and continued the neighborhood concept (Elias, 2008). However, the neighborhood concept remained on paper lacking the financial and technical capacity to enforce the control and reorganization of space (Elias, 2008). The city also continued to grow spontaneously and the inner city settlements with houses of the nobility, the rich and the poor together persisted (Bahru, 1986). With regard to inner city deterioration, the scheme proposed an urban renewal program (Techeste, 1986; UN-Habitat, 2007). From the point of view of urban redevelopment, the proposal of urban renewal was one step ahead at least in rhetoric and indicated the deterioration of old inner city areas and the need for new construction or improvement of the existing roads, infrastructures, services and houses. Nonetheless, inner city physical deterioration continued.

Following the failure of the previous plans, Luis De Marien, a French consultant prepared a master plan in 1965. Like his predecessors, he emphasized physical plans without paying attention to the pressing social and economic problems of the city and ignored the needs and constraints of the majority of the residents in the non-planned settlements (Elias, 2008). Consequently, he replaced the neighborhood concept of Abercombie by axial layouts that visualized the city as a trade and political centre (Elias, 2008:79). In fact, this drawback was characteristic of all of the master plans prepared by one Italian firm for several other Ethiopian towns in the 1960s (UN-Habitat, 2007). During the Imperial regime there was hardly any effort that could substantially change the socio-economic and physical condition of non-planned settlements. In addition, the powerful landlords and royal families violated town plans, but they were not penalized (Abuye 2006). They built houses that were not in conformity with the plan and occupied public land reserved for public use (Ibid). In a similar way, land professionals violated the plan by abusing their power (Ibid). The municipality also lacked a proper legal framework within which to enforce and implement the plans (Techeste, 1986). Hence, the post Italian plans had little effect on the city to grow in the planned manner. These factors combined with rapid population growth contributed to the formation of the present day congested non-planned inner-city settlements.

5.3.3. Derg Period (1975-91) Urban Planning-Master plans

In 1986, a Master Plan was developed for Addis Ababa under the Ethio-Italian technical cooperation team, consisting of 75 Italian and 45 Ethiopian experts (Hebel and Elias, 2012). The plan focused mostly on new large residential and industrial development sites on the outskirts of Addis Ababa and the extension of road networks towards those sites (Ibid). In the inner city settlements, however, it focused on upgrading and urban renewal. Regarding the upgrading of the existing inner city houses, the master plan prohibited the upgrading of foundation less *chika* houses (ibid). The dilapidation of inner-city settlements therefore emanated from the 1986 Master Plan of Addis Ababa. This is because the plan discouraged the upgrading of foundation-less mud and wood houses with the aim of redeveloping the substantial part of inner-city settlements through renewal scheme (Elias, 2008). The majority of the *chika* houses are those owned by the *kebeles* and thus the master plans' decision has greatly contributed to the current condition of the houses. As the Derg nationalized houses made of substandard materials and as the master plan of 1986 prohibited their improvements, a progressive deterioration of houses resulted. During the Derg regime, no considerable work was done in maintaining government houses and no effort was put in substantially changing the socio-economic and physical condition of non-planned settlements. This master plan broadened the scope and content of urban planning compared to previous ones in terms of renewal as it proposed ways and means to upgrade and redevelop the deteriorated old inner city areas. This plan however was not implemented as planned and inner cities continued to grow spontaneously combining rich and poor and inner city physical conditions remained the same.

5.3.3. The Existing Government Urban Planning-Master plans (1991-2002)

Although the Master Plan was issued in 1986 during the Derg regime, it was introduced only in 1994 (Hebel and Elias). The plan focused mostly on new large residential and industrial development sites on the outskirts of Addis Ababa and the extension of road networks towards those sites. As a result, residential and industrial areas have been developed along this axis at a faster rate. The city thus has eaten away its hinterland (Ibid). Similarly, it focused on upgrading and urban renewal in old inner city settlements. Prohibiting the upgrading of foundation less mud and wood houses in the inner-city areas, the master plan aimed at redeveloping the larger part of this settlements mainly composed of deteriorated kebele houses

(Ibid:). After assuming power, the existing government began to redevelop the deteriorated old inner city areas in 1994.

In the 1990s, the city government targeted inner city areas along the road lines and houses that were located in the area designed for expansion of the existing roads and new road construction (UN Habitat, 2010, Matewos et al, 2011). Such projects were focused on physical improvement of inner city areas, the generation of revenue and commercial development at the cost of socio-economic conditions improvement of residents that benefit the affected ones, and residential units (Ashenafi, 2000). It was not participatory and the renewal was guided by developers or investors interests (Ibid). As a result, the residents were relocated to peripheral areas. Despite this measures, the majority dilapidated inner city kebele houses, with all its characteristics, remained the same. Little was also done long after the Imperial and the Derg regimes had gone. The long years of negligence, lack of enforcement of master plans and the resulting unplanned development of the city for over 100 years have therefore greatly contributed to the current inner city decay and substandard houses, non-planned settlements, poor urban image, lack of open spaces and inefficient use of land.

Generally, all the previous master plans designed to change the non-planned settlements and substandard, unauthorized small houses, but they were not successful in achieving their objectives. Despite the Italians attempt and a number of master plans to modernize and reorganize the city, and change in the political and economic base of the country; the non-planned settlements, the mix of population and activities and substandard and small houses in the inner city areas continued to exist for over 120 years. Nonetheless, the latest urban renewal program guided by LDPs has begun to replace substandard houses by high rise flats so as to improve the image of the city and local economic development, alter the mix of population, and modernize and reorganize the inner city according to plan during the 2002 revised master plan implementation period (Heisel, 2012, IIES, 2012).

Most of the previous master plans had some common features. First, noting the circumstances under which they were decided and implemented, all the former plans were designed to serve the interests of the prevailing socio-economic and political condition of the time. Even then they served the interests and vision of the then government but the city governments and bureaucrats violated the plan as they had the power and the wealth. Second, all plans were physical plans focusing on physical improvement and were not

based on reliable socio-economic data (Techeste, 1986). They all ignore the pressing socio-economic problems of residents and financial capacity of the municipality (UN-Habitat, 2007). They were therefore limited in scope (Techeste, 1986). Third, they were not participatory and sidelined the needs, interests and constraints of the residents and other stakeholders as each of the master plans was prepared by either one architect or two architects (Techeste, 1986) except 1986 Master plan. Finally, the immediate implementation of each master plan was constrained by the lack of a legal framework within which to operate the plans (Techeste, 1986). As a result, substandard, congested and non-planned settlement pattern that mingle the rich and the poor dominate the current structure of the City

5.4. Land expropriation, eviction and urban Renewal in Ethiopia

5.4.1. Legal Framework of Land expropriation and eviction in History

Land expropriation is a compulsory surrender of land to the government for public purpose projects (Daniel, 2009). Expropriation in Ethiopia, as means of land acquisition for public interests, was introduced during the Menelik II era. In 1907, the landmark legislation that allows Ethiopians and foreigners to purchase and own private land was proclaimed (Bahru, 1986). Government was also allowed to take back the land holding for public interest purpose against payment of compensation (Solomon, 1994). However, little was documented about the actual land expropriation and eviction of residents during the Minelik II era. Italians first plan was decreed in 1936 and revised in 1938 but enacted in 1939 (Pankhurst, 1986). The driving force of all the plans was the segregation of Ethiopians and Italians (Bahru, 1986). In order to make way to a new city of Italians, the policy of segregation required large scale expropriation of Ethiopian lands (Pankhurst, 1986) and eviction of natives (Bahru, 1986). For this to happen, two proclamations were issued in one month prohibiting the repair of the existing and the construction of new houses, and the change of land until further notice aimed at reducing compensation (Pankhurst, 1986).

The native quarter was located in the northwestern part of the town (Bahru, 1986) particularly at *Addis Ketema*, while the eastern part of the palace were devoted to the European residence (Pankhurst, 1986). Despite rejection of large scale expropriation stated in the original 1936 plan, expropriation was extensive (Pankhurst, 1986). In the three years between 1937 and 1940, over four thousand owners were dispossessed more than five thousand houses (Pankhurst, 1986). They also planned to displace one

hundred thousand persons, but they relocated 20,000 residents to *Addis Ketema* by the year 1939 (Pankhurst, 1986). In 1941, only 20 percent of the plan was actually realized (Bahru, 1986).

Land expropriation was established in the 1955 Ethiopian Constitution and the 1960 Civil Code (Matewos et al, 2011). Accordingly, land expropriation, eviction and relocation of 91 low-income households to Kolfe public-low cost housing were carried out in Addis Ababa in 1960s (UN-Habitat, 2007; Tolon, 2008). This project provided replacement housing for 91 low-income households whose inner-city dwellings were demolished to make way for the construction of larger public and commercial buildings (Ibid). In June, 1975 the Derg enacted proclamation No. 47/75 for the nationalization of urban land and extra rentable houses and declared state ownership of land and extra houses of the landlords. Accordingly, all urban lands and extra houses of the wealthy urban dwellers were nationalized without any form of compensation. The 1986 master plan of Addis Ababa also set aside foundation-less *Chika* inner-city houses for demolition and redevelopment. All urban lands on which private houses and public rental houses erected however were not expropriated during the Derg regime (Crewett et. al. 2008).

The 1994 Constitution affirms that land is owned by the state and the Ethiopian people, but urban dwellers are given the rights to use, or inherit the land. Accordingly, only the movable and immovable properties developed on land are owned by the right holders and treated as private. However, the Constitution in Article 40 also recognizes the protection against eviction from their possession. For public service purpose, the constitution allows the government to take land from right holders by way of expropriation. It also guarantees legal landholders to get land and commensurate amount of financial compensation for the movable and immovable properties in cases where there is a need for public interests. The issue of relocation or expropriation is also reemphasized in the 1993 Urban Land Lease Proclamation No. 80/93 and No. 272/2002 Lease Re-enactment (Matewos et al, 2011). Unlike the Derg, the current government has been expropriating inner city prime and valuable urban lands for the purpose of using them efficiently and economically for best uses, and thereby enhancing their value (Abuye, 2006).

5.4.2. Urban renewal and upgrading in Ethiopia

There were limited efforts to redevelop the run-down inner city areas in the Ethiopian urban centers in the past. The history of urban renewal at a larger scale as a major urban development policy instrument and

land management strategy is, therefore, a recent phenomenon. As noted above, the only pre-1974 urban renewal project in Addis Ababa was the project that relocated 91 low-income households from inner city areas to the Kolfe Low Cost Housing Scheme in the mid 1960s (UN Habitat, 2007b; Tolon, 2008). This project expropriated the land and cleared inner-city dwellings of these residents to make way for the construction of larger public and commercial buildings and provided replacement housing in the relocation site, Kolfe (UN Habitat, 2007b; Tolon, 2008). This shows that the municipality followed eviction, relocation and clearance strategy although the government offered replacement housing. Hence, further decay of inner city settlements, non-planned pattern and the mix of population and land uses persisted. During the Derg regime, the Tekle Haimanot upgrading project was the first and larger upgrading project worth-mentioning in the early 1980s. It was sponsored by the joint World Bank and the Ethiopian Government but it was implemented by the municipality of Addis Ababa (Tolon, 2008; Matewos et al, 2011). Added to this, small-scale upgrading project were run by international NGO, the Norwegian Save the Children Fund (Redd Barna), in other Tekle Haimanot area (Ashenafi, 2001), while CONCERN and OXFAM, financed upgrading programs in two *kebeles* adjacent to the Tekle Haimanot area (Tolon, 2008).

After recognizing the physical deterioration of inner city houses, infrastructures and services; and the proliferation of non-planned settlements, the Derg introduced corrective urban inner city improvement program in its 1986 master plan. This plan had the objectives of upgrading houses and infrastructure, and redeveloping the existing deteriorated houses in tackling the challenge of inner-city settlements. Accordingly, the plan banned the upgrading of such houses with the aim of redeveloping the whole inner-city settlements through renewal scheme (Elias, 2008). However, no considerable work was done in improving government rental houses and in substantially changing the socio-economic and physical condition of non-planned settlements. Hence, this plan remained on shelf. Having nationalized large number of old substandard houses and preventing their improvement therefore resulted in a progressive physical deterioration of public rental houses, infrastructures and services; and the persistence of non-planned inner city settlements.

The existing government introduced free market economic system in 1991 and started to execute the 1986 master plan. Following this, Addis Ababa went through dynamic changes in all social, economic and political spheres. The main changes are the introduction of private investment, the commercialization of land and intensive inner-city redevelopment projects (Sisay, 2011; Ezana, 2011). The large scale urban

renewal projects began with the Sheraton Addis Hotel development project (Matewos et al, 2011). The project was carried out to build the five star Sheraton Addis hotel. First, the developer agreed with Addis Ababa city government, but not with residents to construct replacement accommodation in the out skirts of the city and to relocate households to this resettlement site (Lishan cited in Ezana, 2011). However, the affected residents were simply informed to leave the targeted area without participating them in the decision making process, providing alternatives and assessing their needs (Elias, 2008). Every process was executed and financed by the developer. The relocation was commenced in 1992 and the project relocated small number of residents each year. Finally, it relocated 707 households (Ibid). Although the project has improved the housing condition of residents from old deteriorated inner city areas, it exposed them to unemployment and reduced the income of most relocated households (Lishan cited in Ezana, 2011).

Meanwhile, the AACAA launched a Grand Housing Project (GHP), a massive urban renewal program, in 2004/05. It had specific objectives of regenerating slum areas, reducing social disruption either through in-situ relocation or relocation to nearby places and providing decent affordable housing and thereby wealth creation. The objective was to build 400,000 residential units over five years between 2005 and 2010 in the predominantly rundown, *kebele*-administered rental accommodation in the inner city. Initially, it produced 33,000 units in 2004/05. Drawing experience from Addis Ababa, MWUD initiated IHDP to cover wider areas of Addis Ababa and other secondary cities in the country in 2005 (MUDC, 2007). However, most of the recent large scale condominium sites have been built in the peripheral areas. What makes this program different from the former renewal projects is that it involved other actors other than the governments. In this regard, the GTZ (German Technical Cooperation) has played a technical advisory role and an active partner in the production of condominium units (Tolon, 2008). Additionally, this program, unlike others, has been implemented extensively in Addis Ababa and most other large towns of Ethiopia due to the high commitment of the local or city government, the Federal Government and the Commercial Bank of Ethiopia (Wendwosen, 2008).

The urban renewal of Dessie and Mekele towns are the prominent ones outside Addis Ababa. Dessie urban renewal targeted highly dilapidated houses made of mud and wood and *kebele*-administered neighborhoods with little or no infrastructure and basic services to ease implementation and the cost of compensation (Matewos et al, 2011). The project had the objectives of mainly beautifying the city and

maximizing the underutilized land and infrastructure (Ibid). This redevelopment project, however, focused on central areas along the main road of Piazza and Arada commercial area. Similarly, the Mekele town renewal is aimed at converting the existing overcrowded and slum areas to healthy and environmentally sound living and working places, thereby boosting local economic development (ibid). As a result of effective procedures and management, the implementation of the revitalization projects is moving rapidly. In the past five years, the project provided land for investments, housing and infrastructure (Ibid). In both towns they targeted land along the main roads and deteriorated areas where the location was in high demand and the focused mainly on commercial activities at the cost of residential units.

Above all, the recent but the largest urban renewal project of Cassanchis was undertaken in 2006 after the introduction of the Addis Ababa ten years City Development Master Plan. According to Mesay (2008 cited in Ezana, 2011), the main objective of the project was to create an international city center composed of high rise commercial and business centers. It thus emphasized commercial activities at the cost of residential units and mingling of the poor and rich. The strategy of this project was centered on relocating residents to the expansion areas and then clearing the site for developers (Mesay, 2008 cited in Ezana, 2011). Moreover, the project was carried out without renewal policy and regulations (Birhanu, 2006). This project was guided by LDP, but the LDP was developed after the residents were relocated to the expansion areas (Mesay, 2008 cited in Ezana, 2011). The introduction of LDP after relocation of residents implies the absence of resident participation in the process of developing LDP.

The above recent cases show that inner-city renewal experience in Addis and other towns was highly motivated by private investment or income generation and the affected residents were sidelined from the consultation meetings. Therefore, it disrupted the relocated households business ties with customers, broken their informal networks of survival, caused loss of locational advantage and jobs and incurred high transport costs (Gebre 2008). The overwhelming majority of displaced households encountered significant income decline as well as problems related to water, sanitation, education, and healthcare (Ibid). From this it is concluded that market forces are increasingly determining how space is used in cities and the main cause of evictions. Eviction and relocation to peripheral areas that impoverished and marginalized the affected communities continued (Berhanu, 2006). Urban renewal schemes were unable to balance the need of the public to modernize the area and the preferences of the poor to stay within the inner city (Mihretu, 2005).

Ethiopia has followed urban development and modernization under the five year growth and transformation plan. Urban spaces in inner city areas become indeed spaces of modernity and change that attract the interests of investors and the government to modernize the city, build the image, generate income, use the land efficiently and reduce slums and poverty in slums. These inner city spaces have been targeted for renewal through mixed use and income development. Ethiopian cities are faced then with large scale urban renewal guided by LDPs. The inner city neighborhoods are on the process of gradually disappearing and households in the inner city areas are relocated to peripheral areas, giving way to functional urban complexes by such reconstruction (Bosredon, 2012). Because of the deterioration of inner city houses, infrastructure and services and in the name of development, some fear the emergence of fractures and severe segregation of the residents (Ibid).

The mix of residential units and commercial activities, and population of different income groups; the predominance of substandard housing, public rental housing and the poor that has been most affected by the policies and plans; limited power of residents to make decisions and non-planned settlements in inner city areas must be considered as a starting point of decisions and approaches of URIER. Urban renewal programs that consider the mix of residents and land uses, and the planned and systematic utilization of space in inner city areas are thus much needed today. The challenge for urban renewal however is how to wisely compromise the preservation of social composition as well as the planned and systematic utilization of space in inner city areas. Even after 125 years. Urban land use is still dominated with mixture of rich and poor as well as residential and commercial development rather than specialized zoning. It is one feature that is always maintained through the increasing physical improvement and change of the city. Another challenge is how to mix population from different income groups preserving the social organization and social composition of inner city, while redeveloping the deteriorated areas. These are some of the areas where this research will focus on.

CHAPTER SIX

6. LEGAL FRAMEWORKS

This part explores the rules of law pertinent to urban renewal and its eviction and relocation. This part first gives a brief description of proclamations, regulations, directives, plans and policies that have relevance to URP and the ensuing eviction and relocation. Second, the contents of the rules of law about public purpose or objectives of rules of law related to URP to determine URP serve the public interest; alternatives to eviction and exceptional circumstances. Finally, it examines policies and legislations focusing on adequacy and gaps in the rules to the right of residents to in-situ relocation, prior information and meaningful consultation; compensation; replacement housing; and rehabilitation support.

The policies, plans and laws are explored and evaluated not only against their own and other national policies and plans visions, objectives and principles, but also against international rights, development principles, country contexts and good practices. The main focus in exploring policy and legal issues is on looking for and pinpointing the variances between the relevant Federal laws and policies and international human rights standards as well as between Federal laws and policies and the AACA directives and plans. In both cases, the clarity of important concepts, gaps or/and thereby their adequacy in addressing the needs of the affected people will be largely analyzed and assessed. Part of the reason for the use of international human rights standards and development principles is that Ethiopia is a signatory to the UN ICESCR in June 1993 and provides a space for it in Article 9 of the Ethiopian Constitution. This also means Ethiopia recognizes the 1997 UN ICESCR, the 2007 development principles and their later improvements. Ratifying and promulgating it in the Constitution therefore means Ethiopia recognizes the human rights and principles expounded in these laws and principles. It therefore requires the government to take appropriate steps or offer important opportunity to ensure the realization of these rights and principles for those relocated people by the government development projects. Human right standards, development principles, good practices, national policy, plans and programs, and country contexts thus will serve as useful reference points to examine and evaluate URIER.

The Federal government of Ethiopia provides rules regulating the conditions under which private individuals property can be successfully expropriated, compensated, replaced and rehabilitated for the lost property, homes and livelihoods, as well as the eviction of landholders. These rules include:

- Expropriation of landholdings for public purposes and payment of compensation Proclamation No 455/2005 (hereafter expropriation law)
- Compensation Regulations No 135/2007
- Resettlement Policy Framework (RPF), 2008
- Urban Planning Proclamation No 574/2008
- Urban Land Development and Management Policy (ULDMP), 2010
- Urban Land Lease Policy (ULLP) Proclamation No. 721/2011
- GTP (2010/11-2014/15)
- Urban Development Policy (2005)
- AACA directives No 3/2010, No 2/2011 and No. 14/20013, and
- The 2002 AACA Strategic plan and LDPs of each study sites, to mention some.

In what follows, the following seven components of the international laws will be elaborated, showing their gaps, clarity and compatibility of these rules for the protection of the rights of the affected people. These include public purpose; alternatives to eviction and exceptional circumstances; and prior information and meaningful consultation. It also contains adequate compensation; adequate replacement housing; rehabilitation support; eligibility criteria to recognize these rights irrespective of income and tenure status and the balance principle.

6.1.1. Public purposes, and URIER

The UN development principles in paragraph 21 provide that any eviction must be undertaken solely for the purpose of promoting the public purpose. The promotion of the public interest in this principle refers to steps taken by the national government and AACA consistent with their international human rights obligations. It is therefore needed to determine whether the national legislations recognize urban renewal schemes as public interest projects or not in the light of international laws and development principles.

It is recognized that property expropriation from old dilapidated inner city neighborhoods must be justified on the basis of specific public interest grounds. It should be in mind here that all expropriations do not result in the permanent eviction and relocation of residents from inner city neighborhoods. It is therefore first necessary to determine whether property expropriation for renewal is in the public interest. Before delving into this, it is crucial to understand what public purpose is and what it comprises from laws and policies.

According to *Article 40(8)* of the 1995 Constitution of Ethiopia, the State may expropriate private rights over land: "Without prejudice to the right to private property, the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property", without clearly defining public purposes. Article 44 (2) of the constitution also stipulates that any person affected by State programs has the right to commensurate monetary compensation. Public interest is therefore equated with state programs or interests. Nonetheless it does not clearly indicate what these programs are and the specific purposes for which land is expropriated. This makes state or public interest an ambiguous notion.

The expropriation law establishes the legal principles and framework for expropriation and compensation which was entered into force on July 15, 2005. According to article 2(5) of expropriation law and article 2 (7) of ULLP Proclamation No. 721/2011, "public interest" is understood as the use of land determined "by the decision of the appropriate body in conformity with urban plan in order to ensure the interest of the people to acquire direct or indirect benefits from the use of the land and to consolidate sustainable socio-economic development". In a similar manner, proclamation No. 574/2008 in article 2 (5) let the definition to be defined by urban administration but gives its objectives i.e. to continuously ensuring the direct or indirect utilization of land by people and thereby enhancing urban development. Although the determination of public interest will be done at a later stage by appropriate body, it provides some clue about the objectives of private property expropriation. Development activities that ensure direct or indirect benefits, consolidate sustainable socio-economic development and thereby enhancing urban development are, therefore, public interest projects. The benefits acquired from the use of the land and sustainable socio-economic development however cannot be easily extracted from these legislations as well as whose interest count is not clear. In all cases, the notion public purposes remain unclear or no mention was given as to what public interest schemes are. The "appropriate body" in the expropriation law and urban land lease policy means the AACA vested with the power to administer and develop urban land. The chance of misusing this notion by the city administration is thus larger.

In clarifying the public interest, these legislations and policies do not bring about significant improvements from the constitution since they reiterate that expropriation may take place "for the purpose of public interest", without clearly and directly stating what public interest projects are. No legislation states that urban renewal projects are in the public interest. Therefore, it is difficult to justify the expropriation of

property for urban renewal as public interest project from the definition of public purpose alone and from the articles in the policies, plans and legislations. Further, the government has designed to reduce slums by half by the year 2015 from 60% level in the country in its GTP. Nonetheless, the country has no comprehensive national urban renewal policy or strategy to date from which to extract objectives of renewal in the light of public purpose. Despite this, the country has been experiencing various policy, legislation and plan measures that have profoundly influenced the course of urban renewal program in the last decade. In extracting meanings and understanding what public purposes can involve indirectly attempt will be made from the relevant introductory parts, preambles, motives, objectives, principles, strategies etc of policies, regulations and plans and implementation directives.

To begin with, proclamation No 455/2005 in its preamble stipulates that “land redevelopment for the construction of dwelling houses, infrastructure, investment and other services ..., given the rapid growth of urban centers and increase of their inhabitants”. This is translated as if land redevelopment that involves such undertakings in urban areas will be introduced as a response to rapid growth of urban centers and their population. It does not however directly and clearly include urban renewal projects as land redevelopment activities. Using the phrase “other services”, it is needed to extend our understanding to land redevelopment and what it comprises to justify urban renewal as public interest project. It therefore points to another proclamation, Urban Planning proclamation to view what land development means. Article 40 of this plan uses the term “urban redevelopment” involving urban renewal, upgrading and land re-allocation. Urban renewal project that was excluded from redevelopment in the expropriation decree is included in urban planning. Land redevelopment indirectly includes URP as public interest undertakings although it is not mentioned in this preamble. This law accompanied by urban proclamation, therefore, goes a step forward in indirectly providing some clues for which purpose land is expropriated than the Constitution, new revised land lease policy and ULDMP. The implementers may not go as far as looking deep to understand this concept. Hence it has limited clarity.

We can also attempt to understand the public interest from the notion of some concepts in the expropriation law and ULLP. Article 3(1) of the expropriation law provides that urban administration shall have the power to expropriate urban landholdings for public purpose where it believes that it should be used for “a better development project” to be carried out by public entities, private investors, cooperative societies or other organs. Although the concept “*better development project*” is an ambiguous concept, those who carry out

public interest projects are identified as public entities, private investors, cooperative societies or other organs. In article 12 (1g) of the ULLP, the city administration has the power to allocate land for projects that have special national significance upon decisions of the cabinet of the concerned city administration. According to Article 2 (21), this phrase means development projects having outstanding contributions in the success of the country's growth and transformation are given priority. One of the main urban development projects to achieve rapid economic growth in the GTP is to renew the deteriorated slum areas by half at the end of GTP period (2015). Reducing inner city slums through urban renewal therefore is in the public interest. Although it indicates that urban renewal is in the public interest, it however seemed to be equated with public interest project decided by the cabinet without involving the affected people in contravention to international development principles.

Next, it is needed to view the objectives urban renewal or urban development projects in some of the policies, plan and directives. The aim of urban redevelopment in article 40 is to alleviate urban problems, improving living standards and bringing about urban dynamism and efficient land utilization. Similarly, the objective of urban renewal in article 41 of this decree is to improve the living and working environment in an urban center. The objectives of urban renewal is therefore to alleviate urban problems, improving living standards and bringing about urban dynamism, efficient land utilization and improve the living and working environment in an urban center. According to ORAAMP (2002), urban renewal in dilapidated inner parts of urban centers in Addis Ababa has is carried out to reduce poverty, improve the living and working conditions of residents in the dilapidated areas and the bad image and ensure economic growth. Reducing slums by 50% in the GTP as well as reducing slums along slum poverty in the MDGs are considered as crucial to the success of the country's growth and transformation.

In general, public interests involve projects that contribute to the country's economic growth and transformation (ULLP); ensure sustainability of socio-economic development and better development projects (Expropriation law); projects that reduce poverty (MDGs, and renewal manual) and inner city slums (GTP, MDGs, and renewal manual); and improve the living and working conditions of the residents (ULDMP, AACA directives, Urban planning). Development projects that improve the image of the city and the country and make Addis Ababa World class city (UDP, AACA Directives); efficient land utilization (ORAAMP, 2002; Urban planning); and equally benefits citizens and promote planned and well developed urban centers (Urban planning)) are also in the public interests.

Inner city areas in Addis Ababa are deteriorated with sub-standard houses, limited infrastructure and open spaces, poor image, absence of passerbys for ambulances and fire lanes and inefficiently used land. In this area, poverty is widespread especially among public house renters. In this case, urban renewal projects are justified in that they serve compelling and overriding public interests to reduce slums, improve the image and the living and working conditions of residents, utilize valuable land efficiently and generate more revenue and thereby alleviating poverty and sustaining economic growth. Property expropriation in Ethiopia for urban renewal is thus necessary on public purpose grounds and thus qualifies as being in the public interest. In the international development principles and human right standards, public purposes include infrastructure and social service projects, urban renewal projects; major international business or sporting events; and measures necessary to reduce the risks associated with natural hazards (UN, 2009; Palmer et al, 2009; Viitanen et al, 2010). Property expropriation necessary to facilitate urban renewal projects also generally qualifies as being in the public interest. Urban renewal in Ethiopia and Addis Ababa therefore meets the requirements of property expropriation for public interest set by the domestic laws and international human rights and development principles.

Coming to the specific urban renewal in the policies, laws and urban plans, URP as a public interest project has the objectives to:

- ❖ minimize inner city decay by 50% (GTP) and avoid all urban decay by 2020 (MDGs, AACA directives and LDMP restructuring draft document of Addis Ababa); projects that reduce poverty (MDGs);
- ❖ reduce urban poverty in general (UDP, GTP) and inner city slum poverty in particular (MDGs);
- ❖ ensure sustainable economic growth of the country by regulating and facilitating development activities in urban centers (AACG, 2002b; ULLP, Urban Planning);
- ❖ improve living and working conditions of residents (ULDMP, AACA directives, Urban planning);
- ❖ improve the image of the city and the country, or make Addis Ababa World class city (AACG, 2002b; UDP, AACA Directives);
- ❖ Efficient land utilization (AACG, 2002b; Urban planning, 2009);
- ❖ maximize land value and increase revenue (AACG, 2002b);
- ❖ maintain residents exploiting the good qualities of Addis Ababa through mixed use and income development (AACG, 2002);
- ❖ attract investment (AACG, 2002); and
- ❖ equally benefits citizens; promote planned and well developed urban centers (Urban planning, 2009) are in the public or government interests

All these are government interests that can be used as benchmark to examine policies, legislations, procedures and programs; and evaluate practices of eviction and relocation and successful achievement of

objectives by the LDMBs, balancing between public and private interests as well as between economic or land market efficiency and social justice. These urban renewal objectives all together can be used to justify property expropriation for urban renewal projects. Thus far, the public interests in the legislation and the determination of renewal scheme as public purpose projects and its objectives were discussed. In what follows, it is needed to examine the urban renewal induced eviction from the principles of exploring alternatives to eviction genuinely consulting the affected residents, and the carrying out of eviction only in exceptional circumstances.

6.2. Exploring alternatives to eviction and exceptional circumstances

So far, property expropriation for urban renewal in old dilapidated inner city neighborhoods has been justified on the basis of specific public interest grounds. At this juncture, it should be bear in mind that URP only qualifies one requirement of development principles, the expropriation of property for public purpose. Urban renewal, however, does not justify the permanent eviction and relocation of the affected people in the dilapidated inner city neighborhoods. Practices of permanent eviction and relocation of residents from old dilapidated inner city neighborhoods must be justified on the basis of the government's effort to explore viable alternatives to eviction and carry out eviction only in exceptional circumstances in the main legislations.

Before turning to the prior information and genuine consultation, however, dealing with the equivocal concept of exploring alternatives to eviction genuinely consulting the affected residents is required. One of the requirements that must be met before the government begins relocation of dwellers in line with the CESC, UN Development Principles, UN Habitat and WB is that the government must explore all feasible alternatives to avoid or minimize eviction as the first option. In particular, all feasible alternatives to eviction must be explored in consultation with the affected community. This clearly recognized right under international law is not included in the principal expropriation law, lease policy and compensation regulations based on which urban renewal projects are implemented. This means that the expropriation law does not in principle prohibit eviction and relocation even if viable alternatives to eviction and relocation are available. This is because the decree does not specify rules that obligate state or the city administration implementing public interest projects, urban renewal, to explore all feasible alternatives to eviction altogether before any decisions are made. All policies and laws do not prohibit relocation before exploring

in-situ solutions to avoid or minimize relocation and its effects and ensure that relocation is truly a last resort. There is no article that spells out conditions under which the implementing agency is obligated not only to explore alternatives before any decisions are made, but also to explore alternatives with residents in the meaningful consultation for which the absence of alternative to eviction is agreed by the affected residents.

The ULDMMP stipulates that replacement housing provision should not disrupt the living and working conditions, but make socio-economic and environmental change better for relocated residents. The implementing agency in this case should not disrupt their livelihood and means of income by making the new resettlement sites suitable for living and working conditions. This provision does not therefore involve in-situ solutions or relocation to nearby places. Urban planning in article 41 also states that the aim of undertaking urban renewal is to improve the living and working environment in an urban center through fully or partly removing dilapidated structures. This provision involves either clearing part of the dilapidated structures or all structures in the targeted land. It does not make clear about the fate of residents and compel the city administration to explore alternatives to eviction and maintain residents as the first option.

Exploring all feasible alternatives to eviction is however recognized only in the Ethiopian RPF (MUDC, 2008) which was introduced three years after the principal expropriation and compensation law. Despite this fact, RPF asserts that the city administrations that carry out the Urban Local Government Development Project (ULGDP) should explore all viable alternatives in order to avoid or minimize forced evictions (MUDC, 2008). This policy framework does not refer to the existing legislations that obligate the government to explore all possible alternatives and practice this notion. This framework states that ULGDP is implemented according to expropriation law and compensation regulations. In addition, authorities in implementing agencies and MUDC did not refer to this policy when they were asked about in-situ solutions. It does not state that this rule is mandatory and should be enacted or amended either. It is not in compliance with the relevant requirements of the Ethiopian main legislations, expropriation law and compensation regulation, that are in use in expropriating the private property.

The RPF recognizes this requirement while other main legislations used to expropriate land and housing and relocate residents either exclude it or have unclear rules. The implementing agency may use it to relocate the poor residents without exploring alternatives. It is noted that the policy framework preparation

and its implementation were financed by the World Bank (MUDC, 2008). The introduction of the requirement of exploring all feasible alternatives in RPF therefore seemed to respond to the World Bank interest and IRP. In order to match with the procedural requirements of the World Bank, RPF requires the implementing agency to explore alternatives to eviction as the first option before eviction of the affected people are decided. Among its goals is to maintain residents livelihoods and social capital or socio-economic disruptions. It is an indication that the policy success is determined by policy ownership and the possibility of policy imposed from international agencies to fail is larger. Since it does not require the State to contain it in the legislations, policies and plans, and the implementing agency to explore alternatives to eviction, they may relocate residents without exploring alternatives to avoid or minimize eviction. This may open the room to misinterpret the reduction of slums stipulated in the GTP as slum clearance policies and relocating poor residents without exploring alternatives, improving their houses, benefiting from renewal and impoverishing their livelihoods. It is in conflict directly with national government human rights treaty obligations and inconsistent with international development principles. The urban planning is declared to regulate the carrying out of development undertakings in urban centers without detrimental effects to the general well being of the community. By extension, this legislation acknowledges that the objectives of public interest projects should not be attained at the cost of impoverishing the relocated households and not in line with human rights standards and development principles. One way of reducing the social costs such as the disruption of social networks and livelihoods of the dispossessed land users is to explore alternatives to eviction in consultation with the affected people.

Although alternatives to eviction may be the best option for the poor, there are cases where relocation of residents is the only option. Apart from public purposes, eviction is unavoidable if it takes place only under "exceptional circumstances" as UN in its development principles states. Exceptional circumstances that cause eviction and relocation in the international literature involve measures deemed necessary to protect the health of residents and reduce the risks associated with natural hazards; actions necessary for public safety grounds such as the demolition of structures blocking access roads for fire lanes and ambulances in dense urban areas; and when the location lies in the way of a municipal infrastructure project that cannot be changed or moved (Palmer et al, 2009; Viitanen et al, 2010 UN Habitat, 2011d).

In Ethiopia, the strict conditions and exceptional circumstances under which relocations could legally take place are not included even in a single law or plan or policy, including in the modest RPF that specify the

requirement to avoid or reduce forced evictions, exploring all feasible alternatives. The implementing body is not expected to justify that eviction occur only in exceptional circumstances. It is therefore sufficient to justify eviction only for public interests even if there are viable alternatives to eviction such as residential units and land replacement as well as the requirement of exceptional circumstance is not fulfilled. Put simply, development projects that qualify the requirements of public interest may relocate residents even if they are not necessary for public safety grounds and viable alternatives to avoid evictions exist. This legal loophole may contribute to emphasize eviction and relocation of the poor as the only and viable option to modernize inner city areas of Addis Ababa, reduce slums, improve the poor image of the city and make it world class and competitive city. Expropriation law, compensation regulations and AACA directives are in contravention to the country's objective of avoiding or minimizing eviction in RPF and Strategic plan of Addis Ababa and UN development principles. The legislation is not only incompatible, but also inadequate to prevent eviction of residents. The detailed consultation rules and their conformity with international standards will be dealt below.

6.3. Prior information and meaningful Consultation

In the ICESCR, the importance of access to adequate and reasonable notice for all affected persons prior to the scheduled date of eviction; information on the proposed evictions and on the alternative purpose for which the land is to be used during the eviction and relocation process; and an opportunity for genuine consultation with those affected are firmly established. Before assessing meaningful consultation during consultation meetings, the time when the affected people are consulted and informed will be discussed. This notion is reflected to some degree in the current national urban planning decree, RPF, ULDM and AACA directives. ULDM acknowledges that the affected residents were not informed about their options, rights and responsibilities due to absence of system that provides prior information in renewal projects. This document explains that the absence of prior information was the main causes for long period of resistance, high level of disputes between the affected people and city administrations and thereby the delay in the development projects. Accordingly, ULDM recognizes the importance of access to prior information for affected households' for projects that cause eviction and relocation. The AACA Directives states that adequate information about the project necessitating eviction should be timely provided to affected residents. These provisions imply the relocation of residents was decided before consultation meeting is held on. ULDM and AACA directives do not also incorporate the phrase 'prior to decisions being taken'.

Urban planning proclamation in article 42(2) reminds “The residents of an area where urban renewal is to be carried out shall be informed and consulted prior to the implementation of the renewal”. The concept informed and consulted “prior to the implementation of the renewal” is ambiguous because international organizations such as WB (2004), FAO (2007) and ADB (2009) specify that consultation should be made before any decisions about evictions are made. It is in contravention to this as its provision includes prior to implementation of renewal project but no legislation mentioned prior to the decisions of eviction and relocation which is clearer than the phrase before implementing projects. This is because implementation is understood as conducted after eviction and rights or choices offered among alternatives are decided. Prior to the implementation of projects has a connotation to denote implementation after the project is approved and relocation is decided because implementation of urban renewal comes next to decision making process. This indicates that decisions were made before by the decision makers without involving the burden bearers, the relocated people and disregarding the chance to explore alternatives to eviction. This is a technical solution or top-down approach focusing on outcomes or good policies that ignores the needs and priorities of the residents. This may not achieve policy objectives of poverty reduction and improving the living and working conditions of the affected people.

The phrase ‘prior to the scheduled date of eviction’ in the General Comment 7 of ICESCR is at odds with UN development principles, FAO (2007) and ADB (2009) which ensure the provision of information before decisions are being taken about relocation and its options. It is also incompatible with its own provision of an opportunity for genuine participation since it refers to the process that enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, benefit sharing mechanisms and implementation issues (ADB, 2009). ‘Before implementing urban renewal’ in the national law and ‘prior to the scheduled date of eviction’ in the CESCR right standards therefore should be replaced by the phrase “before the project is approved” or “before decisions are being taken” about eviction and relocation. The absence of these phrases may be used as a weapon by authorities to focus on consulting the affected persons which equates with informing about their rights and choices offered to relocation and requesting them to cooperate with the government relocation plan. The provision of information prior to the implementation of urban renewal in domestic laws and prior to the scheduled date of eviction in CESCR seem to assume that there is no alternative to eviction and there is life threatening natural hazards though the plan is mixed income and use development. As a result,

the city administrations consult residents once the relocation of households in the targeted neighborhoods, and rights or choices offered among alternatives are decided, but before implementing URP.

As opposed to expropriation law, ULDMP, urban planning and Addis Ababa directives, RPF requires the implementing agency to disclose the information prior to project appraisal to ensure that the affected residents participate in the planning process. In other words, the requirement of this policy framework distinguishes that ULDGP involves residents before decisions are made about renewal and relocation of residents. RPF includes specifications that describe consultation with dwellers before evictions and relocations are decided. This language replicates exactly the World Bank's IRP. It however goes further to enhance clarity and thereby respecting residents' rights to this provision and minimizing the negative effects of relocation. The Ethiopian laws regarding the time when consultation begins are inconsistent that may create confusion.

Coming to the adequacy and reasonableness of prior information, the purpose of accessing the affected persons to prior adequate and reasonable information is to ensure effective and informed participation of them in the decision-making processes. This provision is founded on the conviction that there are power imbalances between the government and the affected people in the knowledge of the legislations, plans and directives related to alternatives to eviction, the purpose for which expropriated land is used and rights or choices offered among alternatives. Considering this, it suggests not only prior but also adequate information to ensure effective and informed consultation, which has greater benefits over the control of decision making (Bugalski and Pred, 2013). Some legislations and policies such as ULDMP and AACA directives mention that the dwellers are informed about their rights, options and responsibilities without citing their adequacy and reasonableness. This seems to weaken the affected people opportunities to influence the decision making process and limit the opportunities for real debate to happen. Even then the legislations in the consultation and participation part do not describe the contents or elements that should be given either before or during consultation meetings.

Prior adequate information should incorporate practical efforts to improve the degree of control in decision making exercised by the poor (Bugalski and Pred, 2013). Informed consultation provides affected households with the knowledge and tools necessary to enable them to claim and defend their rights. For affected residents to suggest in-situ solutions, assess the impact of renewal and forward measures to

mitigate adverse impacts based on legislations, meaningful consultation has to include proactive efforts for the poor to enhance their knowledge and influence in the meetings. Such measures recognize the disproportionate impacts of evictions and relocation that the poor face. Some of the rights and issues to be raised, and the affected people are freely discussed and meaningfully consulted in the meeting are project's purpose (CESCR, 1997), exploring viable alternatives to eviction to avoid relocation, exceptional circumstances and the justification given to relocation, and assessing impacts of relocation (UN development principles, 2007; UN Habitat, 2004). Other issues that must be discussed in the meeting include mitigation measures, the sharing of development benefits and opportunities, and implementation issues which are tailored to the needs and priorities of disadvantaged and vulnerable groups (ADB, 2009) and rights and choices offered among alternative such as adequate compensation, and housing, rehabilitation support to at least restore their livelihoods.

Finally, it is time to deal with meaningfulness of consultation during consultation meetings. The CESCR stipulates that the government should ensure an opportunity for genuine consultation with the affected people. The ADB (2009) uses 'meaningful consultation' which has similar connotations to 'genuine consultation' used by CESCR. It was stated that URIER has the objectives of reducing slums and slum poverty, and improving the living and working conditions of residents. It is believed that these policy objectives can only be achieved if the process of consultation reflect the needs, priorities and choices of affected residents (Bugalski and Pred, 2013). These are reflected in meaningful consultation. Acknowledging this, the Federal government introduced urban planning proclamation to create a favorable and an enabling condition for public and private stakeholders to fully participate in the process of urban plan initiation, preparation and implementation on the basis of national standards. Eight years elapsed since the introduction of urban planning, but there was no national standard that guides the provision of prior information and active participation of the affected residents. Even there have been some rumors to replace by new plan and repeal this planning since 2013. In accordance with basic principle expounded in article 5(5) of urban planning proclamation, the initiation and preparation of urban plans must ensure the satisfaction of the needs of the society through public participation, transparency and accountability. This decree in article 40(2) goes a step forward towards involving residents in the targeted land to initiate urban renewal projects. It requires city administrations to consult on and offer choices among alternatives in order to achieve the satisfaction of the needs of the society, in the final outcome of the urban plan. Even then it does not define and explain what "fully participate" is and what it involves.

Moreover, this plan and most other policies, plans and directives recognize consultation, but they do not use the prefix “genuine” or “meaningful” before the term consultation. They do not even offer the definition or explanation of participation and consultation. Unlike others, RPF requires that dwellers relocated by the ULGDP will be meaningfully consulted without explaining and defining this notion. ULGDP and ULLP and AACA directives that came to exist after RPF did not refer this policy framework to recognize the requirement of meaningful consultation. Above all, a clear articulation of the components and characteristics of meaningful consultation in the national government and the AACA laws, policies and plans even in the modest RPF is not given. The rules, plans and policies pertaining to meaningful consultation are not coherent and clear. This mainly because RPF include the requirement for meaningful consultation while others exclude it, and the concept is not clearly defined and explained as well. The laws are incoherent and unclear regarding meaningful consultation.

The presence of incoherent and unclear laws and terms and absence of these terminologies along with their explanations may be used as a weapon by authorities to focus on consulting residents which equates with informing them what they will be offered and where they will be resettled after decision are made. Based on this, they will request them to cooperate with the government plan. The value of consultation may be reduced to information sharing with inadequate solution, violating residents’ rights. As a result,, residents may be relocated without exploring alternatives, assessing impacts of renewal and measures to avoid such effects, and offering inadequate houses and compensation. It also shows the power asymmetry between the government and the affected people. This indicates absence of alternatives and that decisions were made only by decision makers without involving the prospective evictees.

6.4. Adequate compensation

As mentioned above, expropriation of property for the URP serves the public interest. Nonetheless, whether eviction is forced or it is inevitable due to the absence of alternatives to eviction and the existence of exceptional circumstances, it is expected to expropriate property and relocate residents either temporarily or permanently. This requires the government to offer compensation, replacement accommodation and rehabilitation assistance. It thus is appropriate to deal with the procedural requirements starting from adequate compensation. When eviction is deemed necessary and inevitable;

the state has the obligations to ensure the affected people's right to adequate compensation. Adequate compensation is a clearly recognized right under the Ethiopian law. The Ethiopian 1995 Constitution, the 2005 expropriation law and ULLP include provisions that protect the Ethiopian citizen's rights to private property and set conditions for expropriation of property rights over land for public interests. Coming to the type of compensation, article 12(1) and 26 (1) of the 2011 lease policy assert that relocated people due to URP is entitled to a substitute plot of land and advance payment of commensurate compensation, respectively. As we can understand from these provisions, both the provision of financial compensation and alternative land or compensation at full replacement cost is well placed under the Ethiopian law.

Similarly, the AACA directive specifies that there are two alternatives to relocation for homeowners. The first alternative is substitute land and monetary compensation. Another option is cash compensation and the right to purchase public low-cost housing. According to this directive, the choice of financial compensation and alternative land or monetary compensation and public low-cost housing is made according to the preference of the affected households. Ethiopia, therefore, recognizes real compensation in the form of land and financial compensation. The international law (ICESCR, 1997; UN Habitat, 2004) and good practices (ADB, 2009) assert that the affected persons should be compensated at full replacement type both in the form of monetary compensation and alternative land unless it is the preference of the affected people to receive only cash compensation. This notion is included based on the conviction that monetary compensation could not replace alternative land. It is especially true in Ethiopian inner parts of cities and towns where land is accessed through lease which is difficult for the majority poor to access through this system. Ethiopia and Addis Ababa respect the compensation of lost assets at full replacement type and in compliance with the international law and good practices although there are strong biases to only financial compensation in some countries like China (FIDH, 2007).

Despite such strong provisions, Article 1(1) of the expropriation law and RPF (2008) defined compensation as "payment to be made in cash or in kind or in both to a person for his property situated on his expropriated landholding. As there is no phrase or term that restricts to respect the preference of the affected persons, the AACA has the right to provide one of these alternatives depending on the interests of the government which may not reflect the realities of the poor residents. This is a loophole that may be manipulated and abused by the implementing agency to pay compensation only in cash, in contravention to

the above domestic laws and international development principles and good practices. Full replacement cost involves both adequate monetary compensation and adequate alternative land (UN Habitat, 2004). Protecting the right of relocated households therefore requires not only the recognition of compensation in the form of both land and financial compensation, but also guaranteeing and respecting their rights to adequate compensation and alternative land. In addition, understanding the factors that are included or excluded in calculating the financial compensation is needed to determine its adequacy and thereby respecting the right of affected people to commensurate compensation. In what follows, the expression adequate or commensurate compensation and the underlying factors under which the adequacy of compensation is determined and their relevance to offer adequate compensation sufficient to build similar house at full replacement cost will be discussed.

6.4.1 Adequate monetary compensation

In order to understand the concept adequate compensation, one can ask a question what is considered in determining the adequacy of compensation in the Ethiopian legislations. The 1995 Constitution in Article 40(8) and Article 26 (1) of the current ULLP use the notion commensurate compensation. For instance, Article 40(8) of the Constitution stipulates that "... the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property. Nonetheless, the notion "commensurate compensation" is not clear as to what it means and what components are involved to calculate compensation. Since what is meant by commensurate compensation is not clear and its components cannot be obtained from the Constitution and lease policy, it is difficult to understand this concept unless the expropriation law is taken into consideration.

