



ADDIS ABABA UNIVERSITY

SCHOOL OF POSTGRADUATE STUDIES

COLLEGE OF LAW AND GOVERNANCE

**ENSURING ACCESSIBILITY OF HOUSING FOR THE POOR IN ETHIOPIA: AN
ASSESSMENT OF IMPLEMENTATION OF THE POLICY IN ADDIS ABABA CITY**

BY: TULI SHIFERA WAKJIRA

ADVISOR: MELLESE DAMTIE (PHD, ASSOCIATE PROFESSOR)

**A THESIS SUBMITTED TO THE SCHOOL OF GRADUATE STUDIES OF ADDIS
ABABA UNIVERSITY IN PARTIAL FULFILLMENT OF THE REQUIREMENTS OF
MASTERS OF LAWS (LL.M) IN URBAN PROPERTY AND LAND LAWS STREAM.**

**SEPTEMBER, 2021
ADDIS ABABA, ETHIOPIA**

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

APPROVAL SHEET BY THE BOARD OF EXAMINERS

Title ensuring accessibility of Housing for the poor in Ethiopia: An assessment of implementation of the Policy in Addis Ababa City

APPROVED BY BOARD OF EXAMINERS

_____	_____	_____
Advisor's name Father's name	Signature	Date

_____	_____	_____
Examiner's name	Signature	Date

_____	_____	_____
Examiner's name	Signature	Date

Declarations

I, TULI SHIFERA, hereby declare that this research paper work entitled ‘ ‘Ensuring accessibility of Urban Land and Housing to the urban Poor In Ethiopia :An assessment of implementation of the Policy in Addis Ababa City’ ’ is my original