As regards to the factors that determine the adequacy of compensation (property value), Article 7(1) of the expropriation law asserts that "A landholder whose holding has been expropriated shall be entitled to payment of compensation for his property situated on the land and for permanent improvements he made to such land". The meaning permanent improvement to land cannot be extracted from this article. However, article 7(4) of the expropriation law and Article 40(7) of the Constitution explain the above article more, verifying that "compensation for permanent improvement to land shall be equal to the value of capital and labour expended on the land". This is equated with market prices in the Ethiopian context. Article 3(1) of the Compensation Regulation states that the amount of compensation for a building is determined based on

the current cost per square meter or unit for constructing a comparable building. RPF (2008) stipulates that the amount of compensation for property situated on expropriated land shall be determined on the basis of the replacement cost of the property. The phrase "*for constructing a comparable building*" implies restitution or replacement cost principle. Adequate compensation in Ethiopia therefore is closely linked to the principle of replacement cost. Compensation is therefore based on labor and capital (market prices) and replacement cost principle.

From good practices, the China law specifies that the amount of monetary compensation shall be determined according to the location, use, and building area as well as an evaluation of the market price (FIDH, 2007). In addition, post development land uses, transparent formal housing market instead of government set values, property valuation made by independent experts and replacement cost principle are considered in the international literature. (Vitannen et al, 20010). Compensation in this context is adequate if it relies on market prices instead of government set values, is valued by the independent experts and on the bases of post development land uses accompanied by location and restitution principle. Therefore, location, post development land uses, transparent formal housing market and replacement cost principle will be used as benchmarks to examine the adequacy of compensation. Now let us have a closer look at each factor in the Ethiopian law in reference to international literatures and good practices.

The phrase "on the basis of the current cost per square meter" reflects that the amount of monetary compensation is determined according to an evaluation of the current market price. The evaluation of the private property on the basis of market value therefore equates with the value of capital and labor expended to the property, which is declared on the expropriation law. The Ethiopian law recognizes market forces, but the evaluation of the private property on the basis of market price requires the presence of housing trading recorded in the formal systems, the predominance of formal market and sufficient capacity in the formal land organization for property valuation (Vitannen et al, 2010). It also requires the determination of the property value based on the post development land uses and established by independent experts (Ibid). The market prices in the Ethiopian context, capital and labor, reduce the amount of compensation for a number of reasons. First, the property base essential for a well functioning market system is inadequate in developing countries like Ethiopia because the targeted land is usually dominated by social or informal tenures (Wallace, 2009). In Ethiopia, there is no housing trading recorded in the formal markets on which the property valuation is relied on. Price mechanisms are therefore inappropriate. Second, in Ethiopia and other developing countries, the capacity for property valuation in

land organizations is also limited. ULDMP acknowledged that land valuation for compensation was not transparent, uniform, and those who carry out property valuation were not professionals with the expertise for property valuation. The land organizations that have limited capacity to value the expropriated private property are thus based on the experiences of land employees.

Third, legal provision on location-based property valuation, which is vital in increasing or decreasing the value of the property on land, was missing from the legislation in Ethiopia or Addis Ababa. Absence of the location of the house, site and situation, was one of the main reasons for making the compensation amount inadequate in Ethiopia. Finally, the valuation of landed property should be based on the post development uses to respect the residents' right to adequate compensation and make the affected people the primary beneficiaries. Policies and legislations do not mention whether to consider the existing land uses or post development land uses to calculate monetary compensation.

The most common cause of unfair compensation in developing countries is setting the value of land intended for expropriation on the basis of existing land uses, instead of post development uses which are often lucrative business shops, commercial malls, banks and residential uses (Vitannen et al, 2010). Article 3(1) of the compensation regulation states that the amount of compensation for a building is determined based on the current cost per square meter or unit for constructing a comparable building. Current cost per square meter seems to equate as the existing slum housing prices. In urban renewal context, the existing land uses or the pre-expropriation land uses means slum housing values dominated by deteriorated houses. As a result, original residents' lost housing and rental values, income or benefits and potential development opportunities that will be expected to be accelerated in the renewal sites. It thus is transferred to new beneficiaries or the government. In the Ethiopian laws, capital and labor expended on the property are therefore wrongly equated as market prices. The reliance of pricing for the expropriated property on prices where the housing trading recoded in the formal market is absent and capacity is insufficient and ignoring location and post development land uses seem to make the compensation amounts unfair that may not replace their original houses. In such cases, price mechanisms were inadequate, hence violating the right of residents to adequate compensation.

Another factor of monetary compensation is the restitution or replacement cost principle turn. Replacement cost principle as property valuation mechanisms is required to understand the question of adequacy of

compensation since market price is problematic in Ethiopia. In accordance with Article 7(3) in the expropriation law, compensation amounts may not, in any way, be less than the current cost of constructing a single room public low cost house. AACA directive includes the same specifications to that of this expropriation article. As regards to what are included to apply replacement cost principle, it is based on the value of capital and labor expended. Article 7(5) of the expropriation law declares that the cost of removal, transportation and erection shall be paid as compensation for a property that could be relocated and continue its service as before. Replacement cost in the Federal Proclamations therefore involves replacement of assets which is equal to the value of capital and labor expended on the property as well as related transaction costs such as the cost of removal, transportation and erection. It is noted that the houses in the inner city are sub-standard and are mainly made of temporary materials, mud and wood. These houses are also deteriorated and aging. Thus, determining the market prices of such houses based on capital and labor expended is low or inadequate to build replacement adequate houses similar to the pre- eviction levels even for those receiving compensation above the minimum amount. Consequently, they may be obliged either to build houses reduced in size not adjusted to household size or uninhabitable houses.

It is thus difficult to conclude that monetary compensation is determined on the basis of replacement cost principle for the reason that compensation that stems from replacement cost may force relocated households to reside in houses smaller in size than their former houses. Replacement cost principle is therefore not adequate to replace similar houses that return them to their pre-expropriation position let alone buy or build adequate houses. The minimum amount of monetary compensation set by the Ethiopian legislations is not adjusted for household size, thus inadequate although it is sufficient to construct a single room public low cost house. Compensation determined by replacement cost may not be sufficient to cover lost assets and related transaction costs that build adequate houses as it excludes location, post-development land uses and not adjusted to household size. This is in contravention to international law that place a duty on government to ensure the affected people is returned to pre- eviction level, which is closely related to the concept of replacement cost adjusted for household size.

6.4.2 Administrative arbitration

Regarding complaints and appeals to the amount of compensation, expropriation law in its Article 11(2) specifies that “Where the holder of an expropriated urban landholding is dissatisfied, he/she may lodge his/her complaint to the administrative orga{n} established by the urban administration to hear grievances. Article 11(1) asserts that this complaint is submitted to the regular court only where an administrative organ to hear grievances related to urban landholding is not yet established. Article 11(4) of the expropriation law: A party dissatisfied with a decision ... may appeal ... to the regular appellate court or municipal appellate court within 30 days from the date of the decision. The decision of the court shall be final. Regular courts are thus relegated to secondary levels. If the city administration assigns the appellate tribunal, there may be a question of independence.

In its Article 11(6), it specifies that an appeal submitted by any landholder may be admitted only if it is accompanied with a document that proofs the handover of the land to the urban administration. Its Article 11(7) confirms that the execution of an expropriation order may not be delayed due to a complaint regarding the amount of compensation. How they defend their right to adequate compensation after surrendering their land and the government demolished their property and begun construction? Their chance of appealing again and again, lodging their complaints to the appellate tribunal and regular courts and challenge them is therefore reduced. The national legal framework thus provides for limited protection for evictees as it forces them to give up their request of adequate compensation.

Appeal to administrative arbitration before the court and handing over of the land to city administration to lodge the complaints are based on national legal enforcement orders. It however ignored the international and constitutional legislation which guarantees the right to appeal and other human rights before disputes over adequate compensation is solved and warrants the independence of the appellate tribunal. It is at odds with the international law that handing over of the land to city administration or demolition of their property is prohibited as long as disputes over compensation amounts are not solved. The legal framework is not in conformity with Ethiopia's international human rights obligations hence it is not protective enough of the rights of residents to adequate compensation by forcing them to handover the land on which their property is situated.

6.5 Eligibility to compensation, replacement housing and rehabilitation

In Ethiopia, the question first is whose right is recognized in the legislations before assessing such rights in detail when eviction is deemed necessary. Entitlement over the property is discussed in Federal government legislations. Article 44(2) of the 1995 Constitution gives entitlement only to those who have formal legal rights over their properties. The Expropriation law in article 1(3) defines land holder as "... an individual, government or private organization which has legal personality and has lawful possession over the land to be expropriated and owns property situated thereon". The term "landholder" in this proclamation has the meanings given to it under the ULLP in article 7(1). As the expropriation law is for homeowners with legal title, it does not discuss about the rights of tenants and sub-tenants. Their rights are therefore extracted from the ULLP and AACA directives. For lawful public house renters and sub-tenants, the national legislations and the city directives include the provision of replacement or substitute housing. Pursuant to the ULLP in Article 12 (4), "A lawful tenant of government or kebele owned residential house in Addis Ababa shall be entitled for facilitated purchase of condominium housing unit if displaced due to URP." ULLP recognizes private land use right, leasehold of public land, formal public and private rental houses and sub-tenants of public houses are legitimate land users. All the legislations therefore give entitlement to formal land users such as formal homeowners, public house tenants and sub-tenants having lawful possession with documented use rights for compensation and adequate housing replacement. Those with informal land use and housing rights seemed to be homeless.

Moreover, expropriation law and ULDMP give entitlement to rehabilitation support only to those who have formal legal rights over their land holdings. However, all the Ethiopian national legislations do not entitle lawful tenants and sub-tenants of public houses to rehabilitation support although the ULLP and AACA directives entitle replacement or substitute housing for lawful tenants and sub-tenants of public houses. Nonetheless, the ULLP does not mention the right of the lawful tenants and sub-tenants in the kebele owned houses for rehabilitation assistance for the lost assets or access to assets and means of livelihood. Therefore, the legislations recognize not only the lawful homeowners but also the legal public house tenants and sub-tenants for replacement or substitute housing although both the land and the house (property) are owned by the state. The existing legal system therefore does not support any unofficial use rights of land or government housing based on informal ways for compensation, replacement housing and rehabilitation assistance. In other words, the legislations do not ensure continuum of rights as has been

recognized by AU ECA (2007), third African ministerial conference on land in support of sustainable urbanization in Bamako, Mali in 2010 (UN Habitat, 2010) and in the international law. One of the many unresolved and pressing land and housing issues in Ethiopia is the recognition of continuum in land and housing rights. So, the new expropriation law, compensation regulations and urban land lease policy do not bring about fundamental changes in the field of compensation and replacement accommodation to informal tenures. In Ethiopia therefore the tenure of land or housing is a fundamental variable in entitling the effected people to adequate compensation or replacement housing and rehabilitation support in URIER.

Unlike these legislations, it is well placed in RPF (MUDC, 2008) by making both displaced persons with and without legal titles as well as formal and informal tenants' eligible for rehabilitation support. It declares that "in order to ensure that displaced persons who do not have legal title are not adversely affected by projects, they will be enabled to maintain their livelihood and assisted to secure accommodation". RPF goes as far as recognizing the rights of illegal holders and renters and explains that one of the aims of RPF is to support any persons adversely affected by urban development projects irrespective of their tenure so as to enable them get jobs and other assistance. Although it does not recognize the right to adequate housing replacement directly, it acknowledges livelihood support program for informal tenants and homeowners so as to achieve the right to adequate housing in the end. It makes thus informal owners and tenants who have no legal rights eligible for rehabilitation support. Recognizing rehabilitation support for informal owners and tenants is a good sign of respecting residents' rights.

The principles that guide urban development policy in the ICESCR include that the existing private use rights must be respected in the long term interests of the people of Ethiopia. However, the policy contains elements which contradict these principles. For example, non-documentary forms of evidence in Ethiopia are almost never used to obtain recognition of claims to property compensation and replacement if land registration certificate, full legal title and title deed to dwelling are not available. Using only formal tenure as a basis to compensation may relocate residents without monetary compensation and replacement land and houses. The likelihood of these residents becoming homeless is greater which is in direct contravention of the housing policy intended to effectively protect the rights of land users from becoming homeless. It contradicts the CDESCR law stating 'evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights'. They could not thus enjoy the benefits of continuum of rights and secure land tenure that international law and development principles provide. It also at variance

with the development principles that the State has an obligation to entitle every affected individual to compensation, replacement housing and rehabilitation support irrespective of their tenure status, focusing on vulnerable groups. It is also against the research findings that best approach is to build on what exists or social tenures (Farvacque and McAuslan, 1992 cited in Payne and associates, 2000), rather than imposing conventional formal land administration system based on formal land institutions and tenures.

It is therefore concluded that the national and the AACA adopted and practiced conventional land administration based on formal tenures instead of good land governance and right based approaches. Outlawing informal tenures that have social legitimacy implies the practice of conventional land administration and market oriented property expropriation approach. The government is working in opposite direction to the concept of land governance because ensuring continuum in land rights is one of the practical objectives of land governance (Durand-Lasserve, 2009). A human rights model of land expropriation seeks to solve the problems that arise when countries with predominantly informal land markets try to use market based solutions (Viitanen et al, 2010). This model demands land takers to acknowledge entitlement of all displaced persons who have neither formal legal rights nor land claims recognized under the national law. It also ensures that illegal or informal land users are eligible for resettlement assistance and compensation for loss of non-land and land assets.

6.6 Adequate replacement housing

Where eviction is justified, the state also has the duty to provide adequate replacement housing to the affected public house tenants and sub-tenants irrespective of their tenures. For lawful public house renters and sub-tenants, the national legislations and the city directives require the provisions of “reinstatement” or “substitute” housing. The term “reinstatement housing” in AACA directives while “substitute housing” in article 12 (3) of the 2011 ULLP are included. All the Ethiopian legislations, policy documents and directives never mention the term “adequate” housing. This is an important concept in the international law as it reflects the provision of houses that offer relocatees with adequate security of tenure; affordability; habitability; sufficient space and privacy; suitability of location to livelihood opportunities, roads, schools and health facilities and access to basic services. Terminologies such as reinstatement or substitute housing do not equate and verify adequate housing with the necessary provisions. They do not thus fulfill the criteria of adequate housing listed in the international laws and development principles. Moreover,

appropriate location to livelihood opportunities, schools and health facilities and adequate tenure security are not provided in the legislations and even under these terminologies.

Both replacement and substitute of the expropriated houses reflect the concept of "restitution". Restitution means the provision of alternative lands or housing so as to restore the previous levels of houses along its services. The concept restitution in the domestic law contradicts its own standards and objectives of improving the living and working conditions of residents by reducing slum poverty and preventing new slum formation in another area. For those living in substandard houses of inner city slum areas of Addis Ababa, for example, substituting with houses of equal quality breaches the residents' right not only to adequate housing but also its own objective of improving the living and working conditions of residents.

Of course, the RPF in 2008 had taken measures to correct it and tried to include the provision of an alternative plot of urban land with access to similar public infrastructure services, and in a similar or neighboring area. However, this right is limited to homeowners and does not include other criteria, mainly adequate security of tenure. It is thus incomplete, shows unequal treatment for homeowners and tenants, and is inadequate to respect residents rights to adequate housing. Replacement or substitute housing may be interpreted as the provision of homes only having a roof over one's head, ignoring the central importance of adequate housing for the enjoyment of all economic, social and cultural rights in contravention to ICESCR law. These loopholes may provide the opportunity for the city administration to substitute or replace their former units by substandard ramshackle houses, without adequate security of tenure, enough space and privacy, facilities and infrastructures; and job opportunities in remote location.

As regards to choices offered among alternatives for lawful tenants and sub-tenants in public or kebele owned houses, there are varied alternatives in different laws and policy documents. For these households, all policies and legislations entitle the purchase of public low cost houses. Pursuant to the ULLP in Article 12 (4), for example, "A lawful tenant of government or kebele owned residential house in Addis Ababa shall be entitled for facilitated purchase of condominium housing unit if displaced due to urban renewal program." Article 12(3) of the lease policy however entitles the substitute land at bench mark lease price if relocated due to urban renewal program in a region or Dire Dawa. This policy document therefore includes only the purchase of public low cost houses in Addis Ababa.

One possible reason for the endorsement of the purchase of condos may assume that these houses are fulfilling the criteria of adequate housing and are in line with the objective of improving the living conditions. The governments may also view the public rental houses as inadequate to replacement housing for evictees to live and work in because they are in deteriorated conditions as most of them were not repaired since 1974. Moreover, this document may assume that public rental houses in Addis Ababa are insecure because sooner or later many kebele rental houses will be demolished. Further, it assumes that sufficient condo units are available while public rental housing units are in short supply. Finally, it seems that the government has been on the process of eliminating kebele rental houses and replacing them by ownership of condominium units. Yet, another extreme reason that entitles only condominium may be based on the premise that all residents can purchase the condominium units. Regarding the exclusion of entitling the substitute land at bench mark lease price for relocated people in Addis Ababa may be due to scarcity of urban land and associated with the intention of the government to use the land and infrastructure efficiently. Another possible reason seemed to be the high lease value of land accompanied by the government interest to enhance the value of land for ensuring economic growth and poverty reduction. The combination of these factors seemed to force the lease policy to offer only one alternative and ignored the realities of the poor in inner city areas, excluding public low cost rental houses and kebele houses.

Despite this omission, the ULDMP involves public low-cost rental house while AACA directive includes the public or kebele rental houses as one of the alternatives for those unable to purchase condominiums. Four years have passed since its introduction in ULDMP, but there is no rental condo unit available for relocation. This has left the kebele owned houses as the only option. Based on its experiences, AACA has included kebele houses as an alternative to relocation. It is also important to note that the poorest of the poor has no option to purchase public low-cost housing, paying 20 percent down payment at once, but to accept public rental houses. The AACA estimated that that 26 percent of inner-city dwellers are unable to afford the required 20 percent down payment to purchase condominiums (Ezana, 2013). In most cases, public rental houses are either on the same level or poorer in quality that are not in conformity with adequate housing in the international law and the country's and city's objective of improving the living and working conditions of residents in URP. This is because the public houses confiscated 40 years have remained without maintenance and that they were made of temporary materials thus deteriorated, needing reconstruction. Kebele or public rental houses do not satisfy the criteria of adequate housing. It is therefore unacceptable to offer public rental houses as alternatives to relocation for the poor.

Some of the objectives of urban renewal of non-planned and dilapidated inner city slum areas are to improve the living and working conditions of residents, reduce slums and slum poverty. From this we can understand that the motive force of introducing renewal is to provide them adequate housing not to replace them with houses in a similar or bad conditions. Relocation to old and deteriorated houses with limited infrastructure and services and areas which are not suitable to live and work breaches the responsibility of the government to provide them with adequate housing. The strategy of offering kebele houses as a replacement accommodation contradicts with the objective of improving the living and working conditions of residents and alleviating poverty through slum improvement. Unless this legal loophole is closed, the right to adequate housing in the international law and the objectives of improving the living and working conditions of residents and the reduction of poverty in the policy, urban planning will not be materialized.

6.7 Date of relocation

Although Article 4 (2) of Expropriation law specifies that the period of notification to be given is determined by directives, it restricts that it should not in any way be less than ninety days. This is consistent with international standards and the government respects rights of residents in this regard. From the above reading one can understand that the AACA does not have the right to decrease. However, the AACA directive No 3/2010 and even the new directive No 14/2013 limited this notification date to only 45 days for homeowners and 30 days for public house renters. It is not legitimate and reasonable to deliver the notice just 45 days for homeowners and 30 days for public house renters in the directives, given 90 days in the national law to all relocated households irrespective of housing tenures. The purpose of issuing directive is not to deny what is provided by the national legislations but to implement at least the recognized rights. Thus what the AACA directive does is beyond its purpose and responsibility to breach residents rights of 90 days notice before the scheduled date of relocation. This is worsened by the absence of punishment mechanisms in case of breach of the affected person's right well placed in the expropriation law.

6.8 Rehabilitation support

In the Ethiopian and international laws, the other important point related to relocated households is right to rehabilitation assistance that must be duly respected when eviction is inevitable and justified. RPF also acknowledges that involuntary taking of land and other assets results in loss of shelter, loss of assets or

access to assets, and loss of income sources or means of livelihood. To avoid this, article 13 (1) of the Expropriation law specifies that urban administrations shall have the responsibilities and duties to provide relocated households with rehabilitation support. It clearly suggests that the authorities are not only required to pay compensation for any lost assets, but also provide sufficient rehabilitation assistance to ensure that relocated persons are not left worse off by the process. Now the question is: Does rehabilitation support involve livelihood improvement or restoration or both? Is it a onetime support or support for a transition period until livelihood is restored or improved? Does it involve loan, training, work place, marketing support and safety nets? It is not clear and cannot be extracted from expropriation law.

Council of Ministers Compensation Regulations No. 135/2007 however provides restoration of livelihoods, stating that the purpose of issuing this regulation is not only to pay compensation but also to assist displaced persons to 'restore their livelihood'. Because this regulation provides the procedures for the application of expropriation law, this statement gives some clues as to what the phrase rehabilitation support includes. 'Rehabilitation support' in the expropriation law connotes only restoration of livelihoods to ensure that persons are reestablishing their livelihoods to pre-eviction level. Relocated residents are therefore provided with the rehabilitation support until their livelihoods are restored. As the displaced people in inner city neighborhoods are most often the poor, restoration involves maintaining their livelihoods to the pre-expropriation level. Restoring the livelihoods of the relocated poor households, thus, means their weak livelihoods remain weak and the poor will remain poor after relocation. It will also represent the transfer of the poor from inner city areas to outskirts instead of reducing slum poverty and improving their livelihoods. This restoration principle does not capture the realities of the poor in the inner city areas and not articulated in the light of policy and renewal objectives and MDGs. Restoration principle therefore is against pro-poor policy of Ethiopia as well as the objective of URPs in MP (2002) in reducing poverty and improving the living and social conditions of residents in the ULDMP and AACA directives. Thus, the objectives of reducing poverty, improving the living and working conditions of residents, and share of development benefits of URP will not be met through restoration or restitution principle.

Although the rehabilitation support is recognized from Compensation Regulations and is understood as restoration of livelihoods, it is not clear as to how it is restored. It calls to assess RPF document. RPF entails that any person adversely affected by urban development projects should be enabled to get jobs and other assistance. In this respect, support will be provided by giving them jobs directly created by the

project; or through the MSE development program in the form of training, easier access to credit, marketing support to establish businesses and business premises. RPF therefore makes clear about the types of rehabilitation assistance. It also added that this assistance must be sufficient to restore lost livelihoods. Restoration concept was not articulated in the light of slum poverty reduction, and improving the living and working condition of residents by reducing slums and building the image of the city. Instead, it offers an opportunity for implementing agency to focus on restoration as was expounded in regulation No. 135/2007 rather than improvement. This controversial idea must be corrected by avoiding restoration of livelihoods and emphasizing only livelihood improvement. Livelihood improvement is in conformity with the poverty reduction strategies of GTP and MDGs and the objectives of improving the living conditions of relocated residents in the ULDMP, Urban Planning and AACA directives. The legal recognition of rehabilitation support for relocated households in the expropriation law and RPF was a radical departure from the past and a giant steps towards respecting the right of relocated residents and international human rights standards.

ULDMP acknowledges the absence of rehabilitation support in the past expropriation practices in Ethiopia. This document believes that its absence has an adverse effect on farmers, exposing them to unemployment and impoverishment. So that it recognizes the right of farmers in expansion areas to rehabilitation support while excluding this right for relocated inner city dwellers. The justification offered by the policy is that the farmers in the expansion area were impoverished and exposed to unemployment due to the absence of rehabilitation support in the past expropriation practices in Ethiopia. This policy attributed it to the fact that since farmers in the expansion areas rely on land for livelihoods, expropriation of their land for public interest completely transform their lives from agriculture and rural to other sectors or urban economy. As a result, the policy includes the provision that the government has not only to pay compensation but also to provide rehabilitation support in the form of training to farmers so as to help them adapt to the new way of life. Surprisingly, however, this policy document did not make any mention of the provision of rehabilitation support to inner city residents and did not mention why the policy excluded it.

Considering the reason behind the inclusion of rehabilitation support for displaced farmers in the expansion areas, the policy has to admit not only the adverse effect of relocation on the livelihoods of inner city residents, but also the provision of rehabilitation assistance to mitigate these negative consequences. This is mainly because inner city residents are relocated from the area where their income earning activities that

range from formal to informal business establishments accompanied by their strong social support system were available. Relocation to new living and working and living environments therefore represents loss of locational advantages to job opportunities and social capital, and thereby losing their livelihoods. Moreover, most inner city residents in targeted land for urban renewal are poor that face entry barriers or startup capital to begin business premises. Further, several research such as Birhanu (2006), Tebark (2008), Gebre (2008) and Abebe (2010) find out that most inner city residents were relocated to outskirts of the city which were unsuitable to income earning activities. These studies concluded that they lost their livelihoods and became impoverished. Obviously, poor residents relocated to a remote part of the city lost their job and opportunities to find income earning activities, as they lost locational advantages. They thus suggested rehabilitation support to reestablish their livelihoods. Such evidences reveal that the policy has no reason to include its provision to farmers in the expansion area, but exclude it to inner city dwellers as they are relocated from busy inner city areas with formal and informal urban economy to inferior areas in the margins of the urban economy. Government and AACA cannot ignore this well documented and identified result that relocation interrupts the livelihoods of relocated households and impoverishes them.

This policy argument is misleading as rehabilitation support is well documented in the in the expropriation law and compensation regulation without specifying farmers in the expansion areas and inner city dwellers as beneficiaries. Precisely put, expropriation law and compensation regulation give entitlement to all displaced households including relocated inner city dwellers and farmers in the expansion areas. It does not make any restrictions to inner city residents relocated if they are legal land holders. By implication, the right of both groups of households for rehabilitation support is recognized and protected. More importantly, RPF clearly respected the support mechanisms for both inner city residents and those displaced farmers indicating the type of support that will be given. As stated above, it endorses the provision of jobs directly, as created by the project; or through the MSE development program to relocated inner city dwellers. RPF also asserts that relocated farmers who lose fixed improvements on land they occupy will be provided not only compensation but also assistance to adapt to the new way of life and to secure accommodation as per the housing policies and programs of the city. In significantly achieving the objectives of URP objectives, RPF suggest that these assistances provided to relocated inner city residents and farmers in expansion areas must be sufficient to restore lost livelihoods. What makes the situation more complex is that ULDM policy does not mention that rehabilitation support is left out of the regulation. The exclusion of this right from ULDM therefore reveals the reduced commitment of the government to respect this right as the

ULDMP introduced five years after expropriation law and two years after RPF enacted. This also clearly demonstrated that the property and other human rights of farmers in expansion areas are better recognized in the policy than inner city residents. Relocated inner city households were marginalized and discriminated to rehabilitation support. This indicates unequal treatment of farmers in the expansion areas and displaced persons from inner city areas to new locations.

Therefore, ULDMP contributed to poor land governance and the violation of rights by treating the inner city residents and farmers in the expansion areas unequally and breaching the rule of law, which the policy is intended to avoid or minimize. This right in the policy is not well articulated with the country's socio-economic policy such as GTP, MDGs and urban development policy of Ethiopia. MDGs in its goal No 7 and 11 also planned to reduce poverty in slums and slums, which Ethiopia endorsed in 2000. One of the land policy principles in Ethiopia is to achieve equity. Omission of inner city residents' rights contradicts the country's land principles and its own objectives of achieving equity as well as the constitutional rights of citizens to implement residents' rights impartially and uniformly.

Unlike others, AACA directives, both repealed No 3/2010, and the current No 14/2013, take no notice of the rights of residents to livelihood restoration. The expropriation law prohibits promulgating regulation and directive or practicing inconsistent rules with this law. Article 15(2) of the expropriation law for instance, is specifying "No law, regulation, directive or practice shall, in so far as it is inconsistent with this Proclamation, be applicable with respect to matters provided for by this Proclamation." It means that no rule or directive contradicts the country's expropriation law. It thus breached and contravened the national legislation. According to Zimmermann (2008), the national legislation provides fundamental directions and these have to be complemented by directives that should provide parameters as to what can and cannot be done with land and procedures for eviction and relocation. The purpose of enacting directive is simply to help the proclamation and regulation implement but not to exclude the one recognized in the national legislations. Unfortunately, the directives passed by the AACA council do not provide the same protection and rights on the legal guarantees for relocated dwellers to that of the national legislations even if it is expected to repeat the national law. It is incompatible with the Constitution and expropriation law affirming that all State organs, public organizations and enterprises must abide by the Constitution and the law. It violates the national law that stating "Every citizen is entitled to the rights prescribed by the Constitution and

the law". It is worsened by the absence of evaluation and enforcement measure to rehabilitation support using international law and punishment in case of breach of the rehabilitation support by city administration in the national legislation. The city administration may thus exploit this gap. It was reported that rehabilitation program was suggested by the professionals who designed compensation and resettlement directive, but the council rejected the proposal due to financial reasons or to minimize the cost. It shows lack of government will to monitor and evaluate the AACA directive and make the enforcement measures to be endorsed by the city directives in order to guide the implementation of the right of rehabilitation assistance enshrined in Expropriation law and RPF.

Chapter Seven

7. Decision making process and meaningful consultation

This part explores both processes of decision making policies, plans, regulations and programs pertinent to urban renewal and its eviction and relocation. It first examines the process of decision making of policies and legislations asking questions who designed, who tabled, who made the decisions, who was party to decision making, whose interests were respected or ignored. It also assesses the actual practice emphasizing the actors in the decision making process, their influence and interests. Second, this part gives a brief description of the advance notice and genuine consultation, influencing mechanisms, resistance, actors, how to influence actors interests and consultation about alternative to eviction or relocation.

7.1 The process of decision making

To be able to assess the decision making process of urban land policy formulation or reform associated with URP, it is necessary to understand who tabled, how policies were decided, who were involved in the process, what their interests were and whose interests were considered. It is also needed to examine who influenced the process and their influencing mechanisms focused on national policies, plans and legislations, and on Addis Ababa Strategic plan and LDPs. In doing so, this research will focus on the major urban policies, reforms and plans related to URP as well as on the main interest groups. However, bypassing reference will be given for interest groups with little influence.

Before delving in to discussion, it is necessary to first clarify the concept of participation, land policy and reform, power and their interrelationships. According to Goodhope (2006), "Participation is the process by which people take an active and influential hand in shaping decisions that affect their lives." Participation should be implemented as a mutual decision-making process, where different actors share power and set agendas jointly (VeneKlasen et al, 2004). Participation, in this sense, is carried out when there is equal power relations between the government and the affected residents to advance the affected people rights balancing the individuals and government interests. According to AU and ECA (2009), land policy can be defined as "the set of agreed principles to govern ownership (or access to), use and management of land resources to enhance their productivity and contribution to social, economic, political and environmental

development and poverty alleviation. However, land reform refers to “a process which involves comprehensive restructuring or redesign of at least three components of the land system; namely its property structure, use and production structure and the support services infrastructure” (Ibid). Who approved the policy or reform, who were involved and who influenced the decision making process call for the need to analyze power relations. Power refers to the ability of stakeholders to influence political decision-making process and policies according to their interests (Edelmann, 2009). Power is the tool which enables rulers to advance their interests. These interests could be social, economic, political and environmental development and poverty alleviation. Land reform objectives could be social justice (distribution of benefits or income from URP) and/or economic (land market) efficiency (Palmer et al, 2009) to enhance the value of land. URP in Addis Ababa requires change in land use plan to improve the housing structures, bad image and unhealthy environment, and to accommodate residence, commercial land uses, open space, green areas etc. Changing the land use is a reform that has the objectives of social justice, economic efficiency or both. It is therefore needed to analyze power relations as land is a political matter to understand the interest groups and their influence in the decision making process.

Among the main policies related to URPs, the 2005 urban development policy and urban planning proclamation No. 574/2008 of Ethiopia have promoted a participatory approach to policy formulation, planning and implementation of urban development projects. They were initiated by the ruling party and ratified by the parliament passing the usual process. They however were not discussed at the grass root levels with the end users or ultimate burden bearers, NGOs and private sectors before being passed by the parliament. The actors were the policy and research unit of the Ministry of Works and Urban Development (MWUD) and other arms of the government, standing committee and parliament members dominated by the ruling party. The interests of the ruling party that focus on efficient use of land, image building and making cities attractive to investment and rapid economic growth were respected.

Another important policy associated with URP is the ULDMP. MUDC tabled the draft policy for consultative meetings after the Ministry initiated and completed the preparation of the policy document. Two consultation workshops were held by the MUDC in Sheraton Hotel, Addis Ababa and Nazareth. The participants were government officials and public servants which came almost exclusively from the government offices. The private sector, NGOs and the prospective evictees at the grass roots were not invited and involved in these meetings to challenge and assist the political process (Matewos et al, 2011).

About 65 percent of the affected people disclosed that they were neither involved nor informed while the remaining 35 percent reported they did know whether the land development and management policy was enacted or not (Table 7.1). As some opposition groups explained, the government did not open space and they were totally excluded from the design and implementation of this policy mainly to advance the government interests. The discussions were focused, among others, on expropriation followed by eviction and relocation along with compensation and replacement housing as some MUDHo professional reported. The other center of attention was efficient, transparent and accountable property valuation, compensation and replacement accommodation for legal owner and renters of public houses as well as corruption and rent seeking. This was a technical solution and output-oriented emphasizing outcome over the process.

From the content of ULDMP, it is understood that the ratified policy focused on transparency of land valuation, compensation and video recording of the process to reduce rent seeking and corruption that increase the cost of URP by overvaluing the property. It however ignores the distribution of urban renewal benefits to minimize socio-economic disruptions of the relocated persons. It also considered the awareness creation about the responsibilities of the prospective evictees to avoid the delay of relocation due to resistance to renewal or disagreement in compensation amounts. It however was not to fulfill all the rights of the affected persons. Unfortunately, the issue of rehabilitation program, exploring alternatives to eviction, and preservation of the social mixes, the right of informal homeowners and informal tenants and sub-tenants in kebele owned houses were not addressed in ULDMP. Some officials in the MUD Ho reported that these issues were not vigorously debated in these meetings. This showed that the interests of the government were given more importance, compromising the affected people's interests and constraints.

Equally important policy was ULLP (Proc No. 721/2011). The media reported about the decision making process of this policy. Addis Fortune Vol.12, No 598, a local newsletter, stated: "Unlike the previous two lease laws that had been passed, the urban land lease holding proclamation ... heard hardly any debate or discussion. The bill for the law did not get to see the traditional procedures of being tabled to parliament by members of parliament, discussed by a relevant standing committee for review, and then sent back to the parliament for discussion with the public before being passed". The decree was passed with only one objection coming from the opposition member of the parliament. My observation of the actual and video recordings of the discussion in the parliament confirmed this. The decision making process was therefore

devoid of debates in the ruling party dominated parliament. The only opposition party member in the parliament told Fortune "I do not understand why they choose to make it so fast and surprising ... who claims not to have had time to read all the proclamations in the short period of time allotted. Such kinds of laws have to be discussed by the public and the responsible standing committee in the parliament." Ninety six percent of the surveyed residents revealed that they were neither involved nor consulted in the decision making process of ULLP (Table 7.1).

Table 7.1 The involvement of the affected people in the decision making of Urban Land Lease Policy (ULLP), ULDMP and LDPs

	ULLP	ULDMP	LDPs
	Freq (%)	Freq (%)	Freq (%)
Actively and genuinely involved and consulted	-	-	
The right to information, but passive	-	-	3 (3.4)
Less actively involved	1 (1.1)	-	
Neither consulted nor informed	85 (95.5)	58 (65.2)	77 (86.5)
Don't know	3 (3.4)	31 (34.8)	9 (10.1)
Total	89	89	89

Source: Own computation

Aggressive law making process resulted in confusion on the part of the urban land users. The revised lease policy had provoked adverse reactions from the urban land users, media and opponents in the form of spreading misinformation. In this case, the idea of the lease policy was distorted in that it was enacted to change land use rights from permit to leasehold system since the date of enactment in contrary to the policy. Since then, the government was engaged in the continuous awareness creation program to clear the air of misinformation, confusion and uncertainty in the electronic and print media including in the ruling party ideological Magazine called 'Addis Raey' which means new vision (Vol. 3, No.8). The decision making process provided little space for public discourse. It indicated that policy making process was not thus inclusive, but top-down although it was approved through elitist mechanism of representative democracy. Railroading the policy into parliament and ratified in such a manner indicated that the national government and the ruling party had the power to make decisions.

Finally, the RPF for the Urban Local Government Development Project (ULGDP) was approved by MWUD. The RPF addresses the social impacts of ULGDPs that could be caused by expropriation of property resulting in loss of property and livelihoods. The World Bank (WB) as development partner had participated and supported the formulation process together with the MWUD. The WB along with urban local and

Regional governments financed the ULGDPs implementation. The MWUD was also responsible for overall implementation of this project. The WB thus dictated the direction of the framework towards its interests or its Involuntary Resettlement Policy (IRP). The framework includes the provisions that are not mentioned in expropriation law, ULDMP and ULLP. These include avoiding or minimizing relocation by the project exploring all viable alternatives as the first option, and meaningful consultation before ratification. It also consists of the provision of sufficient budget for resettlement costs, a plot of urban land in a similar or neighboring area with access to similar public infrastructure services and livelihood assistance to those in informal houses. Nonetheless, RPF was not referred in designing ULDMP, ULLP and directives and was not used in the implementation of URP. The government recognition of these rights in RPF seemed to be motivated by interest to get funds since all the procedural protections were not implemented in practice after securing the fund. This shows the government lacks the political will to recognize and respect the rights expounded in the RPF and international law.

Land use planning is a decision-making process that facilitates the allocation of land to the users in providing the greatest sustainable benefit to a variety of local users and in line with municipality and national development strategies (GTZ, 1998). Accordingly, the national urban planning proclamation is introduced to create a favorable and an enabling condition for stakeholders to fully participate in the process of urban plan initiation, preparation and implementation. In accordance with its basic principle, the initiation and preparation of urban plans must ensure the satisfaction of the needs of the society through public participation (article 5-5). Urban planning law in article 15 (1 and 2) states that the process of plan approval is preceded by transparent and adequately communicated public hearings. Similarly, the master plan under regulation states that the preparation and revision of urban plans shall be disclosed to the community consulting the concerned stakeholders and the public at large (AACA, 2007). In both cases, the municipality will take up the relevant suggestions and objections from the public as inputs to rectify the plan. The urban planning law in article 40(2) goes some distance towards involving residents in the targeted area to initiate URPs according to the Structure Plan.

Bacry et al (2009) revealed that during the planning process of the Addis Ababa's structure plan, the City Government plan revision office elaborated the plan organizing discussions with some households from the various groups of homeowners, tenants in the public owned houses and investors. Stakeholders were thus involved in the discussion of the city's structural plan before the city council enacted it. However, some

professionals in LDDBs revealed that all urban dwellers were not participated in the discussion meetings. Coming to lease policy and LDPs, the overwhelming majority of the surveyed residents revealed that they were neither consulted nor informed and involved in the decision making process of LDPs. For instance, 86.5 percent of residents reported that they were not involved in the decision making process of LDPs, which affect their property, houses and livelihoods (Table 7.1). LDPs were prepared by a team of architects, economists, geographers and sociologists at city levels although needs assessment for renewal project was carried out by these professionals using census survey. The AACAA along with municipal planners imposed its LDPs on inner city dwellers with little participation from the affected residents, NGOs and the private sector. The preparation of LDPs was therefore expert and state-driven, following a top-down approach in Addis Ababa. The policy and plans did not reflect the needs, potentials and limitations of the poor as documented below. As a result, the policies and plans sidelined the affected people by evicting them to distant places and to kebele houses without rehabilitation assistance as documented later. It thus was not in line with the overall development objectives of the country associated with URP: economic growth through inner city slum improvement for poverty reduction and improving the living and working conditions.

Table 7.2 Knowledge of respondents on ULLP, LDPs, and expropriation law

	Awareness about the ULLP	Knowledge of expropriation proclamation	Knowledge of LDPs
	Frq (%)	Frq (%)	Frq (%)
Know very well	1(1.1)	1 (1.1)	-
Knowledgeable	16 (17.8)	4 (4.5)	2 (2.2)
Partly knowledgeable	28 (31.5)	28 (31.50)	10 (11.2)
Do not know at all	44 (49.4)	56 (62.9)	77 (86.5)
<i>Total</i>	89	89	89

Source: Own computation

Table 7.2 shows the responses of respondents on their awareness about policies, laws and plans. This table indicates that 86.5, 63 percent and nearly half of sampled population had no knowledge of the LDPs of Addis Ababa, Expropriation law and ULLP, respectively. In interviews with the residents, it became clear that they were unaware of the existence of LDPs. The fact that households were unaware of LDPs implies the non-involvement of the residents in the preparation of LDPs. In particular, they are not knowledgeable about Expropriation law and ULLP means the affected people were unaware of their rights and responsibilities. This weakened the residents' capacity to claim their rights and resist relocation that breaches their rights. Precisely put, inadequate knowledge of the laws and policies rendered the affected

persons more vulnerable to the risks associated to eviction and relocation by the government. The rights include absence of in-situ solutions, inadequate houses, unfair compensation and lack of rehabilitation assistance for the lost livelihoods.

Table 7.3 Awareness creation program by the wereda, sub-city and city officials about the policies, regulations and projects before consultation for eviction

Respondents	Land organizations inform about the policies and projects before consultation			
	Regularly	Sometimes	Rarely	Never
	Freq (%)	Freq (%)	Freq (%)	Freq (%)
	2 (2.2)	23 (25.8)	8 (9)	56 (62.9)

Source: Own computation

Even after the policy and/or plans were approved, 63 percent of the affected people revealed that land organizations at wereda, sub-city or municipality level never informed them about the policies, regulations and LDPs prior to consultation about renewal projects (Table 7.3). The inner city dwellers were made not to be aware of the contents of policies, laws and plans that delimit their rights and responsibilities before the consultation meetings. Fifty five percent of the affected people disclosed that ULLP, ULDMP and LDPs decision making process were not transparent (Table 7.4). Some heard about it after the decisions were made although the policy speaks about the transparency of decision making. NGOs were not also involved in the awareness and sensitization program about LDPs and expropriation law to help them defend and control the consultation meetings. In the absence of NGOs involvement, the government should fill this gap to provide sufficient prior information about policies, laws and plans before consultation meeting, but LDMBs did not provide such information.

Table 7.4 Transparency of decision-making process on URPs and its eviction and relocation to the affected persons

	Openness of decision-making				
	Moderately transparent	Neither transparent nor hidden	Weakly open & transparent	Hidden (heard after decision was made)	Don't know
	Freq (%)	Freq (%)	Freq (%)	Freq (%)	Freq (%)
Lideta	2 (6.9)	-	3 (10.3)	22 (75.7)	2 (6.9)
Basha Wolde	6 (10)	5 (8.3)	15 (25)	27 (45)	27 (11.7)
Total	8 (9)	5 (5.6)	18 (20.2)	49 (55.1)	8 (9)

Source: Own computation

Nearly 52 percent of the surveyed households believed that the decision making power was concentrated in the hands of the federal government while 28.1 percent of these residents thought it was made by the city council (Table 7.5). This gave rise to about 80 percent of the population believing that decision making was concentrated in the hands of government actors. The decision making process in Ethiopia in general

was totally influenced by and rested on MUDC or the parliament or the city council. The residents in the targeted land have limited power in decision making on policies and plans that affect them. The policy formulation processes were not associated with changes in power and distribution of authority to make decisions. It rather was to strengthen its power and to put the government intent into laws and policies since the government still maintained its power of decision making exclusively. The effects of ULLP and ULDMP on discouraging the authority or power of the government to make decisions were therefore minimal. Likewise, the effect of this policy document on social goals (social justice) was insignificant. This reveals that the government focused on producing perfect policy and plans ignoring the decision making process, which had importance to consider the needs and priorities of the affected people. Social justice and respecting residents' rights cannot be achieved without involving all stakeholders: the State, private sector, civil society, homeowners, and public house renters. Put more broadly, without addressing problems related to power asymmetry and engaging those affected in decision making; reducing slum poverty, improving the living conditions of residents and preserving the social mix of residents in urban Ethiopia is unlikely to succeed.

Table 7.5 The transfer of decision making power on policies and eviction to local residents in the past ten years

	Significantly transferred	Transferred	Neither	Concentrated in the hands of the city council	Significantly concentrated in the hands of Federal government
	Freq (%)	Freq (%)	Freq (%)	Freq (%)	Freq (%)
Lideta	-	-	5 (17.2)	10 (34.5)	14 (48.3)
Basha	-	-	13 (21.7)	15 (20)	32 (53.3)
Total	-	-	18 (20.2)	25 (28.1)	46 (51.7)

Source: Own computation

7. 2 Prior information and meaningful Consultation

Before analyzing the procedural protection of eviction and relocation, it is important to deal with the pre-eviction stage with a focus on prior information, meaningful consultation, availability and feasibility of alternatives to eviction, and resistance. Expropriation of property requires the implementing agency to provide all the prospective evictees with adequate and reasonable prior information and to genuinely consult them before decisions are made. Its purpose is to conduct free and informed meaningful consultation. ICESCR states that adequate measures shall be taken to guarantee the affected persons full

information on the purpose for which expropriated land is used; availability of alternatives to eviction; the procedures for their relocation on compensation, accommodation and rehabilitation etc. Additionally, inner city households and the government are expected to negotiate terms and conditions under which local users may benefit from the projects (ADB, 2009) and impact assessment (UN Habitat, 2007a; Bugalski and Pred, 2013).

Table 7.6. The provision of prior information in general before consultation meeting

Renewal sites	Prior information	
	Yes	No
	Freq (%)	Freq (%)
Lideta	1 (3.4)	28 (96.6)
Basha Wolde	30 (50)	30 (50)
Total	31 (34.8)	58(65.2)

The ULDMP document acknowledges that the reason behind the delay of projects and long period of resistance by the affected people was absence of prior information and the system that provides information about their rights and obligations. Urban Planning decree in article 42(2) reminds that the affected people is required to be informed and consulted prior to the implementation of renewal. Despite such policy measures, the affected people were not given such information in both study sites. Table 7.6 shows that the overwhelming majority reported that prior information about their options and alternatives for all affected persons in Lideta were not given. Interviewees of case studies in Lideta affirmed that they did not hear prior information about relocation and their rights or options until wereda employees called them to the meeting. However, half of the residents in Basha Wolde revealed that they were provided with prior information about their entitlements and relocation (Table 7.6). Similarly, interviewees in Basha Wolde informed that most of the affected people heard such information through informal channels from previously relocated households, while some of them heard from the forum members who participated in the meeting with ex-prime Minister. The discrepancy in prior information between Basha Wolde and Lideta may be attributed to this. Moreover, it is related to the fact that Lideta was a model renewal project; hence they had limited information about the matter. As a result, Lideta residents were less aware of the situation than Basha dwellers. The affected people in Basha Wolde to some extent were informed about relocation at the earliest stage of the project. Therefore informal channels offered prior information than formal ones. In both sites, however, the overwhelming majority of residents reported that they did not receive adequate and

reasonable notice about the projects purpose and design, and rehabilitation assistance and alternatives to eviction prior to the consultation meetings (Table 7.7).

Table 7.7 The provision of adequate and reasonable notice prior to consultation meeting

Renewal sites	Adequate and reasonable notice prior to consultation meeting	
	Yes	No
	Freq (%)	Freq (%)
Lideta	2 (6.9)	27 (93.1)
Basha Wolde	15 (25)	45 (75)
Total	7 (7.9)	82 (92.1)

Source: Own computation

The LDCRA is required by law to provide prior information about the projects purpose and advise existing inhabitants of their eviction, rights and alternatives to relocation before consultation meetings. As stated earlier, the majority of residents were not aware of policies, proclamations and regulations. In addition, as indicated in table 7.3 above, nearly two-third of residents agreed that they were never informed at all by the city and sub-city LDMBs. When relocated people cannot exercise their rights and the city and sub-city land officials are unable to offer them such information, NGOs can help them to claim their right through sensitization programs. Nonetheless, there was no NGO that provided the affected households with necessary knowledge to defend and claim their rights. Residents therefore were not knowledgeable about their rights and choices to relocation prior to consultation meetings.

In order to address the rights of the affected people, it is first necessary to discuss the project purpose, alternatives to eviction and the impact of relocation on the affected people in the meeting. It is followed by consultation to agree on options to relocation including adequacy of compensation and replacement housing with all its elements and rehabilitation support based on the needs, priorities and choices set by the affected people. To begin with, 90 percent in Lideta reported that information on the purposes for which expropriated land or housing to be used was not explained reasonably during the consultation meetings (Table 7.8). The purpose includes the construction of condominiums. However, only one-fourth of the affected persons in Basha Wolde revealed that the purposes for which expropriated land or housing to be used was given while the remaining three-fourth of these residents reported that this information was not explained. As disclosed later, this difference was resulted from the wrong information provided by the Arada sub-city that condominium was not part of the LDP of Basha Wolde. This information is required to explore the availability and feasibility of alternatives to eviction. The UN Development Principles and UN

Habitat (2012) assert that all feasible alternatives to eviction must be explored by the government in consultation with the affected people before any decisions are made. This is mainly to address the rights of residents to stay, avoiding eviction and the resulting disruptions of their livelihoods and social capital.

Table 7.8 Issues discussed or raised and information provided during the consultation meeting

Discussion issues	Lideta			Basha Wolde		
	Yes	No	Uncertain	Yes	No	Uncertain
	Frq (%)	Frq (%)	Frq (%)	Frq (%)	Frq (%)	Frq (%)
The purpose for which expropriated land is allocated	26 (89.7)	3 (16.3)	-	15 (25)	45 (75)	-
The adequate compensation or replacement housing	23 (79.3)	5 (17.2)	1 (3.4)	41 (68.3)	14 (23.3)	5 (8.3)
The impact of relocation and measures to mitigate	5 (17.2)	16 (55.2)	8 (25.6)	3 (5)	51 (85)	6 (10)
The adequacy of the relocation sites for livelihoods	10 (34.5)	17 (58.6)	2 (6.9)	2 (3.3)	56 (93.3)	2 (3.3)
Rehabilitation assistance to restore their livelihoods	5 (17.2)	20 (68.96)	4 (13.8)	1 (1.67)	55 (91.7)	4 (6.7)
Alternatives to eviction to avoid or minimize eviction	27 (93.1)	-	2 (6.9)	54 (90)	3 (5)	3 (5)

Source: own computation

In all consultation meetings, one common issue raised by the affected residents was the possibility and feasibility of in-situ relocation. All interviewees from Basha Wolde area reported that they requested in-situ solutions. Table 7.9 also suggests that three-fourth of respondents in Basha Wolde II and 51.7 percent in Lideta requested in-situ solutions. Added to this, most interviewees reported that they did not want relocation, but in-situ solutions with improved houses in their former locations if they are given appropriate solutions that consider their needs, constraints and priorities. In this respect, the overwhelming majority of interviewees and 97 percent of the affected people informed that they preferred to remain in their former location (Table 7.10). Most interviewees revealed that the ex-prime minister promised in-situ solutions when the meeting was held in Arat Kilo Parliamentary Hall with forum members. In 2010 fiscal year, the city and sub-city officials told them that 'they will keep that promise' in the meeting held in Menilik secondary school. In 2012 consultation meeting in Orthodox Church Hall, they proposed relocation and compensation or replacement housing entitlements.

Table 7.9 Residents that request in-situ relocation

Requested in-situ solutions	Lideta		Basha Wolde		Sum	
	Yes	No	Yes	No	Yes	No
Frequency	15	14	45	15	60	29
Percent	51.7	48.3	75	25	64.7	35.5

Source: own computation

It was confirmed by the consultation meeting video recording, which this researcher watched. In the final consultation meeting held in Hager Fiker Theatre Hall, most participants asked in-situ relocation or relocation to nearby places. One participant in the meeting stressed: “the ex-prime Minister promised alternatives to eviction proposing prior and stage by stage construction of condo units in Basha Wolde area for us within eight to twelve months while we are in our homes in Arat Kilo parliamentary meeting hall with forum members. If this is not viable, the prime Minister suggested temporary relocations to government houses and then to return back to this area within eight to twelve months, constructing condos at the early stage of the project.” Continuing his speech, he added that “The AACA also agreed in-situ relocation in the first consultation meeting in 2010. However, the city administration did not keep its word and requested them to cooperate with the government proposal and leave this neighborhood into another area in another meeting”. In concluding his speech, he forwarded “we are now requesting you to explore in-situ relocation.”

Table 7.10 The preference of the affected people to remain in their former location

	<i>Lideta</i>	<i>Basha Wolde</i>	<i>Total</i>
<i>Opportunities and residents preference</i>	Freq (%)	Freq (%)	Freq (%)
To be re-housed on renewal site	28 (96.6)	58 (96.7)	86 (96.6)
To be relocated to distant condo units or serviced land	1 (3.4)	2 (3.3)	3 (3.4)
<i>Total</i>	29	60	

Source: own computation

According to FGDs and most interviewees from Basha Wolde area, the justification put forwarded by the AACA representatives was that “there is no condominiums construction in this area. The area will be allocated to the construction of government institutions, commercial centers, hotels and residence for parliament members.” Hence, poor homeowners and public house renters were told that they couldn't get condo units in the redevelopment site. At that time, the affected people accepted a compromise, relocation to other areas. The affected people did not thus defend their views because they lack the knowledge necessary to claim their rights to in-situ relocation and influence the meeting. The implication of this result is that households’ acceptance of relocation due to wrong information of the absence of condominium units gave credence to the finding that the residents were unaware of LDPs and their rights and responsibilities.

It was clear from the LDP of Basha Wolde area and from actual practice thereafter (in 2013) in Lideta, however, expropriated land was allocated to prestigious public middle income housing construction. FGD and knowledgeable residents in the waiting list of Basha Wolde claimed that the public low cost housing

was part of the plan. Moreover, it was allocated to new beneficiaries that contribute neither land nor housing to renewal projects and distributed to relocated households from other areas in March 2015. The rationale for limiting access to condominium units in Lideta renewal site for new middle income and rich beneficiaries was unacceptable given the ULDMP statement that requests the implementing bureau to integrate the urban renewal projects and public low-cost housing to benefit and accommodate the poor. These evidences and the ex-prime Minister proposal showed that there were viable alternatives to eviction to avoid relocation and maintain poor residents while redeveloping the area, meeting the land needs of the government. AACA thus exploited the lack of knowledge of residents to convince relocation of all tenants and poor homeowners.

This revealed that the government provided wrong information to the affected people twice. First, they were told by the ex-prime minister that URP will avoid relocation by building condo units within eight to twelve months while they were at home. This however did not happen. Second, they were told that there was no condo unit in Basha Wolde land use plan as an explanation of why there was no alternative to the eviction. It showed that the AACA went as far as fabricating facts to the residents in order to achieve the government target or interest. It also indicated that the consultation meeting did not operate on a level playing field and was not meaningful. The procedural protection of eviction and relocation therefore was not fulfilled. On top of that no respondent in the LDMBs justified that eviction in the study sites occurred only in exceptional circumstances or compelling and life threatening environmental hazards. The absence of exceptional circumstances was confirmed by the fact that every parcel of land was allocated and used for renewal projects in both sites. The requirements for eviction thus were not met as the area was not prone to flooding, land slide etc. that make eviction of residents necessary and inevitable. As a result, eviction and relocation was arbitrary and violated RPF of Ethiopia's provision and international Development principles that require the State to undertake eviction where viable alternatives to eviction do not exist and exceptional circumstances necessary for public safety grounds do occur. It also breached its own strategies in the Addis Master Plan that the purpose of maximizing the land value is to address the socio-economic disruption of existing settlements using the built-up areas for different purposes other than residence. It means that relocation of residents only occurs where there are no residential units in the LDP.

This urban renewal initiative therefore did not recognize dwellers connection to their community or neighborhoods as a valuable asset to be preserved and strengthened. It therefore undermined the ability of

inner city dwellers to access adequate housing in the neighborhood on which they live for generation and depend for their livelihoods. It did not also exploit the good quality of Addis Ababa or the country context that has mingled the poor and the rich together for the past 125 years. As a result, individual rights were compromised by the public interests. Despite evidences of the availability of feasible in-situ relocation and absence of exceptional circumstances that make eviction unavoidable, the poor homeowners and tenants in public houses were relocated to kebele houses and distant places. This model of renewal disregarded social costs of relocation such as disruption of social networks and the loss of livelihoods of the dispossessed land users. It is concluded that the pre-requisite to the government's renewal project for Basha Wolde II was the relocation of poor homeowners and public house renters.

Nonetheless, the authorities in implementing agencies at national, city and sub-city LDMB were on the defense. They opposed the report that the AACA did not explore alternatives to eviction and suggested that the AACA provided the right to remain for those homeowners who have the ability to build G+2 houses in accordance with land use standards. Maintaining rich home owners was considered as if alternatives were explored with residents in Lideta and Basha Wolde. According to AACA directives, rich homeowners with ability to build residential houses either individually or in group were given the right to in-situ relocation. Nevertheless, the poor homeowners were denied of such rights as they were unable to construct houses according to land use plans. Moreover, all public house renters were excluded from the right to purchase condo units in renewal sites. They therefore were denied in-situ relocation and its economic and social benefits. Preserving the rich original homeowners in the renewal site is a step forward in protecting the right of residents to remain and share benefits from renewal projects compared to the previous Casanchis renewal project. It, however, will further increase the gap in the standards of living between the poor and rich households. Relocating the poor will also fracture the social mixes of the inner city neighborhoods that existed for 125 years, mingling the poor and the rich together.

At this juncture, it is time to assess the impact of relocation on the affected people before addressing the affected people right to adequate housing, compensation and rehabilitation assistance. Urban planning proclamation in article 13(1) declares that prior identification of the affected people needs as the first step in the process of urban planning preparation. By implication, the needs of the affected people should be determined only in consultation with the affected people. This requirement however was translated into conducting impact assessment by the UPII using census survey questionnaire for the purpose of LDP

preparation as the 2009 LDPs of Lideta and Basha Wolde. Hence, the preferences of the affected persons were determined by urban planners and decision makers using census survey before the meeting. It should be noted that their preference for instance to in-situ relocations was not part of the census survey as they were determined by professionals. Hence, this did not consider their needs and priorities. What AACA practiced was at variance with this article.

The evaluation of the anticipated consequences of relocation did not proceed in parallel with consultations, let alone giving due attention to the impact of eviction on the poor, women, old and those with informal tenures. Fifty five percent in Lideta and 85 percent of respondents in Basha Wolde disclosed that the impacts of relocation were not assessed even in the meeting (Table 7.8). The video recordings of the meeting however show that residents in the meeting expressed their concern about impoverishment and feared the loss of their livelihoods, social capital, locational advantages in relocation sites and the possible relocation to other kebele houses. In contrary, the meeting leaders overstated the benefits of renewal for the society as a whole and for residents, especially the benefits of relocating to public low-cost houses even in the remote part of the city. This explanation did not consider the relocation of poor households to kebele houses with similar and bad conditions and to kebele houses with inadequate tenure security.

Another issue that should be given information prior to the meeting or at least in the meeting for informed consultation is rehabilitation support as illustrated in the principal expropriation law and RPF. Interviewees in the case study explained that they were not informed about the provision of rehabilitation support in renewal sites and were not discussed in the meeting. According to table 7.8, the majority of the relocated households made clear that they were not given information about rehabilitation assistance and the adequacy of relocation sites. This information was not only excluded from AACA directives including the new one, but the city and sub-city officials also concealed to win consultation in order to convince the relocation of residents in both redevelopment sites without assistance for the lost livelihoods. The city administration therefore hid information recognized in the national laws to convince them accept compensation or replacement housing alone.

In the meeting, however, the affected people in Basha Wolde were informed about their rights to compensation and replacement land in the out skirts and in renewal sites for those able to construct residential houses according to plan; and condo purchase or public rental houses. In Lideta, the right to

purchase condos in renewal site was allowed in addition to the above three options after lengthy resistance in the meeting. In this case, the opportunity to purchase condos in Lideta renewal site was not part of the city administration plan, but accepted after such resistance. Despite this fact, it was the first renewal project to incorporate the affected people proposals or inputs in the AACA directive No 3/2010 and in actual practice. Nonetheless, incorporating residents' inputs was only in Lideta

The above evidences indicated that consultation took place once decisions were made and the proposals of residents to in-situ solution and rehabilitation support were not considered in the directives and in actual practice. Put differently, exploring viable alternatives to eviction did not take place in parallel with consultations. As a result, pertinent in-situ solutions forwarded by residents were not incorporated in the final directives. More specifically, the purpose of consultation was only to notify the residents about the government's resettlement plan, but not to explore and include alternatives to eviction proposed by the affected dwellers. It implies imbalance of power, absence of genuine consultation and unequal knowledge in influencing decision making. The AACA thus practiced top-down participatory approach.

Facing forced eviction, Lideta and Basha Wolde residents were trying to resist and oppose in a variety of ways. The potentially affected people opposition toward the Lideta urban renewal and relocation proposals had been so intense as disclosed by wereda 08 in Lideta and the former Lideta sub-city officials. They had rejected government plans to urban renewal and relocation to other places. As some respondents explained, they refused because they were at a risk of losing not only their home, but also their livelihoods and social support system which they built for generations. It also is a source of social resentment, as it excluded them from the benefits of inner city location. When government forced them to accept the government's urban renewal and relocation plan, collective resistance seemed to be the only way to protect their claims and oppose evictions from their homes. When consultation was held, all residents in Lideta fiercely opposed and collectively resisted demolition of their area, relocation, eligibility criteria for compensation and replacement housing, compensation amounts and relocation to inadequate housing for a long time for which the government did not prepare. As a result, the consultation meeting took four months approaching the prospective evictees eleven times more than the expected time of 45 days in the action plan of UPII.

Interviewees reported that as a result of the greater control that rich homeowners had over eviction and relocation consultation processes caused by unified resistance, they were able to negotiate in-situ relocation and were largely successful in staying in the redevelopment site. Subsequently, AACA recognized the right of rich homeowners to land replacement for the first time in the urban renewal project sites in the directive No 3/2010 since Casanchis project if they are able to construct houses according to plan. The government also reduced the minimum building heights from G+4 to G+2 to accommodate residents' inputs. In a similar fashion, informal owners but couples who had children and build houses in their parents' compound informally; and couples who lived together with their parents in kebele houses were also offered the opportunity to buy condominiums. Moreover, AACA entertained the poor tenants request to disburse 20 percent down payment from one into three times. AACA also respected the interest of public house renters to buy condominiums in Lideta renewal sites waiting until condo units are completed. In this regard, eleven households received condominiums in February 2013 waiting for four years after their relocation. Further, the administration provided loan for down payment and start-up capital, training and work place for 200 female-headed household heads approaching local NGOs. Finally, group resistance to unfair compensation forced the AACA to reconsider the compensation amounts determined by the valuation committee at the beginning. To expedite relocation, the administration offered homeowners the opportunity to sell the property (windows, door, tin, wood, bricks etc) for which the residents were paid by AACA as means of increasing compensation amounts. In principle, the expropriated property for which compensation was paid is the property of the city administration. Lideta residents therefore forced the city administration to accept some of their targets.

In addition to lengthy and strong resistance, absence of comprehensive directives and the government intention to make Lideta the model renewal project contributed to recognizing such rights not guaranteed in policies and legislations except RPF. For this to happen, the AACA formed a committee consisting of officials from wereda, sub-city and city administration, including the then mayor of the city. The committee that camped in wereda 08 of Lideta made a meeting after each consultation meeting and strong resistance to provide such rights proposed by the residents or committee members. Another factor that led to the adaptation of such approach that considered some of the claims needs and choices of residents seemed to be to reduce the expected strong refusal of residents to renewal and relocation in other renewal sites. It was also to display its accomplishments and showcasing Lideta in order to use it convince relocation in the upcoming renewal sites without respecting such rights within a short period of time. Further, they became

successful in achieving some of their targets stated above because they strongly opposed in group and in unity for which the government did not prepare in Lideta. To some extent, it showed effective and meaningful consultation although it was made once relocation of residents was decided. The affected people in Lideta were largely successful in staying in the redevelopment site, receiving loan for down payment, increasing compensation amounts, disbursing down payment and made some of these rights part of the plan. Similarly, the AACA was successful in achieving its targets: demolition and reconstruction of the area, acquiring land needed for urban renewal projects.

In Basha Wolde, tenants refused the AACA's plan of relocation to other areas but not demolition of the neighborhood because they were promised to in-situ solutions by the ex-prime minister and Arada sub-city in 2008/9. As interviewees and FGDs reported, they resisted relocation demanding improved houses in Basha Wolde when the administration proposed relocation and compensation or replacement housing entitlements in the meeting held in Orthodox Church Hall around Arat Kilo in 2012. Following their introductory speech, they continued "we shouted loudly to show our disapproval and told them to keep that promise. Another official forwarded again to accept relocation and overstated the benefits of relocation to condo units than these old dilapidated houses. We were also murmuring while city and sub-city officials tabled relocation to express their disagreement to eviction and relocation". However, the chair person firmly told them that relocation is imminent, justifying that 'there is no public low-cost housing construction in Basha Wolde renewal site'. When they kept their refusal on, the AACA officials began to intimidate those who opposed government's plan by labeling them as 'anti-development'. At that time, they rushed out of the meeting hall to show their strong opposition. As soon as they boycotted the meeting Hall, residents informally and verbally agreed not to make individual deal with the government and struggle in unity. They however didn't assign leaders and a committee to organize them and with no plan on how to resist collectively.

After the AACA recognized the strong resistance of residents to relocation in the meeting hall, the wereda and sub-city officials began house to house visits in hopes of convincing residents accept relocation. As some respondents informed, the authorities targeted dwellers one at a time on the premise that 'it is easier to pressure individuals than a group'. To a limited degree, it had contributed to divide the unity, opinion and power or strength of some public house renters and homeowners in the campaign. Civil servants and forum members who accepted relocation to condo units in another area before the final meeting constituted this

group. However, the authorities were unable to convince the overwhelming majority public house renters and poor homeowners in the first and second instances. Thereafter, the city and sub-city officials had employed repeated intimidating door to door visits, labeling them as anti-development, verbal threats and threats of punishment to reduce their influence and divide opinions and unity over relocation. Two-third of the sample population of residents (83 percent in Basha and 34.5 in Lideta) agreed that they were harassed and intimidated by government officials (Table 7.11). This significant difference between the two sites may be attributed to the fact that the government prepared for silencing resistance in Basha Wolde through all the available means including illegal ones based on the experience in Lideta. Moreover, the sub-city administration was ordered from the city council to expedite relocation and begin demolition as fast as possible. Hence, they applied harassment and threats of punishment. This was aimed at implanting fear to discourage resistance and carry out relocation in an expedite manner, as some interviewees in the case study sites reported. Interviewees from the LDMBs at both national and city level however contended that the eviction and relocation program was voluntary. They justified this argument that consultation took four months and approached residents eleven times in Lideta. They asserted that this was made until residents were convinced and their rights were respected. This officials revealed that this was only practiced in Lideta, acknowledging the sub-city administration displace Basha Wolde dwellers in an expedite manner. However, most interviewees in Basha Wolde said that they did not relocate out of their own free will, but did so out of the fear of the government threat.

Table 7.11 Harassed or threatened by officials for the affected persons and their representatives because of their opposition to the evictions

Intimidated	Lideta			Basha Wolde			Total		
	Yes	No	Don't know	Yes	No	Don't know	Yes	No	Don't know
Frequency	10	16	3	50	9	1	60	25	4
Percent	34.5	55.2	10.3	83.3	31	3.4	67.4	23.6	4.5

Source: own computation

In the end, the Arada sub-city authorities called house renters for a consultation meeting in Hager Fiker Theatre Hall. The affected residents raised several questions in this final meeting in Basha Wolde as watched from video recordings. To mention some, the participants asked the Arad sub-city LDCRA to disburse the down payment from one into five times as they were unable to pay the down payment at once and to avoid relocation to kebele houses. This question was raised because of the fear of relocation for the third time as some of them were relocated before to Basha Wolde former kebele 13 from other area for the purpose of road development. Otherwise, they stressed that 'they will move from one part of Addis Ababa

to another kebele owned houses which are slated for urban renewal projects'. Others also asked to obtain loan for down payment to avoid relocation to kebele houses, while still others applied for relocation to nearby condo sites such as Gofa. Nonetheless, the authorities told them that they will refer their questions to decision makers without responding to any of the above critical questions. It implies that the Arada sub-city LDCRA did not adequately reflect the positions and inputs of residents in practice and in the final decisions of procedural protection. AACA thus practiced the right of residents to consultation as a right to speak and to be heard with no informed active and meaningful consultation in Basha Wolde. If at all available, it was limited to nominal participation and one-way of information flow from AACA to the affected people in URIER.

Once the eviction and relocation of residents completed in Lideta, the city administration excluded the provision of such rights, excepting rich homeowners' right to remain in their former locations. Concisely put, the informal owners right to buy condo units, the right of tenants to buy condos in renewal site, allowing to pay the 20% down payment over longer period, the provision of loan for down payment etc constituted the prohibited rights both in the directive and in actual operations in Basha Wolde. Basha Wolde residents were thus denied such rights. The AACA therefore adopted ad hoc rules and quick fix approach or short term problem solving participatory approaches. This approach is synonymous with putting off fire for the time being, which is not sustainable. It showed the absence of government will to respect the right of residents.

As some interviewee from City LDCRA confirmed, the affected people in Basha Wolde II did not resist together and put pressure on the government. As a result, relocation was very easy for AACA compared to Lideta renewal projects. This was attributed not only to the government's measure to silence opposition and persuade relocation, but also to the disorganized resistance without leaders and a committee to coordinate their positions and opposition. Unlike Lideta residents, dwellers in Basha Wolde didn't have the same strength and unity in putting pressure on the AACA to convince them for such rights. Accordingly, Basha Wolde residents did win none of their targets although they tried to resist in a variety of ways and were denied what was given to Lideta dwellers. This unequal treatment between dwellers in different locations and between different renewal projects carried out at different times may lead to more inequality in terms of adequate housing, livelihood opportunities and benefits of renewal. Consequently, Basha residents will be exposed more to impoverishment and carried the burden of urban renewal and public interests. This

showed unequal support, absence of sustainable program guided by uniform and consistent rule of law, and lack of government will to respect the rights of households and carry out genuine consultation.

In Lideta and Basha Wolde, how unified dwellers facing relocation therefore was the determining factor of resistance in achieving their targets. Exploring alternatives to eviction, providing adequate housing and compensation and paying the down payment on longer periods in the consultation process therefore did not depend on regulations but rather on their ability, unity and courage to oppose strongly and collectively. This also indicated that two stakeholders employing the same influencing methods may have different results. For instance, residents in Lideta and Basha Wolde opposed but the Lideta dwellers influenced operational procedures and the government accepted most of their claims. From the discussion above, it is concluded that group resistance is a fundamental condition to achieve their targets. Similar to this, Cernea (2008) stressed "... the strength of the resettlers' demands and political opposition does influence"

7.3 Actors, interests and influencing mechanisms

As stated earlier, the government actors in power were the main decision makers in policy making processes. These include the parliament, council of ministers, ministries, Regional State and City Administrations. In other countries, the active involvement of NGOs in recent years has helped to give the prospective evictees a voice and enhanced awareness of their problems and rights. This has found expression in resistance to relocation that violated their rights in the national and international standards. NGOs flourished in Ethiopia from early 1990s to 2005 better than ever before (Desalegn et al, 2008). Some of these NGOs focused on service delivery, others on civil rights, gender equality, good governance and still others on consciousness rising (Ibid). Moreover, the number of NGOs that registered their programs by focusing on issues related to human rights, advocacy, and democracy had been increasing since then (Ibid).

Nonetheless, NGOs remained peripheral in land rights and policy advocacy of urban land and eviction and relocation issues to support those negatively affected by the URP in claiming their rights and influencing decision making and consultation process. This may be due to the fact that land issue is a major politically sensitive matter with entrenched power relations. Local NGOs were not also engaged in community development for the residents relocated by urban renewal projects to secure adequate accommodation and

improve their lost livelihoods. In effect, residents were not aware of their rights, did not defend their rights and were relocated to deteriorated houses without rehabilitation assistance to improve their livelihoods, as documented in chapter eight. NGOs involvement in Addis Ababa in the advocacy and sensitization program and growth strategies for relocated households has been of small scale. Their absence was one of the major causes for the residents' inability to defend and exercise their rights in the meeting, through judicial channels, demonstrations or opposition and resistance to eviction in group and unity, especially in Basha Wolde.

Opposition political parties were not also involved in ULDMP, ULLP and RPF decision making processes. They however had raised their concerns about urban land policies, legislations and plan, which had been used to relocate residents without genuine participation, fair compensation, appropriate and affordable replacement housing and rehabilitation assistance. As some opposition groups explained that the government did not open space and they were totally excluded from the design and implementation of ULDMP, ULLP revision, RPF etc. They further explained that the government viewed their involvement as potential threats to their political power bases. They attempted to use some tools in influencing the government to consider their interests. The proposed ULLP in 2010, for instance, provoked strong adverse reactions from the opposition political parties in the form of presentation of their political positions. However, they could not convince the government to revise the policy.

Given the affected people are the ultimate burden bearers and the primary beneficiaries of renewal projects; it is imperative that the prospective evictees are involved and consulted in all stages of policy making process and planning that affect their lives. In the existing government, there was a lot of rhetoric about people's power, empowering the poor and bottom-up approaches to urban development programs. The government of Ethiopia also claimed that the decision making power has been distributed among several stakeholders. As stated earlier, the affected persons involvement in policymaking and urban plan preparation was however minimal in Ethiopia. Despite the recognition of the important role that NGOs and the affected people have to play in the process of policy making or reform, the national government and AACA maintained centre stage with respect to urban land and eviction and relocation issues, marginalizing the participation of the affected people, NGOs and other actors. It reflects that mostly government actors and public land institutions played deceive role in making decisions for the affected voice less and powerless people. By implication, the government and AACA did not go beyond rhetoric to truly empower

the urban poor and consider their proposal in the plans, policies and legislations of eviction and relocation. The organized and informed NGOs can challenge and assist the political process (Goodhope, 2006). It is thus important for the government to open space so that local NGOs, opposition parties and the affected people will be involved in the design and implementation of land policies and URP.

Reasons for the inability of the affected residents, NGOs and opposition parties to take an active role in decision making were the imbalance of power between the government and other interest groups; and absence of standard participation manuals that encourage stakeholder participation. It was also related to absence of political will on the part of government to involve all stakeholders in the URP. In this context URP means renewal that preserves residents, mingling different income groups, or protect the right of resident according to national and international laws. Evictions and relocations process will be devoid of participation as long as the standard participation manuals were not enacted. Their success however is dependent up on the political will of the government to actively participate and consider their inputs in the policy and plans related to URP.

There were differences in interests, priorities, influencing mechanisms and power to put their intent into laws among the various groups of inner city relocated households, political parties and the government. The interests of the government were reducing slums and slum poverty, improving the living conditions of residents, efficient utilization of land, planned development and image building to make Addis Ababa world class city, economic efficiency maximizing land value as was documented in chapter 6. These in the end contribute to ensuring rapid and sustainable economic growth to reduce poverty. These interests extracted from the policy, plan and program and whether the government balance these interests and the interests claimed by residents will be checked and verified from the actual practice in Addis Ababa. In order to achieve its interests and influence the affected people accept its targets, the government under its arms (AACA) used several tactics. Confronted with more and more resistance or opposition, the AACA employed various methods. The first is the provision of wrong information. As documented above, the AACA officials provided wrong information to the affected people stating that the acquired land will not be used for the public low cost housing construction in Basha Wolde II to force them to move in to another area although this was part of the LDP. In order to achieve this government target and deny kebele house renters rights to buy condominiums in their former neighborhood, the AACA lied to them. Another method was hiding information which is recognized in the national Expropriation Law. Interviewees in the case study explained

that they were not informed about the provision of rehabilitation support and were not discussed in the meetings. This information was not only excluded from AACCA directives, but the AACCA also concealed in winning consultation that relocate residents without assistance for the lost livelihoods.

The worst case was that they were intimidated and threatened to force the poor homeowners and all tenants to move in to another area as was revealed above. Finally, city and sub-city authorities used exclusion tactics. In this regard, the interviewees showed that land or kebele house users with no registered document were not allowed to participate in the meeting unless they present formal document of use rights. Last but not least, the government uses rules of law, land use regulations and housing strategies (prestigious condos) to exclude the affected poor persons from in-situ relocation and rehabilitation assistance. Repeated intimidating visits and threat, distortion of facts, concealing information and exclusion tactics were therefore the government influencing means to persuade relocation of poor homeowners and all tenants in kebele owned houses. Fearing the delay of relocation and increased demand for fair compensation or condos in renewal sites and rehabilitation support, and achieving the government targets and advancing its interests; the AACCA authorities employed these tools or tactics. These strategies in the end worked and had served the authorities well to achieve the AACCA's implementation targets: relocation of all public house renters and poor home owners. In addition, the affected people therefore were too weak in front of the government accompanied by lack of knowledge of residents about LDP and their right to rehabilitation assistance. Further, the AACCA had used such tools because the rule of law was weak, absence of accountability and the power of the government was stronger than the affected people. The requirement for informed and meaningful consultation therefore was devolved into producing consent through pressure and threat, wrong information provision, hiding information and excluding some members.

The rich homeowners' interest was in-situ relocation more than rehabilitation assistance as they informed. Their reason for this was that maintaining their land use rights in urban renewal sites will make them the beneficiaries in prime locations with improved houses, infrastructure, services etc. The interests of the poor homeowners and tenants in kebele owned houses however were primarily livelihoods. As a result, they required in-situ relocation more than adequate housing to ensure improved livelihoods and social support system. Nonetheless, they requested condo units in Basha Wolde area, assuming that it will improve not only their livelihood conditions, but also maintain their social capital and improve their housing. Research in

a variety of settings in Addis Ababa has shown that residents prioritize locational advantages to livelihoods than improved housing in the outskirts (Tebark, 2008; Gebre, 2008). They therefore refused since they will be relocated from inner city areas to the new area in which they never find the same income earning opportunities as they lose locational advantages to livelihoods and social support system. **13** The poor homeowners however were not successful in making their voices reheard and were systematically excluded from in-situ relocation even after strong resistance by requesting them to build G+2.

The main influencing mechanism for Lideta dwellers to become successful in achieving some of their targets stated above was that they strongly opposed in group and in unity for which the government did not prepare in Lideta. For influencing their interest, Lideta residents temporarily organized and resisted relocation and hence capable of making their voices heard in the process of decision making. As a result, most of their claims and questions were entertained after lengthy resistance and opposition as documented above. However, In Basha Wolde, they opposed by shouting loudly and murmuring while city and sub-city officials' tabled relocation to express their disagreement to eviction and relocation and then boycotting the meeting hall as a means of opposing and resisting relocation. They however were not well organized and some of them made individual deal with the Arada sub-city administration. As a result, the affected people in Basha Wolde were denied for the rights and entitlements respected in Lideta.

Making the rich homeowners and the new middle income group the primary beneficiaries of in-situ relocation constructing the prestigious buildings implies the government and the rich few rights and interests were counted most in the consultation meetings. The explanation above indicated that there was imbalance of power between the government and the affected people. This in turn showed that the affected people mostly that live in poverty were not organized and not empowered by NGOs, and were unaware of their rights. The government of Ethiopia using its arms (AACA) violated even its own good policies and legislations that recognized for instance the right to rehabilitation assistance to at least restore the affected households lost livelihoods. It was therefore insufficient to rely on consultation that respected the rights of residents to speak without incorporating their proposals, as well as on the legal framework that recognize the active involvement of the affected people and the fulfillment of their rights. In the context of power asymmetry, it is indeed difficult to implement the domestic and international laws that forced evictions should only happen after genuine consultation and consideration of all available alternatives offering adequate compensation and rehabilitation assistance for all vulnerable and disadvantaged groups.

Chapter Eight

8. Procedural protection of eviction and relocation

The procedural requirements before, during and after evictions will be discussed in this part. The purpose is to understand the adequacy of compensation and replacement housing (rehabilitation, assistance and location of relocation of sites) and the reasons behind their adequacy or inadequacy. Moreover, it is to make clear the choices they actually offered and denied including the rehabilitee assistance and the adequacy of the location of relocation sites in terms of job opportunities, infrastructures and social services. The first part of this section is about compensation, factors considered when compensation is determined and why it is adequate. It is followed by the replacement housing for tenants, their choices, affordability and location issues will be dealt with. Finally, the availability of rehabilitation assistance and why it is ignored or offered will be examined. In this regard, this research will follow the strategy of refuting or supporting government argument based on the reality of the poor on the ground, policy objectives and contexts as well as international development standards, literature and best practices.

8.1 Adequate compensation

One of the basic development principles of the right against forced evictions is the duty on the State to provide adequate compensation for the affected people. This is a clearly recognized right under domestic and international laws. We will first look at the type of or options for compensation actually given in practice in case study sites before examining the adequacy of compensation. As the 2010 and 2012 annual reports of the City Manager Office suggests, there were 389 in Lideta and 277 in Basha Wolde II privately owned houses that were demolished to give way to URPs. The interviewees of institutions revealed that compensation in the study sites involved monetary compensation and replacement of alternative land. Apart from this, they were given the opportunity to choose financial compensation along with purchase of condominiums instead of land.

Some residents, for example, 44 homeowners in Lideta preferred condominiums over land replacement. According to some interviewees in LDMBs and relocated households, their preference to condos over the replacement land was attributed to the low level of compensation. They therefore believed that they could

not construct a similar accommodation at least in terms of the adequacy of space for the household size concerned. Some others indicated that the plot sizes of their former houses were below the minimum standard and thought that it had lower demand and lower value to sell and replace it in other areas. In this regard, government appointed leaders attributed it to the good quality of condos than houses which were going to be constructed in the outskirts. However, opposition leaders related this to the new land lease policy. For them, the policy requires that people are required to build a house within six months. As a result, they are afraid of losing their land. They added that when they sell their house they will receive only five percent of the transaction since the policy converted the tenure from permit to lease. This argument was not proven true at least in Lideta as the lease policy was enacted after relocating Lideta households. In addition, no relocated households in Basha Wolde substantiated this argument where relocation was taken place after the lease policy was promulgated. In short, it was a big step to respect the residents' right to choose between monetary compensation for the lost property and alternative land or financial compensation and public low cost house purchase according to the preference of the affected people. The provision and its practical operations respected the options of compensation types recognized in the international laws. Respecting this right however should not be considered as adequacy of monetary compensation. It is thus needed to investigate the adequacy of monetary compensation.

Table 8.1 Frequency of the fairness of adequacy of compensation paid to the affected homeowners

	Frequency	%
Somewhat unfair, but it is at lower level than market value	3	9.1
Significantly unfair and at significantly lower level than market value	30	90.1
<i>Total</i>	33	100

Source: Own Computation

8.1.1 Adequacy of monetary compensation

With regard to the adequacy of monetary compensation, most residents were not happy. One of the most common complaints was about the amount of financial compensation. The dwellers asserted that compensation was paid in cash for all lawful homeowners. Most interviewees in the case study and 90 percent of the survey studies, however, complained that compensation was significantly unfair and it was at significantly lower level compared to the then market value of selling and buying of houses (Table 8.1). Further, the same percent of the affected people contended that the monetary compensation they received could not construct comparable houses that can restore their former position (Table 8.2). Some

knowledgeable residents revealed that using the compensation amounts, they built or they were on the process of building insufficient houses even for small household size. As a result, the affected communities were likely to construct houses insufficient to household size. It was in contravention to restoration principle of the government.

Table 8.2 Frequency of the adequacy of compensation amount to build comparable houses

	Frequency	%
Adequate to build comparable houses and can maintain prior economic status	1	3.03
Adequate to build comparable houses, but cannot maintain prior economic status	2	6.06
Inadequate to build comparable houses and maintain prior economic status	30	90.1
<i>Total</i>	33	100

Source: Own Computation

Despite this fact, the official explanation given by the City and Sub-city compensation and resettlement sub process authorities was that the amount of compensation depends on the type of houses they own. The justification for low compensation was that most of the houses in the inner city settlements were made of temporary materials and were deteriorated. Acknowledging this, some officials particularly in MUDHo defended residents claim explaining that the houses were unplanned, below the standard 75 m² of the city land use standards and even most of them were below 50 m². In this light they verified that the affected people were given compensation that can at least buy studios and offered a minimum of 75 m² replacement land in the outskirts beyond replacement cost. This was substantiated by AACA directives.

As an indicator of low compensation, homeowners in Lideta resisted to accept compensation amounts offered by the sub-city compensation and resettlement sub process. In the end, the AACA offered them the opportunity to sell expropriated properties for which the government had paid as a solution to the complaints. However, in Basha expropriated properties were sold to youth group or association, as wereda 09 officials in Basha Wolde reported. Absence of prior directive or the working procedures and very loosely enforced regulations had contributed to make ad hoc decisions when they face resistance.

As documented above, the affected people felt that the AACA paid them inadequate compensation that was determined according to capital and labor expended on the dispossessed property. The spirit of compensation based on the replacement cost in the Ethiopian legislations is to restore the relocated people to the same position. However, this was not possible in Lideta and Basha Wolde for various technical and political reasons. The first problem was related to the pricing of property in Addis Ababa URP. In Addis

Ababa, the property valuation formula, policies and directives were adopted and decided in hidden manner by the national government without involving the ultimate burden bearers and implemented by its structures. Similarly, the property valuation in the case study sites were carried out by a committee of experts assigned by the city administration as there were no certified independent private institutions in Addis Ababa that can do valuation. Further, the compensation amounts using the government formula were not audited and verified by independent private experts. This was worsened by the fact that the committee members were not professionals but appointed according to their relevant experiences as ULDMP admitted. This policy also acknowledged that the property valuation was not transparent and uniform.

Cernea (2008) equates property expropriation with a non-market transaction imposed on the affected people by the expropriator. The term imposed here means the price of the property was determined by the government set values, but not by market values. This means that the residents received compensation much lower than the market value and replacement cost. All these evidences suggested that the compensation amount and the bases to calculate compensation in Addis Ababa rely on government set values. This was exacerbated by the absence of recorded and developed formal housing markets which can be used as baseline in valuing the expropriated property in Addis Ababa, Lideta and Basha Wolde. In such cases, pricing or market mechanisms are imperfect (Vitannen et al, 2010). As a result, it was unlikely that a household which lost its property would construct a similar accommodation adjusted to household size.

Another problem was the consideration of location when determining the property valuation. Location was not considered in determining compensation amounts as property valuation was limited to capital and labor expended on the expropriated property. The theoretical presumptions attest that location is a key determining factor for the rise and fall of the price of the property. In the housing market, location determines the value and potential of a property (FIDH, 2007; Lahoz, 2007 cited in Belachew, 2013). Property values become higher when we move away from the outskirts to the center of the city because of the highest levels of accessibility and intense demand from users for it has the advantages of its central location (Belachew, 2013). Practical experiences from China supported the inclusion of location to determine the price of the property (FIDH, 2007). In this country, replacement cost means the monetary compensation sufficient to buy a similar house in a similar area (Ibid). The phrase 'in a similar area' connotes that the price of property varies from place to place. This makes clear that the price of houses

decreases as we go out from the inner and prime location. That is why the China property law includes location, the site and situation, as one element to restore relocated households to their former position. In other words, as the location of a house gets far from inner and prime areas, the price decreases. Location which was vital in determining the value of the house is thus deliberately excluded. This was one of the main reasons for making the compensation amount inadequate.

Respondents from compensation and resettlement sub process at central (city) and sub-city levels explained that the committee determined the property value on the basis of capital and labor strictly following the valuation formula established in the Compensation Regulations, but not on location. For them, what made the compensation amount low were the materials that the houses they own were made of. They further reasoned that location was ignored because land is the property of the state. Therefore, the site and situation that either decrease or increase the property value belongs to the government. This argument has flaws. What this argument miss was those expropriated had to go through years waiting for the areas in which they live on to become prime area where transport facilities improved, jobs of any kind are available, and therefore attract the highest rental and housing values. What this argument miss was also the hard fact that the 'current market prices' is the concept used in the Compensation Regulations to determine the property value. In the market value, however, location is considered in theoretical presumptions (Ibid) and as empirical evidences has proven it (FIDH, 2007; Daniel, 2009; Belachew, 2013) in addition to capital and labor. Therefore the government valuation contradicts its own principle of market value. Finally this argument is inconsistent with good practices in that land is the exclusive property of the state in China, but this country considered location (FIDH, 2007).

Relocated homeowners stressed that if we sell our houses to the private individuals in an open market, we undoubtedly would receive large sum of money because our houses are on the prime location. As a result, they felt they received significantly unfair compensation. They therefore received a non-market value for the place (location) they lost and were paid much lower than the replacement cost. Empirical studies in Ethiopia support such feelings. Daniel (2009) and Belachew (2010 and 2013) verified that the price of houses is much lower in the remote part of city than in the inner city areas, irrespective of the materials they are made of. Location is thus the determining factor for the adequacy of compensation amounts. This was also related to the government set property valuation formula. This explains that the impact of legal factors was significant on the property value.

Part of the reason for low level of compensation was related to the valuation of property based on the pre-expropriation land uses or slum housing. The 2007 Compensation Regulations of Ethiopia in Article 3(1) stipulates that the amount of compensation for a building is determined on the basis of the current cost. The current cost in the inner city contexts means the cost of capital and labor expended on the slum houses before the area is demolished or cost for pre-expropriation land uses. Cernea (2008) clearly explains that when the property over the land is taken away, the government expropriates both their land use rights and "the yet unused development potential of these lands". In the urban renewal context, relocated residents contributed not only their property but also the opportunity to realize the development potential of their neighborhoods. According to Vitannen et al (2010), the most common cause of imperfect pricing is setting the value of property intended for expropriation on the basis of slum housing values. In order to respect the residents right to adequate compensation and share benefits equally with public at large, the valuation of landed property should be based on the post development uses (Cernea, 2008: Vitannen et al, 2010).

The AACA offered land to rich homeowners, few private developers and to other public interest projects and houses to middle income beneficiaries. In the latter, out of 2300 condo units, 2289 flats were given to new middle income condominiums beneficiaries that contribute neither land nor housing use rights to the project in February, 2013. Usually, the post development land uses increase the housing and its rental values and are thus lucrative (Cernea, 2008; Vitannen, et al, 2010) in urban renewal programs in particular. For example, monthly housing rental value of a single room condominium was 2500 in Lideta, 1500 in Gofa and 1000 Eth Birr in Semit at the time of field work. The difference 1500 birr in a month between Lideta and Semit was unearned income by the relocated households but percolated to new beneficiaries, government and few developers. Original land users who were relocated therefore lost the extra income and the increasing housing values and house rents afterwards for the new beneficiaries, government and few developers. This indicated that the lost development potential of the area was left uncompensated for relocated persons in case study sites of Addis Ababa. Finally, as documented below, replacement cost principle and administrative arbitration contributed their share to the low level of compensation. Recognizing adequate compensation through replacement housing and the evaluation of market value contradicts with the exclusion of location and the determination of compensation based on pre-

expropriation land uses and government set values. The result is that the amounts relocated people actually receive were never truly restitution for what they lost through expropriation and relocation.

8.1.2 Replacement cost for compensation

As noted before, compensation for the expropriated property is determined on the basis of replacement cost of the property which is equal to the value of capital and labor expended. Article 7(5) of the expropriation law declares that the cost of removal, transportation and erection shall be paid as compensation for a property that could be relocated and continue its service as before. Replacement cost in the Federal Proclamations therefore means replacement of assets with an amount sufficient to cover lost assets that could help restore their houses as before. This is in agreement with the Pinheiro Principles of United Nations Special Rapporteur on housing and property restitution for refugees and internally displaced persons, which were formally endorsed on August 11, 2005 (UN, 2007). The Principles recognize the right to housing and property restitution as a core remedy to displacement. In this regard, Principle 2.2 reminds: "States shall demonstrably prioritize the right to restitution as the preferred remedy for displacement and as a key element of restorative justice". As stated before, the overwhelming majority of homeowners stressed that compensation they receive did not enable them to build similar accommodations. The compensation amounts relocated persons actually receive were not restitution in its true sense for what they lost through expropriation of property. Replacement cost principle however is used as the basis for compensation of lost housing when it exceeds the minimum amount necessary to construct similar houses.

In urban Ethiopia, minimum amount of replacement cost in any way may not be less than constructing a single room public low cost house as stipulated in expropriation law. Minimum replacement cost was thus determined by the subsidized single room public low cost housing current market, which had been set by the government. As stated earlier, compensation amount was not determined according to an evaluation of the market price as it ignored the open market private housing transaction costs between two private willing sellers and buyers. As a result, they received lower amounts let alone equal to replacement cost.

For the URP in the inner city neighborhood where houses are substandard, the poor dominates and its main purpose is to improve the living conditions of residents by reducing slums; compensation based on replacement cost is insufficient. When they are provided compensation based on replacement cost

principle, they may develop inadequate housing in the relocation site. Even in the international law, adequate compensation is closely linked to the concept of replacement cost or restitution principle, which is intended to return the relocated people to their former position. Replacement cost in this case means replacing the deteriorated houses by similar substandard houses without improving their living conditions. This may contribute to the formation of new slums in relocation sites, a far cry from the policy objective of improving the living conditions of the affected people. This in turn is contrary to the realization of the seventh goal of MDGs that targets the improvement in the lives of slum dwellers and the prevention of new slum formation by 2020. Compensation based on replacement cost therefore did not fulfill the policy objective of improving the living conditions of the affected people.

Calculating the rate of compensation at replacement is more general or not context specific for different types of development projects. Concisely put, compensation based on replacement cost for URP did not consider the inner city context that is dominated by the poor tenants and sub-standard poor quality houses. It also did not regard the context that mingles the poor and the rich, and project type that involve mixed income development. This can be used for other urban development projects and for houses in better conditions. Thus, in order to provide them fair compensation that is sufficient to build adequate houses beyond the pre-project level, replacement cost in URP of Addis Ababa should be changed by compensation amount that improves the previous old and deteriorated houses or provide adequate houses.

8.1.3 Administrative Arbitration

With respect to complaints over unfair compensation, residents can lodge their complaint to Arbitration Committee at sub-city level first and then to the court. Put simply, cases which cannot be resolved by the administrative committee are referred to the regular appellate courts. As noted earlier, Lideta residents were allowed to sell the property for which they were paid for. In Basha, case study interviewees disclosed that they requested the government to reconsider the amount. In the meantime, the city administration ordered them to move away before the agreed date of relocation. Although the rule of law offers the right to appeal again, the sub-city and wereda officials forced residents to accept the amount offered by the sub-city compensation and resettlement sub-process. It has contributed to reduce the number of claimants. They had the right to appeal but they were told to appeal, as some reported, agreeing the reduction of compensation amount before the second appeal if the result of the upcoming valuation remain the same or

below the first amount. According to Arada Sub-city documentary evidence in January 2013, there were sixteen appeals seven months after relocation of other dwellers. The leader and professionals in Land Development and Urban Renewal Projects Studies, Design and Implementation Follow-up sub process told the researcher that Lideta's relocations were said to be one of the most peaceful relocation processes done so far with limited appeal.

Table 8.3 Frequency of the homeowners that appealed for inadequate compensation

Appeal for	Frequency	%
Yes	22	66.6
No	11	33.3
Total	33	100

Source: Own Computation

Regarding the extent of decisions of administrative arbitration, two-third of the affected homeowners appealed for unfair compensation (Table 8.3). Moreover, residents in Basha Wolde informed that they appealed with restrictions not to appeal again to higher levels (i.e. to be enforced without appeal). This was not verified by other respondents. Most city and sub-city professionals also stated that cases were not resolved objectively in accordance with market value. Many opposition political leaders interviewed expressed that the affected people seeking remedy appealed to administrative arbitration, which was managed by the sub-city administration. For them, the city and sub-city administration were both the implementer and judge in the case. They believed that this administrative arbitration was not independent. As a result, they expected no protection of the affected people right to adequate compensation from such a process. In view of the lack of independence of the committee assigned by the city administration, the appeal which was lodged to the sub-city compensation committee resulted in the same compensation amounts. Those appealed to the committee heard nearly no improvement in the amount of compensation. Interviewees however reported that nobody was penalized for appealing. Fifty nine percent of the claimants confirmed that the committee was partial and served the interest of the government violating the rule of law (Table 8.4). It was difficult for the appellate tribunal to be independent as they were appointed by the government. As a result, decisions were impartial and protect the interest of the government (the implementer of URP).

Table 8.4 Frequency of homeowners' perceptions about the decisions made by the committee and actors favored by the decisions

	Frequency	%
Impartial and decided in accordance with the law	2	9.1
Partial and served the interest of the government and the rich few	7	31.8

Extremely partial and served the interest of the government, and made decision violating law	6	27.3
Not yet decided	7	31.8
<i>Total</i>	22	100

Source: Own Computation

The expropriation law encourages the valuation of property by the private institutions or individual consultants. Nine years have elapsed since proc no 455/2005 enacted, but there was no private or independent land valuer and independent judiciary responsible to hear claims of compensation. It also showed that there was no check and balance system between the committee, residents and the city administration. As a result, the committee usually decided the case favoring the government interest to reduce cost of renewal and the decisions remain the same. Compensation amounts and appeal to administrative arbitration before the court is therefore based on national legislations and legal enforcement orders. It however ignored the international laws which guarantee the right to adequate compensation and appeal to courts as well as the Constitutional rights that endorsed the international right standards .

8.2 Adequate replacement housing

Another obligation of the State is to ensure the right of the affected people's to adequate replacement housing irrespective of their income and tenure status and types. The affected tenants and sub-tenants in kebele owned houses will be the focus of this part. In Lideta, there were 932 kebele houses, while Basha Wolde residents inhabited 954 kebele houses. In the legislations, alternative accommodation for lawful tenants in kebele owned houses are the purchase of public-low cost houses, rental condominium units and kebele owned houses if relocated due to development projects. In fact, ULDMP entitles new public low cost rental housing for tenants. Six years elapsed after this policy introduced, but such condominium rental houses were not provided as alternatives to tenants in Addis Ababa. Practically, the affected tenants and sub-tenants in kebele houses had an option either condominium purchase or a replacement kebele owned house. All lawful tenants confirmed that they had the right to choose either the purchase of condominiums or public /kebele/ owned houses in other areas.

8.2.1 Relocation to public-low cost housing

The choice of the purchase of public low cost housing as a replacement was made according to the purchasing power of the affected people. Though they had two options, interviewees described that down payment was unaffordable. Nearly sixty-one percent of survey respondents labeled the down payment as too expensive and expensive given their meager income and limited saved money (Table 8.5). AACA also estimated that about 26 percent of inner-city dwellers do not have the capacity and the means to pay the 20 percent down payment to condominiums (Ezana, 2013). About sixteen percent of respondents informed fair price because they did have their own financial means or sourced from the money compensated by the government for the lost property. In the later case, they chose condo instead of land replacement

Table 8.5 The price of condominium units according to the affected condo beneficiaries income

<i>The price of condominiums</i>	Frequency	Percent
Significantly fair and affordable	2	4.55
Somewhat fair and affordable	5	11.35
Neither	10	22.7
Expensive and unfair	13	29.5
Too expensive and unfair	14	31.8
Total	44	100.0

Source: Own computation

Case study interviews explained that even if they obtained condos paying the down payment, most of them were not able to pay monthly installments. About 52 percent of survey respondents indicated that they had no capacity to pay the monthly installments (Table 8.6). It was verified by the fact that out of 50 households relocated to Gotera and Jemo sites in five and seven building blocks which were visited by enumerators identified that only 12 and 9 relocated households from Lideta were living in their condominiums. Put simply, 76 percent in Gotera and 82 percent in Jemo either rent their condos out to pay monthly installments or sell their flats informally before five years mark fearing the risk of losing their condos. The down payment and monthly installments had been increasing and will be increased given the increasing cost of building materials. These evidences showed that condominiums were becoming unaffordable for the poor societal group supposedly intended to benefit from these houses. Public low cost housing was becoming expensive for the poorest of poor, hence leaving no option for low-income city dwellers. Condos price were stretched beyond the realistic capacity of the poor to purchase. It is therefore, a threat for the public low cost housing program to miss its target of delivering adequate houses for the poor.

Table 8.6 The capacity to pay for monthly installments for condos

	Yes	No

<i>The capacity</i>	Frequency	%	Frequency	%
to pay for monthly installments	21	47.7	23	52.3

Source: Own computation

Even if unaffordable, as table 8.7 indicates, 55.3 percent of condo beneficiaries sourced their income from own finance and loans, gift, and relatives or friends loan etc. Own finance or saving and money compensated by the government for the lost property were the source of finance for 26.3 and 18.4 percent of residents, respectively. The problem of affordability forced the government to take other measures not recognized in the directives and in the plan and the affected low-income tenants to search for other means. In the face of this problem, some of the prospective evictees in Lideta pilot project refused to take kebele owned houses in similar or bad conditions in other places. As a result, 200 women were offered loan for down payment and the chance to pay the down payment in three stages as documented before. Using informal information channels some also applied for condos with three or two bed rooms even if they had no money for down payment and then exchanged their large size by smaller ones. Gift and loan, resistance and informal condo exchange were therefore used as coping mechanisms for affordability issues.

Table 8. 7 Source of finance for condominium down payment

<i>Sources</i>	Frequency	Percent
Formal public finance sources (loan)	1	2.6
Relatives/friends loan	5	13.2
Own finance/saving	10	26.3
Own finance and loans	8	21.1
money compensated by the government	7	18.4
Gift from my son or daughter	7	18.4
Total	38	100.0

Source: Own computation

At this juncture it is needed to describe the provision of loan and other actions in tackling affordability issues and to offer adequate houses in terms of international rights. In Lideta, AACA took some measures to solve the lack of the money to pay the down payment and provide adequate housing. The first was that out of 917 tenants, 200 women who were not able to afford to pay the down payment, but not willing to be relocated to kebele houses provided loans to help them pay the down payment for Studios. The AACA, approaching the Network of Ethiopian Women Association (NEWA) and Addis Credit and Saving FC through the wereda 08, provided such loan. This was accompanied by training, work place and marketing support to be used for the down payment and monthly installments to help them begin their own small-scale enterprises. These include brick-making, bread-making and instant food preparation and sale. Most

beneficiaries, all authorities and professionals explained that they were offered all these not only to repay their loans, but also to pay monthly installments and become homeowners in the end.



Photo 1: The photograph of handed over production material in Lideta 08 wereda administration office

These female headed households were given temporary work places to make temporary makeshift shelter inside the Lideta renewal sites until they were prohibited to work there one year after. At the beginning, they were told that they can use the work spaces after demolition until at least construction of Lideta renewal project completed. In the beginning, the bricks and instant foods they produced were sold back to the daily laborers in the Construction Company working in Lideta renewal sites. As one beneficiary and two wereda officials informed that most of them began to improve their livelihoods generating income and pay back their loan and monthly installments. These sources added that they began to earn additional income in order to expand their businesses and invest in improving their standard of living. About one year after, they were told to leave the area, demolishing their temporary work places and taking their properties. They were

also told that they couldn't get any work place in the renewal site. Afterwards, the AACAA took over working spaces in renewal sites. Apart from two associations having six members each and working outside renewal site, they lacked any business possibility, and handed over production materials to wereda saving and credit Office. The first was the associations involved in the preparation and selling of instant traditional food in Lideta at the rare side of BGI brewery factory in Lideta 08 wereda. Another was the group in Abuye Meda producing bricks still in wereda 08. Consequently, most relinquished producing bricks and instant foods after a year and stopped paying their loans. However, sources in the city and Lideta Sub-city LDMB had no knowledge of the whereabouts of most of these residents and whether they were paying their loan or not.

This intervention indicated that they were offered such work places, training and loan, simply to provide them adequate housing so as to convince and expedite relocation which was resisted by the residents. It also indicated that they had no concrete strategies or well thought out ever lasting solution to provide adequate housing to the poor. This accidental measure was not a planned program and sustainable, but sub-standard. This may exposed these beneficiaries to threats of market evictions by selling condos. Perhaps, they may become homeless if they did not rent out, sell or exchange their homes informally. Additionally, the government seemed to lose the money which can be used as a revolving fund for the upcoming renewal projects. Because of the exclusion of such measures and support for Basha Wolde residents, there were 144 poor tenants waiting the kebele owned houses for more than one and half year. It breached the RPF rules and the constitutional rights that require the application rules consistently, uniformly and impartially.

This was the only intervention by an NGO so far in Addis Ababa renewal sites. Although it was limited to female headed households and to Lideta renewal sites, and exposed the beneficiaries to threat of market eviction, the AACAA fulfilled its obligation to provide houses for those unable to provide for themselves to the extent of available resource and means. The AACAA did not ask the affected Lideta residents to wait for economic development to happen before their rights to adequate housing is respected. In conformity with the ICESCR, AACAA also gave due priority to those social groups living in unfavorable conditions by giving them particular consideration. It was a commendable measure to respect residents' rights to adequate

housing even if a country had no sufficient resource offering priority to these societal groups consistent with the ICESCR.

Apart from loan provision, kebele house renters in Lideta were also offered the opportunity to pay the 20 percent down payment in three stages to reduce their potential financial burden. Residents in Basha Wolde II however were not given such options, despite their request. A participant in the final meeting said “We were forced to leave our previous area and came here before five years. Now, we are on the way to move to kebele owned houses in other relocation sites for the second time in five years. We could not bear to move again to kebele owned houses.” She further explained “We are poor, already lost a lot what we had before because of the first relocation. We had limited time to coup up and save money for the down payment.” She continued and asked AACA representatives in the meeting: “We request you to give us the opportunity to pay the down payment in to five stages as you did it in Lideta. Unless and otherwise, we will be moving from one part of Addis to another, accepting kebele owned houses.” The AACA decided otherwise and treated them like others who did not suffer again from relocation and those in the housing backlog or demands. It is unfair to give similar opportunity or options to pay the down payments for new beneficiaries eligible by lottery method and the affected households by the government program contributing land use rights and houses to URP. This is mainly because they were the least prepared and the worst to be affected. Thus AACA did not consider the realities of these dwellers and did not view that urban renewal intervention as context specific since different groups of poor face varying constraints when looking for replacement accommodation or the capacity to pay down payment from their neighbors. The compensation and resettlement sub process argued that it is the operational procedures of Addis Ababa Housing Development Agency that we followed strictly. Nonetheless, they did not follow the procedures strictly by giving this opportunity to Lideta residents, but denying to Basha dwellers. It implies poor land governance framework as it was not tailored to the needs and interests of different groups.

8.2.2 Relocation to public or kebele owned houses

As noted earlier, the only option for the poorest of the poor was public or kebele owned houses, which were deteriorated and slated for demolition and reconstruction. One female household relocated from Lideta to wereda 06 kebele owned houses in Gofa area, Nifas Silk Lafto Sub-city expressed that she received two rooms less than her previous home, sharing one latrine for two households. Another individual in the

waiting list in Basha Wolde also reported that he was offered a kebele owned house in another wereda within Arada Sub-city. When he visited the house, he discovered that the new kebele house was of a poor quality and did not offer the same facilities. For this reason, he rejected it and was in the waiting list for replacement housing. Officials at all levels affirmed that kebele houses were in similar or bad conditions, but they were given as replacement for the relocated persons because the down payment disqualified the poor. Arada Sub-city and Land Development and Urban Renewal Projects Studies, Design and Implementation Follow-up sub process officials verified that tenants who used to have two or three bedrooms may not get what they used to have. They rather will be given random kebele houses without consideration for what they lost, since it might be difficult to find them a similar house. These evidences substantiate that residents were relocated to kebele owned houses that were in bad conditions compared to their former houses and were not habitable.

Relocation to public rental houses with insecure tenure was of particular concern for poor public house renters. Kebele owned houses in inner city areas have been slated for demolition in the Master Plan. Arada Sub-city officials in the Addis Fortune news letter vol.11 no 533, 2010 explicitly put: "This is an inevitable reality, sooner or later ... around 140,000 kebele houses from all around the city will be demolished", according to the city development plan. A good example in case was that five households out of 170 tenants that moved from Lideta wereda 08 to Sengatera area within the same wereda received eviction notice five months after their first relocation. They suffered relocation again because this area was meant for Sengatera II Financial District in the LDP. Likewise, some other residents in the Basha Wolde reported that they were relocated to this area before five years due to road construction suffered relocation again in 2012, as observed in the video recordings of consultation meeting. Finally, one old man in Basha Wolde waiting for replacement housing reported that he was offered kebele house in kebele 21 within the same wereda. He however heard from informal channel that the area in which the kebele house found will be demolished in the near future. He then refused to accept it and waiting for replacement housing. This indicates that kebele houses as alternative housing to residents have no tenure security. It thus did not fulfill the right of relocated households to adequate housing.

Kebele owned houses were not only in bad conditions, smaller in size and insecure, but also limited in supply in Addis Ababa to replace the relocated people former houses. There was no enough kebele rental housing to make adequate large scale relocation possible. The above Arada sub city official authority in the

same source reported that the administration "... will not just leave those who ... cannot afford condos; we will provide them with other kebele houses. However, the kebele houses will only be given to them once they become available..." This narrative indicated that kebele houses to replace for evictees were not available as required. As noted above, the available ones are designed for demolition in the near future and not habitable. One hundred forty four resident in Basha Wolde II that were living in a largely demolished neighborhood waiting for kebele owned houses for one and half year confirmed this fact. All the above evidences and narratives substantiated that kebele owned houses did not provide privacy, adequate tenure security, or enough space for the family to live in a safe and healthy manner and were not habitable. AACA and LDBURPO knew that the areas in which kebele owned houses found were meant for URPs or demolition and was familiar that they were deteriorated and in short supply. Despite the AACA's recognition and such evidences, kebele houses were given as an alternative to relocation for poor residents.



Photo 2: The picture of the largely demolished or almost crumpled area of Basha Wolde II where the remaining 214 residents resided waiting for replacement accommodation or compensation during field study

Poor tenants in kebele owned houses were not thus given genuine choices among technically (land use restrictions) and economically feasible alternatives. It was therefore unacceptable to offer kebele owned houses as alternatives to relocation for the poor. AACA was moving in opposite direction to its promises of respecting the right of residents to replacement housing and to its aims of improving the living and working conditions of residents. Poor households whose shelter prior to relocation were substandard that do not give privacy or security should be provided with resources and other measures to ensure access to adequate housing. This can occur either through the direct provision of housing to relocated people or the provision of sufficient funds for the purchase or construction of adequate public low cost rental housing.

The former city manager of Addis Ababa and the current Minister of MUDHCo made an interview with "Addis Endegenä", the former LDBURPO Magazine vol. 1 no.1 in 2010. He was asked that why the poor residents were relocated to inadequate kebele houses if the objective is to improve the living and working conditions of residents? He responded that "It is not the responsibility of the government in the country where free market economy is promoted. They are expected to save and purchase condos". He added that AACA could not help them if they did not put some effort to work and save money involving in poverty reduction strategies of the city. For the same question in the case study interview, LDMB leaders and professionals at MUDHCo and in Addis Ababa defended this notion arguing that all public house renters were eligible for condo purchase. They pointed out that the government was following free market economy and made available several poverty reduction strategies or income generating opportunities. It was not the government's responsibility to provide them housing. It is thus up to the residents to save and invest for housing and become homeowners. The implicit assumption underlying the government's role in ignoring to take appropriate steps is free market economy in which the residents must provide homes for themselves by saving their income and involving in the small scale businesses. One city land professional expressed the situation very well saying that the demand of the city administration from the poor who lived in deteriorated areas and in poverty for long is similar to the way a boy makes demands from his parents irrespective of his financial capability. Given the realities of the poor, the AACA was expecting what is beyond the financial capacity of the poor.

These officials blamed the poor residents for not saving and buying condominiums. A rights-based approach rests on the belief that those who do not enjoy the fulfillment of their political, economic and

social rights are not to be automatically blamed for their lack of finance to pay for down payment and in not saving. This condition also carries the implication that the government holds no responsibility for the marginalization of the poor and in ensuring their economic and social well-being. If the AACA believed that poor residents were responsible to save for condominiums purchase, why the city administration provided loan for down payment of 200 women and extended the down payment to three phases to others in Lideta? It is needed to note that this notion was forwarded after the relocation of Lideta residents and the area demolished for construction, but before Basha Wolde renewal commenced. It was an indication that the city administration decided to stop raising funds for loan to relocated households down payment and extend it in three phases in Basha Wolde after Lideta residents successfully relocated.

These condemnatory words raised parallel questions. Who has the duty to fulfill the right to adequate housing especially in a country where government controls land, low cost housing construction, loan, work place and decides the policy beneficiaries? Why the government expected saving from the poor for the government designed, decided and implemented program? Who is responsible for relocation and to provide adequate houses for those unable to provide houses for themselves? Who is responsible to graduate them from the deep-seated poverty level in inner city areas through poverty reduction strategies, which has been under way in the city? The MUDC (2006) admitted that proliferation of slums and the already available abject poverty in inner slum areas are the outcomes of failed policies, poor governance, inappropriate planning regulations, lack of political will and dysfunctional land markets. According to the CESCR, a general decline in living conditions is directly attributable to policy and legislative decisions by States parties. Those people who were unable to save should not be therefore blamed, but the system that has exposed them to abject poverty.

As noted above, condominiums were expensive to the poor inner city residents. It is known that the poor are not only the least prepared for eviction to cope up, but also the worst to be affected (UN Habitat, 2011d). Understanding this, the belief that the government who is responsible to evict residents is also responsible to provide adequate housing has developed (Ibid). The above officials' arguments did not concede this notion and they were doing in opposite direction to ICESCR in which Ethiopia is a party. What this argument ignored was the fact that they did not request the government to become homeowners and did not prepare for the government projects and eviction. Their argument also paid no attention to RPF

reminding that assistance should be provided to legal tenants affected by the project to find alternative accommodation.

Their argument is fallacious because even under the market economy, but beyond gift or aid, the city administration can solve the problem of affordability and improve their livelihoods in order to give them adequate houses. For instance, intervention similar to Lideta can be given until they improve their livelihoods and purchase condos, and the provision of condo size they want and other benefit sharing strategies stated in Master Plan and RPF. The principle of free market applied when the government wants to increase the lease value of land and to provide deteriorated houses in a similar quality or in bad conditions. It however was not to value their property in paying adequate compensation. To deny adequate compensation and housing for residents, the AACAA critically followed rules and applied free market ideology. It however practiced otherwise to protect and serve the government interest.

In addition, the government continues state ownership of land to provide land or housing for the poor who are unable to afford the price under the free private market competition assuming the social role of land. That argument is not in conformity with good land governance perspective and with the purpose for which the government becomes a lead actor in land policy processes rather than market forces. In this respect, it is only the government that plays a unique role in managing land and its use to protect both public and private interests. It is also inconsistent with the country's land principle in that the main reason behind government ownership is to achieve equity in land and land related resources allocation. It totally focused on the economic efficiency at the expense of social justice assuming land only as an economic asset. This is the main characteristic of private ownership of land. As Cernea (2008) explained, optimizing profit is non-governmental. The AACAA therefore acted as private player in the market. Under the pretext of the concept free market, the AACAA protected and served the government interest.

Some attributed the problem to the inner city development or resettlement plan that lacked concrete strategies to provide adequate housing for the poor. There was no adequate welfare housing system in Addis Ababa for the poor relocated people such as condominiums rental and land allotment for tenants. As a result, the poor were relocated to the deteriorated kebele owned houses which the URP purportedly intended to avoid. Another reason was related to the inability of the city administration, professionals and planners to take into account the needs and constraints of the poor in policy or plan preparation and

implementation as the fundamental factor upon which to base their views. Furthermore, the relocation of the poor to public rental houses slated for demolition and in bad conditions was directly attributable to policy and legislative decisions by the government that involve kebele owned houses as replacement and exclusion of measures to offer them adequate housing. It was also related to the setting of beneficiaries' and the priority of given in policy and practices. AACA did not give due priority to the poor people needs, priorities and constraints by giving them particular consideration. It rather seemed that the policies and legislation were designed to benefit the already advantageous social groups at the expense of others. Policy making process and urban planning were thus not inclusive and pro-poor. Finally, lack of government will to reverse the situation and address the adequate housing rights of residents was another reason.

All residents were offered the opportunity to pay the down payment in three stages and to take loan for down payment. Out of 932 tenants in Lideta, however, 170 households (18.2 percent) picked kebele owned houses elsewhere in the inner city areas of Addis Ababa. Some professionals and wereda officials in Lideta revealed that most of the female headed households were relocated to kebele houses and did not use this opportunity fearing the risk of group collateral and the ensuing loss of houses by the Banks. They added that paying the down payment in three stages was no longer an option for these residents. This is because they had no such money and thought that they were unable to pay monthly installments.

Fifteen percent of Basha Wolde II (144) households applied for kebele owned houses from the available alternatives. These dwellers were waiting for such houses in other places as replacement accommodation. Only very few were provided houses designed to be demolished and in a bad conditions, while most of them could not find kebele houses. The former ones refused to accept such houses. As a result, they did not get houses even one and half year after all other neighbors relocated from the Basha Wolde except them. The wereda and Arada Sub-city officials admitted that they could not find sufficient replacement kebele houses since they were not available to meet the needs of the residents. In the mean time, some neighbors who left a year ago have told them to choose condominiums with either three or two bedrooms and how to change them with one bedroom or single room and additional money even if they had no money for down payment. It was substantiated by one young relocated household in Semit who exchanged three bed rooms by one bed room accompanied by additional 60, 000 Ethiopian Birr, equivalent to 3158 US Dollar (one dollar was equal to 19 ETH Birr at the time of field work).

After recognizing the absence of kebele rental houses and residents refusal to take inadequate houses the sub-city administration promised to offer them condominiums as replacement. At that time, they changed their mind and nearly all applied for either three or two bed rooms. Meanwhile, the administration formally offered the opportunity to choose either condos with one bedroom or studio. The government rejected this options understanding that they requested three or two bedrooms to informally transfer or change and incur money as explained by the FGDs. Officials in the Arada sub-city attested it to the absence of three or bed rooms in Addis Ababa. They however refused to pick what was offered by the sub-city administration. Wereda and sub-city officials forced and intimidated them to take either single room or one bed room. In the FGDs, the participants firmly stressed: ‘they will not accept anything less than two bedrooms’.

Table 8.8 The request of the affected people and the condo size they received

<i>Request</i>	Gofa				Semit				Total			
	yes		No		yes		No		Yes		No	
	Frq	%	Frq	%	Frq	%	Frq	%	Frq	%	Frq	%
Receive the condo size according to your first request	11	100	-	-	11	55	9	45	22	68.3	13	31.7

Source: Own computation

The AACA mostly gave the right to purchase the preferred size for those requesting condos at the beginning. Sixty four percent of the relocated people (all residents in Gofa, but 55 percent in Semit) revealed that they received condos according to their request (Table 8.8). Most interviewees also described that there was no problem in receiving condo sizes they want. However, few had a different opinion especially those who request three bedrooms informed that they got two bed rooms although they had large family size. This indicated that those requesting two bed rooms in particular received according to their request. Further, this researcher contacted a single individual with no additional family in Semit who received three bed rooms. Therefore we can say that condos were allocated according to relocated households preference and buying power, but not on the basis of household sizes for those already relocated. The provision of condos according to request therefore was no longer the problem and largely respected.

Nevertheless, it was the problem for those in the waiting list in Basha Wolde as they were forced to take condo sizes proposed by the AACA. The AACA directive provides the relocated households the right to freely select the condo sizes of their choice if sufficient condos are available. Otherwise, it is based on the household size. In practice, however, this right was restricted through bureaucratic obstacles and

government pressure for residents in the waiting list to receive condominiums. This suggested that adequate housing provision was not only marred by the affordability issues but also by lack of sufficient condominium units to make large scale relocation possible. This is confirmed by the fact that there were 144 residents requesting kebele houses as replacement accommodation for one year after their neighbors relocated, especially condos with three and two bed rooms.

On the flip side, some government officials and professionals reported that urban renewal has reduced poverty when they were asked the benefits of renewal opposing the research reports that it impoverished the relocated households. They reasoned that relocated poor residents got income by renting out, selling or changing their condos. This argument contradicts with government refusal to provide them the condo size they requested since the exchange of three or two bedrooms with one bedroom or studio means the provision of affordable replacement housing and indirectly empowering the poor and reducing poverty. Providing condo size they chose at least two bedrooms irrespective of their household size for all in Lideta and for those relocated from Basha imply unequal treatment of relocated households. The government failed to live up to expectations to accept residents request for three or two bed rooms condo choices, let alone in providing houses for those in waiting lists in Basha Wolde. The AACAA did not however demolish their houses although they refused to accept anything less than two bedrooms. It therefore kept its words that the residents will get to stay in their current homes until houses will be given to them. It is in agreement with national and international laws and must be replicated in other renewal sites.

Replacing the relocated people with inadequate kebele houses implies that the AACAA interpreted adequate housing as the shelter provided by merely having a roof over one's head. The provision of public rental houses as alternative to relocation showed that the AACAA required this prime area because it is sought after and expensive but not to improve the living and working conditions of the affected people. If this was not the case, inner city dwellers would never be relocated to old and dilapidated inhabitable houses. Of course, AACAA directive affirms that "if they do not want either condo purchase or public rental houses", they can make their own options. It was not a question of want. The poor tenants have no option other than choosing kebele rental houses even houses in bad conditions that exposed them to relocation again. Therefore, if this legal gap is not closed and continue in this way, the right to adequate housing in the international law and the objectives of improving the living and working conditions of residents and the reduction of poverty in the policy and Strategic Plan will not be materialized.

8.3 Date of Relocation

Although Article 4 (2) of Expropriation law specifies that the period of notification to be given is determined by directives, it restricts that it should not in any way be less than ninety days. This is consistent with international standards. This was a good step towards recognizing and respecting rights of residents in this regard. From the above reading one can understand that the AACAA does not have the right to decrease the 90 days mark. However, the AACAA directive No 3/2010 and even in the new directive No 14/2013 limited this notification date to only 45 days for homeowners and 30 days for public house renters. It is not legitimate and reasonable to deliver the notice just 45 days for homeowners and 30 days for public house renters in the directives, given 90 days in the national and international laws to all relocated households irrespective of housing tenures. Some respondents, from the city and sub-city compensation and resettlement sub-process, argued that since the AACAA made ready the condos for relocation and if they are provided with one year relocation compensation to rent houses, 30 days is sufficient for tenants to be relocated. However, there are some reasons not accept this narrative. First, AACAA took one year and half in Semit and three years in Lideta condo sites to complete condominiums, furnish with infrastructure and made the houses habitable. In the meantime, beneficiaries of condos from Basha Wolde and Lideta remained in private rental houses. The researcher also observed the delay in condo construction to make them habitable in Semit and Lideta sites. Second, the overwhelming majority of interviewees from Basha Wolde and Lideta felt that 45 days for home owners and 30 days for public house tenants were inadequate. Thirty and 45 days windows are therefore inadequate, given the need of a longer period of time within which to coup up the situations, and organize and take their belongings to the new private rental homes.

Once approved a Memorandum of Understanding by the residents' representatives and the AACAA, homeowners and tenants were given a 45-day and 30-day windows, respectively within which residents had to vacate their homes in both Lideta and Basha Wolde. Seventy two percent of relocated households in Basha Wolde felt that eviction was carried providing inadequate and unreasonable notice prior to the scheduled date for eviction (Table 8.9). In Lideta, however, 72.4 percent relocated persons did not share this feeling. This variation was caused by the difference in the deadline date of relocation between these two renewal projects. In this regard, the majority of homeowners and public house renters in Lideta reported that they were forced to be relocated after a period of 45 and 30 days of the agreed date of

relocation, respectively. They were thus relocated according to the AACA directive and the agreement made in the Memorandum of understanding although it breached the national government Expropriation law. Basha Wolde residents reported, however, that both homeowners and tenants were relocated in less than 30 days. The AACA thus violated its own directives and Memorandum of understanding let alone respecting the minimum 90 days span of the national law.

Table 8.9 The scheduled date of relocation (at least 90 days)

Renewal sites	Date of relocation (before 45 days)	
	Yes	No
	Freq (%)	Freq (%)
Lideta	21 (72.4)	8 (27.6)
Basha Wolde	10 (27.5)	26 (72.2)
Total	31 (47.7)	34 (52.3)

Source: Own computation

This showed variation in enforcing even the 45 and 30 days of advance notice recognized in the AACA directives in Lideta and Basha Wolde II. It was unlawful and unjustifiable to enforce varied scheduled date of eviction in different renewal sites or enforce the rules of the game inconsistently. Given the AACA promised to make the Lideta the model URPs and replicate it in other renewal sites, it moved in opposite direction to its promises. AACA was also moving in the opposite direction to its obligation of respecting the rights of all affected persons to adequate and reasonable notice prior to the scheduled date of eviction. The national government also did not take any measure on AACA to enforce the ninety days advance notice impartially. It thus contradicts or breached the supremacy of the Ethiopian expropriation law and the international laws by going beyond its responsibilities. It also breached the constitutional supremacy that everybody is equal in front of the law and impartial implementation of the law.

Two professionals in the city and Arada sub-city reported that the AACA ordered the affected people to leave the area before the agreed date of relocation in the directive and Memorandum of understanding. The then LDBURPO of the city was thus in a hurry to expedite relocation and begin demolition and reconstruction, which was ordered from unknown high ranking officials. Their explanation to this was that the area was needed by the government for special purposes that should be accomplished in an expedite manner. In order to carry out relocation as soon as possible, the AACA employed any measures available. Wereda and sub-city officials had begun door to door services as a campaign in one day of May, 2012. They informed residents to vacate their homes and the neighborhood within a short period of time before the deadline date of relocation. However, most households delayed their move to organize their departure.

FGDs and interviewees of case studies further explained that the youth group organized by the wereda administration attempted to remove the roofs and windows, while residents were at homes. At this time, "We went up to the wereda 09 officials in charge and asked them to give us time to coup up with conditions, find private rental accommodation and take our belongings to the new rental homes. The officials then ordered them to stop threatening and removing the property until they were told to do so". After some time, Wereda officials also forced residents to vacate immediately prior to the scheduled date of relocation by intimidating and threatening residents. Following this, the youth group came to our neighborhood to do the same in another day. At this time, residents in group attempted to beat the youth demolishing group and forced to stop removing the roofs, doors and windows of their homes. Wereda and city LDCRA professionals claimed that the AACCA forced them to leave Basha Wolde area by labelling those resisted to stay until the agreed date of eviction as detractors and anti-development. According to these sources, it was a response to the City council request for the swift relocation of residents, clearance and reconstruction of the area.

Case study respondents on their part explained the situations that shops were demolished as soon as the Memorandum of understanding was approved before homeowners and tenants vacated the area. As a result, they travelled long distance to buy consumable goods. For them, it was as a means to speed up relocation. These had contributed to discourage staying in the area or directly and indirectly forcing residents to leave the area before the dead line date of leaving the area.

Case study respondents however added the encouraging factor in addition to intimidation and attempt to demolish their homes that speeded up relocation before the 30 days mark. This was attractive large sums of money that were provided as displacement compensation for four months to rent private houses in accordance with the floor size of their former houses. Particularly, those with large floor sizes accepted the move first. In contrary, the wereda political officials in the wereda 09 did not even concede the removal of properties while residents were inside their house and intimidation by AACCA, let alone the use of police force to evict them before the date of eviction. One knowledgeable key informant reported that the youth group removed the roofs and windows, exposing them to rain and sunlight. He added that the administration used the police to force the residents to vacate immediately in at least one case. It seemed that he had an in interest to exaggerate a problem because others denied the use of force, describing that

no one was exposed to sun light and rain. They however accepted their attempt to remove the roof of relocated households houses and intimidation.

Although the government did not use the police and carry out demolition while they were at home; Wereda and sub-city authorities used diverse pressure tactics to expedite relocation. These include intimidation, verbal threats, removal of shops, and attempt to remove the property while they were at homes. Such practices clearly violate not only the right to housing but other human rights, like the rights to non-interference with one's home, as set out in the ICESCR. The sub-city administration therefore ignored its role of protecting lawful residents that demolitions would only go forward at the end of 30 days from the date of compensation.

8.4 Location of relocation sites

Beginning from in-situ relocation, rich home owners achieved their claims of remaining in Lideta renewal sites in 2009 as explained in chapter seven. Basha Wolde rich homeowners were also allowed to in-situ relocation since this right was recognized in the directive No 3/2010. As a result, 80 (20.6) homeowners in Lideta and 58 (21%) in Basha Wolde were offered land alternatives to build residential houses according to plan in their original or renewal sites. Arada sub city and city level compensation and resettlement sub process added that they were given in-situ relocation in accordance with the Addis Ababa city administration investment law that gives priority to occupants of any urban plot to develop the site according to the master plan. The rich were relocated to areas most suitable for livelihoods.

Table 8.10 Livelihoods and living conditions of residents in relocation sites

	<i>Livelihoods in relocation sites</i>				<i>Living and working conditions in relocation sites</i>				
	Significantly improved	Remain the same	Decreased	Becoming worse	A lot better	Better	No change	Worse	A lot worse
	Freq (%)	Freq (%)	Freq (%)	Freq (%)	Freq (%)	Freq (%)	Freq (%)	Freq (%)	Freq (%)
Lideta	5(100)	-	-	-	3 (60)	2 (40)	-	-	-
Bash	-	-	-	-	-	-	-	-	-
Gofa	-	2(15.4)	7(53.8)	4(30.8)	-	-	5 (38.5)	8 (61.5)	-
Jijiga sefer	-	-	5 (45.5)	6 (54.5)	-	-	6 (54.5)	3 (27.3)	2 (18.2)
Semit	-	-	3 (42.9)	4 (57.1)	1 (5)	1 (5)	4 (20)	12 (60)	2(10)
Ayat	-	-	9 (100)	-	-	-	-	4 (44.4)	5 (55.6)
Total	5	5	24	14	3	3	18	27	9

Source: Own computation (Data in the bracket is percent)

All residents relocated to Lideta renewal site revealed that their livelihoods significantly improved and their living and working conditions became better (Table 8.10). Basha Wolde residents revealed that their livelihoods remained the same and the living and working conditions made no change given the survey was made nine months after their relocation. It is also going to be improved for these residents. Interviewees suggested that since they were on the process of constructing their homes in both sites, not only their livelihoods and living conditions, but also open spaces, passerbys for ambulances and fire lanes and sewerages will become a lot better. The legal recognition of the rights of rich home owners to stay in their former location is a radical departure from the past renewal projects and a giant step towards respecting the right to remain involving residential houses in the LDP and in practice.

In spite of this improvement, dwellers that could not afford to build houses compatible with the city Master Plan were relocated to the outskirts in the margins of the urban economy. Generally, 79 percent homeowners (309 households from Lideta and 219 from Basha Wolde) were relocated. The case study relocation sites, Jijiga sefer and Ayat-Arat Kilo sefer, were not in similar conditions to job opportunities. Interviewees with homeowners relocated to Jijiga Sefer and around Ayat village disclosed that the lands replaced were inadequate in terms of suitability of relocation sites for job opportunities. This was confirmed by the survey result that 90 percent of residents in Jijiga Sefer reported the decline (45.5 percent) and becoming worse (54.5 percent) in their livelihoods, respectively (Table 8.10). In Ayat area, all informed the decline in livelihoods. This was substantiated by the residents' report that their living conditions in general became worse compared to their original inner city locations (Table 8.10). Sixty two percent of Jijiga Sefer settlers rated their living and working conditions as worse while 55.6 and 44.5 percent Ayat dwellers rated as a lot worse and worse respectively, in relocated areas.

The case study relocation sites, Jijiga sefer and Ayat-Arat Kilo sefer, were not in similar conditions in infrastructures and services from their original settlements. AACAA gave land alternatives not furnished with infrastructure and services. These respondents also reported that they could not get these services as soon they reached in the relocation sites. As table 8.10 shows that 72.7 percent relocated from Lideta had water, electricity and road while 88.9 percent from Basha Wolde disclosed that they had electricity, water and road in their former locations. The major problem in the original sites of Basha Wolde was sewage. Nonetheless, all residents in Jijiga sefer revealed that they received water, electricity and road while all relocated households in Ayat Arat Kilo sefer informed that they had only water and road in relocation sites. In my

second observation in 2015, Arat Kilo Sefer dwellers added that even after three years, they could not access electricity contributing 1000 ETH Birr. The above table suggests that sewage, public schools and health centers became worse compared to their former deteriorated areas, but electricity was not available for three years in Arat Kilo Sefer in Ayat village. The land given to most homeowners in relocation sites therefore were not suitable to job opportunities with limited access to roads, electricity, water, sewerage, public schools and health centers. The policy which was designed to improve their livelihoods, infrastructure and services did not materialize but rather became worse.

As noted earlier, some tenants in kebele owned houses in Lideta and nearly all in Basha requested in-situ relocation in their former areas. Kebele house renters were eligible to take condominiums in Lideta. Out of the 650 households who picked condominiums, only eleven had chosen condo units in renewal sites from the available options waiting until construction is completed. The rest 639 households (98.3 % of them) had chosen permanent relocation elsewhere because they were not certain that condo units will be completed within a year. Fearing renting private houses at their own expense until condominium units are made available for which they were not prepared, the majority chose readily available condos in other sites. These sites included Mihilliland, Tsehay Gebat, Gofa, Gotera etc. Of 2300, the AACA distributed 2289 (99.5% of) condo units in most suitable Lideta area for living and working to new beneficiaries that contributed neither land nor housing use rights to URP in February, 2013.

Table 8.11 Frequency of facilities in their previous locations and in the relocation sites

Relocation sites		Facilities in their previous area		Facilities in relocation sites	
		Frequency	Percent	Frequency	Percent
<i>Jijiga Sefer and Ayat resettlement sites</i>	Water, electricity, sewage and road	8 (1)	72.7 (11.1)	0 (0)	0 (0)
	Water, electricity and road	3 (8)	27.3 (88.9)	11 (0)	100 (0)
	Water and road	0 (0)	0 (0)	0 (9)	0 (100)
	<i>Total</i>	11 (9)	100 (100)	11 (9)	100 (100)
		Facilities in their previous area		Facilities in relocation sites	
<i>Gofa and Semit condo sites</i>	Water, electricity, sewage and road	13 (0)	100 (0)	13 (0)	100 (0)
	Water, electricity and road	0 (0)	0 (0)	0 (0)	0 (0)
	Land had been on the process of developing	0 (20)	0 (100)	0(20)	0 (100)
	<i>Total</i>	13 (20)	100 (100)	13 (20)	100 (100)

Source: Own computation (Data in the bracket is for Ayat and Semit)

In another instance, 376 households were relocated to relatively nearby condo sites in Gofa and 164 to Gotera, which together gave rise to 540 residents. Particularly, Gotera and to some extent Gofa provided suitable relocation sites to livelihood opportunities roads. Most residents in Gofa explained that they had

locational advantages. First, the livelihood opportunities are better than those relocated to Mikililand, Tsehay Gebat, Semit, Jemo and Gelan. Second, the cost they incur to travel to and from their former work places was shorter compared to other condo sites at least at the earliest stage of relocation until they find jobs in these areas. Finally, the income they earn from renting out their houses for those unable to cover the monthly installments is larger. In this regard, the monthly rental value of studios, one bedroom, two bedrooms and three bedrooms in Gofa site at the time of field work were 1500birr, 2500birr, 3000birr and 3500birr while in Lideta renewal site it was 2500, 4000, 5000 and 5500 birr respectively. Similarly, in Semit it was 1000, 1500, 2000 and 2225 respectively. Those relocated to Gotera followed by Gofa had locational advantages at least equivalent to the advantages of their former sites. This suggested variation in livelihood opportunities between different relocation sites. This may be attributed to the proximity of Gofa than Semit to their former location and to urban economy. This might help residents to improve their income through time following those relocated to Lideta and Basha redevelopment sites. As this researcher observed, it had better infrastructure, open space, green areas and other services than their former dilapidated areas. It therefore greatly increased the possibility of positive relocation consequences. It was in conformity with the 2002 revised master plan, which vows to minimize eviction, if unavoidable to relocate dwellers to nearby locations not to disrupt their livelihoods and social capital. In terms of relocation sites for job opportunities, infrastructure and social amenities, it was a successful relocation because they were relocated to areas where they derived income with improved image roads, sewerage and open space.

Tenants in Basha Wolde tenants also requested in-situ solutions in the meeting thinking that condos will be constructed. Despite their claim the right to remain in their former location was totally prohibited providing them wrong information. Consequently, all kebele house renters in Basha Wolde were relocated to the unsuitable remote parts of the city for job opportunities. They therefore were prohibited the benefits of appropriate location. Basha Wolde residents also requested relocation to nearby condo sites such as Gofa. When Basha wolde II begun, however, there was no condominium in nearby locations. At this time, residents resorted to move further away to the condos in the remote part of the city. These sites include Semit, Jemo, Gelan, etc.

One of the main grievances by the relocated households was that the sites they relocated were unsuitable and too far away from their current location. Because of such relocation, they suffered damage to their well-established income earning activities, as some respondents reported. Dwellers relocated from inner city

neighborhoods with sufficient small and informal income earning activities did not find the same opportunities in new remote areas. Forty three and 57.1 percent in Semit relocation sites revealed that their livelihoods decreased and became worse, respectively (Table 8.10). It suggests that the majority of relocated households' livelihoods decreased or became worse. Interviewees of tenants disclosed that as soon as the relocated households reached in relocation sites, there were no jobs available on the sites. As a result, they were required to travel to and from workplace and to access job opportunities in inner city areas up to 15 kms in Basha. Most residents in Semit claimed that the main problem for them was they could not find jobs and income similar to their former locations. An old woman in Semit explained: "There are jobs that require physical strength and I am too old to work here as a daily laborer." The relocatees in Semit with low income lost the advantage of the inner city where they earned a living doing informal activities. Semit was not in similar conditions to job opportunities from their original settlements and those relocated to condo units in Gotera and Gofa. In contrary, those tenants relocated to Lideta and Basha Wolde reported that their livelihoods either improved or restored. The benefits of URPs and in-situ relocation they will get from the development potential of renewal will also be increased. This reflects that success in relocation process is also determined by the location of relocation sites for it is one of the key elements of the right to at least recover and at best improve livelihoods.

Maximizing the land value to address the socio-economic disruption of existing settlements using the built-up areas for different purposes other than residence is one strategy of the 2002 Addis Master Plan to achieve urban renewal objectives. This strategy reflects that the residents should remain in their former area when the renewal mixes residential and commercial land uses mixing the poor and the rich together. Despite such rules and objectives, most of the affected poor homeowners and tenants that lived for generations were relocated to the land and condos in the margins of the urban economy, disrupting their socio-economic conditions. Their land use rights were instead allocated to developers and prestigious middle income condos to new middle and rich income beneficiaries. Relocating rich homeowners and new beneficiaries to areas most suitable for livelihoods, but the poor to inferior sites reflected that URP and its land use were image building focused and market driven. The government was thus acted like private actor in the market ignoring its responsibility to consider the inner city contexts and the social role of land and the country's land principle, equity. The result therefore was that the very poor displaced made to shoulder the costs of URPs. It violated the rights of relocated households to adequate housing in suitable location for livelihood opportunities irrespective of income and tenure.

The former city manager was on the defense of relocating the affected people to the outskirts instead of exploring in-situ solutions or relocating to nearby locations, arguing that Addis Ababa is situated on 540 sq kilo meters with a radius of 23kms. It is not too far if transportation is made available. It is in contravention to ICESCR that requires the state to displace residents once infrastructures and services accompanied by transportation services are provided to and from work place. Otherwise, they should be compensated for the losses incurred to travel from and to work places until such time. This argument did not consider the poor residents income which was not sufficient for incurring additional money for transportation to travel 30kms (15x2) to find jobs on a daily bases from their meager income.

Another ULDMB leader in the MUDC confirmed the above argument in a different way when replied about condo provision and limited job opportunities in the outskirts. He argued that the AACA tried to resettle at least 10,000 beneficiaries in one area, for example, in Jemo, Gelan and Semit relocation sites. This was not only to provide infrastructures and social amenities cost effectively, but also to create jobs and expand market opportunities and restore their livelihoods. For him, this was done assuming that small market and absence of job opportunities were the main constraints in past to restore their livelihoods. He further clarified that through time the market will grow and provide opportunities to all evictees. He substantiated that the markets and jobs created in the Jemo site have began to expand to the extent of accommodating almost all evictees. He however did not substantiate the time taken by the market to mature or expand, the number of jobs created and whether the relocated residents are involved or not.

His argument has at least two flaws. First, the majority of households relocated to condominiums rest rent out their flats and continued to live in other areas. This indirectly indicated that those who were involving in the jobs created because of large concentration of people in one area seemed to be renters. Second, there is undoubtedly livelihood disruptions until the market become swollen to accommodate them for some years. The best livelihood development programs takes time in order to make the relocated people profitable and restore their livelihoods (Bugalski and Pred, 2013), let alone resettling 10,000 households in one area. It would be difficult to believe that the affected residents got income earning activities similar to their previous locations, hence recovering their livelihoods in the short term just because 10,000 households are relocated in one area providing condos in the outskirts. According to Bugalski and Pred (2013), the government should offer support to the relocated people, "for a transition period, based on a

reasonable estimate of the time likely to be needed to restore their livelihood and standards of living" (Ibid). This implied that the government must give assistance to the livelihoods disruptions for some years until they restore their livelihoods.

Most poor homeowners and all tenants were forced to accept relocation to other areas. One of the reasons that caused relocation of the original residents to these sites was contradictory land use plan and mixed income development. Land use plan restricts the minimum building height to G+2 concrete residential houses. Nevertheless, Both Lideta and Basha Wolde II neighborhoods were arranged to mixed income development. Based on this, the AACA vowed to exploit the good qualities of the old city neighborhoods that mingled the rich and the poor together. However, the poor were relocated to the land and condos in the margins of the urban economy. Poor residents were thus socially and economically excluded because urban planning was not inclusive and pro-poor. It however was not enough to regard the master plan as an economic oriented ideology to relocate the poor and focused on image building and economic efficiency by maximizing the value of land to generate higher revenue.

Another reason was that the shift of the AACA from public low-cost housing to middle class condos, the so called 40/60 Therefore, the subsidized system of public low-cost housing, even if not affordable and accessible to the poor, had given way to prestigious and market-driven public middle and rich income housing. Condo units in redevelopment sites were allocated to new middle and rich income groups, but the poor tenants were relocated to other areas. It was accompanied by the provision of wrong information, which was meant to discourage the poor public house renters and home owners to claim the right to maintain in their former locations. Lack of knowledge also played its own role to weaken the bargaining power of residents and claims to in-situ relocation.

Finally, inconsistencies of legislations and legal gaps played their own roles to the relocation of the poor. The rules of law regarding appropriate location to livelihood opportunities, infrastructure, schools and health facilities in a similar or neighboring area were inconsistent in the Ethiopian legislation. In agreement with international laws, RPF clearly explains that the affected persons are provided with a plot of land with access to similar public infrastructure and services and in a similar or neighboring area. However, ULLP let the location of land to be decided by the city administration. Using this legal gap and inconsistencies, AACA gave land alternatives not furnished with infrastructure and services. Jijiga sefer and around Ayat village

relocation sites were not in similar conditions to job opportunities and infrastructures and services from their original settlements and from those relocated to Condo units in all parts. Absence of specific beneficiaries' of condominiums in renewal sites provided the opportunity for implementers to exclude the affected people and relocate them to other areas.

Some professionals attested the construction of condos in the out skirts to provide infrastructures and other services cost effectively and to use the sought after land for investments and enhance the value of land. It is also attested to the political construction to showcase the condo sites covering large areas to the millions of viewers, including in ETV as a success of government than condos constructed here and there in inner city areas. Indeed, it is directly related to the availability of large tracts of land in utilizing infrastructures cost effectively and for political construction in the outskirts than in inner city areas to construct 10,000 or more condos in one area. While others associated the separation of the poor from the rich and replacing the poor by new beneficiaries with the revenge of the ruling party to penalize the inner city poor residents for what they did during the 2005 national election. Hence, the government decided to distribute these residents in different parts of Addis Ababa to weaken opposition. However, this was not verified from any other sources except one opposition political party respondent.

Relocating the poor homeowners and all tenants to less valuable and inferior sites except those relocated to Gofa and Gotera represents a fundamental injustice because the relocated poor households were made to shoulder the costs of URPs. The case highlighted the inequities of relocation processes. It also showed that the livelihood of the relocated poor homeowners and tenants was of a lower importance than the image building through prestigious building. This explains that the government needed the prime location for maximizing its land value to ensure sustainable economic growth, but not to reduce the poverty level of the relocated poor distributing the income generated from renewal. Relocating the poor to the outskirts with limited job opportunities and services is incompatible to the GTP and urban development policy objective of ensuring sustainable economic growth for reducing poverty and the strategy of preserving all the affected people. This growth therefore was not pro-poor.

8.5 Rehabilitation assistance

The provision of rehabilitation support is one of the basic rights of relocated residents in the national and international law that should be given by the implementing agency, where eviction is deemed necessary. It is noted that livelihood restoration support program is an essential element of resettlement in addition to adequate compensation and housing. Its purpose is to restore and improve the livelihoods of affected poor people to the level they were at pre-expropriation stage. The first domestic legal provision that supports this notion is Compensation Regulations. It elaborates that the purpose of enacting this decree is not only to compensate for lost property, but also to restore their livelihoods.

Rehabilitation support to restore and improve the relocated people livelihoods was not given in Addis Ababa directive. Interviewees revealed that there was no rehabilitation support program to rebuild their dismantled livelihood in resettlement sites. One expert in the directive draft committee informed that the committee had suggested the rehabilitation support, but the city council rejected the proposal due to financial constraints. Wereda loan and saving offices at the destination wereda confirmed that credit for medium and small scale enterprises for residents of the wereda had been given as part of poverty reduction strategy. These officials explained that if they fulfill the eligibility criteria for loan, they can lend the money in group. They however stated that there was no a livelihood assistance program specifically designed for relocated households. All residents reported that rehabilitation assistance to restore their livelihoods was not given. The LDCRA and city compensation and resettlement sub-process leaders revealed that there was no livelihood assistance program for residents evicted by URP. They acknowledged that one gap to respect the residents' human rights is the absence of the rehabilitation support program in the directive and in practice.

In addition, the national government did not monitor the enforcement of this law even if it recognized the exclusion of rehabilitation support. It did not take corrective measures to respect what is expounded in its decree. Exclusion of rehabilitation assistance from the directive and in practice coupled with absence of monitoring and evaluation mechanisms of this right showed that the government had changed its mind to breach its own laws. This illustrated that the government viewed compensation or condominiums as the only way to restore and improve their livelihood and to prevent impoverishment. It was made clear when the question of absence of rehabilitation support was raised. Officials in the LDMBs in the municipality and MUDCHo responded that residents were either paid compensation along with land replacement or given the right to buy condo units. These sources claimed that financial compensation or condominiums purchase

in particular had recovered, even improved and will restore the affected people lost livelihoods. They justified that those offered adequate condominiums with improved infrastructure were becoming homeowners and rent out their homes at prices that covered both the monthly installments and their cost of private house rents. Emphasizing condo purchase, they continued that in cases such as Gotera and Gofa sites they earned additional income for purchasing consumable goods. Based on this belief, the national government and AACA authorities issued reports of success claiming the provision of compensation or condominiums even in the outskirts had restored and in some cases improved the livelihoods of relocated people. These authorities considered compensation or condominiums purchase as an investment to livelihoods restoration and improvement.

This research is challenging this belief as unconfirmed in practice and there are several reasons not to trust such a claim. First and for most, 170 households in Lideta were relocated to kebele owned houses in bad conditions. Of which, five of them faced relocation again. This did not satisfy the criteria of adequate housing. Another is that most households in the condominiums rent out their houses because the monthly installment swallowed their meager income. Renting out condos was a coping strategy, but not a development strategy that help to restore and improve livelihoods. Still another was that the purpose of rehabilitation assistance is to restore or improve livelihoods while the provision of public low cost housing is to provide adequate housing. This explanation ignored that adequate housing provision in the form of condo purchase is one separate right, while rehabilitation support is another right that should be given by AACA to the relocated persons. It thus is treated separately on this ground. Assigning responsibilities for AACA to provide rehabilitation support in addition to recognizing replacement housing in the expropriation law and RPF also assumes that simple provision of condo units does not improve their lost livelihoods. According to Cernea (2008), compensation, condominiums purchase in this case, by its nature is not an investment in the livelihood restoration and improvement of relocated people. It however was only replacement adequate housing for what was expropriated from them.

Moreover, the majority of the relocated households indicated that their livelihoods were decreased and even became worse compared to their original locations. They also disclosed that their living conditions became worse off than they were in before relocation. This result was inconformity with the empirical study in Addis Ababa. Study made by Birhanu (2006) and Tebarek (2008) revealed that the livelihoods of the people relocated to condo cites and to land in the outskirts along with financial compensation were

worsened. Furthermore, this empirical study in Basha Wolde and Lideta documented that compensation was not only unfair but also unable to construct comparable houses dispossessed by expropriation. It therefore was not capable of achieving adequate housing replacement let alone livelihood restoration and improvement. In addition to empirical evidences, theoretical analysis offered that the narrow compensation theory neither restores nor improves the livelihoods or income of the relocated people (Cernea, 2008). He also argued that if compensation is used alone, the result is not development, but the impoverishment of relocated people. For him, compensation is not an investment in the development of relocated households' livelihoods, but it is only a replacement cost to build what was dispossessed by the AACA. This rationale can be applied to condominiums provision alone for the tenants in kebele owned houses.

The last but not the least, acknowledging the absence of livelihood support program as one gap of the directive by experts and officials indicated that compensation or condominiums alone does not recover or improve their livelihoods. All these evidences showed that this assumption was incorrect. AACA thus compromised and breached the right of residents to livelihood restoration and improvement by stating the provision of another right, in contravention to its own laws, research findings and good practices. This was a fallacious argument cultivated and reinforced by the empirically unproven assumption that compensation alone is sufficient for livelihood restoration. As a result, the AACA allocated no investment budget at the outset for livelihoods assistance.

Government employees admitted that there was no financial resource allocated to restore the livelihoods of relocated households at the outset. URPs that dismantled relocated people's livelihoods were not equipped with sufficient financial resources to recover the livelihoods they dispossessed. The government responsible to dismantle their livelihoods is also responsible to rebuild their livelihoods and their houses. Absence of financial investment allocated to rebuild the dismantled livelihoods by AACA reflected that the administration ignored the objective of slum poverty reduction through URP. In order to make this objective feasible, it is necessary to allocate budget for livelihood improvement program in relocation sites. This was related to the belief of decision makers and ULDM officials that compensation alone is sufficient to recover the lost livelihoods. It also reflected that the costs of URIER in Addis Ababa were externalized and imposed on the relocated poor people. As a result, the majority of the relocated households' livelihoods were decreased and their living conditions became worse off than they were before expropriation, as noted earlier.

Apart from compensation or condos purchase alone, financial constraint as another reason for the exclusion of livelihood support program was forwarded by other authorities in the LDMBs at national and city levels. They explained that the City has no financial means to recover the livelihoods and housing conditions of the affected people since Ethiopia is a poor country. This research challenged this argument. First, this research argued that resources were available for supplementing compensation or condo provision with financial investments for relocated people's livelihood restoration and improvement. The sources for supplementary financing could be the maximized land value after expropriation. Maximizing the land value to address the socio-economic disruptions of existing settlements using the built-up areas for different purposes other than residence is one strategy of Addis Master Plan to achieve urban renewal objectives (ORAAMP 2002). Most of the built up area was used for purposes other than residence and relocating most of the poor allocating land to investors, prestigious condos by maximizing the land lease and flats value. AACA was thus expected to avoid socio-economic disruptions of the relocated residents restoring their lost livelihoods by allocating budget to livelihood restoration from the maximized land value and. The dwellers right to restore their livelihoods cannot be compromised by transferring the budget or income AACA earned from maximizing land lease value to other investment projects and starving the resettlement budget as stipulated in the Master Plan. In the case study sites, the AACA therefore did not consider the negative consequences of renewal projects on the relocated people livelihood improvement.

In addition to enhancing the land value, fund rising approaching local and international NGOs and donors similar to Lideta for 200 women households. Undoubtedly, lack of financial resource was a real constraint in Addis Ababa, Ethiopia. Nonetheless, allocating budget to livelihood restoration from the enhanced land value, fund raising and other benefits generated by URPs disclosed that there were ways to mobilize the necessary financial resources to restore and improve the lost livelihoods. This reflects that the major problem was not absolute financial resource scarcity, but lack of political will accompanied by the obsolete belief that compensation or condo provision was sufficient to address rehabilitation assistance.

Chapter Nine

9. Objectives, Losers and Winners of Urban Renewal program

Development projects such as urban renewal that relocate dwellers have both positive and negative consequences. In order to understand these effects, this research therefore will examine the negative and positive consequences of URP on the government objectives or interests and the affected people living conditions and rights. In this part, it treats some of the objectives of URP and its land use changes to identify the focus of the government and its achievements applying the balance principle test and emphasizing inner city contexts. Based on this, this study will explore and identify the primary beneficiaries and then the positively most winners and most negatively net losers of URIER. This helps to identify strategies for affirmative action.

9.1 Objectives and mixed use and income development of URPs

Addis Ababa is the capital city of Ethiopia as well as the seats of the continental and international organizations such as OAU, ECA etc. It, however, is dominated by haphazardly developed dilapidated houses and infrastructures with unhealthy living environments. It thus does not have the status it deserves. Recognizing this, the national government planned to conduct urban renewal in inner city parts of Ethiopia. Accordingly, Addis Ababa has been carrying out a large scale URP clearing the deteriorated unplanned inner city areas and replacing them with planned high rise flats for commercial, residential and office services. The question is now what are the main objectives of government in carrying out URP and which objectives were achieved or not and why? In answering these questions, this research will examine the negative and positive consequences of URP on some of the government objectives and residents rights.

To keep the analysis manageable, this research selected a sub set of three objectives which are of great importance to the human rights of the affected people, MDGs, the public needs of land for economic efficiency and social justice. In addition, these objectives in one or another way involve other interrelated objectives. For instance, building the image of the city has relevance to avoid all urban decay by 2020 and attract investment through planned urban centers. Moreover, land value enhancement has to do with ensuring sustainable economic growth for poverty reduction. Based on this, this research deals with the

objectives of improving the living and working conditions of residents, building the image of the city and the country, and enhancing the land lease value in the light of economic efficiency for social justice or equity.

URP highlights the government and AACA commitment to improve the living conditions of the low-income urban dwellers to meet the MDGs (Urban planning, 2008; ULDMP, 2010; AACA directives, 2010), improve the image of the city (UDP, 2005; AACA Directives) and maximize land values (AACG, 2002b) and thereby ensuring rapid and sustainable economic growth in Ethiopia (Urban Planning, 2008; ULLP, 2011). However, these rhetoric or objectives have to be examined in the actual implementation of URPs whether they were actually practiced and achieved in Addis Ababa inner city areas. The discussion will therefore focus on whether the objectives of improving the living and working conditions of the affected slum residents; image building by avoiding urban decay; and maximizing land lease value are achieved or not. In addition, it will emphasize mixed income and use development as a tool to preserve the inner city residents in the targeted land and mix of different income groups and uses. This has been considered as the good quality of Addis Ababa in inner city neighborhoods since its formation. In order to understand the fulfillment of the objectives of policies and plans associated with URP, the principle of balance, country contexts and good practices will be employed in addition to land governance principles and right-based approach.

9.1.1. Improving the living conditions of the affected people

This part will be dealt with reference to slum poverty reduction or the improvement of living and working conditions of the household in the targeted inner city land. Improving the living and working condition of residents or reducing inner city slum poverty are some of the objectives of URP in Ethiopia in general and Addis Ababa in particular. In this respect, urban development policy (UDP) of Ethiopia explicitly states that the basic principle that guides the drafting of policy documents is to design and implement an urban development strategy whose core objective is poverty reduction in the short run and eradicating poverty altogether in the long run. Parallel to this, Addis Ababa strategic plan in its strategic development framework sets criteria for prioritizing short and medium term strategic issues for action based on their impact not only on revenue increment and economic growth, but also on poverty reduction. However, recent policies and plans use the phrase "poverty reduction" in a different way. ULDMP and Urban Planning proclamation of Ethiopia under Article 41 assert that urban renewal is an undertaking aimed at improving the living and working conditions of residents. More specifically, MDGs declares that the government has to decrease not

only slums but also slum poverty. Improving the living conditions of the affected people and reducing slum poverty, thus, are treated interchangeably as if they are similar.

The first issue regarding this objective is that tenants in kebele owned houses were relocated to inadequate kebele houses mostly in a more deteriorated situation in another area that were set aside for urban renewal and demolition. They had inadequate tenure security. The government in its MDGs and AACA in its draft restructuring document vowed to avoid ramshackle and old inner city areas by 2020. The relocated people to kebele houses therefore will be relocated in the near future. The extreme case of this was that relocation happened in Addis Ababa case study sites twice. As stated before, tenants relocated to kebele houses in Segatera commercial area in 2009 were relocated to other relocation sites again five months after. This process did not provide them sufficient time to coup up the restraints of the first relocation, hence further marginalizing evictees who had already suffered of URIER. It negatively affected the residents' meager assets and coping mechanisms. The ability to reestablish their livelihoods was worsened by the absence of rehabilitation support program in Addis Ababa. In all these cases, the residents were relocated to inadequate kebele houses on the same sub-standard or in bad conditions which URP intended to remove. Their livelihoods and housing conditions therefore were not restored. They rather changed from bad to worse, let alone to improve their living conditions graduating them from abject poverty.

Another was that the original poor homeowners in the consolidated communities were relocated to outskirts with limited livelihood opportunities, roads, electricity, water schools and health centers. This low income group lost the advantage of the inner city from where they could earn a living doing informal jobs. As noted earlier, the livelihoods and living and working conditions in general of the majority poor homeowners relocated to the land in the outskirts were declined and became worse afterwards.

Despite the intention of reducing slum poverty or improving the living conditions of residents, AACA totally omitted rehabilitation support which has relevance to poverty reduction through livelihood improvement. In Article 40 of Urban planning proclamation, urban renewal has been given emphasis with a view to alleviating urban problems and improving living standards. In this case, one of the urban problems in urban Ethiopia is slum poverty and proliferation of slums. Similarly, improving living standards of residents means the continuous improvement in their food, clothing and shelter. It, therefore, involves the right to improved livelihoods and housing conditions. Obviously, improvement in living conditions entails rehabilitation

assistance because relocation results in the loss of assets, livelihoods and houses. One question raised at this juncture therefore is how improvement in living conditions could be attained without rehabilitation support? As examined above, simply providing compensation or condos alone excluding rehabilitation assistance did not decrease slum poverty and the number of poor living in inner city areas given its inadequacy and their location in the margins of urban economy, respectively. This was confirmed by the fact that the majority reported the decline in their living conditions. The omission of rehabilitation support from the AACAs directive showed that its directive was and still is not in line with the Addis Ababa's Structure Plan and URP policy objectives.

It seemed to contribute to the development of slums in new areas. It thus transferred the poor from inner city areas to the remote part of the city, but not poverty, violating the right of residents to adequate housing and livelihood improvement. The promises of improving or at least restoring the livelihoods and housing conditions in MGDs, policies and urban plans for the affected persons were generally unmet to at least the inner city households relocated to kebele houses and to undeveloped land in Jijiga sefer and Ayat site. It thus was not in line with the overall development objectives of the country, economic growth for poverty reduction, slum poverty reduction and improving the living and working conditions.

AACA did not therefore convert the negative consequences of URP to development opportunities in improving or at least restoring their housing and livelihood conditions. URP in Addis Ababa has reduced slum areas but there was no evidence that the program reduced poverty in slum areas. As a result, it did not capture the real and full implications of eviction and relocation on adequate housing and restoring or improving livelihoods. This research fears that the program is also transferring slums in to peripheral areas as most sold their replaced land and buy informal land in outskirts of the city. In fact, the whereabouts of residents that sold their condos and land use rights was difficult and the evidence is sketchy.

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residents that sold their replaced condos and land was difficult to trace that needs further study. Therefore, the poor residents change the geographical locations without changing or improving their living conditions to meet the MDGs.

9.1.2. Image building

Image building in this study means the improvement of the physical conditions of the neighborhood or bad image of the city created by the deteriorated housing and infrastructure, and unhealthy environment. Improving the bad image of the city therefore is the physical factor of URP which is related to reduction of slum in inner city areas. This study treats image building or beautification of the city assuming that it positively or negatively affects the human rights of the affected people to in-situ relocation and their livelihoods. It also determines the development of new slums and integration or fracture of the social mix and social ties in inner city neighborhoods in Addis Ababa. Further, it improves the business environment which has been weakened by the poor image of the city. It is therefore important to consider the impact of such a huge city wide URP on the image of the city and its implications for improving the living and working conditions of residents or slum poverty reduction. Creating a better spatial and physical image of the city to make Addis Ababa a world class and competitive city, attract investment and improve the living and working conditions of residents was one of the objectives of URP.

ULDMP asserts that URPs should be integrated with public low cost housing program to accommodate the poor. Structure Plan of the city endorsed that urban regeneration should maintain residents not to disrupt their livelihoods and social capital through in-situ relocation if residential houses are part of the plan. In building the image of the city, the previous four storey's public-low cost housing program in inner city areas however was replaced by high standard and more expensive public houses for the affluent groups parallel with prestigious Banks, hotels, business neighborhoods, shopping facilities. To be successful, the former LDBURPO provided wrong information to the tenants about the absence of condo units and employed legal barriers to the relocated households to discourage the poor requesting in-situ relocation. This was accompanied by the AACAs departure from pro-poor condos to prestigious construction. These showed that the focus of the government was building the image of the city.

Further, when LDMB officials in MUDCHO and AACA were asked about the violation of human rights, they used prestigious building in Lideta renewal site to display their accomplishments. Nonetheless, they ignored the hidden human cost that relocated the poor to deteriorated houses with inadequate security and to distant land in the margins of the economy with limited infrastructure. In this respect, most national, city and sub-city officials pointed their fingers at Lideta renewal site and invited this researcher to see the eye-catching buildings and appreciate the success of the program in terms of improved images. This also confirmed that the focus of the government was image building. Undoubtedly, it is going to attract investors and improve the living and working conditions of the beneficiaries of in-situ relocation and new condo beneficiaries. URP in Lideta and Basha Wolde gave the government an opportunity to showcase Addis Ababa for investors from outside and inside, and for domestic viewers about the success of the government. It has begun to build image of the city and the country. The LDCRA has nearly achieved its objectives of improving the image of the city. The government used improved image of the city and the physical factor to attract investment and consolidate domestic political capital or used it as a political construction. It however was the cause of eviction and relocation of the poor residents to deteriorated kebele houses and land in the margins of the economy. This in turn was the cause of the deterioration of the livelihoods and houses relocated residents and decline in their living conditions, which the policy intended to avoid.

9.1.3 Land value enhancement

ULDMB's most important roles were the preparation and implementation of land use plan, increase land value and development. These were particularly critical given the country's poverty levels, rapid urbanization and economic growth. As the pressure for economic growth and poverty reduction increased, not only optimization of land use but also maximization of land value become more critical. This is because land is the major asset of the Ethiopian economy. UN Habitat (2010a) revealed the importance of enhancing land values in Africa and the potential for using land as an asset for poverty reduction. A joint Land Policy Initiative of the African Union, African Development Bank and Economic Commission for Africa endorsed the need to develop land policies to enhance the potential of the land to be used for the social justice and poverty reduction, economic growth and environmental benefits (AU, AfDB and ECA, 2009). In Lideta and Basha Bolde, the central part of the city, it is imperative to optimize land use in order to get

sufficient land and generate more revenue and enhance the value of land. Maximizing the value of land is needed to ensure rapid economic growth for poverty reduction.

It is believed that urban renewal projects stimulate urban growth by attracting investment. High future returns on investment due to appreciating property values played a lot in attracting investment to redevelopment sites. To fetch more revenue, the AACAA strangely increased the minimum lease value in Lideta. According to Addis Fortune Newsletter vol. 11 No. 560, on January, 2011, the Lideta Sub-city had floated three tenders since January 2010, but only 5.5ha of land were leased. The plots floated for auction failed to attract sufficient numbers of bidders and some had even been floated three times. Lideta and Basha Wolde renewal areas were thus witnessing ever-reducing investor interest. Most attributed the decline in interest to rising lease prices. For example, Flintstone Engineering Plc won the auction for 6,020 Br per square meter on a 50-year lease in September 2010, which was higher compared to the previous lease prices. After lack of competition and absence of offers, around two hectares of land were handed over to the housing development office in January 2011. The office was mandated to construct condominium housing units, business shops and office buildings for the sub-city's administration because the city had a directive prohibiting the issuance of more than three tenders for the lease of land.

After disinterest for land, the sub-city decided to develop prestigious condominiums and business shops to sale believing that "the government will sale at higher prices at least equivalent to the minimum or benchmark lease price" in renewal sites as some LDMB officials in Lideta sub-city reported. The AACAA built business shops,, floated for auction and attracted successful bidders. The administration then sold at higher prices to the highest bidders. As some officials in Lideta sub-city city reported they sold unusually at higher prices and the AACAA injected more revenue. One professional also explained that such prices were not expected by the LDMB and this has motivated the government to construct more in the upcoming renewal sites. The prestigious condos which are under construction will also be expected to fetch more revenue to the administration. AACAA generated and is going to generate more profits and revenue from URP. In other words, the city administration has enhanced the land value. In view of this, the critical question would be for what purpose was the enhanced land value allocated.

Two arguments compete to describe the situation. The first is the generation of profits for rapid economic growth, which was related to "growth is sufficient". Another is that the enhanced value was distributed to

address the socio-economic disruptions of the affected people through mechanisms such as rehabilitation assistance and sharing the profits of URP to the affected people. This therefore was pertinent to pro-poor growth that distributes the profits or benefits of URP to respect the human rights of the affected persons. The income they earn from land value maximization was not devoted to improve the housing condition of the affected and their lost livelihoods. Instead, the enhanced value of the land in inner city areas seemed to be transferred or allocated to other government interest projects. This is an indication that the city administration seemed to emphasize the generation of more profits from land market or on economic efficiency dictated by economic growth.

A disparity between political appointees and professionals pertaining to the emphasis of the government and its attempt in balancing land value enhancement and slum poverty reduction goals was observed. Some professionals thought that the emphasis of landed expropriation property was on clearing the sites for generating more profits or revenue, giving insignificant attention to the human rights of the affected people to improve their living conditions. In rhetoric, however, LDMB leaders at the MUDHCo and LDCRA in Addis Ababa firmly expressed that the government aspiration was primarily to improve the living and working conditions of the affected people and other urban residents and reduce slum poverty. They further affirmed that although enhancing the value of land in the prime locations was one objective of renewal, less attention was put on it. This explanation suggests that the income generated from the land value enhancement should be allocated to address the socio-economic disruption of the relocated people.

In contrary to their own view, these authorities believed that the provision of condominiums or compensation in the outskirts alone has improved the living conditions of the relocated people. On the one hand, this idea ignored those relocated to dilapidated uninhabitable kebele houses with inadequate tenure security to make way for the rich few and new beneficiaries. On the other hand, providing compensation or replacement condominiums alone in very far away areas from their livelihood sources did not improve their living and working conditions and decrease the number of slums poor, as it was documented above. Therefore, the improvement in the living and working conditions of the affected people to reduce slum poverty did not deserve the attention of the AACA, let alone to rank among the priorities for government interventions in URP of Addis. This research went as far as to argue that URP and the government merely pretended to serve the poor and the relocated people, improving the living and working conditions of

residents and reducing slum poverty. To make the condition worse, this program served to justify government interests.

With the ever increasing concerns for poverty alleviation, responsible sustainable economic growth, human rights and social justice; the land sector remains highly relevant to achieving these and other objectives of the MDG, GTP, ULDM and urban planning. In Addis Ababa, there were many competing needs sought after inner city land including social justice, economic efficiency for growth and environmental protection. This study however focused on the first two. The urban renewal programs have varying degrees of emphasis on social justice or equity and economic or land market efficiency for economic growth. URP in Addis Ababa emphasized the enhancement of the land lease value to generate more revenue or on land market efficiency so as to ensure rapid and sustainable economic growth. It thus was challenging to achieve all at this time as LDURA did not balance the needs of these competing needs and urban renewal objectives. It also was challenging to balance the government interests to build image of the city and economic or land market efficiency dictated by growth, and the interest of the resident to in-situ relocation, improved housing and rehabilitation assistance to improve their lost livelihoods through social justice or the distribution of the enhanced value of land. It showed bad governance. Good land governance is therefore needed to strike a balance between economic efficiency and social justice.

9.2 Mixed use and income development

Urban renewal was intended to mix different land uses and income groups in the renewal areas. The principle of promoting balanced and mixed population distribution guides urban planning initiation and preparation as set out in the national urban planning decree in article 5 (6). One of the measures to be taken by the AACAA in the urban development processes is to keep the mix and balance of functions and income groups in residential housing development (ORAAMP, 2002). This plan suggests exploiting good attributes of Addis Ababa when urban development programs are implemented (Ibid). In this case, one of the good quality of Addis Ababa that has been persisted for the past 125 years and that should be exploited is its mix of functions and income groups in inner city areas (Ibid). LDP supplements the structural strategic planning approach to proactively facilitate investment and ensure the city's unique identity and urban quality (Ibid). Preserving the functional and social mix of the city is the means to attain LDP's aim (Ibid). LDP in inner city areas in particular is meant for urban renewal. This indicates that LDP prepared for urban

renewal must maintain the mix of the poor and rich in the inner city neighborhoods so as to achieve its objectives. The Structure Plan thus considered the principle of urban planning, city context and good practices. Addis Ababa's inner city neighborhood has been socially mixed mingling the poor and the rich. It has been the unique characteristics of Addis Ababa. Good examples are Lideta and Basha Wolde II urban renewal sites that are found in the inner city of Addis Ababa. Both are originally inhabited by a mixture of poor and rich households and arranged to mixed income and use development.

With regard to mixed use development, the LDP of Lideta suggests that out of 26 hectare of land, nine ha of land were set aside for condominium construction; five hectare were allocated for commercial purposes; 0.59 hectare was designated to replace land for the affected private homeowners; five hectare of land were provided for multi-use facilities; three hectare were allocated to social services; eight hectare were provided for building of infrastructure; and one hectare of land were assigned for green space. In Basha Wolde II, however, four hectare of land was allocated to condominium construction; two hectare of land were assigned for commercial undertakings; half hectare of land was provided for substituting land for the affected private homeowners; an area of two hectare was designated to social services; one hectare was set aside for green space for residents; and four were allocated to the building of infrastructure. The previous Casanchis urban renewal project relocated the whole original residents from the busy inner city to remote part of the city and was replaced by commercial and service giving sectors. In contrary, LDPs and practical operations in Lideta and Basha Wolde URPs mixed commercial and residential units with improved physical and living conditions.

The AACA took extraordinary step to halt the construction of only commercial and service giving activities and began mixed use development combining commercial activities and residences in urban renewal sites. For this to happen, the AACA took a step to maintain homeowners providing land as replacement to build residential houses based on the ability to construct houses inconformity with the land use plan. It was supplemented by the construction of public houses or condominiums in renewal areas. By affirming the mandatory nature of mixed use development and the right of rich few residents to in-situ relocation in the directive, City's bold decision had important implications both within Addis Ababa and for the country as a whole. It sent a bright signal about the importance of policies and plans intended to mix the land uses and respect few rich households' rights to remain and protect them from harms resulting from relocation.

Although it mixed the commercial and residential units, the program in renewal areas was unable to mix population from different income groups or preserve the unique characteristics that combine the poor and rich together. First, it was the result of the radical departure of the previous pro-poor public-low cost housing program in renewal sites to that of the public middle and rich income condos, the so called 40/60. According to LDURA, inner city will be demolished for the construction of houses under the new 40/60 housing scheme. According to LDCRA officials, the larger portion of the land was allotted for the 40/60 housing scheme, while the remaining was on tender for large investments. This tract of land was the second area allotted by the agency for the new 40/60 scheme. In the nine hectare of land or on nearly 35 percent of Lideta area, the construction of 10,000 houses under the new 40/60 scheme has begun in Lideta redevelopment site. Urban renewal site in Lideta was therefore designed mainly to middle income high-status condominiums. The principle of maintaining the mix of the poor and rich influences the conditions and procedures in which condominiums construction was to be implemented in inner city Addis Ababa as part of the URP. In practice, the AACA constructed condos in renewal sites for middle income and rich new beneficiaries. As a result, inner-city condos suitable for the in-situ relocation of the affected people will be allocated to the middle class and rich new beneficiaries. The most important thing in the above LDP is that larger areas were devoted to condominiums development which can accommodate the affected residents and other new beneficiaries. Nonetheless, all the affected tenants were relocated to the condos in the outskirts or other deteriorated kebele houses.

Middle income condos were supplemented by the provision of replacement land for homeowners that can build residential home according to land use plan. . It was thus selective and given to homeowners only according to their ability to build standard houses, but denying the right of poor homeowners. It excluded the poor homeowners from the right to remain and share the benefits of in-situ relocation by inserting legal barriers to build houses according to land use plan. In general, the original poor tenants were relocated away to the outskirts and other deteriorated kebele houses, while the poor homeowners were relocated to the outskirts with limited job opportunities to give way to middle income and rich public housing and new beneficiaries. It, therefore, was not mixed income development since it replaces the poor original residents by the middle class and rich new beneficiaries. It thus was at variance with the Structure Plan of Addis Ababa stating that urban development projects and regeneration should maintain residents not to disrupt their livelihoods and social capital through in-situ relocation.

As a result, the case study sites which have been home to the poor people, mingling the poor and rich were replaced by middle income and rich residential areas and households. It thus contradicts not only the above strategies but also the country contexts and the good practices. In this regard, Addis Ababa was working in contrary to the Republic of South Africa, which has been in the process of integrating its society and mixing its population fractured and racially and economically segregated by Apartheid era. If such tools and procedures of renewal and relocation continue in the years to come, the inner cities which were home to the poor inner city residents may no longer provide such services and never be inclusive for the poor. This may bring the fractures and separation of the poor and the rich, which the Republic of South Africa and other colonial cities have attempted to reverse or redress the colonial legacy.

It can be seen that the city administration laid out plans and directives to renew the urban decay in the inner parts of the city, guided by the LDPs. This study had also the same opinion with the improvement of inner city dilapidated areas that are irreparable and did not claim the preservation of dilapidated housing structures, infrastructure and unhealthy environment in the decayed area. This study, however, challenges the relocation of the poor homeowners and tenants from the area designed to build mixed income development, and from their livelihood centre. In other words, we challenge the replacement of the inner city poor residents by new beneficiaries and middle income and better off as it was in Lideta. This research disputed with this type of renewal because it will fracture the social composition of the inner city neighborhoods that continued to exist for 125 years, and disrupt their livelihoods and social support system. Relocating the poor will also transfer the poor and slums to the outer part of the city and increase segregation and resentment. It will also further increase the gap in the standards of living between the poor and rich households. Believing that policy or plan should not be designed to help the already advantageous groups, we argue that replacing the poor by the rich and middle income group or even by new poor residents is a discriminatory policy and a distorted paradigm of development. The LDBURP office or the AACA practiced this type of renewal and undermined the very laws of mixed income development they are responsible for implementing.

This type of urban renewal that relocated the poor in Addis Ababa raises more questions than it answers, regarding living conditions improvement or slum poverty reduction, preservation of the community and population mix from different income strata that has remained a typical feature of Addis Ababa for 125 years. Like IES (2012), we fear the emergence of fractures or a separate area for the poor and rich. Large

parts of Addis Ababa still contain sub-standard residential areas that have no proper access to infrastructure and social amenities. The objective of the government will be to reduce poverty and maintain the integration of the city, but not to remove the poor from the central and valuable area and disintegrate the mix of population. After all, the government aspiration is to rebuild or reintegrate rather than disintegrate the already established and long standing mixed population from all sorts of income group that will preserve every resident. For this to happen, the government need to preserve residents in the renewed neighborhood and integrate this program to public low-cost housing program and other poverty reduction strategies specific to the affected poor residents rather than replacing the affected residents with new middle class beneficiaries.

Residential homes for the poor in redeveloped areas that vary both in their economic status and housing requirements is a must. This invariably determines the ease in which residential units for consolidated poor homeowners and public house renters could be accommodated in the reconstructed inner city areas. This research argued that residential units in the urban renewal sites can accommodate the affected residents in the targeted land within the context of "mixed use and income development". It is therefore possible to carry out URPs without the major resettlement of poor homeowners and tenants in kebele owned houses to the remote part of the city by constructing mixed-use houses for mixed-income societies in areas intended for urban renewal.

Toward this end, the government can offer land not only for the rich and condos for the rich and middle class new beneficiaries, but also to the poor affected residents in the inner city areas. It means that there were opportunities to preserve the affected poor people by constructing public low-cost houses or condos, given the 10,000 condominiums construction in Lideta. They could also build prestigious condos for the rich to improve the poor image of the city and lease land and enhance the value of the prime and sought after land. This can be achieved by allocating the income that was and will be generated from the land lease and the prices of prestigious condos and business shops to provide adequate housing and improve their livelihoods. The government therefore must seize this important opportunity to realize the human right of relocated people to remain with improved housing and livelihoods. Such opportunities not only ensure economic growth, but also reduce slum poverty improving the living and working conditions of the affected people, and thereby preserving the mixed income population and maintaining its residents.

This research argued that mixing different income groups is not a matter of choice but of necessity in Addis Ababa, Ethiopia. This is, first, because most of commercial functions are found mixed together with residential housing units and the poor are well mixed with rich, and are the inherited characteristics and good qualities of Addis Ababa old neighborhoods. The city's good quality of mingling the rich and the poor is also needed to be maintained for sustainability. Another reason was that diversity is a social value that should be preserved in Addis Ababa inner city and other Ethiopian urban contexts by mixing residents from different income groups. This is because it reduces segregation and resentment, improves social inclusion and plays the role of cross-subsidization. Preserving residents will also make the time taken to recover their lost livelihoods, assets and social support system shorter after their return from temporary relocation and thereby reducing the cost of rehabilitation assistance. This in turn will reduce slum poverty and improve the living and working conditions of residents as it maintains their livelihoods and social capital, share the benefits of increased housing sale and rent and the development potential of renewed area. For these same reasons, most colonized and other developing countries have been in the process of mixing the separated settlements in both inner city and peripheral areas. However, Addis Ababa moved in the opposite direction to the country contexts, good practices, urban planning principles and strategies of its Strategic Plan.

9.3. The Losers and winners of URP

The positive and negative consequences of development projects generate winners or gainers and losers on a significant scale in developing countries (Picciotto et al, 2001 cited in Michael et al, 2014), like Ethiopia. The term "winners and losers" in this study is used for parties who gained more and gained less from a prospective URPs. The analysis of this study is based on the evaluation of policy, plan and their implementation to identify the net gainers and the net losers. This will be followed by the comparison of parties between and within net losers and net winners to discover the most net losers in suggesting different measures that will convert the negative consequences into development opportunities to improve the lives and future prospects of those affected. To do this, this study will weigh the cost against the benefits gained by the affected people, the government, new beneficiaries or other actors etc through the process of URP. Bearing some cost or gaining some benefits of renewal therefore does not mean they are the positive net winners or negative net losers. What makes them positively net winners or negatively net losers is the result of outweighing the costs and benefits of renewal accompanied by the perception of relocated persons. For instance, if benefits outweighed the costs and if relocated residents feel that they

were the net losers, it is concluded that they were the negatively net losers. This will be preceded by the exploring the benefits they got and the costs they bore from the policy and implementation of URP.

Whom did URP serve? When implemented, each policy or reform provides benefits and has costs of its own. The benefits of renewal are unequal as the implications of policy, plan, and program vary among different income groups, tenures, alternatives they picked to relocation and spatial variation in relocation sites. An understanding of the inner city's housing or land tenures and income status among the various segments of the inner city community is essential to the proper realization of the political economy or objectives of urban renewal in Addis Ababa. The land and/or housing sector in URP of Addis is characterized by income and tenure differences between different types of inner city residents and between inner city and other residents.

In answering the above question, this study will explore and identify the main beneficiaries, the most negatively net losers and positively net winners of URIER. In order to understand the net losers and winners among the affected people, between the government and the residents, original residents against new beneficiaries, the beneficiaries and dwellers that shoulder the cost of renewal most along with its benefits and costs will be discussed. This will be done by comparing the Lideta and Basha Wolde residents, original vs. new beneficiaries and those households relocated to renewal sites vs. distant places. Contrast will also be made among the affected people between rich and poor; condos and kebele house beneficiaries; land and condos beneficiaries; homeowners and tenants; and formal and informal tenures.

In the aforementioned discussion it was indicated that the benefits of renewal were in-situ relocation; accessing prime land, condos and business shops in renewal sites; and employment opportunities. It also includes improved housing and the means to buy condos, improved image, revenue from the sale of condos and business shops and lease of land for highest bidders. The construction firms benefited more because they got new opportunities for work from the construction of condominiums, commercial centers, Banks, government offices, green areas etc. URP along with IHDP provided jobs and employment opportunities for the community. As this researcher observed, the construction of commercial centers and condominiums in the renewal and relocation sites offered jobs for those new job seekers nearer to the project areas at the time when the inner city area was reconstructed. Similarly, it provided jobs in the expansion area during the construction of condominiums for job seekers other than evictees because jobs

were created before they were relocated. The affected inner city residents were relocated before the opening up of jobs, and arrived in new relocation sites once the condos were built and infrastructures were furnished. Thus, relocated households did not benefit from the opening up of job opportunities at both sites.

The youth groups organized by the Wereda offices in Lideta and Basha Wolde were also the primary beneficiaries. LDBURPO created income earning activities to youths to buy the landed properties at lower prices and sold at market prices in order to invest in small scale enterprises aiming at converting them to middle level investors through time. The authorities in the national LDMB suggested that this was one concrete example showing the government action in making the residents the beneficiaries of URPs. All professionals and appointed politicians in the LDMB at city, sub-city and wereda levels conceded that they were not involved in such activities as intended. They rather wasted the money they earn from the selling of windows, tins, doors and wood in luxurious activities other than investing in small scale industries. Though this benefit was limited to youths and not implemented as desired, the organized youths were the beneficiaries and the net winners of renewal.

Dwellers that bought business shops in inner city areas and few private developers that lease the land were the primary beneficiaries. Finally, Addis Ababa's new middle and rich class households in the backlogs of condos that purchased condominiums also benefited more from the development of condo units in beautiful surroundings without contributing property. Above all, URP served the interests of the government. AACA got income from the sale of the land, prestigious condos and business shops at high prices to the highest bidders and increased tax revenues. Seemingly, it will attract investment and will ensure sustainable economic growth of the country as huge development potential and opportunities are expected to rise due to URP. The AACA has practiced URP to make Addis Ababa "world class city" by reducing slums, improving infrastructures and thus building its' and country's poor images. URP that improved and will improve the poor image of the inner city and the country benefited the government and the ruling party. In improving the image, URP favored prestige construction in areas dominated by haphazardly developed dilapidated houses and infrastructures with unhealthy living conditions. This in turn helped the government, the ruling party and AACA for political construction. The government, new condominium and business shop beneficiaries in Lideta and youth group therefore were the primary beneficiaries of URPs.

In contrary to this, some inner city residents in the targeted land were the beneficiaries of opportunities created by URP although it was site, age and gender specific. The case in point was the rich homeowners and Lideta tenants eligible to in-situ relocation. They gained from the preservation of livelihoods, assets and improved living and working conditions of renewal sites. Lideta residents relocated to nearby Gotera and Gofa sites close to their former location also shared benefits at least from improved houses and infrastructure and job opportunities.

Finally, the 200 old women in Lideta who were given loan for 20 percent down payment or relatively beneficiaries. In addition, they were offered loan for start-up capital to establish business premises; production materials; work space in renewal sites; and marketing support to sale their goods and services to construction firms and daily laborers. It had improved their income and they begun to pay their loan until they were prohibited work a year later and were ordered to demolish their makeshift and leave the area. This was limited to female headed households in Lideta and was substandard; these residents were temporary beneficiaries of development opportunities created by URP. To differing degrees, government, new condo and business shop beneficiaries, youth groups, construction workers, rich homeowners, developers and tenants that received condos in Lideta, and old women that received loan for down payment benefited.

Table 9.1 Frequency of the perceptions of the affected people about URP

	Winner		Loser		Uncertain		Total	
	Frequency	%	Frequency	%	Frequency	%	Frequency	%
Lideta	5	100	0	-	0	-	5	
Bash Wolde	3	100	0	-	0	-	3	
Gofa	3	27.3	7	63.6	3	27.3	13	
Jijiga sefer	0	-	11	100	0	-	11	
Semit	2	10	15	75	3	15	20	
Ayat	0	-	9	100	0	-	9	
Waiting condos	0	-	19	90.5	2	9.5	21	
Waiting compensation	0	-	7	100	0	-	7	
Total	13		68		8		89	

Source: Own computation

In spite of these benefits, every relocated household lost one or more of their rights or assets in URPs in Addis Ababa in general although the degree varies. For example, rich homeowners received low compensation that did not construct comparable houses and reduced land size, and lost social capital that they built for generation. However they enjoyed the benefits of in-situ relocation and will enjoy the

development potential of improved housing and beautiful environment. In another instance, eleven tenants shared the benefits of condominiums in Lideta redevelopment sites and benefited from the development potential of redeveloped prime area. However, they began to live in their houses after three years. They were thus forced to live in private rental houses at their own expense for at least three years. Although these had shouldered some cost of renewal, but they were the beneficiaries. All rich homeowners and tenants in Lideta and Basha Wolde II revealed that they were positive net winners of URPs (See Table 9.1 below). In addition to the benefits they received, they will gain more benefits from the development potential of the redeveloped area. This made them the primary beneficiaries of renewal despite their loss.

It is also vital to see the variation in the benefits between Lideta and Basha Wolde residents in gaining from urban renewal during the consultation meeting and eviction stages. It could be considered as spatio-temporal variation in benefits between Lideta that took place in 2009 and Basha Wolde in 2012. There were variations in the beneficiaries and benefits between Lideta and Basha Wolde residents gained from URPs in general. In Lideta, first, 200 women tenants were given loan for 20% down payment and startup capital. Others tenants were also allowed to pay the 20% down payment in three stages to reduce their financial burdens. Second, couple informal homeowners with children who build houses in their relatives' compound and couples who had children, but lived together with their relatives sharing a kebele owned house were allowed to purchase condos.

Third, the AACA gave Lideta homeowners the opportunity to sale the landed property so as to improve the compensation amounts for which the government paid financial compensation. It however was sold to youth group in Basha Wolde. Tenants in kebele owned houses were relocated after 30 days and home owners were relocated after 45 days respecting the date of relocation in the directives. However, relocation of both homeowners and tenants took place before 30 days mark breaching both Memorandum of understanding and its own directives. Finally, eleven kebele house renters bought condos in Lideta redevelopment site exploring viable alternatives to eviction. Last, but not least, the majority of Lideta residents (540 households) that chose condos were relocated to nearby places in Gotera (164 households) and Gofa (376 households). The city administration outlawed all these rights in Basha Wolde. Lideta residents thus relatively benefited more than Basha Wolde residents. This highlighted unequal resettlement process and inconsistency in benefits in spite of similar national laws and the AACA's intention of making Lideta a model renewal site that will be replicated in another renewal site. Such analysis however hid the

reality of the poor, old households and informal owners, tenants and sub-tenants within the affected persons, between original and new beneficiaries, and between relocation sites. Hence, it was needed to deal with different groups within the residents according to their relocation sites, income status, tenure and age.

There was also variation in beneficiaries, benefits and costs, net losers and winners of relocation to redevelopment sites or distant places. The theoretical assumptions demonstrate that the primary beneficiaries of development projects are the ultimate burden bearers, the affected people (Robinson, 2003; Bugalski and Pred, 2013). In order to verify this, it is required to view the beneficiaries and the costs they shoulder, the benefits they got from and the most negatively net losers and winners of the policy and implementation procedures URIER. In-situ relocation often benefits those relocated to this area as the neighborhood is the source of urban livelihoods and social support system for most of the households in the targeted land. In-situ relocation to redevelopment area will increase their income levels since the residents are expected to gain large return from the development potential of strategically situated and beautiful neighborhood. Preserving the affected residents exploring in-situ relocation not only maintains the mix of different income groups, but also reduces the cost of rehabilitation, the transition period to improve their livelihoods and social exclusion. It thus benefits both the government and the resident's interests and rights.

AACA constructed public low cost houses and is on the process of constructing 40/60 condo scheme in redevelopment sites, which is vital for re-housing the affected people and new middle and rich beneficiaries. It was expected that the poor as illustrated in ULDMP and all affected residents in strategic plan were the primary beneficiaries of condominiums in redevelopment sites. Instead, the city administration sold condos most suitable for living and working in prime locations to new beneficiaries who did not contribute land or housing use rights to renewal. In Lideta renewal site, 99.5 percent of condos were allocated to new beneficiaries. AACA forced to resettle almost all tenants in Lideta and every tenant in Basha to inferior condo sites or kebele houses with inadequate tenure security.

The Lideta old neighborhood is going to be replaced by high rise flats and prestigious residential buildings. This has increased the selling and monthly rental values of condominium units around Lideta. Given its central location and accessibility, it is also going to increase in Basha Wolde II. By comparison, condominium units in Semit, Jemo, Gofa, Mkililand etc sites had lower sale and rental values as stated

earlier. Relocated residents thus lost the increased rental value of condos and the expected large return from permissible development potential of the inner city neighborhoods. Relocated households also believed that they lost their livelihoods and locational advantage. About 68 percent of relocated households revealed that their living and working conditions in relocation sites became worse (See Table 8.10).

The AACA relocated most homeowners to inferior land replacement sites for job opportunities accompanied by limited infrastructure, public schools for children, water and electricity. Consequently, all homeowners relocated to Jijiga and Ayat, while two-third of tenants in Gofa and three-fourth of them in Semit considered themselves as the losers of relocation by URP (Table 9.1). This even showed that the degree varies between the affected people relocated to land alternatives and condominiums in the out skirts.

This also indicated spatial variation among relocation sites in the beneficiaries and benefits and the ensuing net losers and winners of URPs between different relocation sites (renewal vs. remote sites) and between the original residents and new beneficiaries. Spatial variation in relocation sites can be demonstrated between in-situ relocation and relocation to distant places. Rich home owners and new Addis Ababa condo beneficiaries gained more from and the positively net winners of in-situ relocation. In this respect, they enjoyed and will enjoy the benefits of improved living and working environment and the development potential of URP. Those who received condos or land in redevelopment sites benefited more followed by dwellers relocated to nearby inner city condos sites in Gotera and Gofa. Nevertheless, the poor home owners and all tenants relocated to inferior places for income generating activities were deprived of their livelihoods, assets and social support system. They were the negatively net losers of the policy, plan and implementation of URPs. Poor homeowners and all tenants were thus spatially segregated or marginalized by URP.

In addition, Addis Ababa's new beneficiaries in renewal site with locational advantage benefited more than original residents relocated to other areas in all aspects from the development of new condo and residential units in beautiful surroundings and prime locations for livelihoods. As a result, new beneficiaries took the prime benefits of renewal and thus the positively net winners. However, the original relocated slum residents to distant place were the net losers and relocation made them to shoulder the costs of URP. An exception to this was tenants relocated to kebele houses in bad conditions and with inadequate tenure

security gained nothing and the negatively net losers even if relocated to inner city areas. The relocated households to kebele houses and land in the remote part of the city expectations to the level of benefiting them from condos in Lideta and Basha Wolde and improve the living and working conditions were generally unmet. Moreover, the objective of making the affected residents the primary beneficiaries' of URPs was not met which is expounded in the development principles and WB Involuntary Resettlement Policy.

Above all, there is spatial variation in resettlement process in terms of benefits, beneficiaries, and losers and winners of renewal; location suitable to job opportunities, and availability of public health centers, schools, open spaces and green areas. The revised policy and laws on URIER must adopt requirements that reverse this unfair treatment and the problem of inappropriate locations for income earning activities that violates human rights and leads to inequality. The selection of the right resettlement sites, based on the choices of resettlers, can overcome some of the main hurdles of resettlement and diminish exponentially the risks of impoverishment.

The net losers and winners of renewal also varied according to the variation in the income status to build houses in redevelopment sites within homeowners and to buy condos or choose kebele houses within tenants. This can be extracted by viewing the benefits of rich against poor homeowners from in-situ relocation and the resulting improvement in the living and working conditions. In both directive and practices, homeowners who had the capacity to construct according to the plan were given land replacement in redevelopment sites. The rich few enjoyed the benefits of slum improvement and in-situ relocation. Nevertheless, most poor residents were forced to accept relocation and to choose financial compensation and land replacement in remote peripheral areas where job opportunities, infrastructure, schools, water etc were limited. They therefore lost not only their livelihoods but also locational advantages appropriate for job opportunities and social services. This situation was exacerbated by the absence of rehabilitation assistance for the poor. Relocation of the poor residents selectively has further increased the gap in the living standards between the rich and poor residents.

Choosing condominiums or kebele owned houses elsewhere by tenants and sub-tenants can help to identify the most negatively net losers and the poorest of the poor. The choice of condos or kebele houses was also determined by the income status of tenants. Indeed, households relocated to condominiums sites lost their livelihoods and relocated to areas with limited income earning activities, but they enjoyed the

benefits of improved infrastructure, housing, open space and passerby. The poor tenants who did not afford the 20% down payment for condos choose deteriorated kebele owned houses set aside for redevelopment or demolition. As a result, five tenants relocated to kebele houses in Sengatera area suffered from relocation again five months after their first relocation while others will remain vulnerable to further relocation in the near future. Consequently, evictions further impoverished and marginalized the poor tenants relocated to kebele owned houses as they lost more than relocated to condos in the outskirts.

About 144 Basha Wolde residents requesting kebele houses remained in Basha Wolde after their neighbors relocated because the available kebele houses were insufficient to accommodate all the demands. They were also waiting for replacement due to residents' refusal to accept relocation to kebele houses with inadequate security of tenure and in bad conditions. Further, they remained there because the AACA limited the condo sizes to one bedroom or a single room although they requested either two or three bed rooms. These households were also unable to access informal information source about underground condo transfer or exchange to become condo owners, as focus group discussants in Basha Wolde II explained. They agreed that the majority of these residents waiting to be re-housed were old men and women. Therefore, these households were accessing neither kebele houses nor condominiums for one and half year after their neighbors was relocated.

Dwellers relocated to kebele houses and waiting for kebele houses replacement thus were the poorest of the poor and the most negatively net losers that bore the cost of renewal disproportionately. Urban renewal schemes did not accommodate tenants and the poor in redeveloped area and thus failed to benefit the poor. In contrary, middle income tenants and some tenants that sourced their income from relatives for down payment benefited from improved condos and infrastructure although they lost the locational advantages to income earning activities. It highlights the unequal distribution of urban renewal project benefits between the poor and the rich as well as between the original residents and new beneficiaries. The implication was that the livelihoods of people relocated by the URPs were given less attention than the government interest of middle income condos, profit-oriented business center and large revenue from land lease to developers. A minority of wealthy homeowners in both Lideta and Basha enjoyed the benefits of URPs in the name of planned development of cities according to land use plan.

There was also variation in the losers and gainers of renewal according to their tenures between homeowners and tenants as well as between formal and informal tenures. In general, home owners' tenure is more recognized than public house renters in legal and practical measures for in-situ relocation and the benefits of modernization. AACA directives recognize the right of homeowners to build residential houses either according to land use plan on the land in redevelopment sites. It did not however include tenants in kebele houses about their rights from the condominiums constructed in the demolished area. Expropriation law has also no mention of tenants' rights. In actual terms, tenants were denied the right to remain in Basha Wolde renewal sites despite their request and the government promise to resettle in their former location. It was offered only for eleven residents after lengthy resistance in Lideta. State ownership of both land and the property of kebele houses seemed to be the reason for the relocation of all tenants and sub-tenants. The tenants therefore did not benefit from the improvement of their former locations. They were the net losers of urban renewal policies, plans and programs. From the point of view of formal or informal tenures, formal homeowners, tenants and sub-tenants rights to compensation or replacement accommodation recognized in policy and respected in action. However, informal ones were prohibited from such rights. Informal owners, tenants and sub-tenants were the most negatively affected net losers of the URPs as they lost their property without compensation and were unable to secure accommodation at all.

This revealed spatial variation among relocation sites in the beneficiaries and benefits they gained and the costs they took on. Spatial variation in relocation sites can be demonstrated between in-situ relocation and relocation to distant places. Rich home owners and new Addis Ababa condo beneficiaries gained more from and are the net winners of in-situ relocation. In this respect, they enjoyed and will enjoy the benefits of improved living and working environment and the development potential of URP. Nevertheless, the poor home owners and all tenants relocated to inferior places with limited income generating activities were deprived of their livelihoods, assets and social support system, and were the net losers of URPs. Low income homeowners and all tenants in kebele owned houses were thus spatially segregated or marginalized by URP.

From the above discussion, it is concluded that the net winners were the rich homeowners, new beneficiaries of condos in redevelopment sites, youth group and those relocated to condos in nearby sites. Nevertheless, informal owners, tenants and sub-tenants, relocated to kebele houses and to land and condos in remote sites were the net losers of policies, plans and implementation. The costs of renewal

were felt strongly among these groups. Nevertheless, the intensity of losses even varied among the net losers. In what follows, the most negatively affected or the net losers of URPs in Addis Ababa will be discussed according to their levels of losses from the highest to the lowest.

Of the net losers, the most negatively affected net losers were those in informal houses that were not eligible for either compensation or replacement housing. Informal homeowners in particular were the most negatively affected of all groups because AACA did grant them neither monetary compensation nor the right to purchase condominiums except the right to sale their property demolishing the houses at their own expenses. AACA prohibited the right to purchase condos or kebele houses as replacement to informal tenants and sub-tenants in kebele owned houses. These households thus suffered the loss of their homes, livelihoods and communities.

The other group most affected was the beneficiaries of kebele owned houses in other areas. Of this group, the households that were relocated again five months after their first displacement from Lideta to Sengatera area were those negatively affected net losers of renewal. Relocation to houses with inadequate tenure security, therefore, affected not only their assets and livelihoods, but also their coping mechanisms because they had no sufficient time to handle the problem and reestablish their business. Most from this group were relocated to inadequate kebele owned houses in contrary to the objectives of improving their living and working conditions. The chance of this group to be relocated again has increased since the kebele owned houses have been lined up for demolition in the near future. Given this group was the poorest of the poor thus the ability to reestablish their livelihoods was curtailed by repeated relocation and worsened by the absence of rehabilitation support program in Addis Ababa. Their relocation to houses in bad conditions and targeted for demolition added to the suffering of the relocated households already burdened deeply by poverty. This constrained the enormous potential for their livelihoods restoration and improvement. Still 144 of them in Basha Wolde who did not afford to purchase condos had to wait up to one and half year before they were re-housed once the estimated amount of 773 tenants in kebele owned houses were relocated. In the mean time, they faced electricity and water disruptions, and lived in the almost cramped neighborhood with uncertainty about their living and working conditions.

Finally, homeowners relocated to lands in the margins of the urban economy were one of the groups who lost. This group was relocated to the area where job opportunities, infrastructure, schools, health facilities,

water and electricity were lower in status compared to their former ones. This led to an increased daily transport costs to reach to workplace and school, placing further financial strain on their meager income. They were granted smaller land plots and inadequate monetary compensation that did not build the house similar to their former ones. Given the low compensation amount and its inability to construct a new house comparable to the previous one, the overwhelming majority of relocated homeowners resold their land. In such cases, some of them had no choice but to vacate and establish in informal settlements elsewhere although the available evidence was sketchy.

Informal owners and tenants, the poor relocated to kebele houses and land in the out skirts of the city and condo beneficiaries in remote part of the city did not share the benefits of URPs along with the new beneficiaries, a few rich homeowners, rich developers, government and the broader society. They rather suffered a deterioration of their living standards as a result of the program shouldering excessively URP costs. The benefits of renewal to the affected people were therefore questionable. It was at variance with the principle that the primary beneficiaries of development projects are residents in the targeted land who are the ultimate burden bearers. The reason for denying the benefits of renewal to the majority original inner city residents was the shift of AACA from public low-income housing to economically profitable and prestigious public middle income and rich condos (the so called 40/60). This was accompanied by the shift from mixed income development in inner city neighborhoods to separate areas for the rich and middle class based on the ability to build houses according to plan or land use restrictions. It however was not enough to regard the master plan as an economic oriented ideology to relocate the poor and focused on image building and economic efficiency by maximizing the value of land to generate higher revenue. On top of that, the ambiguity and gap in the policy and plans regarding the main beneficiaries were misused by the AACA and contributed their part to make the new city residents the primary beneficiaries of prestigious condominiums in renewal sites.

Views were polarized about the benefits, effects of URP on the affected residents and unequal treatment to in-situ relocation and adequate housing provision. The relocated original people believed that they do not see the benefits of URPs. For them, URP was equated with relocation to condos in inferior sites where livelihood opportunities are limited and to dilapidated kebele houses where the AACA is intended to demolish. Urban renewal thus meant impoverishment and exclusion. Despite such evidences, government officials claimed that the administration had attempted to make the URP as accommodative as possible.

The LDMB of Addis and MUDCHO denied unequal treatment that took place between Lideta and Basha Wolde dwellers, the poor and rich homeowners, formal and informal users and the affected people and new beneficiaries. They defended the government action in that homeowners that had the capacity to build houses according to land use plan were provided land in redevelopment sites. Additionally, they informed that tenants were eligible to purchase condos if they are afforded to buy in renewal sites only in Lideta, but elsewhere in the remote part of the city in both sites. Some professionals also believed that Gotera and Gofa sites are inner city areas and close to Lideta. They therefore believed that residents right to in-situ relocation and to nearby locations were respected.

Most such claimants always considered the success of Lideta ignoring Basha Wolde residents relocated to about 15 kms away from Arat Kilo area to Semit. They also ignored to state residents relocated from Arat Kilo and Lideta areas to Jijiga Sefer and Ayat areas where there were limited jobs, infrastructure and social services similar to their former locations. In addition, they did not regard those compensated in the form of land and money to Ayat and Jijiga sefers where infrastructure were limited at least as soon as they reached there. They also forgot to cite those relocated to dilapidated kebele houses elsewhere and to Sengatera commercial district which were relocated again despite the principle of improving their living and working conditions. It is unsatisfactory for a State to justify its disregard of adequate housing, livelihood improvement and in-situ relocation rights by referring to other services it provided. These include image building, green areas, open spaces etc, or the fact that certain groups such as the rich few homeowners, eleven tenants in Lideta and new beneficiaries were enjoying the realization of some of their rights. It therefore fell short of the required international standards.

The national government and AACA authorities overstated the benefits of renewal for the affected people favoring the approach of URP that relocate residents to condos even in remote sites and preserve rich homeowners. On February 2013, for instance, there was inaugural ceremony of Lideta condo site for the allocation of the first completed condos and the sale of business shop in auction. During the inaugural ceremony, the Prime Minister Haile Mariam stressed the most important role of the state ownership of land to the rapid expropriation of property and commencing URPs. Voicing the national government's support for strengthening and replication of this project, the Prime Minister said "the URP is one of the success stories of the AACA and the government; and vowed to replicate in other parts of Addis Ababa and other large towns of Ethiopia." This indicated that the government favored URPs that relocate the original residents

and provide land to rich homeowners and condos to new middle and rich income beneficiaries that contributed neither land nor property to the URP.

These officials used prestigious building and planned development of the inner city that improved the image of the city. They were thus in a sense of jubilation about the success of renewal that benefited residents from the purchase of condominiums. They however understated the cost of residents relocated to dilapidated kebele houses with inadequate tenure security and relocated to areas far away from urban economy without rehabilitation assistance that led to the decline in their livelihoods. They had therefore interests to diminish the problem and exaggerate the benefits they got from simply condominiums purchase in remote part of the city.

This raised parallel questions. Could it reasonably said that all residents rights to adequate housing; remain and livelihood improvements respected as most of them relocated to public houses in bad conditions with insecure tenure and to undeveloped land with inappropriate location for livelihood opportunities? As most condo units were and will be offered to new beneficiaries, could it reasonably said that relocated households to public houses and to undeveloped land become primary beneficiaries or at least share the benefits? Again, does the right to adequate housing and compensation mean benefit sharing without rehabilitation support program? If so, why rehabilitation support is well placed or recognized as a separate right in the national legislations? Was benefiting by renting out the condos planned by the program or was it a coping mechanism not to lose their houses by the National bank? This research agreed that there will be and has been a lot of improvement in the living and working condition of rich homeowners relocated to Lideta renewal sites and new condo beneficiaries, but little or no improvement in the living conditions of relocated households. Unfortunately, the national government and AACA were unwilling to admit the hidden cost of URP on the households relocated to kebele houses and relocated again, to land and condos in areas inappropriate to livelihood opportunities which resulted from the focus of the government on economic efficiency of land market and image building.

The government officials suggested a different notion to the question of denying the poor, tenants and informal land users to some rights, making them the net losers of URP; and unequal treatment between them and new beneficiaries. In contrary to accommodative narrative, officials in LDMB of MUDCHo and the city administration argued: "We cannot satisfy all". This argument sounds illogical if one considers the

principle of urban planning proclamation and urban renewal strategy of Stricture Plan. The principle of ensuring the satisfaction of the needs of the society through public participation, transparency and accountability in urban planning article 5 (5) contradicts with the argument of “we cannot satisfy all”. This principle assumes that genuine participatory, transparent and accountable decision making in urban plans preparation is a central part in ensuring the satisfaction of the needs of the relocated people. This includes the right to remain in the area, receive adequate compensation and housing, and improve their livelihoods. This argument was also at variance with urban renewal strategies of Addis Ababa Structure Plan. One of its suggested strategies is to maximize the land value to address the socio-economic disruption of existing settlements using the built-up areas for different purposes other than residence (AACAA, 2007). Therefore, the city administration should use the enhanced land value to assist relocated households to provide adequate housing for all and improve their livelihoods through benefit sharing. Finally, these respondents ignored RPF of MUDC that reminds the administration to provide assistance for legal tenants affected by the project to find alternative accommodation. This is supported by the international law that the government must offer important opportunity to realize the human right of relocated people to adequate housing and livelihood improvement including those unable to provide for themselves.

Is the right to adequate housing or livelihood restoration a question of satisfying relocated people? In accordance with the right-based approach, it was not a question of need satisfaction since “satisfaction of a need” cannot be enforced. As a result, it is not necessarily associated with an obligation on the part of the government to cater to it. It is a matter of protecting and respecting the right of residents to adequate housing or livelihoods improvement. Hence, as University of Minnesota, Human Rights Resource Center explains the provision of adequate replacement housing coupled with livelihood improvement is a human right, but not a matter of satisfaction. Right in this case entails an obligation on the part of the government to provide it for those affected. It should be bear in mind that adequate housing and compensation, the rights to remain, livelihood restoration and become main beneficiaries are not privileges, but “rights” that must be offered by the expropriators.

Other politicians went as far as saying that some may be negatively affected in the process of URPs and it is the cost of development. This idea acknowledges the effects of renewal that caused eviction on evictees. It was confirmed by the official explanation in the Addis Fortune newsletter Vol 11, No. 533. In this newsletter, one sub-city official said. “We are trying our best but it is impossible to please everybody and

there may be some who will be disadvantaged due to the relocation process.” This justification was at odds with ICESCR and right approach notion that the rights of a single person should not be compromised by the public interest projects. Compromising the right of an individual is in contravention to urban planning principle, asserting that initiation and preparation of urban plan must balance the private and public interests. This urban planning principle should come to the minds of decision makers and urban planners when designing and implementing URPs.

We cannot satisfy all backed by some may be negatively affected in the process of urban renewal was therefore used to relocate the residents to inadequate houses and to remote part of the city with limited job opportunities prohibiting in-situ relocation. I agree that some may be negatively affected by URP. I do not however agree that the relocation of the poor to inadequate houses and URP that led to the decline in their living conditions. I also argue that the negative consequences of URP must be mitigated and converted to development opportunities in order to offer adequate housing and improve their livelihoods by the government. This research therefore argued that the government can offer land and condos not only for the few rich and new rich and middle class beneficiaries, but also to the poor affected inner city residents. In achieving this, the government must give particular consideration and priority to the poor and other vulnerable groups. It means that there were opportunities to preserve the affected poor people constructing public low-cost houses or condos, given the 10,000 condominiums construction in Lideta. They could also build prestigious condos for the rich to improve the poor image of the city and lease land enhancing the value of the prime and sought after land. It is also argued that the government can offer adequate housing to all affected people in nearby areas. This can be achieved by providing condos in the form of rental or purchase through genuine participation, raising funds approaching local and international NGOs and sharing the benefits of maximized land value along with the general public. In the latter case, the socio-economic disruption of the affected people could be addressed by allocating the income that was and that will be generated by enhancing the land lease value, and the prices of prestigious condos and business shops. Such opportunities not only ensure economic growth, but also reduce slum poverty improving the living and working conditions of the affected people, and thereby preserve the mixed income population maintaining its residents. The government therefore must offer these and other important opportunities to realize the human right of relocated people to remain, adequate housing and livelihoods.

Chapter Ten

10. Organizational issues and land governance principles in LDMBs

10.1 Organizational responsibilities and coordination

Land development and management is implemented through creation of organizations; and deployment of processes, procedures and manuals to implement policies and legislation; and implementation of systems for monitoring and evaluation (Burns and Dalrymple, 2012). It was noted that URP is one of the urban land development and management strategy. Successful formal urban renewal requires structures organised by governments. Structures include compensation and resettlement, land development, urban planning, land information, land registries etc. Urban renewal also requires well balanced legal systems, independent land valuation and dispute management and financial systems. This study will therefore focus on the organizational structures and their responsibilities and authorities to implement policies and regulations that have relevance with URP.

The Constitution assigned legislative power over land to the federal level of government. It however reserved the implementation of national land policies and legislations to the AACA. In accordance with the expropriation law, urban development policy (UDP) and RPF, MUDC is the main federal government body to translate policy into regulations in implementing policy. It is also assigned to coordinate, monitor and evaluate the implementation of the policy. Based on this, the federal government of Ethiopia and MUDC enacted ULDMP, ULLP, Expropriation law and urban planning decree. MUDC also created land organizations to monitor and coordinate the implementation of policies, plans and programs.

At the national level, there was no responsible body of URP in the MUDC that carried out the urban renovation with an adequately organized institutional manpower. Before 2010, Urban Development and Capacity Building Office (UDCBO) was responsible to oversee the implementation of Urban Local Governance Development Project (ULGDP) in which URP was one and main component. Indeed, this duty was charged to UDCBO after World Bank funded the RPF and ULGDP implementation. The authorities in the MUDC conceded that the renovation of ramshackle urban areas was carried out in disorganized and non-integrated ways. Moreover, it was witnessed that the work undertaken with regard to urban renovation

and supervision had been inadequate and ineffective to address the problem in a sustainable manner and as desired.

The case in point was that RPF mandated MUDC to monitor, coordinate and support ULGDP in the cities. The UDP of Ethiopia also gives power and functions to MUDC to monitor and supervise the implementation of policies and proclamations. In this light, the national government assigns responsibilities and duties for City Administration to provide rehabilitation support in addition to recognizing replacement housing in the expropriation law and RPF. In this respect, they assume that the simple provision of condo units do not improve their lost livelihoods. This agency is also responsible to offer adequate compensation, replacement housing, alternatives to eviction and 90 days after relocation notice as well as to genuinely consult the affected people. However, AACA breached these rules of law and the national government gave a blind eye because MUDC did not take measures on AACA to abide by the law. The important point that may be drawn from this is that the government limited itself to the promulgations of policies and laws and totally ignored its responsibility to monitor, supervise and evaluate their implementation in accordance with rules of law. Government must establish mechanisms to monitor the implementation and effectiveness of policies and legislations. It must be prepared to take corrective action when failures or evidence of failures are identified. Feedback from the public and NGOs can assist the overall monitoring.

Lideta and Basha Wolde renewal were undertaken before the new LDMB established at Addis Ababa in 2012. It is therefore needed to examine the City Manager Office (CMO) and its departments in general and Land Development, Bank, Urban Renewal Project Office (LDBURPO) in particular to understand the clarity of organizational responsibilities, coordination, duplication of efforts etc. At the City level, urban renewal along with land development and Bank was introduced for the first time in 2009 under the City Manager Office. Between 2002 and 2008/9, compensation and resettlement issues and infrastructure provision were handled by Land Development Agency (LDA) under the Bureaus of Works and Urban Development (BWUD). According to regulation No. 16/2004, LDA was the sole agency to implement LDP. In the inner city of Addis Ababa, LDP belongs to urban renewal. Therefore, LDA was the responsible body for URPs. Nonetheless, officials in the Urban Planning and Information Institute (UPII) stressed that the Casanchis renewal project implemented totally violating the LDPs. Poor planning and absence of integration between planning and implementation had been the distinctive feature of the city's renewal efforts under LDA. It was worsened by the absence of urban renewal department though the duty was undertaken by the LDA. The

former compensation and replacement accommodation department leader in the *"Addis Endegena"* Magazine (Vol. 1 No 1, 2002) of the LDBURPO explained that URPs were carried out without responsible body to renovate slum areas in an adequately organized manner. Urban renewal activities which had been carried out in disorganized and non-integrated ways and on a piece meal basis led to achieving less than the desired as stipulated in MDGs and PASDEP. The work undertaken with regard to URP was therefore inadequate and ineffective to reduce slums and slum poverty.

Due to this, AACA transferred the land development management responsibilities to the CMO from BWUD in 2009 after business reengineering studies. According to proc No. 15/2009, the agencies under the CMO were LDBURPO, UPII, Land Administration and Building Permits etc. At the central city level, the CMO had the power and the responsibilities to direct, coordinate and integrate these offices and institutes. Out of these, this research will focus on LDBURPO and UPII. The City Administration restructured LDA to create a new and independent department which was tasked with urban renovation. Toward this end, LDBURPO as one sub-division was established introducing URP and land bank, and merging them with what was formerly known as LDA. This office was organized with two main processes namely Land Development and Bank main process; and Resettlement main process under its authority. These again were sub-divided into Compensation and Resettlement sub-process and Land Development, Bank and Transfer sub-process. The CMO mandated LDBURPO to implement URPs and its eviction and relocation; and to carry out the project according to LDPs prepared by the UPII.

10.1.1. Assignment of responsibilities

The successful implementation of any land policy requires clear cut assignment of responsibilities among land organizations along its hierarchy. In Basha Wolde, it was absence of clear responsibilities over which level of the compensation and resettlement sub-process was responsible to deal with eviction, valuation and appeal over compensation hampered the process. Directive No. 3/2012 gave the responsibility to eviction, and entertain residents' claim, request and appeal to compensation amounts either to city or sub-city compensation and resettlement sub-process. Due to this, the claim, request and appeal of residents submitted to sub-city compensation bureaus were referred back to the city compensation and resettlement sub-process, as the leader of this office disclosed. He further explained that we were loaded with these

activities beyond our tasks. He attributed it not only to lack of clarity in rules but also to the fear of the officials to make decisions on these issues due to the governance issues attached to land in Addis Ababa.

The organizational responsibilities for land information main process had been spread out over the UPII, Immovable Property Registration and Information Agency (IPRIA), and Information Communication and Technology Development Agency (ICTDA). This applies particularly to two of the responsibilities of UPII, as the land information organization and preparation expert explained. The first was that the land information component of UPII and IPRIA were responsible to collect, organize, analyze and distribute land information although the latter was focused on cadastre. Duplication of data capture was therefore frequently encountered in the collection, assemble and distribute land and land related information between UPII and IPRIA. Both offices were too frequently embarking on maintaining their own individual digital databases due to unclear institutional mandates. Another was that overlapping of responsibilities was observed between the networking and maintenance sub-process of UPII, and ICTDA. The case in point was networking and maintenance sub-process connected the land management offices through networks to share data across offices. Nonetheless, the ICTDA complained and accused this institute for doing things beyond its responsibility and authority. This created organizational rivalry.

The duplication of data and overlap of responsibilities has continued in the new LDMB since 2012. The mandates for land information has been spread out among Land Information and Technology Centre (LITC); Integrated Land Information System Installation Project Coordination Office (ILISIPO); and Immovable Property Registration and Information Agency (IPRIA), all under the LDMB, but in different agencies. The mandate that the Proc no 35/2012 grants to the ILISIPO and IPRIA covers certain land and land related information such as collecting, organizing and distributing functions already undertaken by the former UPII and the current LITC as the same expert in LITC revealed. Data should only be captured once, and the maintenance of land and land related data should be the responsibility of the LITC. LITC, which encompasses not only the data, but also the official protocols for data sharing will improve the overall efficiency of data collection and maintenance and enable government decision-making to be more consistent drawing on the authoritative data sets.

Finally, the compensation and resettlement sub-process leader informed that rehabilitation assistance was the gap of urban renewal that must be addressed but it was not our office responsibility. Continuing his

speech, he elaborated that this was the responsibility of finance institutions and NGOs. This indicated that resettlement for this sub-process means offering either land or replacement accommodation without livelihood improvement or restoration program in contravention to international literature and good practices (Cernea, 2008; ADB, 2009). Therefore, this role was not clearly assigned to the compensation and resettlement sub-process.

10.1.2. Coordination and integration

Organizations are important objects for interactions within the state and in society (Borras and Franco, 2012). The AACA planned to reduce disputes that had been common between the UPII and LDBURPO in Casanchis renewal project about the adjustments of land use regulations. Disputes in Lideta were reduced due to improved coordination between these offices and decisions were made in an integrated manner. It was observed when the committee that consisted of the Mayor and other authorities in the city changes the minimum building height in the LDPs of Lideta from G+4 to G+2 in consultation with the planning authorities to accommodate relocated households. Moreover, good coordination between the UPII, LDBURPO and corruption commission of Addis Ababa was seen. The land information component of urban renewal was organized as main process under UPII. It entails the design of a structured computer-based Land Information System using Geographical Information Systems (GIS). This department was tasked with collecting land and land related geophysical information; preparing and administering data base; analyzing, organizing, updating and distributing land and land related information for decisions and compensation.

This GIS based land information played a great role in improving land management and valuation as well as in reducing corruption and rent-seeking in URP. An illustration to this was that some illegal practices that overvalued the property of residents for compensation were exposed using reliable information from the GIS accompanied by the actual data registration of the property using video tapes, as land information preparation and organization expert explained. In Addis Ababa, video recordings of the property before or during property valuation and the 1995 GIS map were used to identify and witness bribe or illegal practices. Toward this end, the corruption commission used the 1995 GIS information as the main acceptable source and witness to verify corruption and rent-seeking in front of the court. In Basha Wolde, for instance, the size of the plots on which landholder property situated was increased aiming at overvaluing the property of the house and its compensation amount. Using this information, corruption commission accused the valuers.

This explains the importance of accurate and timely information from GIS helped to curb illegal practices, corruption and rent seeking in URP of Addis Ababa.

Despite this, there was lack of coordination between the different bureaus within the CMO and between different bureaus within the municipality and LDBURPO of Addis Ababa. According to land information preparation and organization expert, LDBURPO was expected to provide base maps for the Land Information sub-process, but they rarely submitted it to this office. It caused the delay in organizing and distributing data for decisions. In carrying out URP, the CMO was charged with cooperating and coordinating Water and Sewerage Authority, Road Authority, Electricity Authority, Finance and Economic Development Bureau, Micro and Small Enterprises Development Office and Justice Bureau. It also coordinated the AACAA Housing Development Project Office (HDPO) and Housing Development Authority (HDA). In principle, developed land has to be made ready to be used by the relocated residents for housing development before they were relocated by the office. In practice, residents were relocated to land not serviced with the necessary infrastructure and social amenities. Poor home owners relocated to land in the out skirts of the city for example, received neither electricity nor water services as soon as they reached there. In Ayat Arat Kilo Sefer, relocated households did not access electricity even in March 2012 three years their relocation. In addition, no public schools and health centers was made available. In other words, infrastructures were developed and electricity and water were made available three or more years after the residents constructed their homes.

As city and sub-city compensation and resettlement officials informed, there were poor integration between the authorities that were responsible for the provision of infrastructure, water and electricity with the LDBURPO or the CMO. They added that the LDURP office, for example, submitted its request for the construction of new roads in the relocated areas before they were reached in relocation sites. Nonetheless, the road authority was loaded with the construction of new and expansion of the existing roads in addition to development for relocated households. The authority was unable to provide roads for the affected people for more than two years after their displacement let alone furnishing before they were relocated. The cause attributed to this was that the authority did not have enough construction equipment to execute the road construction for relocated households, as officials in LDCRA attested. However, one professional attributed to the fact that the authority seemed to consider this duty as a secondary agenda. This was held true with Water and Electricity Authority. Hence, the residents' rights to improved infrastructure and social amenities

were not respected. It rather deteriorated their infrastructure, access to water, electricity, public schools in contravention to the objective of improving the living and working conditions of residents.

Another area where poor integration existed was between condominiums development and LDBURPO to house the affected people. The AACA Housing Development Project Office (HDPO) was in charge for the condominium housing construction while the AACA Housing Development Authority was mandated with the issuance of replacement housing (condos or kebele houses) and certificates of use rights for evictees and new beneficiaries. Replacement land and compensation provision for evictees, and relocation process was carried out by LDBURPO in CMO. Hence, replacement housing for evictees took one year or more in case study sites of Addis Ababa, as functions were frequently split between LDCRA and Housing Development Agency. In this case, relocated households wait up to at least three years as is the case in Lideta renewal sites; and one and half year in Basha Wolde II until condos were completed and begun to live in condo sites. For such residents, the city provided twelve months displacement compensation in Lideta, but only six months for Basha Wolde residents. The money allocated was large enough as Arada sub-city officials described and was attractive as most residents in Basha Wolde reported. Moreover, 144 households remained in Basha Wolde for six months due to lack of kebele owned houses, and for up to at least one year and four months until condos of the requested size were made available. As this researcher observed, they were not provided kebele houses or condos until January 2014. This indicated lack of condos or replacement housing for relocated households and absence of planned resettlement action plan for replacement before the area was demolished.

This was supported by other studies which indicated that the housing need and the shortage is one of the worst problems of Addis Ababa (Birhanu Lodamo, 2006; Curran, 2007 cited in Tolon, 2008). Rose Curran in 2002 for example calculated that approximately 233,000 units were needed to meet the demand for housing to replace the deteriorated housing structures (Curran, 2007 cited in Tolon, 2008: 29). Tolon (2008) also estimated that by 2015 an additional 334,000 units would be needed to house new households. This was equal to a total of about 550,000 units needed by the year 2015 to house new beneficiaries and to replace the dilapidated inner city houses (Ibid). This would require the production of about 70,000 units per year (Ibid). Nonetheless, the city produced only 15, 000 units, which was 55, 000 units below the required amount (Ibid).

This was confirmed by the news released from Housing Development Agency in 2013. The housing units produced since the commencement of the integrated housing development program between 2004 and April 2013 was 120, 000 units. The city therefore produced only 13, 333 units per year, which was 56, 667 units below the required amount. This makes an estimated production of about 70,000 units per year difficult to address the backlogs and to house the relocated people. From this, it is difficult to address the needs of existing urban decay as well as to house the new beneficiaries and future households constructed by the HDPO. Additional units of housing thus needed to relieve existing rundown houses and provide houses for evictees relocated by renewal, new beneficiaries in the housing backlogs and future households. The City thus must find ways to facilitate the provision of sufficient dwelling units to timely house evictees due to URP relieving the existing urban decay. It also indicated that HDPO was overloaded with large duties to construct houses for relocated households and new beneficiaries. It resulted in the delay to receive condos or replacement housing, and in the provision of land replacement in areas without infrastructure, electricity, water, public health centers and schools to children.

Coordination of the CMO with NGOs working on urban development was also poor. If at all available, the AACA approached NEWA to provide loan for 20% down payment for 200 women headed households who were unable to buy condos for themselves. In Basha Wolde however NEWA stopped offering such assistance. As a result, most households were relocated to deteriorated kebele houses with inadequate tenure security. Although it was sub-standard and a onetime effort, the assistance of NEWA in Lideta was a sign of good interaction and coordination between LDBURPO and NGO, which produced a better result. It was an indication that a combined effect of the government and NGO could produce greater than the sum of their separate effects.

Moreover, incoherence of various planning laws policies and practices to the needs of the poor marred URP. For example Urban Planning Proclamation No. 574/2008 intended to reduce urban problems and improve the living conditions of residents. In spite of the intension of policies and plans, the poor were relocated to kebele houses and to inferior distant places for income earning activities without rehabilitation assistance. Finally, the coordination and integration of renewal with parallel programs such poverty reduction strategies through Medium and Small Scale Enterprise; and Credit and Saving Association were lacking. As a result, the income and living conditions of most poor households became worse. For instance,

improving the living conditions of residents in the policy and absence of rehabilitation support in the AACA directive and relocation of the poor means that policy and directive development was disjointed and reactive. It also showed that policy and practice integration was lacking.

The other challenge of URP was limited authority to deploy processes, procedures and manuals and implement policies and legislation. The committee assigned to design draft directive forwarded rehabilitation assistance but the council rejected it. Additionally, as URP is a multi-disciplinary work, the LDP team in the UPII was composed of a socio-economic and a physical planning sub-division. These included economists, sociologists, geographers, town planners, urban design, civil engineers etc to consider the socio-economic, physical and environment factors in the LDPs. Urban Planning main process was organized from socio-economic and physical sub-divisions. To make a balanced urban planning for renewal that consider the public and private interests, different individuals from the above disciplines were participated throughout the LDPs preparation processes for URP. They were expected to devote their professional knowledge to determine the most appropriate urban renewal approach considering not only the physical and economic factors but also the residents' rights and needs on social grounds. Since people of different professions have different opinions and views on the issue, the coordination between their efforts is one factor to the successful URP.

Nonetheless, the key factor to the successful URP is their coordination with the decision making body, the city council and political will in considering the negative impacts of relocation and respect residents rights. A good example was that the socio-economic impact of the LDPs was analyzed and solutions were put forward by the socio-economic sub-division. They forwarded the negative effects of relocation and the need for rehabilitation assistance to mitigate the risks of impoverishment, but no measure was taken by the AACA. This research did not see the benefits of involving different professionals from socio-economic and physical units and utilizing their views and opinions if the poor were relocated to kebele houses in bad conditions and to the margins of the urban economy without rehabilitation assistance. What was their role if they did not restore their livelihoods or income, but led to impoverishment? The LDBURPO and the UPII had limited authority to make decisions and implement plans that respect the affected resident's rights considering the realities of the poor.

10.1.3 Frequent meetings and transfer of employees

Another problem was that frequent meetings to carry out works in campaign that could be done as fast as possible. As some professionals at LDMB at the central level revealed meetings were frequent to create awareness about activities for which their offices were not responsible. After meetings, they were engaging on accomplishing these tasks ordered by higher political authorities. It was thus difficult to focus on their professional jobs doing routine but politically imposed functions. Frequent change of responsible bodies and positions in City and Sub-cities was another problem. During my first visit to LDBURPO in 2012, I could not find most officials because they were on the process of restructuring and it forced me to extend the field work until 2013. It resulted in organizational instability, loss of organizational memory, frequent change of positions and sub-cities of responsible bodies. A case in point was that this researcher could not find some of individuals who led and closely carried out the Lideta and Basha Wolde renewal for interview. Thus unable to collect data about relocated household's resettlement sites, number, the size of condos offered etc. In one case in Lideta sub-city, this researcher could not find a single person who was worked and knowledgeable in the sub-city compensation and resettlement sub-process during urban renewal project in Lideta as most of them were either transferred to the city or other Sub-city offices. Consequently, some of the data of the institution was lost and it was difficult to find reliable data.

10.1.4 Restructuring the CMO and the establishment of LDMB

ULDMP admitted that urban land organizations were not participatory and transparent in decision making, and suffered from vested interests, rent-seeking behavior and corruption. It was also marred by absence of information on the rights and responsibilities of the residents and the resulting opposition and resistance to relocation and delay in relocation procedures. As a result, ULDMP and its authorities were ill-equipped to improve the inner city decay, reduce slum poverty, create a better spatial and physical image of the city and utilize the underutilized prime inner city lands enhancing the land value in achieving economic efficiency. In order to address these problems, the MUDC and the federal government have devised new ULDMP in May 2010 and ULLP in October, 2011, respectively. Both have become a legal document and instrument in directing land development and management. Their introduction necessitated to restructure the land organizations in order to adjust and make them responsive to the changing policy at national, regional and local levels, which guided the country's urban land management system. Accordingly, the Land

Development and Management Bureau (LDMB) structure is to be set up at National, City, Sub-city and wereda, the lowest tiers in the current administrative structure, levels.

Immediately after ULDMP, an exercise has been carried out to restructure urban land organizations at federal, city, sub-city and Wereda levels. At the federal level as a whole, the MUDC in general and its Land Development and Management Bureau (LDMB) in particular are responsible for the ULDM. In the MUDC, there was no responsible body of URP that carried out the urban renovation with an adequately organized institutional manpower. Toward this end, two bureaus have been formed in the MUDC, assigning specific responsibilities of the Ministry. These are Land Development and Management Bureau (LDMB); and Urban Planning, Sanitation and Beautification Bureau (UPSBB). By organizing three departments under its authority, LDMB was re-established in 2010 in a new way with the aim of enabling the sector to play an important role in the development of cities and building good land governance by permanently changing the system of land development and management. This objective of the bureau is to establish modern and effective system of urban land development and administration which enables the realization of achieving development, growth and good governance in cities. Its mission is to see the realization of a renovated and standard city environment matching international standards in all the country's cities in 2020, among others. The three departments are: Land Development and urban renovation department; Land Marketing and Administration Department; and Urban Land Information department.

Pertinent to URP, conducting studies on effective and efficient alternatives of renovating ramshackle and old slums in cities and supervising their implementation is another responsibility of the Bureau in general, and Land Development and urban renovation department in particular. Parallel to this, UPSBB was formed by retaining the manpower of what was formerly known as Urban Planning and Coordination Bureau (UPCB). The Bureau was restructured merging urban planning; and urban Sanitation and beautification, solid waste and wastewater management, and recreational and green areas development, with four departments under its authority. The Bureau is charged with the responsibilities to prepare and approve short and long-term projects and programs by integrating them with national urban planning sectors; conduct research and inquiry on urban planning based on an assessment of gaps; give training on capacity building; and makes monitoring, evaluation and feedback provision activities in connection with the implementations of urban planning and law and standard maintaining take place.

In order to adjust and make the CMO responsive to the changing ULDMP and ULLP that guided the national urban land management system, the AACA attempted to reestablish the land organizations structure which was under the City Manager office in 2012 after the approval of proclamation No. 35/2012. In this light, the CMO was replaced by LDMB. By retaining the man power of what was formerly known as the former CMO, LDMB has been made for cooperating and coordinating Land Development and City Renewal Agency (LDCRA), Land Bank and Transfer Office, Building Permit and Control Authority, Urban Plan Institute, Land Information and Technology Centre, Integrated Land Information System Installation Project Coordination Office, Immovable Property Registration and Information Agency, and Title Administration Transitional Period Service Project Office under its authority.

At the national level, the organizational responsibilities for land management were spread out over two bureaus, particularly the LDMB and UPSBB, both under the MUDC. Unlike the city and sub-city LDMB, the national LDMB and UPSBB are spitted in to two different bureaus. The LDMB at the national should have the status of a central national organization that coordinate and manage all urban land issues under the same or one office. It is not desirable to isolate LDMB and UPSBB, especially the urban planning part from the broader LDMB given land use plan is one element of land management. Given most countries move towards creating one land management and administration bureau or agency at the national level across rural urban divide and sectors, the MUDHo should take measures towards this end by merging its LDMB and UPSBB and establish a single bureau. Thus UPSBB should be restructured as one department within LDMB rather than a separate bureau of the land sector.

Addis Ababa has its own organizational arrangements for land development and management. LDMB of Addis Ababa comprises not only the marketing, land information and urban renewal, but also urban planning under its authority. It is by far better than the one in the MUDHo in reducing duplication and uncertainty of efforts, and fragmented responsibilities, and in making land related legislation and policy implementation consistent across two bureaus or several bureaus. The ULDM at city level has split LDBUPO into two offices: Land Development and City Renewal Agency (LDCRA), and Land Bank and Transfer Office in 2012 continuing their activities that used to be carried out under the LDBURPO. Similarly, the bureau has split UPII, which aligned planning and information components, in to UPI and LITC at city level. Splitting in to two parts, the departments have maintained their former human powers and duties. The

devolution of authority along with responsibility will be documented below under subsidiarity of land management.

10.2 Land governance principles and LDMB

Land is both socially and economically important (GTZ, 1998; Burns and Dalrymple, 2012). The economic goal is related to market-driven land use and land value (land market efficiency), while the social goal is pertinent to social justice and equity in the distribution of income from URP benefits or profits. The government has a unique and important role to play due to the social and economic goals attached to land (Burns and Dalrymple, 2012). The reason attributed to it is that both cannot be achieved by market forces or market-driven land use and URP. This role of the State implies a particular set of concerns related to governance (Ibid). It, however, does not mean that all governments achieve both goals in a balanced manner. Further, it is not possible or desirable to isolate land development and management system from its broader political environment, given the highly politicized nature of land in Ethiopia. For this reason, land management organizations or restructuring in Addis Ababa, Ethiopia will be described and analyzed in the context of the broader land governance system and the policies undertaken there. As a result, this section will employ land governance norms as bench mark to understand the nature of land governance in LDMB of Addis Ababa in general and LDBURPO or LDCRA in particular. Its principles will be used as point of reference to examine their attempt to improve the land governance. In this part participation, transparency and rule of law will not be treated as they were extensively discussed in chapter 7 and 8.

10.2.1 Decentralization of urban renewal activities

One of the key areas for intervention to assist the land management and decision making process of urban renewal is the decentralization of land management to local level, with a real distribution of power. To begin from city level, AACAA is assigned to implement urban development policy, ULDMPP and ULLP under its constituent parts, empowered to translate policies into directives, formulate strategies and draw strategic plan, and LDPs to implement the policy. In all cases, the city administration does not have the power to formulate policies regarding land. The city administration was not mandated to formulate policies.

The LDBURPO and UPII were under the Municipal or Central, Sub-city, and Wereda levels. The Urban Planning Proc No. 574/2008 gives the Municipality, Sub-city and Wereda Councils the power to acquire and hold land (*Article 52/1*). It also offers urban centers at all levels the power and duty to prepare, draw up, execute and revise development plans or cause the preparation and review of their respective structure and LDPs by certified private consultants or public institutions (*Article 15*). The central, sub-city and wereda levels UPII were established across the Addis Ababa. The UPII at municipality level was in charge of the preparation of LDPs to revitalizes the old inner city part of Addis Ababa, and Sub-cities and Wereda administrations had to operate within this wider framework. It is also tasked to analyze data collected and organized at sub-city and wereda levels. Nonetheless, UPII at sub-city level was mandated to implement LDPs prepared at city levels while contributing in collecting and organizing data needed for LDPs. In addition, within this framework, they were charged to prepare LDP for slum upgrading for which the city has given less attention. Moreover, the land organization had offices at Wereda level that collect data necessary for urban planning and data analysis and organization. It also had building permit and control sub-division.

According to most officials in Urban Planning Institute (UPI) and LDCRA main processes at city and sub-cities, they anticipated that the Proclamation on the Reestablishment of AACG Executive and Municipal Service Organs will set up wereda renewal, planning and land information units. They even expected more power and duties to wereda levels. They also suggested this during the discussion of LDMB restructuring draft report. Implausibly, the Proclamation No. 35/2012 removed the duties of wereda regarding land and land related tasks that used to be carried out under the wereda offices. Except Building Permit and Control division, all land management departments in wereda, including urban planning and information and urban renewal divisions were removed or aligned to Sub-city land management bureaus. The result was extensive gap in data collection and data reliability, minimizing closer follow up and monitoring, participation etc. As Addis Ababa is a big city with more than three billion population, the power to formulate LDPs should be transferred to sub-city and wereda administration. As the name LDP implies it is closer to the local people. Addis Ababa has several LDPs that help to implement the structure plan. These cannot be effectively prepared by the city administration at central or city level.

In the new LDMB, Compensation and resettlement sub-process and plan and land information desks have been established in ten sub-cities. The wereda administration has no role in making implementation and in

the decision making process of LDPs. The Compensation and Resettlement sub-process is another ULDMB body that exists at the sub city level in Addis Ababa. However, there is no wereda renewal and planning offices.

10.2.2 Tenure security

Land is an important asset of the Ethiopian economy, but its supply is fixed. Inner city land in particular is sought after and claimed by many competing interests and activities. As disclosed above, land in inner city Addis Ababa is inefficiently used accompanied by deteriorated housing structures with bad city image. Further, the rapid economic growth of the country in the past decade and urbanization put pressure on their lands. Hence, establishing and protecting claims to land, and ensuring equity of property rights protection are important concerns of land users (Burns and Dalrymple, 2012). As the poor and women face particular obstacles in obtaining equally secure land rights, tenure security is important on social grounds (Ibid). As a result, protection from forced evictions is increasingly seen as a basic human right and acknowledged as part of the MDGs. Social concerns in this context mean that purely market-driven land use or expropriation is insufficient to address the needs of the poor (Ibid). The appropriate provision of a secure and equal property rights system therefore requires the state that defines property rights by considering these concerns when making decisions (Ibid).

In Addis Ababa URIER, the resettlement standards point out that the authorities were required to pay compensation for any lost property or to provide replacement housing only for formal homeowners and tenants. According GIS expert in LITC, if the houses of the affected people were not seen in the GIS map depicted in 1995, non-documentary forms of evidences were not used to obtain recognition of claims to property compensation and replacement housing. These include housing and land tax certificate, utility /water bills or informal purchase notes. In Ethiopia and Addis Ababa, property rights were defined without considering the importance of equal tenure security for informal owners and poor tenants on social grounds. Equal tenure security was not therefore provided by the government or LDBURPO. The government rather violated this right like the private actor in the markets applying market-driven property expropriation and compensation for URP.

Aside from RPF, eligibility to compensation and replacement housing is limited to lawful homeowners, kebele house renters and sub-tenants in all domestic legislations, excluding unlawful ones. When Lideta and Basha Wolde II property were lined up for expropriation and demolition, the AACA offered monetary compensation and land replacement for the affected persons who had title deeds. The administration also respected replacement housing rights for kebele house tenants and sub-tenants with contract agreement. In Lideta, the AACA agreed to provide the right to purchase condo units for informal homeowners that build unauthorized houses in side their fathers or mothers' compound although they were denied monetary compensation after lengthy discussion and resistance. In another instance, AACA ensured those sharing kebele houses with their relatives without formal contract agreement of cohabiting as the beneficiaries of condominiums purchase. Such rights were only limited to those who married and had children. Despite this, AACA implemented good land governance perspective as it enforced continuum of land use and public house rental rights.

However, Basha Wolde residents didn't have the same option because the AACA begun Basha Wolde renewal after the first directive was enacted. By the time the new directive No 3/2010 was issued, the above recognized and protected rights were excluded following the new directive strictly. Consequently, the Administration forbade households with these tenures in Basha Wolde II. Dwellers without any title deeds or contract agreement of renting were also restrained from making appeals or complaints for compensation or replacement housing. Once the area was demolished, they simply moved away to another such place or rendered homeless since their illegal status in the city makes them vulnerable to eviction without compensation or replacement housing.

Added to resistance, absence of comprehensive directive or working procedures to implement national proclamations and regulations related to renewal project played its role to incorporate residents inputs in Lideta although several procedures in different directives were existed. In expediting decisions, the committee, including the then Mayor of the city was camped in Lideta wereda 08 and made some decisions in contrary to this directive and the Ethiopian legislations in order to weaken opposition. The ad-hoc decisions or directive practiced in Lideta renewal project by the AACA was in some ways more favorable to residents than that was in place in 2010 (directive No 3/2002EC).

Nearly 45 percent disagreed and 41.35 agreed in Lideta, but 80 percent disagreed or strongly disagreed and only 5 percent agreed in Basha Wolde that all forms of tenure, formal and informal homeowners and renters, had equal right to claim compensation or replacement housing (see table 10.1). Large number of respondents in Lideta (41%) agreed that informal rights were respected than Basha Wolde residents (5%). This difference was the result of respecting the right of informal owners that constructed houses in their relatives' compound by AACAA in only Lideta. In cases reported by residents and professionals, the homeowners without any document and *kebele* home renters and sub-tenants with no evidence of contract agreement did not receive compensation or replacement accommodation. Authorities in Arada sub-city supported this report and explained that the sub-city did nothing for sub-tenants who informally rent from the kebele tenants as they did not rent the kebele houses directly. They added that we could not find sufficient replacement kebele houses for those who rent directly, let alone for those who sublet indirectly or illegally.

Table 10.1 Lideta and Basha residents' agreements about respecting informal rights

	Lideta residents		Basha Wolde residents	
	Frequency	Percent	Frequency	Percent
Strongly agree	1	3.45	-	
Agree	11	37.9	3	5
Neither agrees nor disagrees	4	13.8	9	15
Disagree	13	44.8	35	58.3
Strongly disagree	0	-	13	21.7
Total	29		60	100

Source: Own computation

Some LDCRA high ranking officials attributed the exclusion of this right to the characteristics of homeowners and the legality of houses they built in. In this respect, most residents that built additional houses inside their compound illegally to rent will claim replacement condos for their sons and daughters that do not live in the given project area before the commencement of the project. For them, this considerate gesture apparently will give the wrong signal to potential relocated persons in other sub-cities as it led to an even stronger question from homeowners and tenants not living with their relatives during the subsequent years. I challenge this argument in that there had been needs assessment study and identification of the prospective evictees along with wereda documents. At this point one question arises: whose responsibility was to identify and register the owner, tenants and sub-tenants user and household members in the respective homes and weredas? Certainly, it was the responsibility of the wereda, sub-city and the city LDMBs. There are also committees who represent residents to identify legal and illegal beneficiaries and those living with their relatives in each renewal site. Through these and other methods,

the government can easily identify eligible beneficiaries. This revealed that the city administration penalized the residents for the wrong doings of public land organizations in the city at all levels.

As some officials in the MUDHo and the city LDMBs disclosed, the main reasons for limited recognition of such rights were rule of law enforcement, high levels of informality, weaker administrative tools and structures and the resulting high levels of rent seeking and corruption. Based on this, the city administration decided that it is necessary to reinforce the rule of law, reduce illegality and fight rent seeking and corruption behaviors. The denial of compensation and replacement accommodation for households in informal houses was justified as a measure necessary to reinforce the rule of law, reduce the construction of unauthorized houses in inner city houses and reduce high levels of rent seeking and corruption. There is undoubtedly a public interest in ensuring respect for the law. Nevertheless, this interest ignores the conviction that a secure and equal property rights system has aspects of a public good which is appropriately provided by the state than market forces (Burns and Dalrymple, 2012). Consequently, the government violated this right acting like the private actor in the markets applying market-assisted property expropriation and compensation. As the study in chapter 5 discloses, the informality was produced and reproduced by social and political power relations in history. Those people who are labeled as illegal are not, but the system that has exposed them to such circumstances violated the international law through eviction without compensation or replacement compensation. This research agreed that it will encourage illegality and corruption and rent seeking if the land governance system is weak. It also believed that informal houses were not prevented by enacting laws and prohibiting illegality in practice in Addis Ababa. Illegality, corruption and rent seeking, and weak rule of law can be solved by improving land governance that has exposed them to informally build, as well as rent and co-habit kebele houses.

If this was to respect the rule of law and reduce illegality, why AACA offered such rights in Lideta in contravention to expropriation law and ULLP. This demonstrated lack of uniform and sustainable regulations and resulted in the confusion of informal couples and unequal treatment of citizens living in one city with similar economic and social conditions. Some of this confusion in Basha Wolde is the result of the profound, but yet to be addressed legal issues affecting the recognition and enjoyment of informal way of accessing lands or housing rights in Ethiopia. It is also related to the carrying out of eviction and relocation without directives to implement national government legislations using ad-hoc directives in Lideta.

Most interviewees in LDMBs vowed that Lideta is a model urban renewal project that involve the affected people and respect the rights of residents. It is thus expected to replicate the good practice and experiences of Lideta in other renewal projects, including in Basha Wolde. It was even expected to protect and respect additional rights in Basha Wolde. It means that the protection provided in Lideta will be applied to all affected persons in the upcoming projects irrespective of their geographical location and period of implementation. Nevertheless, such rights were excluded in Basha Wolde. Given Lideta is considered as a model renewal project aimed at improving the living conditions of residents in the deteriorated areas, these residents should not be forced to live in their parents' home or to become homeless. Hence, AACA practiced in contrary to this notion and Constitutional right of equity and uniformity. It is not inconformity with the CESC that guarantee the right to housing "should be ensured to all persons irrespective of their tenure status" They could not thus enjoy the benefits of continuum of rights and secure land tenure that international law and development principles provide. This highlights that the national government and AACA adopted and practiced conventional land administration and market based property expropriation as they ignore the right of informal tenure to compensation and replacement housing.

Opposition party respondents such as Andenet and All Ethiopian Unity parties criticized mainly public ownership of rights as the main cause of forced eviction with limited residents consent, inadequate compensation, relocation to inadequate houses and distant places ignoring informal rights. It, however, is argued that in countries where private ownership predominates, residents have been forcibly relocated without adequate compensation and their consent to outskirts having limited job opportunities in India (Dupont, 2008) and Liberia (Rhodri C, 2011) using eminent domain. Added to this, Liberia (Ibid) only recognized formal rights outlawing informal rights. In contrary, Brazil enforces informal rights, recognizing continuum of rights. In this case, Liberia practiced formal private land administration, while Brazil experienced good land governance under private ownership because it respects informal rights.

In a similar manner, countries with public ownership of rights have displaced dwellers violating their right to adequate compensation, suitable relocation sites for job opportunities etc such as China (FIDH, 2007), Tanzania (Kombo, 2010) and Ethiopia. The ruling party in its ideological magazine called 'Raey' or so called "vision" stressed that state ownership of land has contributed to undertake URP in expedite manner and ensure sustainable economic growth than private ownership. In the latter case, by comparing the

development projects in China and India, this magazine concluded that private ownership is the main reason behind India's smaller growth rates (GDP) than China. However, the government understated the violation of residents' rights by URP in inner most part of the city as documented above. In this case, URP did not respect the rights of the affected people to in-situ relocation, rehabilitation support, adequate compensation and replacement housing. It is observed that though ownership remains vested with the state, Mozambique (AU, AfDB and ECA, 2009) and Tanzania (Kombo, 2010) recognize continuum of rights, while China (FIDH, 2007) and Ethiopia deny informal rights. In Mozambique, for instance, progressive land and forest legislation provides for the protection of the right of local communities to use and benefit from the land though ownership remains vested with the state. It also provides for a process to demarcate and register community lands in order to land rights even if they are not documented. The difference between Ethiopia and Mozambique is that Ethiopia employs formal public ownership of individual land use rights, while Tanzania practiced good land governance.

The discussion above revealed that neither the private nor the public ownership respects the rights of all residents to adequate compensation, housing and rehabilitation support, if they apply market based property expropriation approach and formal land administration where informal tenures exist. What matters in this regard is the application of good land governance and right based property expropriation approach that recognize continuum of rights and offer adequate security of tenure. The major cause for the denial of such rights is therefore absence of land governance and the application of market based property acquisition approach. It however is not public or private ownership. Both tenures have their own merits and demerits and both may be suitable for the different contexts and jurisdictions depending on their existence in the country even at different local areas. Thus, there is no good or bad tenure, but good or bad choice of tenure. Put simply, what makes the type of land tenure good or bad is not implementing either private or public ownership of land, but the choice that builds on what exists, or that suits the actual conditions of the area (the contexts). The choice may be bad, if the government chooses formal individual rights in the country where the tenure is dominated by informal individual and customary rights. Similarly, it is good if the government entitles both formal and informal ownership, renting and cohabiting in the country where the tenure is dominated by the combination of these rights. In Addis Ababa, there have been both formal and informal owners, tenants and sub-tenants as chapter 5 disclosed. Thus, basing the entitlement on only formal ownership, renting and cohabiting for compensation, replacement housing and rehabilitation is in contravention to good land governance and right based property expropriation approach. This suggests

that adequate tenure security will be given and informal rights will be recognized, respected and fulfilled if land governance is good and property is expropriated through right based approach in Ethiopia where the owner of land is the state.



Photo 3: The picture of houses on the process of building in Ayat land replacement relocation site

Regarding the security of tenure in relocation sites, Lideta tenants were relocated to kebele rental houses in Sengatera area, which was planned for commercial activities in the LDP. One mission of Housing Development Project Office was to ensure tenure security as stipulated in the Proclamation No. 15/2004 (article 6). The office however gave kebele houses designed to be demolished and slated for urban renewal. As a result, five households were relocated again five months following their relocation when Sengatera project began. Similarly, the households relocated to kebele houses who did not suffer relocation again at the time of field survey will be relocated again as soon as the LDPs (renewal projects) begun to be implemented in their relocation sites. This office worked in opposite direction to its mission of

providing houses with adequate tenure security. Another was that 54.5 % and 66.7 % of residents relocated to land in the outskirts in Jijiga Sefer and Ayat, respectively were insecure (table 10.2). As a result, 54.5 percent in Jijiga Sefer and 55.6 percent in Ayat Arat Kilo Sefer feared the treat of eviction in the coming ten years (table 10.3). Witness to this was that some of them sold and left the area due to market eviction as this researcher observed and we see it from the picture above (photo 2). The area therefore is going to be replaced by standard flats of rich households.

Table 10.2 Frequency and cross tabs of the document given as proof of use rights and secure land use right in relocation sites

	Generally secure	Somewhat secure	Neither	Insecure	Strongly insecure	Total
Lideta	3 (60)	2 (40)	-	-	-	5
Basha	2 (66.6)	1 (33.3)	-	-	-	3
Gofa	6 (46.2)	6 (46.2)	1 (7.6)	-	-	13
Jijiga	1 (9.1)	2 (18.2)	2(18.2)	6 (54.5)	-	11
Semit	7 (35)	8 (40)	2 (10)	2 (10)	1(5)	20
Ayat	1 (11.1)	1(11.1)	1(11.1)	6 (66.7)	-	9

Source: Own computation

Finally, 92.4 percent of those relocated to condos in Gofa and 75 percent in Semit believed that the document they were given as proof of use rights for replacement houses provided them secure homeownership (Table 10.2). About 61.5 % of households relocated to Gofa condos and 45 % in Semit did not fear a treat of eviction in the following ten years from their condos (table 10.3). Therefore, condos as replacement housing had reduced a treat of eviction in the coming years compared to those relocated to lands in the remote part of the city and kebele houses. From this point of view, group rights or condo ownership rights provided adequate tenure security. This finding is in agreement with the study made by Deininger (2003) declaring that the definition of property rights at the level of the group significantly reduces the danger of eviction while ensuring sufficient security to individuals. Another obvious advantage of this right is that secure property rights can be provided more cost-effectively on a collective rather than private basis (De Meza and Gould 1992 cited in Burns and Dalrymple, 2012).

Table 10.3 Frequency and cross tabs of the feeling a treat of eviction in the following five years from the house in relocation site

Relocation sites	Yes	No	Don't know	Total
Lideta	0	5 (100)	0	5
Basha	0	3 (100)	0	3
Gofa	0	8 (61.5)	5 (38.5)	13
Jijiga	6 (54.5)	4 (36.4)	1 (9.1)	11
Semit	1 (5)	9 (45)	10 (50)	20
Ayat	5 (55.6)	2 (22.2)	2 (22.2)	9

Source: Own computation

10.3. Actors in URIER

It is important to consider all actors that are directly or indirectly linked to the situation. Analyzing their role, perspectives and interests may give indications on ways of successfully intervening in a situation. The dominant stakeholder in URP and its eviction and relocation was the government. The government controlled implementation of plans, consultation meetings, land valuation, compensation and appellate tribunal, land supply and the construction and distribution of condominiums and business shops. This was manifested through its various arms such as city administrations, Sub-cities, and weredas. Put more broadly, the major actors of URP were MUDC, the mayor of the city, the City Council, the former City Manager's office consisting of LDBURP Office and UPII, Commercial Bank of Ethiopia, Water and Sewerage Authority, Road Authority, Electricity Authority, and Finance and Economic Development Bureau. It also consisted of the AACA Housing Development Project Office (HDPO) and the AACA Housing Development Authority. The combination of all these organizations was thought to be serving the interest of the government in implementing URP. The strong power of the government controlled and influenced the implementation of the program. It however denied the affected people, CBOs and NGOs to take part in the implementation of the program. Hence, it avoided the chance of reducing the negative consequences of URP on the affected people by disallowing the residents' right to remain, adequate compensation and replacement housing, and rehabilitation assistance to restore their lost livelihoods. Although the major actor of URP next to the government was the affected people, we will look at the other actors and the role of informal actors briefly.

NGOs involvement in the URP to avoid permanent eviction, request their rights and mitigate its negative consequences on the affected people, both national and international, was limited. While many NGOs operate in Ethiopia, few deal with land, housing and relocation issues. The one visible NGOs dealing with ensuring replacement accommodation through loan for 20% down payment for relocated households in only Lideta was the Network of Ethiopian Women Association (NEWA). One further NGO, namely BEZA had also been involved in community development for relocated people in inner parts of the city in the provision of training. In addition, the Addis Credit and Saving Association contributed in the purchase of production materials for 200 women. NEWA was involved in providing loan for 200 women households in Lideta to assist pay the 20% down payment but approached by the AACA. NEWA was established in 2001 and has engaged in gender equality and capacity building of women associations (Desalegn et al, 2008),

but not in community development for those relocated by URP. Donated from Swedish International Development Aid, NEWA offered 1.8 million Ethiopian Birr.

After the officials ordered them to demolish the makeshift shade provided by Sub-city until the project completed, most of these women stopped working, handed over their production materials to the wereda and discontinued their loan payment and monthly installments for condos. The NEWA did not follow its implementation and had no monitoring mechanisms and did not even visit them. The provision of loan and training for relocated poor households was not their objective or responsibility and was not part of their action plans. This implied the program was ad hoc, limited to female-headed households in Lideta, sub-standard and was not sustainable as it was limited to Lideta because they stopped offering this service for female-headed households in Basha Wolde II despite residents request even in the consultation meetings. Despite this, their absence was the major cause of 144 households to wait houses for at least one and half years. This was a clear indication that using such development strategies offered by an NGO, the 200 women households received accommodation and has been on the process of becoming homeowners.

As stated earlier, AACA was empowered to implement policies and charged to regulate land affairs within its jurisdiction through land management. Land management comprises land tenure, use, value and development (Enemark, 2008). The implementation of land management requires policy formulation. The AACA and its LDMB however is not empowered to formulate policies on land tenure system that deviates from formal public ownership. The absence of Policy and program Bureau in the AACA executive and municipal service organs strengthened the constitutional rules that limited the city administration to the implementation of national policies. Article 5(4) of the lease policy declares that as soon as Proc No 721/20011 is enacted, customary or other practices that are inconsistent with respect to matters covered by this Proclamation are inapplicable. Similarly, the sale of property between willing seller and buyer is carried out only in the government structures requiring title deeds and evidence of purchase from public organs. Formal rules and structures were the only ones by which decisions were arrived and implemented. The roles of public land organizations are generally restricted to land under formal tenure arrangements. By implication, the AACA prohibited condo transactions before five years and land transactions without erecting buildings.

Some households in the informal houses did not have land title certificates as required by law. Non-documentary forms of evidence such as housing and land tax certificate or utility/water bills or informal purchase notes were never used to obtain recognition of claims to property compensation and replacement housing. The housing units without a title deed were required to present water and electric bills, property tax receipts, and a letter from kebele administration, all at once, as an evidence to be eligible for compensation as set out in directive 3/2010. Nonetheless, the agency did not accept these evidences if their houses were not depicted in the 1988EC GIS map. It posed a big problem during compensation procedures.

The informal rules and organizations that assisted residents to own condos for the majority poor inner city dwellers were sidelined in the policy and in practice. Securing land right is particularly relevant to the poor in inner city areas where competing demands and interests on land including development, industry, infrastructure, urbanization, customary and informal rights, ecological and environmental protection. Addis Ababa did not balance the needs of these competing demands and breached the resident's rights to adequate housing and rehabilitation support. As a result, informal owners and tenants were not eligible to either compensation or replacement housing. The government therefore employed conventional land administration which is obsolete and unfit to the inner city Addis where most houses constructed informally and in unplanned manner instead of good land governance. This did not consider land use rights and tenure security on social grounds, the inner city contexts and good practices in Africa. It thus did not improve the tenure security for the informal homeowners, tenants and sub-tenants. The use of formal and conventional land administration as compensation and replacement housing provision mechanisms failed the test of tenure security and continuum of right or good land governance.

Some of those eligible to condos were without any financial source for 20% down payment. These dwellers requested loan for 20% down payment and to disburse the down payment over longer periods. In Basha Wolde II, the city administration stopped offering loan for down payment approaching NGOs and prohibited to disburse the down payment. More over the supply of kebele houses was limited; hence 144 households were staying in Basha for more than six months. As knowledgeable dwellers reported poor dwellers were persuaded by the officials to ask condos and reasoned that even if they could not find the down payment, they can sale the condo to housing speculators and get sufficient money. Condominiums transactions or selling at lower prices for those who did not have the information to exchange were the common

phenomena after withdrawal. This propaganda coupled with absence of appropriate, sustainable and affordable replacement housing strategies and ineffective measures taken by the AACA forced the affected people to search for informal ways to access condos.

Based on the experience from Lideta and Basha Wolde I, some poor young tenants who were unable to access financial resources in Basha Wolde II, middle men and housing speculators employed informal source of information, rules and structures to access condos. Encouraged by propaganda from the wereda and sub-city officials, some also applied for condos as knowledgeable residents explained. One hundred forty four residents in Basha Wolde II also changed their request from kebele houses to condominiums using such information. This information gave them the confidence to resist not accepting one bed room or studio condos which was proposed by the city administration and kebele houses of any type.

At the renewal and relocation sites, informal actors, structures and rules exist to transfer land or sale or exchange condominium units such as brokers, house speculators and condo purchasers. The informal actors transferred the affected people condos with three and two bed rooms by one bed room and studio as well as additional 40, 000 and 60,000 Eth Birr, respectively. Sources in the LDCRA officials who spoke on conditions of anonymity as well as middle men told the researcher about incidences how willing sellers and buyers exchanged condos. These sources reported that they signed legal agreement in Justice Bureau. In such agreements, the sellers signed that as if they borrowed 800, 000 Ethiopian Birr from the purchasers, while the buyers offered the title deed or the legal document of one bedroom condos in the name of the seller. After buyer paid the whole cost of the condominiums, the seller will transfer the ownership of condos with three bedrooms to the buyers after five years of condo purchase, as per the rule of the IHDP of Addis Ababa. The transfer is executed properly as per the loan agreement signed. This has reduced disputes between the willing buyer and seller and improved the degree of trust between them.

Knowledgeable residents, middle men, officials in HDPO and in LDCRA informed that the housing speculators had strong connections with HDPO, compensation and resettlement sub-process and lawyers. As a result, they got information on when withdrawal for condo in respective renewal sites will begin, and how to exchange condos. This was backed by the information on who had financial constraints for 20% down payment to buy condos. The same source put forwarded that officials in central and sub-city

LDBURP office and HDPO might themselves be party to these underground condo transfers. Informal housing exchange employed loopholes in the rule of law. This evidences suggested that a class of professional condominium house speculators and brokers had emerged who were exploiting their and officials knowledge of the weakness in the existing legal framework for condominium ownership rights of the relocated people. Informal rules, actors and land organizations provided sufficient access to condominiums for the poor encouraging exchange of large size condos by smaller ones along with additional money even if they had no money to pay the 20% down payment.

In Lideta, no one reported about the informal transfer of larger size condos by smaller ones and additional money. As a result, 170 households or 18.2 percent in Lideta for example were unable to afford the 20% down payment and relocated to kebele houses in bad conditions with inadequate tenure security. It became 370 (40%) had it not been the 200 women households supported by loan from NGOs for the 20% of down payment. Some of them relocated again and most of them will be relocated for the second time in the near future. This showed that the informal rules and actors therefore played great roles in accessing replacement condos and additional money for livelihood improvement on the basis of trust accompanied by signing larger amount of loan to be paid to the condo purchasers. Informal condominium market and source of housing market information are better equipped than formal ones in accessing replacement condos for poor residents. Informal transactions however were often the result of corrupt practices.

Therefore, absence of appropriate sustainable and affordable replacement housing strategies and formal land management officials' encouragement led to a higher level informal housing units exchange using legal loopholes. Weak land governance that did not consider the security of tenure as public good given by the government and the protection of tenure security on social grounds also contributed to the increase in the informal condo transaction. The informal condo transfer will be increased and may lead to corrupt practices if this approach of the government persists although it offers access to condos for the poorest of the poor.

Despite income similarity, difference to access condos among the poor through informal condos market and access to information on how to exchange condos existed, however. The poorest of the poor were those who were unable to access information on condos transfer/exchange. These residents are old poor

particularly old women with no daughter or son. Residents in Basha Wolde II reported that poor old men and women, particularly old women with no daughter or son did not access information on condos exchange. Interviewees and FGDs agreed that these residents were the poorest of the poor. These Basha Wolde II residents thus were unable to access either kebele housing or condominiums one and half year after demolishing of the area and their neighbors relocated.

In another instance, residents in the informal houses were not allowed to defend their claims supported by oral testimony, informal purchase agreement or other forms of customary evidence of possession. Similarly widows that presented oral and *Idir* witnesses, *Idir* and traditional and customary marriage evidences were prohibited to defend their rights. They were required to present formal marriage document from Justice Bureau. These forced them to incur additional costs and exposed them to bureaucratic long processes. However, the government used oral evidences from residents and representative committee for land valuation and compensation to verify that the land size on which the property was situated. This was to reduce the cost of compensation and protect the interest of the government. The government employed informal means to defend its interests and deny the right of residents, but prohibited their uses for residents to defend their rights. The informal rules and actors that assisted residents to own condos and informal organizations such as oral and *Idir* witnesses, and traditional and customary marriage evidences to defend their rights for the majority poor inner city dwellers were sidelined in the policy and in practice.

Chapter Eleven

11. Summary of the study findings and Conclusions

A detailed depiction of two urban renewal projects in old inner parts of Addis Ababa served to illustrate land governance in urban renewal induced eviction and relocation (URIER). In this part, summary of the study findings for each topic accompanied by their conclusions will be emphasized. In closing this discussion, several implications for policy pointing out rules, contexts and principles that must be addressed to protect and respect the affected people human rights and thereby improving land governance will be given.

11.1 Summary of the study findings and conclusion

In protecting and respecting the affected people's rights, land governance in Addis Ababa's URIER has good legislation articles and made strong commendable measures that are in agreement with international and national laws, land governance norms and inner city contexts. Some of these include:

- ratifying the ICESCR in 1993 and enacting in Ethiopia's Constitution;
- recognizing the provision of rehabilitation support and 90 days notice of relocation in the Expropriation law;
- acknowledging the right of tenants and sub-tenants to replacement housing in ULLP;
- stating the provision to offer condominium rental for the poor in the ULDMP; and
- recognizing meaningful consultation and appropriate location for livelihood opportunities in RPF.

Regarding the actual practice, AACA took extraordinary step to respect the rights of residents to stay in their homes until replacement houses were given to them although they refused to accept anything less than two bedroom. Moreover, it suspended the construction of only commercial buildings and began mixed use development combining commercial activities and residences. Further, it respected the homeowners' right to compensation according to their preferences which involve either alternative land or condominium purchase. Finally, although it was limited to women and Lideta renewal sites; AACA fulfilled its obligation to provide houses for those unable to provide for themselves even if a city had no sufficient resource. In this respect, AACA provided loans to help 200 poor women in Lideta pay the 20 percent down payment for single room condos. Apart from loan provision, other poor tenants were offered the opportunity to pay the down payment in three stages breaching its own rules.

Taking these actions coupled with recognizing the above rights therefore are good signs of respecting residents' rights and offer good opportunities for the government to ensure the realization of human rights of those affected expounded in CDESCR. However, land governance in URIER had several policy, decision making process, organizational and implementation problems. Before delving in to actual URIER practices, let us have a brief look at problems pertinent to legal framework.

11.1.2 Legal framework

In Ethiopia, there is no comprehensive policy, rule and plan that guides URIER. The Federal government however provides rules in different policies, plans and laws to regulate the conditions under which the affected person's rights are protected and relocated and their property are expropriated. These are the Expropriation law, Compensation Regulations, ULDMP, ULLP, RPF, Urban Planning decree, Reinstatement directives, Structure Plan and LDP of Addis Ababa. The legal frameworks however have some problems that need to be addressed to respect the rights of the affected people. First, these have some obvious *gaps*. In this case, there is no specific requirement that the government should:

- provide adequate and reasonable prior information; and ensure the provision of independent advice and technical assistance to give the affected people greater control over decision making;
 - assess the impacts of renewal on residents and measures to avoid or reduce its negative consequences during consultation meetings;
 - permit evictions only in exceptional circumstances in addition to public purpose;
 - entitle the affected people as the primary beneficiaries of URPs and share its benefits to them;
 - provide "adequate" houses with all its elements and characteristics; and
 - recognize and ensure continuum of land and housing rights in entitling the informal homeowners and tenants to compensation or replacement housing and rehabilitation assistance.
- value the property based on post development land uses and location (site and situation) is missing. Additionally, explicit norms for punishments mechanisms in case of breach of the affected people's right are missing. They rather focus on procedures for how to acquire land, relocate poor residents and penalize rent seekers and corrupted officials that overvalue the property of homeowners.

Second, some rights and concepts in the legislations are not clearly defined and explained. One or more of the legislations use concepts like public purposes, meaningful consultation, and substitute or reinstatement housing. They however do not explain and clearly define these notions. Third, there are inconsistencies among the policies, plans, directives and programs. The main legislations used to carry out URIER such as Expropriation law and ULLP have no provisions pertaining to meaningful consultation, exploring alternatives to eviction, suitability of relocation sites to job opportunities, budget allocation for resettlement

at the outset etc. RPF however recognized all these rights. Another is that the provision of rehabilitation assistance and ninety days notice of relocation are well placed in the Expropriation law. AACA directives however excluded rehabilitation and reduced notice of relocation to 45 days for homeowners and 30 days for tenants.

Finally, Ethiopia has contradictory policies, laws, plans, strategies, principles and objectives. One case in point is that market driven and image building focused land use plan with mixed income development, pro-poor policies and the objectives of improving the living conditions of the affected persons. Recognizing commensurate compensation through the evaluation of market value also contradicts with the exclusion of location and its determination based on pre-expropriation land uses. Another is that the strategy of offering dilapidated kebele houses as a replacement accommodation and applying restitution principle to compensation, replacement housing and rehabilitation support are at variance with the objective of reducing inner city slum poverty through slum improvement.

Last, but not least, there are parallel and separate laws for evictions. For instance, expropriation law treats the rights of homeowners while ULLP entertains tenants' rights. Likewise, the problem posed by the above laws has been exacerbated by the absence of comprehensive compensation and reinstatement of land and housing directives during URP of Lideta in 2009. It however was introduced in 2010 and applied in Basha Wolde in 2012. The result was a very inconsistent URIER procedure in Addis Ababa. For instance, couple informal owners, tenants and sub-tenants with children in Lideta were eligible to replacement condominium units in 2009, while Basha Wolde II dwellers were not entitled to such rights in 2012 as a result.

It is concluded that some of the Ethiopian legislations are incomplete, unclear with ambiguous terms and phrases, incoherent, inadequate and incompatible to protect and respect the human rights of the affected residents or avoid or mitigate the adverse consequences of relocation. In the face of such legislations, their misuse or abuse by the city authorities to favor the government interest at the cost of residents' rights or to focus on forced evictions of the poor is inevitable.

11.1.2. National policy making process and actors

The actors in the formulation of Urban Planning decree, ULDMP, ULLP, Master Plan and LDPs were the ruling party, the government and its various arms. The majority of the interviewees and 90 percent of the surveyed residents revealed that they were not involved in the decision making process of legal frameworks pertinent to URIER. Policy making processes were carried out with little participation and discussion at the grassroots with the affected residents, NGOs and opposition parties before being passed by the parliament, MUDC and city council.

The overwhelming majority of the interviewees of institutions and households, about 80 of the surveyed households and opposition parties believed that the decision making power was concentrated in the hands of the Federal Government and city council. The affected persons, NGOs and opposition parties however had limited power in the policy making processes. Associating the policy formulation process and the effects of policies and plans with changes or distributions in real power to make decisions was minimal. As a result, only the interests of the government were recognized and counted. These include responsibilities and some rights of the affected people, efficient use of land, reconstructing in a planned manner, image building by reducing slums and generating more revenue from land lease.

The influencing mechanisms to advance most of the government interests were putting pressure on parliament members to pass the law as fast as possible, offering insufficient time to read and challenge the justification of the ruling party and excluding other actors from the decision making process. The purposes of these mechanisms were to maintain the existing power relationships in order to put the government intent into policies and laws, and make decisions as fast as possible. These helped the government actors to influence the policy making process in Ethiopia. The policies, laws and plans resulting from such processes thus did not reflect the needs, potentials and constraints of the poor, hence ignoring their rights to remain and improve their livelihoods and houses. This findings leads to the conclusion that the decision making processes were not participatory and inclusive. It rather was state and expert-driven top-down participatory approach. This was a technical solution and output-oriented emphasizing outcome over the process.

The World Bank had supported the formulation of RPF. As a result, RPF recognizes some of the Involuntary Resettlement Policy (IRP) requirements of the Bank that have significance to respect the affected people rights. These are avoiding or minimizing relocation exploring feasible alternatives to eviction and relocation to a similar or neighboring area. It also has the provisions to involve residents in the meaningful consultation process before relocation are decided and offer livelihood assistance to those in informal houses. Nonetheless, the main legislations used to expropriate property and displace residents did not include or amend these requirements. AACA did not also implement them in inner city URP. It is an indication that the national government did not own these requirements imposed by the outside force. It is concluded that the implementation of policies and procedural requirements is determined by the policy ownership and endorsement by officials at the highest level of national government.

11.1.2.2 Consultation meetings

The consultation process was marred by absence of prior adequate and reasonable information; no NGO was involved in the sensitization program; and residents' lack of knowledge of policy documents or legislations and power to make decisions. These facts were coupled with the provision of wrong information, hiding important rules and intimidating them. Together, these affected more profoundly the balance of bargaining power of inner city poor residents and reduced their ability to claim and protect their rights by influencing the decision making process. The result was that the public officials ruled the relocation of all public house renters and poor homeowners without rehabilitation support manipulating the consultation process. The AACA thus did not go beyond rhetoric and truly empower the urban poor, and considered their proposal in the plans, policies and procedure of eviction and relocation. The conclusion is that the value of consultation was reduced to information sharing respecting only the right to be heard and to speak without empowering them to decision-making. Informed and meaningful consultation was also equated with consent through intimidation and threat, and the provision of wrong information.

11.1.2.2.1 Resistance and opposition

Facing relocation; Lideta residents were trying to resist strongly and collectively. After lengthy resistance and negotiations, residents in Lideta forced the AACA to accept some of their claims. In this case, they

were successful in staying in the redevelopment site, receiving loan for down payment, increasing compensation amounts and disbursing down payment. Basha residents also resisted relocation. Dwellers in Basha however did not have the same strength and unity in putting pressure and forcing AACA accept their claims and rights. AACA and Arada sub-city administration also employed unfair means documented above to discourage resistance. As a result, they did win none of their targets and denied what was given to Lideta dwellers. It is concluded that the government decisions towards respecting or denying the affected people rights or claims did depend on their unity and courage to oppose strongly and collectively as well as on the government unfair tactics to win its implementation targets.

11.1.2.2.2 The government saw eviction and relocation of poor homeowners and tenants as the only and viable option. Given deteriorated housing conditions, bad city image, unhealthy conditions and underutilized valuable land in the old inner city areas; property expropriation for urban renewal qualifies as being in the public interest. As empirical evidences demonstrated exceptional circumstances were not fulfilled. Condominiums were also part of the LDP of Basha Wolde II, which can accommodate all the affected people. Despite such evidences, the poor homeowners and tenants were relocated either to the outskirts or other dilapidated kebele houses intended for demolition. The underlying causes of relocation of the affected poor homeowners and all tenants were legal gaps and inconsistencies of legislations. In the former case, explicit norms for in-situ relocation and strict conditions under which relocations could legally take place are absent in the legislations. In the latter case, the rules about exploring all viable alternatives to avoid or minimize forced evictions in the RPF are not mentioned in the Expropriation law, ULLP and AACA directives. Another reason was that AACA nearly neglected low-income condos in favor of economically profitable up-market and prestigious condos for middle income and rich households in Lideta renewal site. Land use regulation that restricts the minimum building height to G+2 concrete residential houses was another cause for the relocation of the original poor homeowners and tenants. Finally it was caused by the provision of wrong information accompanied by lack of knowledge of residents was another cause for their relocation. These factors coupled with the absence of exceptional circumstances and the availability of condos in the LDPs lead to the conclusion that the government saw eviction and relocation of poor homeowners and tenants as the only and viable option to improve the bad image of the city and thereby reducing slum prevalence rates.

11.1.3.1 Poorly conceived and implemented valuation of expropriated property for compensation.

Most interviewees and 90 percent of the survey studies complained that monetary compensation was not significantly unfair and far below the market rate. The same percent of respondents also reported that they were unable to construct comparable houses that restore their former position. The residents in Lideta and Basha Wolde therefore received a non-market value for their property and were paid much lower than the replacement cost value due to the following reasons. First, it was relied on slum housing land uses as well as on government set values and valuation formula, rather than independent experts. Second, location (site and situation) and post-development land uses were excluded from the valuation formula. This was exacerbated by the absence of well developed and recorded open housing market in formal system to use it as baseline in valuing the expropriated property. The valuation of expropriated property for compensation in Ethiopia thus was poorly conceived and implemented.

11.1.3.2 Adequate housing replacement for tenants: Tenants in kebele owned houses were actually offered the right to choose condo units paying down payment or public (kebele) owned houses in other areas. The choice of condominiums as a replacement was made according to the purchasing power of the affected people. Most interviewees and 61.3 percent of survey respondents, however, revealed that the down payment was unaffordable. Case study interviews and 52.3 percent of survey respondents explained that they had no capacity to pay the monthly installments. It was verified by the fact that the majority of residents rent their condos out to pay monthly installments. Basha Wolde residents were prohibited loan for and extended form of down payment despite their request.

The poorest of the poor had no option other than accepting dilapidated kebele owned houses, which were in bad conditions and limited in supply to replace the houses of relocated people as required. They were also inadequate in terms of tenure security as they have been slated for demolition. As a result, some of inner city households were relocated and will be relocated again. In addition, 144 tenants in Basha Wolde II were waiting for replacement kebele owned houses living in a largely demolished neighborhood for one and half year after their neighbors relocated. Factors that forced low-income people to rely on dilapidated kebele owned houses in part were the absence of the term 'adequate housing' with all its elements and characteristics in the legislations and absence of uniform housing alternatives in different policy documents. The lease policy also excluded substitute land provision at bench mark lease price for the relocated Addis Ababa residents only. In part, it was due to lack of pro-poor housing strategies that give due priority to the

poor people needs and constraints. It also includes absence of rental condos for relocation, preferential public low-cost houses at lower fees, loan for twenty percent down payment and extended form of twenty percent down payment. Finally, the government applied restitution principle, which is inappropriate to inner city poor residents. Poor tenants in kebele owned houses and homeowners were not thus given genuine choices among technically (land use restrictions) and economically feasible alternatives.

The availability of land and condo was not the problem even if their delay was a common place. Nonetheless, condo was unaffordable accompanied by the absence of loan to facilitate condo-buying. Most condo beneficiaries were relocated to distant places with limited job opportunities, hence reporting the decline in their livelihoods. Those relocated to kebele houses in bad conditions were relocated again. This leads to the conclusion that availability of condos or land replacement had been given priority over affordability of condos, and suitability of relocation sites to job opportunities, and habitability and tenure security status of substituted public houses. The URP therefore only offered partial responses to the provision of adequate housing.

In-situ relocation and relocation to nearby sites offer better opportunities. Relocation to those relocated to remote part of the city with limited income earning activities and deteriorated public rental houses, especially with repeated relocation meant decline in their livelihoods and living conditions. The conclusion is that success in relocation process in part depends on the location of relocation sites. Location of the new relocation sites is one of the influencing factors for successful URIER, but requires fair compensation, adequate housing replacement and livelihood assistance program.

11.1.3.3 Rehabilitation assistance (Condo purchase in areas with 10, 000 condos alone will not prevent the decline in their livelihoods)

All relocated people revealed that they were not given support to restore their livelihoods. The government officials at all levels affirmed that there was no budget allotted to rehabilitation support. These officials related its absence to their belief in that they viewed compensation or condominium provision in areas with 10, 000 condos as an investment and as the only way to restore their livelihood and prevent its decline. Based on this, they claimed that condo purchase in such sites alone had recovered and even improved the

affected people lost livelihoods by renting out their condos. In practice, this belief was unconfirmed because the livelihoods of majority relocated households were declined despite the payment of compensation or the provision of condos in areas with more than 10,000 condos. Moreover, condo purchase is not an investment to restore their livelihoods, but only replacement of adequate housing for what was expropriated from them. Finally, renting out condos was a coping strategy to repay the monthly installment, but not a development strategy used to restore their livelihoods as it claimed. Despite their belief and claim, the provision of condos in such sites did not restore the interrupted and lost livelihood opportunities.

Access to condos and fair compensation; and relocating residents to areas having 10, 000 condos in one site and to appropriate location for livelihood opportunities are some of the essential factors for restoring their lost livelihoods and houses. Condo purchase in areas with 10, 000 condos alone could and will not solve all of the problems of the decline in their livelihoods either. Their absence however further worsens their livelihoods, hence prolonging the rate at which their livelihoods are improved. Improvement in the livelihoods of the affected people therefore entails rehabilitation support program other than condo provision and constructing 10, 000 or more condos in one relocation sites. It is concluded that their interrupted and lost livelihood opportunities will not be adequately recovered in the short term just because 10,000 households are relocated in one relocation sites and provided condo units in the margins of urban economy unless they are offered rehabilitation assistance.

Financial resources were available to invest on restoring their livelihoods.

These officials also ascertained the exclusion of livelihood support program to the lack of financial resources or Ethiopia is a poor country. The financial constraint is one of the major problems in Ethiopia, but resources were available to invest on restoring their livelihoods as the empirical study in Lideta and Basha Wolde confirmed. The one tested in Lideta was that AACA raised funds approaching local NGOs and offered loan for 200 women households. The financial resources mobilized from URP itself by maximizing the land lease value can also be used for livelihood restoration which was not allocated to it. The major problem therefore was not financial resource scarcity, but lack of political will. Maintaining unchanged the current relocation process based on condo provision or compensation alone will largely impose the costs of URP and relocation on the relocated people.

11.1.3.4 Restitution principle

AACA relied on restitution principle to pay adequate compensation, improve livelihoods and offer adequate replacement houses for those affected by URP. The overwhelming majority of homeowners however stressed that compensation they received was unfair and did not able them to build similar accommodations. Practicing restitution principle also forced the poor tenants to accept uninhabitable and smaller in size kebele houses with inadequate tenure security. Restitution in inner city URP contexts means their dilapidated houses; weak livelihoods and the poor will remain the same. For the URP in the inner city neighborhood where houses are deteriorated, the majority dwellers are the poor, and its main purpose is to improve their living conditions; it is insufficient to restore their lost property, houses and livelihoods. Restoration principle for URP is therefore more general without considering inner city contexts and does and is not articulated in the light of policy and renewal objectives.

11.1.4 Objectives and losers and winners of URP

URP was not pro-poor, but it focused on image building and land value enhancement or land market economic efficiency over social justice. URP in inner parts of urban Ethiopia has the objectives of reducing urban slum prevalence rates; improving the spatial and physical image of the city; maximizing land lease value and thereby improving the living conditions of those affected. In rhetoric, government officials expressed that their aspiration was primarily to improve the living conditions of those affected. AACA improved the image of the city, reduced inner city slums and generated large sum of money enhancing the land lease value. Despite these achievements, the original poor homeowners and tenants were also relocated to inadequate ramshackle kebele houses with inadequate tenure security and inferior distant land and condos with insufficient income earning activities. Moreover, the income generated from land value maximization was not allocated to improve their living conditions. Their living conditions changed from bad to worse, as a result. URPs and its land use and housing strategies therefore were image building-focused and land market efficiency-driven.

In building the image of the city and maximizing the land lease value, the AACA employed land use barriers, applied prestigious condos than low cost housing, provided wrong information of LDP and

inadequate kebele houses and showed disinterest to maintain the affected people in their former locations and allocate income and benefits of URP to living condition improvement. These lead to the conclusion that URP was not pro-poor although the government and AACA pretended to serve the poor and the relocated people by improving their living conditions and reducing slum poverty.

Balance of URP objectives and emphasis of land use change or reform (URP was focused on economic efficiency and did not also balance the government and the affected persons interests)

Balancing public and private interests is enunciated in urban planning decree. URP in Addis Ababa however emphasized the enhancement of the land lease to generate more revenue or land market efficiency and image building and thereby ensuring sustainable economic growth. It however undermined the rights of residents to in-situ relocation, adequate compensation or housing and improved livelihoods. This leads to the conclusion that the purpose of policy or land use change for URP was focused on economic efficiency at the cost of social justice. URP did not also balance the government interest to build image of the city and land market efficiency dictated by growth, and the interest of residents to in-situ relocation, improved housing and livelihoods through social justice or the distribution of the enhanced value of land. URIER therefore failed to meet the tests of balance in Lideta and Basha Wolde II.

11.1.4.2 URP was not mixed income development

URP relocated the poor homeowners and all tenants ignoring in-situ relocation and did not preserve the unique characteristics of Addis that mingle the poor and rich together. It rather offered their use rights to new beneficiaries not affected by URP and contributed neither land nor housing rights to URP. It therefore was not mixed income development. Replacing the poor by new rich and middle income groups and respecting only the rich homeowners' right for in-situ relocation is a discriminatory policy and a distorted paradigm of development, believing that policy should not be designed to help the already advantageous groups.

Unequal treatment, lack of affirmative action and context specific urban renewal intervention:

URP that relocates dwellers has both positive and negative consequences or benefits and costs. This in turn generated the net losers and winners of URP. To differing degrees, the losers of URP were tenants relocated to kebele houses slated for demolition and land or condos in remote sites; informal users; and poor households. Of the net losers, the most negatively net losers were those in informal houses that were

not eligible for either compensation or replacement housing. Another was old poor women in the waiting list for replacement accommodation and those relocated to kebele owned houses slated for demolition. Five of these households were relocated again five months after their first relocation. Given this group was the poorest of the poor, the ability to reestablish their business was retarded by repeated relocation. The costs of renewal were thus felt strongly among these groups.

These households were treated unequally and they faced discrimination compared to the net winners that most of them were not affected by URP. In accessing condos, AACA treated those who suffered relocation again, the poor and old women to pay the down payment at once like others who did not suffer relocation; purchase condos sourced from own finance, loan or gift; and in the housing backlogs which were not the prospective evictees. Another example was that the entitlement for in-situ relocation was determined by the ability to build quality houses which was beyond the rich of the poor homeowners. Eligibility to compensation and replacement housing was depended on their ability to present title deeds or legal document of renting. This revealed that adequate housing, in-situ relocation and the right to compensation or housing were not given equally irrespective of income and tenure status. This also highlighted inequities of relocation processes; and lack of preferential treatment of the poor and context specific urban renewal intervention. All these lead to the conclusion that URP benefits and relocation options were distributed unequally among the affected people and the most negatively net losers shouldered the costs of URP disproportionately and faced discrimination. AACA did not also consider the realities of these dwellers and did not view that urban renewal intervention as context specific since different groups face varying constraints when looking for housing, in-situ relocation or livelihoods from their neighbors and new beneficiaries.

URP was viewed as a development issue ignoring its human right aspects

Although URP meant a deterioration of the net losers' living standards and exclusion from its benefits, the national government and AACA authorities overstated the benefits of renewal for those affected. They favored and welcomed URP that relocated the original residents, provided land to rich homeowners and gave condos to new beneficiaries contributing neither land nor property to the program. They then defended residents complaints that the government attempted to be accommodative of their rights understating the cost of relocated residents. In contrary to accommodative argument, they defended such

type of renewal using 'we cannot satisfy all' or 'some may be negatively affected in the process of URPs which is the cost of development' narrative. This arguments lead to the conclusion that the government viewed URP as a development issue ignoring the human rights of the affected people.

12.1.5.1 Land organizations

Ethiopia or Addis Ababa has land structures to manage urban land and carry out URP. URIER however was constrained by the following organizational problems that need to be addressed to respect the affected person's rights and improve land governance. The first is the gaps in the organizational responsibilities. At the wereda level, there is no renewal and planning offices and has no role in implementing and making decision related to LDPs in the new LDMB. The result was extensive gap in data collection and data reliability. In addition, rehabilitation support was not the responsibility of compensation and resettlement sub-process. This assignment viewed resettlement as merely the provision of land or replacement housing ignoring its main part: rehabilitation support to sustainably resettle those affected in relocation sites.

Second, some organizational mandates were not clearly assigned. The case in point was absence of clear responsibilities over which level (city or sub-city) of the compensation and resettlement sub-process was responsible to deal with appeal over compensation. Due to unclear mandates and the fear of the officials to make decisions on these issues, the claim and appeal submitted to sub-city were referred back to the city sub-process. This loaded the sub-process with these activities beyond their tasks. Third, there was overlap of responsibilities among offices at city level. The responsibility to connect the land management offices through networks to share data across offices was spread out or overlapped between UPII and Information Communication and Technology Development Agency (ICTDA). Nonetheless, the ICTDA complained and accused UPII for doing things beyond its responsibility. This created duplication of data capture. Further, there are two bureaus, LDMB and UPSBB, at the national level, which have been responsible to manage urban land and urban planning. Unlike the city and sub-city LDMB, the national LDMB and UPSBB are unnecessarily separated or spitted in to two different bureaus.

The final organizational constraint was poor coordination and integration between different bureaus. The first poor integration was seen between the Road Authority that was responsible for furnishing the replaced land with infrastructure and urban renewal project office. This Authority was loaded with the construction of

new and expansion of the existing roads in addition to development for relocated households. Poor integration also existed between HDPO which was overloaded with large duties to construct condos for relocated households and new beneficiaries and LDBURPO to house the affected people. HDPO however produced condo units below the required amount. Coordination of the urban renewal project office with NGOs working on urban development to improve their lost livelihoods and houses was also poor. Finally, the coordination or integration of URP with parallel programs such as poverty reduction strategies through was lacking. The results of poor integration were the delay to receive condos or replacement housing, and in the provision of land replacement in areas without infrastructure, electricity, water etc as soon as they reached there and at least for three years after their relocation. It also resulted in the decline of the livelihoods of most poor households and relocation of the poor to deteriorated kebele houses.

11.1.5.2 Land governance norms

Good land governance and human rights model of property expropriation, compensation and replacement housing for informal owners and tenants were not practiced in Addis Ababa, Ethiopia.

Inner city areas had informal homeowners, tenants and sub tenants that have been produced and reproduced as products of political power relations during the Imperial, Derg and the existing tenure regimes. In all tenure regimes, however, the informal tenures were not eligible to compensation and replacement housing although they were vested under private or state ownership. Informal homeowners, tenants and sub-tenants without title deeds or formal contract agreements were not only eligible, but also prohibited to claim and appeal compensation or replacement housing in all domestic legislations and in actual practice. These households thus suffered the loss of their homes, livelihoods and communities. The denial of such rights for these households demonstrated that in Ethiopia property rights were defined without considering the importance of equal tenure security for informal users on social grounds, the inner city contexts and good practices in Africa. Although secure property rights believed to have aspects of a public good, it was not provided by the state. The government and the AACA therefore employed conventional land administration which is obsolete and unfit to the inner city Addis where most houses constructed informally and in unplanned manner instead of good land governance. In Ethiopia, the main cause of such a forced eviction was not private or public ownership of land and houses.

In the international good practice, there are countries that recognize and protect the right of informal land users even if they either have formal public or private ownership regimes. The opposite holds true for other countries recognizing only formal public or private ownership of rights. The former group applies good land governance and human right model eviction and relocation ensuring continuum of rights, while the latter group practices weak land governance violating the rights of residents. The difference between these groups is the type of land governance, but not ownership regimes. What matters to respect the rights of informal users is therefore the application of good land governance and right based property expropriation approaches that recognizes continuum of rights and protects adequate security of tenure.

Neither the private nor the public ownership respects the rights of all residents to adequate compensation, housing and rehabilitation support, if the government applies formal land administration in Ethiopia where informal tenures exist. Concisely put, the rights of residents will be recognized, respected and fulfilled if land governance is good and property is expropriated through right based approach even in countries like Ethiopia where the owner of land is the state. It is concluded that the national government of Ethiopia and Addis Ababa applied formal market based property expropriation approach and weak land governance or good governance in land administration as it based the entitlement for compensation, replacement housing and rehabilitation on only formal ones. It, however, did not practice good land governance and human rights model of property compensation and replacement housing. The major cause for the denial of such rights is therefore absence of land governance and the application of formal market based property acquisition approach. It however is not public or private ownership. Both are suitable for the different contexts and jurisdictions depending on their existence in the country even at different local areas. From this it is concluded that what makes the type of land tenure good or bad is not implementing either private or public ownership of land, but the choice that builds on what exists or the contexts. The choice may be bad, if the government chooses formal individual rights in the country where the tenure is dominated by informal individual and customary rights. Similarly, it is good if the government entitles both formal and informal ownership, renting and cohabiting in the country where the tenure is dominated by the combination of these rights.

Condo ownership rights provided adequate tenure security:

The affected people relocated to kebele houses were and will be relocated again. More than half of residents relocated to land in the outskirts also feared the treat of eviction in the coming ten years. Witness to this was that some of them sold and left the area due to market eviction. Both these households had inadequate tenure security. In contrary, more than two-third of those relocated to condos believed that they did not fear a treat of eviction in the coming ten years from their condos. From this point of view, group right or condo ownership right has provided adequate tenure security or secure homeownership compared to those relocated to land in the remote part of the city and kebele houses.

11.1.5.3 Actors in implementing URP

The involvement of NGOs and CSOs in sensitization program and community development for those affected by the URP is indispensable. The government and its various arms such as MUDC, city administrations, Sub-cities, and weredas controlled implementation of URP or URIER. NGOs, both national and international, involvement in creating awareness to request their rights and reduce permanent eviction and in community development to avoid the deterioration of their livelihoods and houses after relocation however was limited. In fact, two visible local NGOs that were approached by AACAA to involve in community development in order to ensure replacement accommodation through loan for down payment and training for 200 women in Lideta only were NEWA and BEZA. These NGOs did not follow its implementation, had no monitoring mechanisms and did not even visit them as this was not part of their action plan. In spite of this, their absence was the major cause for 144 Basha dwellers to wait for at least one and half year. This was a clear indication that using such mechanisms by NGOs offered accommodation for 200 women households. Excluding them, therefore, avoided the chance of reducing the negative consequences of URP on the affected people by disallowing their right to remain, adequate replacement housing and restore their livelihoods.

Informal actors and rules are responsive to the adequate housing (condo) needs of the affected poor people than formal rules and structures. Absence of appropriate, sustainable and affordable replacement housing strategies accompanied by lack of loan mechanisms and extended form down payment and limited supply of kebele houses forced the affected poor to search for informal ways to access condos. The actors in the process of underground condo transfers were the affected poor, middle men,

housing speculators, officials in HDPO and LDCRA and lawyers. The housing speculators in particular had strong connections with other actors. This helped them access information on how to exchange condos, employing legal loopholes. These actors transferred the affected people condos with three and two bed rooms by one bed room and studio as well as additional 60, 000 and 40,000 Eth Birr, respectively. Informal rules and actors therefore played great roles in accessing condos and additional money for poor residents' livelihood improvement on the basis of trust accompanied by signing larger amount of loan to be paid to the purchasers if the seller denies. Informal condo market and source of housing market information were better equipped than formal ones in accessing condos for poor residents.

Absence of punishment mechanisms in case of breach of rules by the government was one of the reasons for breaching residents' rights and the available laws. The city administration offered wrong LDP information and intimidated them rather than conducting genuine consultation. The provision of ninety days notice to remove their belongings and rehabilitation support were not consistently followed. Unequal relocation process and inconsistent benefits were practiced in Lideta and Basha Wolde renewal sites in spite of similar rules. This highlights that some of the available national laws were selectively enforced and procedural requirements of eviction in the Expropriation law were not routinely applied. Despite this, the AACA and LDURA were not penalized for their wrong doings; rather they were welcomed by the government, including the Prime Minister of Ethiopia. This was in part attributed to the absence of accountability and punishment mechanisms in case of breach of the available laws by the city administration in the national legislations. It is concluded that absence of punishment mechanisms in case of breach of rules by the government was one of the reasons for breaching residents' rights and the available laws, enforcing rules selectively and inconsistently based on established practice and subjective decisions_rather than a formal policy documents. The development of supervision and punishment mechanisms in case of breach of the rule of laws with regard to the rights of residents in addition to enacting laws and policy decisions therefore influence the implementation of policies and laws.

Evictions and relocations were forced violating the residents' rights and in the government interest. URP qualifies as being in the public interest for expropriation. However, evictions were not happened in truly exceptional circumstances, but took place without previous timely and adequate information, and meaningful consultation. It also happened without the consideration of all available feasible alternatives to

evictions although there were viable alternatives to eviction. Added to this, AACA offered wrong information of LDP and employed repeated intimidating house to house visits to convince relocation. It also excluded not only the affected people from decision making but also NGOs from sensitization program and community development. It thus relocated the poor homeowners and all tenants to undeveloped land in the margins of urban economy and deteriorated kebele houses ignoring in-situ relocation. Nonetheless, their land use rights were offered to new beneficiaries not affected by renewal. In most cases, compensation was unfair, due date of relocation was reduced, the right of households with informal tenures to compensation and substitute accommodation was denied. Similarly, the poor and informal owners did not enjoy the benefits of renewal equally. This findings leads to the conclusion that evictions and relocations in Addis Ababa were forced or arbitrary that violated residents rights recommended under the domestic and international laws, development principles and city contexts.

In violating residents rights and treating the unequally, Master plan, free market economy, prestigious condos, land value enhancement for economic growth as well as lack of financial resources, we cannot satisfy all and the provision of condo alone restores their lost assets narratives were regarded. Under the pretext of these concepts and narratives; the government interests of improving the bad image of the inner city and generating more revenue by maximizing the lease value and housing markets were counted. These however ignored the human rights of the affected persons to in-situ relocation, adequate housing and compensation and rehabilitation assistance to recover their lost livelihoods as documented above. URIER therefore did not fulfill the “general welfare threshold”. This is because the genuine public interest criteria involves not only the land need of the government for public interest projects, but also the protection of the affected persons human rights, and the equal enjoyment of relocation options and benefits of renewal. This leads to the conclusion that government interest was at the origin of evictions and relocations than to the genuine public interest and the well being of the affected residents even if property expropriation for URP qualifies as being in the public interest.

Recognition, enactment, ownership and implementation or the denial of the right of all the affected people depend on political will of the Federal Government. URP was focused on image building and land lease value efficiency compromising the rights of affected persons to in-situ relocation, meaningful consultation, fair compensation, adequate houses and livelihood improvement. The right of those in

informal houses to compensation or replacement accommodation was violated. The affected persons also enjoyed the benefits of renewal unequally. Above all, some of the available national laws and the World Bank IRP requirements in RPF that have significance to respect the affected people rights were little applied. On the other hand, it is viable and possible to carry out URP without the major relocation of the poor by constructing mixed-use houses for mixed-income population. It is also possible to improve their livelihoods by allocating additional budget for rehabilitation assistance and offer adequate houses for all. To some extent, these were validated in Lideta project by preserving tenants, offering loan for down payment and disbursing it into three stages and respecting condo purchase right for informal homeowners. This reveals that AACAA had the political will to protect and respect some rights even not guaranteed in policies and legislations. However, the administration excluded the provision of such rights in Basha Wolde. The difference that separates Lideta and Basha residents was therefore the absence or presence of the political will. It is concluded that the major problem for violating their rights and making some the net losers of URP was not financial resource scarcity, absence of viable alternatives to eviction, enacting inadequate laws and implementation inefficiency, but lack of political will at the national level. Recognizing and enacting their human rights, and implementing them accordingly at the national level by going beyond relocation, information sharing, relocation to inadequate kebele houses, restitution principle, condo purchase alone, we cannot satisfy all etc therefore demand political will.

Forced evictions and inequalities in relocation processes are likely to rise, and the prospective evictees will continue to live under the threat of forced evictions in the years to come unless rules of law are reexamined, improved, owned and implemented accordingly. Only then can Addis Ababa, Ethiopia respect residents rights, reverse inequalities enjoying the benefits of renewal equally and make URP equitable, sustainable, transparent participatory.

11.2 Implications for policy

This land governance in URIER study was focused on the human rights of the affected people and the land needs of the government for URP in inner city settlements of Addis Ababa. It viewed this through the lens of political economy of land, right-based model of expropriation and good land governance principles. The evidences that this research found can inform both policy makers and practitioners about well governed

and right based URIER in inner city areas accompanied by pro-poor expropriation and renewal strategies. From this research several implications for policy concerning land governance in URIER are evident.

11.2.1. Adopting a comprehensive eviction and relocation policy with the CESCR standards, basic development guiding principles, land governance perspective and inner city contexts in mind.

It is high time that comprehensive adequate, consistent, clearly defined and integrated eviction policy is formulated. In all cases, it should be in conformity not only with the international right standards and principles on development-based evictions, but also with national pro-poor policy and poverty reduction strategies; urban planning principles; and inner city contexts. In addition, the national development policy, poverty reduction and housing strategies, and land use regulations should be revised and reexamined in accordance with human right standards and inner city contexts. In developing such a policy, the government must also carefully consider the balance among the equitable interests of the inner city slum dwellers. All land management offices involved in URIER, including MUDHo, Regional State or AACA, Sub-city and Wereda level officials should apply its basic rules and principles. Such a fully-fledged policy and a more integrated land management system to implementing them consistently would go a long way toward addressing the major issues related to a human rights, land governance and inner city contexts.

To address the above gaps, inadequacy and contradictory laws, the new policy in URIER can be an integral part of a broader National policy for forced evictions or a standalone URIER legislation. As to this research, it is better to propose freestanding legislation of URIER because the government is aspired to reduce slum prevalence rates by half in 2020. URP therefore is a large scale national program and has significant relocation impacts. Second, it has distinct nature than HEP dams, infrastructure development projects etc. Unlike others, URP has residential units that minimize relocation accommodating the affected people and diversified households which AACA recommended to exploit. Further, AACA cannot restore the houses and livelihoods of the predominately substandard deteriorated houses of the majority poor through restitution principle recognized in the international and national laws. However, a single comprehensive national forced eviction policy for all projects can also address URIER if it includes the peculiarities of inner city renewal program.

I. Policy reform or revision coupled with the enactment of laws and implement them accordingly is possible in Ethiopia. The Ethiopian government can call for land reform, revision or land use change for URP as well as call for successful implementation. This argument lies on the following three reasons. First, the government has the land tenure and the land management system under its control and has the power to make decisions. Second, it also has the commitment to enhance the value of land for ensuring sustainable economic growth and build the image of the city giving priority to the land sector which is required to achieve it. Finally, Ethiopia ratified the ICESCR in 1993 and promulgates in its Constitution article 9(1). It offers important opportunity for the government to recognize in the upcoming policy and ensure the realization of human rights for those affected expounded in the international laws. The reform or revision of policy or legislation that recognizes and respects the rights of the prospective evictees as set out in ICESCR therefore is most likely to succeed precisely.

11.2.2 The policy should be designed with understanding that relocation of people is considered as an action of last resort and in-situ relocation as the best option if feasible alternatives are available. The revised law should restrict the AACA officials to relocate residents only exploring feasible alternatives to eviction in consultation with residents, in exceptional circumstances and/or by the absence of residential units in the LDPs even for projects justified by public interest. The policy should therefore obligate the city administration to maintain residents in the targeted land for URP if exceptional circumstances do not exist and residential units are part of the LDPs. Government must ensure that the public interest criteria that can be used to justify eviction are clear and in compliance with international human rights law and inner city contexts.

11.2.3 The policy must recognize that participatory decision making process and informed and meaningful consultation are central to the protection of the affected people rights endorsing the affected people and CSOs as key players. It must also acknowledge that most of them do not have the necessary knowledge, strength and organization to claim and defend their rights. Respecting the human rights of all the affected people and distributing benefits of renewal have important political aspects because URIER as a land issue involves political choices. Participatory policy debate of the options at the local level is thus essential. Instead of focusing on outcomes or drawing up new perfect policy or legislation, the government and its land management bureaus must offer an opportunity to engage with various

stakeholders at all levels. In reversing the existing power relationships, the policy making and consultation processes should be associated with changes in power to make decisions, empowering the affected people and other actors as key players by strengthening their real decision making power to influence the process.

ULDM Bureau authorities managing URIER should disclose all relevant information and documents that is essential for decision making by the affected persons before decisions about eviction, their entitlements and relocation options are made. All these require the enactment of national participation manual, which was proposed in the urban planning decree without further delay. In this way, the process would ensure that the strength, needs, rights, constraints and priorities of the affected people are adequately addressed and reflected, and all relevant views of affected people and other stakeholders are incorporated. What is most important here is to accept that most residents do not have the necessary knowledge, strength and organization to claim and defend their rights.

11.2.4 Compensation must be restructured and increased. Where adequate compensation is calculated, location, post development land uses, transparent formal housing market should be duly considered by the government or independent experts to offer market value for the lost property. In the latter case, the property valuation formula should be established and the property is valued by independent or private experts and institutions as set out in the expropriation law. If compensation is decided by a committee on the bases of government set values, independent private experts should be engaged to audit and verify compensation amounts. For this to happen, facilitating the development of independent or private experts and institutions by the government is urgent. The government must also record formal housing markets between two private willing sellers and buyers by developing a documentation system, which will be used as the base to value the property. The relevant legislations therefore must specify these variables in detail. The inclusion of these variables will make a difference in enhancing compensation levels and thereby improving the affected people houses.

11.2.5 Respecting and fulfilling the human rights to adequate housing: The upcoming eviction and relocation policy of Ethiopia must recognize that all affected people should enjoy their human right to adequate housing. To achieve this, the policy should contain the requirements that give due emphasis to affordability, habitability, adequate tenure security, suitability of location to job opportunities and availability

of the required condo size. For instance, condominiums provision efforts should give priority to the relocated inner city dwellers in redevelopment and relocation sites even though there is large housing backlogs in Addis Ababa. Further, the provision of sub-standard inadequate kebele houses should be avoided in order to achieve the objective of URPs. The phrase “substitute housing” has to be replaced by “adequate housing” with all its elements and characteristics as expounded in the international law.

Poor households whose shelters prior to relocation were substandard and who are unable to offer adequate houses for themselves should be provided with resources and other measures to ensure access to adequate housing. Distinctively, the solution to the above problem will be a twin approach. It includes the introduction of condo rental housing; the provision of loan for 20% down payment; granting extended form of 20% down payment and preferential public low-cost houses at lower fees; and the provision of land replacement for poor tenants. At the same time, it needs poverty reduction strategy through the provision of jobs directly created by the project; or through the provision of training, access to credit, work place and marketing support to reestablish business premises. This will improve their livelihoods. Consequently, relocated tenants will be more able to pay their loan and monthly installments and build their own houses through time. For this to happen, revising or reforming the available ones along with reinforcement by mandatory policy measures is indispensable to incorporate these concepts, the above housing strategies and other measures.

11.2.6 The policy should acknowledge specialized livelihood support program and benefit sharing mechanisms to improve their livelihoods, hence resettling them productively. URIER in Addis points to the need for moving beyond compensation or condo provision alone to specialized livelihood and job opportunity enhancing strategies for evictees along with wereda small scale business and Credit and saving union and the distribution of renewal benefits. The government is required by law to give assistance to the livelihoods disruptions for some years until they improve their livelihoods and houses. If the government fails to take corrective action and unable to fully realize it, it should also be complemented from funds raised and supported by NGOs integrating it to poverty reduction strategies for those relocated in relocation sites.

The first specialized livelihood improvement strategy is benefit sharing mechanisms. It is the distribution of a fraction of the income generated from land lease and sell of business shops by URP through benefit sharing investing in relocated households' livelihood and housing conditions improvement in relocation sites. It also involves the granting jobs created by URP itself by giving priority entitlement to those relocated. The legislation should therefore specify the proportions of sharing among various stakeholders, specific uses of the revenue allocations and the primary beneficiaries of condos in inner city areas. Enhancing compensation, offering adequate condos and relocating them to suitable sites for job opportunities and in large numbers or those in one neighborhood in one relocation site by constructing 10,000 or more condos have importance to improve their living conditions. However, it requires livelihood improvement program and these elements all together. The relocation of people therefore should consist of rehabilitation support program in the form of loan, work place, training and marketing support.

11.2.7 Reorienting eviction policy and strategies to cater more equally to the realities, strengths, needs, priorities and constraints of the inner city poor, old women, informal users and other vulnerable groups. The poor, tenants, old poor women in the waiting list and those with informal tenures were the most negatively affected by differential treatment and forced evictions. These households had no financial resources and other means to correct the situation. This differential and unfair treatment therefore should be brought to an end by taking affirmative action through preferential treatment; and fully mainstreaming pro-poor and gender issues into all aspects of eviction policy, ULDMP, directives and plans related to URIER. Such measure will be taken for the sole purpose of ensuring that the negatively net losers exercise effective equal enjoyment of their human rights.

The policy must not only endorse that some were negatively affected by URP, but also ensure that this should not lead to the decline in their living conditions and inequality. Addressing the varying interests, priorities and constraints therefore requires corresponding varying land use regulations, economically and socially feasible housing and pro-poor livelihood improvement strategies. It also needs the injection of sufficient but appropriate financial resources incurred from the URP itself and invest in the most negatively net losers over a sufficient time period. This will convert negative consequences and inequalities into development opportunities, hence making them the primary beneficiaries and the net winners of URP. All these measures should give particular consideration and priority for the most negatively net losers.

11.2.8 *The policy must recognize that replacement cost principle is inappropriate to URP and that there is no a “one size fits all solution” as different project types and households reflect particularities.* Restoration principle means replacing the deteriorated houses by similar substandard houses and weak livelihoods. For inner city neighborhood URP where houses are substandard, the poor dominates and its main purpose is to improve their living conditions, restitution principle is insufficient to improve their lost property, houses and livelihoods. Restitution principle is more general (not context specific) for different types of development projects. This can be used for other urban development projects such as infrastructure development and international sporting games; and for houses in better conditions and affluent areas. The policy or URP objective of improving the living conditions of the affected people and inner city contexts point to the need for a new approach shifting beyond the notion of restitution principle to “improvement principle”. This can improve the previous deteriorated houses and weak livelihoods by providing adequate houses and fair compensation and enhancing their livelihoods than restitution.

11.2.9. *In developing the eviction policy, the notion that the public interest project should not attain its objectives at the cost of the relocated households’ interests and social justice should be born in mind in improving their living conditions.* As land is the major asset of the Ethiopian economy, a policy must be developed to enhance the potential of the land not only in ensuring sustainable economic growth but also to be used for the social justice and slum poverty reduction. For URP to be implemented in a more balanced manner and equal bases, a great concern for social issues and for the protection of their rights must be developed. It is therefore needed to combine and resolve the demands of economic growth and social justice as well as public and private interests in a balanced manner. To ensure balance is met, the policy must interpret URP that ensures sustainable economic growth and improve the image of the city in the public interest as pro-poor growth that equally distributes its income to improve their living conditions.

11.2.10. *Policies and URP should be written with an understanding of the inner city contexts including mixed income inner city societies as valuable assets to be preserved and strengthened.* This understanding will help to improve the bad attributes while preserving and exploiting the good qualities of inner most part of Addis Ababa. From the country and inner city contexts, the good qualities that must always be preserved and strengthened through physical improvement of the city are the mix of the rich and

poor households. The bad attributes that must be improved and avoided however are the predominance of the poor and substandard houses; and non-planned settlements. These attributes in inner city areas must be considered as a starting point of policy decision making; approaches, strategies and land use regulations; and entitlement to relocation options in URIER. Policies and strategies that build on the inner city contexts not only to turn dilapidated inner city neighborhoods into planned settlements and generate more revenue, but also to preserve slum dwellers and mixed income societies and reduce slum poverty are thus much needed today.

Given the construction of large number of condos in renewal sites and mixed income development as a tool to implement URP; it is possible to carry out this scheme without the major relocation of poor homeowners and tenants. It is feasible because the government is the sole owner of land and public houses. It is achievable either through temporary relocation and the provision of displacement compensation for private house rental or the construction of condos in a portion of the project area while residents are in their houses. Understanding inner city contexts, the government should find multiple land use regulations and housing and livelihood strategies to accommodate all or most of those affected in their former locations while redeveloping the area and thereby preserving the good quality of Addis Ababa.

11.2.11. Protecting the affected people from forced evictions should be the ultimate goal of policy formulation efforts and an integral part of the policy. When eviction is justified after exploring feasible alternatives, the availability of affordable residential units, adequate compensation, replacement housing, appropriate relocation sites, livelihood assistance and protecting the rights of the poor and other vulnerable groups are critical areas that require urgent action. The government therefore should respect the development principles of reasonableness, legality and balance or proportionality duly and specify in detail the precise circumstances in which eviction is permitted and social safeguards are provided. Increasing levels of URP in Addis Ababa as a public interest should be facilitated through policy to genuinely serve the public interest, actually prevent forced eviction, and reverse unequal treatment. The relevant policy must therefore enshrine that pursuing a public interest can never result in violation of human rights or forced evictions as the key principle in the eviction policy. The policy should also see the protection of forced eviction as human right. Such a policy would not only be in accordance with relevant human rights standards and land governance norms, but would also consider development principles and inner city

contexts to guarantee sustainable solutions for all the affected people. Without these considerations, most of the affected persons will be forcibly evicted and the negative effects of such relocations will only increase in view of the expansion of URP in Addis and other towns of Ethiopia.

11.2.12 The policy should recognize the property and housing rights of those in informal houses:

When the primary cause of tenure insecurity or eviction was government interest in URP, the best response is to recognize in the legal framework and enforce informal land and housing rights in practice (Deininger, 2003). This is supplemented by demarcating and recording such lands and houses in their names before any land expropriation measures begin. This is necessary as GLTN (2013) endorsed that secure land tenure and property rights are fundamental to shelter, the realization of human rights, poverty reduction, economic growth and sustainable development. The new legislation must recognize the fundamental importance of security of tenure that provides a legal protection against forced eviction in the future. Without this protection, informal owners remain vulnerable to further eviction and relocation without compensation, replacement housing and rehabilitation support.

11.2.13. The policy should view URP not only as a development discourse but also as human right issue because it induces eviction and relocation. In making eviction legitimate and equitable, the government should take specific preventive measures to eliminate underlying causes of forced evictions and unequal treatment and their justifications in exploring in-situ solutions, and providing adequate houses, compensation and assistance. The public officials should also change their attitudes by moving away from unconfirmed narratives to respect the affected people rights and enjoy equal access to relocation options. Toward this end, using lack of financial resources, free market ideology, condo provision alone restores livelihoods and we cannot satisfy all narratives as arguments to disguise relocation to inadequate public houses, and condo units and land with limited job opportunities, unequal treatment and livelihood deterioration should be prohibited.

11.2.14. Policies require legislative enactment and supervision and punishment mechanisms. The inner city experiences documented above show the need for more than policy statements. The policy decisions for in-situ relocation, informed and meaningful consultation, restructuring compensation formula, and better financing of livelihood and housing conditions improvement program, practicing improvement

and principles etc should be translated into law. The legislation must be supported by punishment mechanisms if the government, city council and LDMBs officials at city and sub-city levels breached the national laws to translate into directives and implement accordingly. Manipulating the meeting using unfair means stated above to silence the opposition or convince the predetermined government plan should also be prohibited either amending or considering in the new legal framework. The city administration therefore should be accountable if they manipulate the meeting using illegal means. This requires the establishment of supervision and punishment mechanisms to routinely implement and consistently enforce, and consider procedural requirements, hence respecting the human rights of the affected people. Translating policy decisions into laws, and the development of punishment mechanisms improve consistency in implementation, transparency in decision making and legal accountability of implementers. This diminishes subjective decisions based on established practices and prevents distortions of the new regulations.

11.2.15. The organizational framework should introduce and mainstream a comprehensive and integrated approach that redefine and restructure the roles of LDCRA: To coordinate the whole process, introducing and mainstreaming a comprehensive and integrated approach to URP is required. The implementation of this approach requires changes in the LDMBs in general and restructuring and redefining the roles of LDCRA at all levels in particular. It includes:

(i) The MUDHo should take measures to merge its LDMB and UPSBB and establish a single bureau. UPSBB therefore should be restructured as one main process within LDMB rather than a separate bureau given land use plan is one element of land management. The LDMB at the national will have the status of a national organization that coordinate and manage all urban land issues under the same roof or one office.

(ii) The key element of a comprehensive and integrated new URP is the restructuring of the city administration LDCRA to introduce separate Housing Construction and Allocation main process; Infrastructure and Social amenities development sub-process; and rehabilitation assistance sub-process only for the affected people. Toward this end,

(a) the role of Housing Construction and development Agency (HCDA) would be re-oriented away from constructing houses for both relocated households and new beneficiaries in the backlogs to constructing houses to new beneficiaries only.

(b) LDCRA should be restructured to create new and independent sub-processes indicated above. In this case, Housing Development and allocation main-process for relocated households under LDURA should

be introduced. It will be responsible to construct, manage and distribute condos developed by this unit for sale as replacement and rent, and issue certificates of use rights to relocated households. This will also enforce regulations without being in conflict with the Housing Construction and Development Authority. Such organization will provide the opportunity to house the relocated people timely, maintain residents and benefits both government and relocated households from redevelopment. In addition, it requires infrastructure and social amenities development sub-process under land development main process. This sub-process should be tasked with the development of roads, sewerage etc on the land and condos of the relocated people before they are relocated.

Another is the creation of new benefit sharing office or land lease that collects and distributes income generated from URP for livelihood improvement sub-processes. This sub-process should be charged with the authority to lease, collect and distribute part of the income to condo and infrastructure development and rehabilitation assistance. Moreover, rehabilitation assistance should be assigned for compensation and resettlement sub-process. It is therefore needed to redefine resettlement. In this case, resettlement involves not only offering land or replacement accommodation but also the provision of livelihood improvement assistance for the relocated people. Such organizations will offer rehabilitation assistance to improve their living conditions, produce sufficient dwelling units to timely house evictees, offer serviced land before they were relocated in an expedite manner just like compensation and land replacement which were the responsibility of LDBURPO. In order to achieve this, income generated from leasing land, and selling business shops and condos should be run by LDCRA. By doing so, the Agency will have sufficient capacity to develop houses and infrastructure, and provide condos and serviced land before they are relocated, loan for 20% down payment, extended form of down payment and rehabilitation assistance to the affected people in an integrated manner.

Finally, improving the poor organizational integration between NGOs working on urban development and CMO in AACA; and URP with parallel programs (poverty reduction strategies through MSS enterprises and saving and credit unions) for the affected people needs urgent action. It therefore is highly commendable for the city administration to reorganize its fragmented programs regarding URP such as poverty reduction strategies, housing and infrastructure development, benefit sharing and rehabilitation assistance into a single, citywide, well-articulated program.

(iii) In order to improve the overall efficiency of data collection, sharing and maintenance, and reduce the duplication of data and organizational rivalry; data should only be captured once LITC.

(iv) Another key area for intervention is that the city administration should delegate the authority of land management and transfer some of the planning, land information and Urban Renewal from city and sub-city to Wereda level with clearly defined roles and responsibilities. The wereda urban renewal office will be charged with the authority to assess needs, and issue final settlement on disputes regarding compensation and replacement housing rights and evidence of use rights,.

11.2.16. Political will is the key to make policy decisions, enact laws and own them in reversing forced eviction and unequal treatment, achieving policy objectives and preserving those affected.

Making policy decisions; enacting laws; engaging those affected in genuine consultation; allocating funding, applying mixed income development and pro-poor policies; and taking affirmative action, while helpful, are not the key to respect all slum dwellers rights and achieve policy and URP objectives. Undoubtedly, these have importance and are necessary to reverse forced evictions, address the rights of all the affected people; and are integral part of policy revision and implementation. These together, however, are not a panacea. Instead, political will is the key factor to respect their human rights and achieve policy objectives by making political decisions, enacting laws, and owning and implementing them accordingly. In other words, the enacted policies, laws and pro-poor strategies will not be implemented in the absence of political will. What is most important is to accept that the above measures are the most important factors in respecting the residents' human rights and that policy and legislation accompanied by political will to implement them are indispensable. These will make a difference to the full realization of the affected people human rights and achieve development goals. This in turn will reverse forced evictions and eliminate unequal treatment and thereby improving their living conditions and enjoying the benefits of renewal equally as they underpin right based approach of improved land governance in URIER.

Done properly, the above proposals will change URIER processes in fulfilling the government interest to build the image of the city and maximize the land lease values and thereby ensuring sustainable economic growth without compromising the affected people interests and rights.

Chapter Twelve

12. Theoretical and Methodological Reflections

This section presents the theoretical and methodological contribution of the empirical study of URIER. This thesis employed political economy of land, norms of land governance and right-based approach to analyze and explain the empirical data. The study used both qualitative and quantitative methods to collect, interpret and analyze the findings, but it employs more of a qualitative methods supplemented by quantitative ones.

12.1. Theoretical Considerations

12.1.1. The issue of tenure security and rights to compensation and replacement housing

Understanding the right of residents to fair compensation, adequate housing replacement and rehabilitation assistance to improve their livelihoods and maintain them in their former locations directs one to revisit into the tenure types in history. There are two opposing and competing views regarding the need to recognize informal tenures (informal owners, public house tenants and sub-tenants) to compensation and replacement housing. These are governance land administration approach and good land governance coupled with right-based approach (Chapter 5 and 10). Under good land administration, there has been a hot debate between formal public ownership of land that argues against privatization favoring the continuation of state ownership, and formal private ownership of land that criticizes public land ownership and suggest land reforms favoring privatization (Chapter 5). In this respect, some go as far as blaming the state or private ownership of land for all problems in Ethiopia. This ideological touse has lead to insufficient emphasis being given to the social relations that underpin tenures, to urban land issues and the protection of tenure security as a human right. The latter includes the right to compensation, housing and assistance to the informal owners. Another view is good land governance and right based approaches that ensure continuum in land rights recognizing all tenures that exist in the country or study areas. Concisely put, these approaches ensure that illegal or informal land or house users not recognized under the national law are eligible for replacement accommodation, resettlement assistance and compensation for loss of assets, houses and livelihoods. According to these approaches, using only formal market oriented land

administration leads to arbitrary relocation, injustice and impoverishment whether it is under private or public ownership regimes. The theoretical literature advocates this approach.

Opposition parties criticized public ownership of land as the main cause of arbitrary eviction, without residents' consent that involves inadequate compensation, ignoring informal rights and relocating to inadequate housing in the current urban renewal projects (chapter 10). In a similar manner, the ruling party believed that state ownership of land has contributed to undertake URP in expedite manner and ensure sustainable economic growth than private ownership. This argument understates the violation of residents' rights to rehabilitation support, compensation and replacement housing. Inner city areas had informal homeowners, tenants and sub tenants that have been produced and reproduced during the Imperial, Derg and the existing tenure regimes as documented in chapter 5. In all tenure regimes, however, the informal tenures were not eligible to compensation and replacement housing although they were vested under private or state ownership.

In Lideta and Basha Wolde II, those with informal tenures were not eligible for either compensation or replacement housing except the right to sale their property demolishing their houses at their own expenses (chapter 10). These households thus suffered the loss of their homes, livelihoods and communities. The likelihood of these residents becoming either homeless or impoverished is greater. Moreover, the debate in chapter 5 and tenure security issues in chapter 10 revealed that neither formal public nor private ownership ensured the continuum of rights for compensation and replacement housing. Further, the study of international good practices in this thesis demonstrated that in countries where private (Brazil) or state (Mozambique and Tanzania) ownership is the norm, informal rights to compensation, housing replacement and rehabilitation have been recognized and enforced. However, other countries with private (India and Liberia) or state (China and Ethiopia) ownership have violated such residents rights. This reveals that the former group has practiced good land governance because it respects informal rights, while the latter one has employed formal governance in land administration. The major cause for the denial of such rights is therefore absence of good land governance and right-base approaches.

This reveals that if the government applies formal governance in land administration in Ethiopia where informal tenures exist; neither the private nor the public ownership respects informal users' rights to compensation, housing and rehabilitation support. The application of good land governance coupled with

right based approach that recognizes continuum of rights and protects adequate security of tenure therefore matters a lot. This research adds further insights that what makes the type of land tenure good or bad is not implementing either formal private or public ownership of land, but the choice that suits the actual conditions of the area or the contexts. The choice may be bad, if the government chooses formal individual private rights in the country where the tenure is dominated by informal individual and customary rights. Similarly, it is good if the government entitles both formal and informal ownership, renting and cohabiting in the country where the tenure is dominated by the combination of these rights.

I advocate that continuum of rights under good land governance and right based approaches suit the actual conditions of the area or the context and address the needs of the affected inner city informal land users. I also support that the rights of residents to compensation, housing and rehabilitation can be respected irrespective of their tenure and income status under state ownership of land if the government employs good land governance. Given the country and inner city contexts and international good practices, I thus take the position of arguing for the continuation of the state ownership of land in the country at least for short period of time as long as the government endorsed continuum of rights within the framework of good land governance and right-based approaches. My advocacy rests on three reasons. First, improving tenure security is central to alleviating poverty and advancing livelihood (Bell, 2007) which is compatible with the objective of reducing inner slum poverty in URP. Second, residents consider tenure security more than land ownership rights (Delinger et al, 2003). It means that if they have adequate tenure security under state ownership of land, they will be eligible to compensation, housing replacement and rehabilitation assistance. As a result, informal users consider it as more important than formal land ownership rights. Further, land is owned by the state for the past forty years and informal tenants and sub-tenants have been on the rise (Elias, 2008). Informal land users did not have adequate tenure security during the Imperial regime although land was privately owned. Given this, it is commendable to protect the tenure security of the informal owners under state ownership.

12.1.2 Exceptional circumstances and viability of alternatives to eviction

The relocation of the poor is explained by the components of exceptional circumstances in the right-based approach. Absence of alternative to eviction in urban renewal is justified only on exceptional circumstances. Exceptional circumstances in the international literature involves major international sporting events, new road construction or expansion of the existing ones and those necessary for public safety grounds, such as

the demolition of structures prone to natural hazards and structures blocking fire lanes and ambulances in dense inner city areas. This research showed that mixed use and income development in Lideta and Basha Wolde involve residential units along with hotels and commercial and business centers. As a result, the affected households could be accommodated exploring alternatives to eviction in renewal sites. Put more broadly, if the land use plan of URP only includes commercial activities, this will not accommodate the households in the renewal sites and explore in-situ solutions. At this time, relocation to other areas is inevitable. In contrary, it will be possible to explore alternatives to eviction as a first and viable solution and maintain residents in their original location if land use plan involve residential units. Therefore, the absence of residential units in the land use plan of URPs can be used as a justification to relocate residents to other locations in addition to compelling public interest and life threatening conditions. Exceptional circumstances in the URP should therefore include not only compelling public interest and life threatening conditions but also the absence of residential units in the land use plan. Identifying absence of residential units in the land use plan of URP as compelling public interest or exceptional circumstances add further insights in the right based approach and implications for URIER.

12.1.3 Restitution principle and improvement in the living conditions of residents

Restitution principle in the theoretical literature means replacing assets with an amount sufficient to cover lost assets that could help restore their property, houses and livelihoods as before. In Lideta and Basha Wolde II, the housing and livelihood of the affected poor people that received compensation and replacement housing determined by restoration principle has contributed to the decline in their livelihoods and housing conditions. Restitution concept in inner city URP therefore denotes the replacement of deteriorated houses and weak livelihoods by similar sub-standard houses and livelihoods. The concept restitution as a legal remedy to reestablish the pre-loss position was or will not capture the realities of inner city poor residents in their deteriorated houses and not articulated in the light of policy objectives and MDGs. The empirical finding of this study rejects the restitution principle contained in the theoretical literature.

My argument rests on two reasons. First, this is not to discard the contribution of the concept restitution to restore the livelihoods and the housing conditions of rich households in the affluent neighborhood affected by new road construction or expansion of the existing ones and other infrastructure developments. My argument is that restitution principle has been more generalized (not context specific) without making the

distinction between URP in deteriorated areas where the poor dominates and primarily aiming at improving the living conditions of the affected people; and other projects. The latter projects involve road or infrastructure projects in neighborhoods predominated by rich households, mining and hydroelectric dam projects. Diverse project types and households reflect particularities and their differences suggest that there is not necessarily a “one size fits all solution”. Second, the principle of restoration in the international and national laws, development principles, the World Bank and COHRE contradicts their own laws and standards. It includes the provision of adequate housing, fair compensation, and the continuous improvement of their living conditions. It is therefore important to think beyond restitution principle as it does not address the issue of improving the living condition of the inner city poor residents and reducing slum poverty. It adds insights to the understanding of restitution concept in the right based approach and the implications for housing and livelihood improvement in the URP, employing only improvement principle.

12.1.4 Informal actors and rules, and access to condos

The importance of informal actors and rules to access adequate housing in URIER is explained by institutional analysis as the political economy tool. Empirical observation reveals that the formal policy and organizations failed to provide adequate housing to the affected inner city poor residents with few life chances. It rather resulted to the emergence of informal condo exchange (chapter 10). In Basha Wolde, signs of condominium exchange which operate outside of the formal system have been introduced in Addis Ababa under the influence of promoting free market economy that are not congruent to the economic realities of the poor. Some young poor and a growing number of the poor considered this exchange as being responsive to their needs (condos) and constraints (the 20% down payment and monthly installments). Middle men were informal actors that facilitate the exchange of large size condos of the affected poor by smaller size and additional money of the buyer manipulating the formal rules that prohibit sale before five years mark.

The study therefore revealed that the poor and other actors employed informal mechanisms to cope up with financial constraint for the 20% down payment and monthly installments and access to condos where the formal rules and LDMBs failed to offer taking appropriate measures. This finding is in line with the theoretical expectation of institutional analysis that the informal actors manipulate the formal rules and actors to achieve their needs and goals when formal rules and actors are unresponsive. Institutional

analysis as a tool of political economy is therefore found to be adequate to understand rules and regulations that govern informal condo exchange to access adequate houses for the poor and the young.

12.1.5 Rehabilitation assistance for socio-economic disruptions as a separate right

The decline in the livelihoods and housing conditions of the affected poor people and the violation of the residents' rights to rehabilitation assistance in the case study sites is partly explained by the procedural requirements of Addis Ababa. First, two competing views filled the air of the debate: Condominium or compensation alone vs. condominium or compensation and rehabilitation assistance. The relocation practice of Addis Ababa was based on the "compensation or condominium purchase alone". The authorities believed that the provision of the right to purchase condominium alone for lawful tenants even in remote location is sufficient to improve their livelihoods at the cost of rehabilitation assistance. Based on this belief, the national government and AACA authorities issued reports of success claiming the provision of compensation or condominiums had restored and in some cases improved the livelihoods of relocated people. These authorities therefore considered compensation or condominiums purchase as an investment to livelihoods restoration and improvement. Cernea (2008) calls this notion as narrow compensation theory.

On the flip side, right based approach (RBA) explains that rehabilitation assistance is one separate right endorsed to restore the lost livelihoods of the relocated people, while compensation or replacement housing for tenants another right designed to replace the disposed houses. Thus, the government should ensure the provision of both rights believing that human rights are indivisible and offering compensation or condo alone is considered as arbitrary eviction. RBA then suggests that budget should be allocated from the available sources for rehabilitation assistance. This is to challenge the notion condominium purchase alone can improve or restore the livelihoods of the relocated people. The empirical study in Basha Wolde and Lideta documented that the livelihoods of the majority relocated households were decreased and even became worse compared to their original locations although they were given condo or compensation (Chapter 8). The empirical study in Addis Ababa (Birhanu, 2006; Tebarek, 2008) supported this finding. Theoretical analysis made by Cernea (2008) reveals that the narrow compensation theory neither restores nor improves the livelihoods or income of the relocated people. Furthermore, compensation was not only unfair but also unable to construct comparable houses dispossessed by expropriation in the case study sites. It therefore was not capable of achieving adequate housing replacement let alone livelihood

restoration and improvement. Condominium or compensation alone rhetoric of Addis Ababa is thus unsubstantiated for it is not based on facts and is against what is happening on the ground. This suggests that rehabilitation assistance to improve the livelihoods of the relocated people should be given. Otherwise, their livelihoods inevitably will be changed from bad to worse. This finding corroborates the view of the right-based approach on the significance of awarding rehabilitation support as a separate right distinct from and in addition to compensation or condominium provision until their lost assets and livelihoods are improved.

12.1.6 Process and Outcomes

The poor households were relocated to deteriorated kebele houses and to the remote part of the city in the margins of the urban economy without sufficient compensation and rehabilitation assistance. This eventually led to the decline in their housing and livelihoods conditions and inequality in accessing relocation options. One of the reasons behind this was the absence of the affected people in the decision making process and limited informed and meaningful consultation. Such processes resulted in land use restrictions, avoidance of mixed income development, shift in the housing program from low-cost to rich class, and exclusion of rehabilitation assistance and rental condos that did not reflect the needs, constraints and priorities of the poor. The relocation of poor households and the ensuing decline in their living conditions is also the product of unequal power relation between the relocated people and the government in the decision making process. Above all, it is the result of the conviction of developing “perfect policies” focusing on the outcomes (technical solution) at the expense of process (political solution).

Reducing slum poverty or improving the living and housing conditions of the affected people is a matter of “politics is right” thinking combining both process and outcomes, conducting transparent decision making process and putting pro-poor policies and inclusive plans resulting from such process. The theoretical literature advocates this idea. Thus, there is evidence to blame the government actors in the study sites for failure to maintain the affected resident in their former location, offer adequate housing and improve their livelihoods by involving them in the active, informed and meaningful participation and consultation.

This is not to dismiss the outcomes (policies, laws and programs) based on the thinking of producing good policies. The question however is on the way the Ethiopian government has been trying to improve its

policies and programs by discouraging the affected people, the ultimate burden bearer, and other actors from the decision making process. I advocate that it is the combination of the two that will result in pro-poor and inclusive policies, property expropriation and compensation laws, directives and plans that suit the objectives of polices, the country and inner city contexts, the market, the affected people and the government. In order to preserve the poor in their former locations, reducing inner city slum poverty and equally enjoy the benefits of URP, outcomes need to be integrated with and preceded by the process. This study finding is therefore consistent with the political economy explanations of urban land and eviction process and outcomes (WB, 2009; Palmer et al 2009; GLTN, 2010).

12.1.7 Economic efficiency and/or social justice to the realization of residents' rights

It is also necessary to further shed light on the emphasis of the government between the *economic or land market efficiency* (enhancing the land value for economic growth) or *social justice* (distribution of income generated from URP for slum poverty reduction) in addressing the human rights of the affected people. Three notions compete to explain the emphasis of the government on land market efficiency and/or social justice. Dividing the emphasis into economic efficiency and social justice (equity), some believed that generation of profit and economic value should not be emphasized in URP because its achievements are for all citizens and should focus on the long-term effects to the society. This group gives comparatively high ranking to physical, social and environmental factors, subordinating cost-related factors. They thus emphasized social justice along with improvements in the physical (image) and environmental conditions of the neighborhoods. Another is "growth is sufficient" explanation which offers little attention to social justice or to the distribution of income for slum poverty reduction. This group notably comprises the government actors.

Still others like IDS (undated), UN Habitat (2010) and AU, AfDB and ECA (2009) argued that projects must balance land value enhancement and poverty reduction. Unlike the previous ones, these endorsed the land value enhancement in Africa where land is the major asset in the economy of the continent for poverty reduction. They add that it is imperative to generate more profits as long as the enhanced land value is transferred not only for ensuring economic growth but also for poverty reduction through social justice. The debate in the review of the theoretical literature in chapter 3 about the contribution of land reform to poverty

reduction or economic growth demonstrated that neither the focus on only economic efficiency nor on social justice achieves sustainable economic growth addressing slum poverty reduction.

The empirical findings from the study areas revealed that the government emphasized land value enhancement (the *economic or land market efficiency*) and physical improvement for ensuring rapid economic growth. It however ignored *social justice* (distribution of income generated from URP for slum poverty reduction) or the rights of poor residents to adequate housing and improved livelihoods. This eventually led to the decline in their housing and livelihoods conditions; and to inequality in accessing in-situ relocation and condos. This was explained by weak land governance that failed to strike the balance among competing objectives of renewal or reduced attempt to focus on both purposes of land reform: land market efficiency and social justice. In other words, the study finding demonstrated that land value enhancement did not contribute to the improvement in the living conditions of the affected people and the alleviation of slum poverty.

This research finding is in line with the latter approach which is inconformity with Structure Plan of Addis Ababa, UN Habitat (2010) and Bugalski and Pred (2013). I therefore advocate this approach because this group is the proponent of the political economy of good land governance that requires striking balance between land value enhancement and poverty reduction. Put more broadly, this is in a similar position with pro-poor economic growth that distributes income not only for other development projects to ensure rapid and sustainable economic growth, but also for slum poverty reduction. The former principle is not sustainable and could not work in Ethiopia where capital is scarce and the major asset of the economy is land. Hence it is needed for economic growth. It is verified by the fact that the land lease is the main means for the generation of revenue to the city administration (Daniel, 2013 and Belachew, 2013). Improving the living condition of the affected people through social justice will remain unfulfilled, if the program subordinated the generation of profits for poverty reduction. In contrary, they will not be realized, if it is focused on land value enhancement on the conviction that economic growth is sufficient without devoting the income generated to slum poverty reduction or improve their living conditions.

Good land governance can hardly be said to have been practiced by subordinating economic efficiency or social justice or both. What lacks in the study sites is therefore good land governance that designs pro-poor

policies, and economically feasible housing and livelihood strategies and land use regulations emphasizing both economic efficiency and social justice. Such measures can preserve the poor, and offer adequate housing and assistance to improve their livelihoods as well as ensure sustainable economic growth. Focusing on both the land value enhancement and improvement in the living conditions of the affected poor and preserving them in renewal sites that considers the social role of land to the protection of their human and development rights is therefore needed. The important issue here is how to make the balance between economic efficiency and social justice.

12.1.8 Unequal treatment to relocation options and the net losers

Whether each relocated household by URPs needs to receive adequate housing and improve their livelihoods or not has become an issue of debate. One argument contends that development projects have their own negative and positive consequences as well as their own losers and winners. Its advocates however suggest that the harms the relocated persons suffered should be mitigated and become the primary beneficiaries of URP. This notion assumes that that economic development that comes from URP should benefit primarily the affected people that contribute the land and housing use rights to the project, hence reducing the risk of impoverishment and becoming the net winners.

The other counter argument is that it is inevitable that some people would suffer and negatively affected by development projects such as URPs. Its proponents argue that the government cannot satisfy or please all the affected people. Hence, the harm the affected people suffer is a 'sacrifice' they have to make for the larger good. Many authorities at national and city levels hold this view. This perception of development continues to dominate the culture and individual staff views of LDMBs. The endorsement of this notion was one of the reasons for excluding rehabilitation assistance and starving the budget of living conditions improvement, hence most negatively affecting some section of the affected people. As a result, most of the affected poor and old women were relocated to deteriorated kebele houses in bad conditions and slated for demolition, and to unsuitable and remote locations for livelihood opportunities. It also denied in-situ relocation for the poor. Moreover, informal owners and tenants were evicted without compensation or replacement housing. Towards this end, the city administration applied market oriented housing market as well as image building land use regulations and housing program in inner city areas. Neither of this that

was taken with the idea of 'we cannot satisfy all' thinking in mind fitted the situation of the poor homeowners and tenants.

In this way, their living conditions declined, hence shouldering the cost of relocation and URP disproportionately and becoming its net losers. However, their land use rights and condos developed in their sought after former locations were offered to the rich and new beneficiaries. URP, thus, pleasing the rich few and new beneficiaries that contributed neither their land nor houses to the project. This is a discriminatory program and a distorted paradigm of development as it did not compatible with right-based which ensures that policy should not be designed to help the already advantageous groups. It is against URP that entitles the affected people the primary beneficiaries and its objective of improving their living conditions. This objective cannot be achieved by violating the affected people rights, treating unequally and making them the net losers of URP.

This research therefore advocates that some may be negatively affected, but the negative effect of URP should be mitigated not to suffer the deterioration of their livelihoods and housing conditions. The other saying is that the harms should be converted to development opportunities to offer adequate housing and improve their livelihoods by the government. This research is not against the sharing of benefits of URPs among new beneficiaries, the broader public and the government. Consistent with UN development principles within right-based approach, it rather believed that the affected persons should share the benefits of URP along with the general public, new beneficiaries and the government by making those affected the primary beneficiaries of URP benefits (Chapter 8, 9 and 11).

12.2 Multiple theories and methods to URIER

The political economy of urban lands was suggested to understand the decision making process, institutions and actors in URIER emphasizing on the interdependence of social, economic and political factors, as well as outcome and process (WB, 2009; Palmer et al, 2009). In chapter six and seven, this research discussed the process and the outcomes of the process, and has attempted to relate the empirical analysis to the existing theoretical frameworks. In chapter three, the political economy of urban land or URIER is considered as a better approach to understand how decisions were made and the content of

policies and legislations to maintain or evict and relocate the inner city residents. My empirical analysis suggests that political economy approach (historical, institutional or power analysis) has inadequacies in explaining the eviction and relocation practices and group and individual rights in Addis Ababa. My empirical assessments suggest that eviction and relocation of residents cannot be explained by a single theory due to the prevailing land governance philosophy; the complex, context- specific and dynamic nature of urban land and URPs; and the increasing importance of individual rights.

Similarly, right based approach is insufficient to explaining URIER because it focuses on individual rights, and gives little attention to community development for relocated households that have relevance and direct role to living conditions improvement and equal enjoyment of the benefits of renewal. Therefore, the combination of political economy, principles of land governance and right based approach that consider inner city contexts are found to be adequate to explain URIER. Taking political economy, principles of land governance and the human right standards and development principles relevant to Addis Ababa, Ethiopia together provide a framework for understanding URIER. This research extracted ideas from these theories to guide this research on how the issue of URIER is explained and understood in the Ethiopian context.

The main methodological approaches used to collect and analyze data were primary data obtained from an in depth interviews, case studies and survey questionnaires. It also employed secondary data such as policies, proclamation, urban planning, directives, research paper, newsletters etc. This study first designed to employ both qualitative and quantitative data sources on equal basis. In the process of conducting research, it emphasized and depended more on qualitative approaches to look deeper in to the affected people and government actions, perceptions and knowledge as well as to suit the actual situation of the case study sites. This methodological approach was found to be efficient to supplement qualitative analysis with quantitative ones in disclosing outcomes of policies, the process of decision making, practices of urban renewal and their gaps and inconsistencies in policy and plans and their effect on different actors mainly on the affected people and the government. It was also found to be useful to integrate data from different sources in a complementary manner.

12.3 Further study

The rehabilitation assistance or livelihood restoration right was vigorously addressed and some potential benefit sharing mechanisms and strategies were suggested as a means to improve livelihoods and eliminate unequal treatment. Sharing mechanisms of the benefits of URP and how to distribute benefits, however, were not primarily addressed in this research. Improving the livelihoods and housing conditions of the affected people needs creative approaches for identifying options to sustainably resettle inner city dwellers. The specific forms and principles of benefit sharing mechanisms that are peculiar to inner city areas; and the proportion of appropriate redistribution rules and procedures for translating benefit sharing principles in to effective and practical use in inner city URP context therefore need further study.

Certain powerful people and structures behind-the-scenes set the political agenda and maintain their influence by controlling who gets to the decision-making table and what gets on the agenda (VeneKlasen et al, 2004). The hidden and less obvious power has the potential effect on inequity and exclusion by excluding the affected people preserving power on decision making. Analyzing the hidden powers is therefore vital to understand the exercise of decision making power that shapes how people participate in the process, whose concerns and interests get advanced and counted in decision-making. Despite this, those operating behind the scenes or invisible power and actors, and their interests and influencing mechanisms were not assessed in this research. Identifying these thus needs further study.

Study from longitudinal survey will be needed to see the impact through time as the authority argue that those in Gofa and Jemo sites were relocated in areas with large number of condos, which are now the source of livelihoods and jobs for evictees unlike the previous URP programs. They however did not state the number of jobs created, who are involved in these jobs (evictees or others) and the time taken to restore their livelihoods. To determine the transition period needed for the affected people to restore their livelihoods and impact of relocation through time, further study from longitudinal survey is required.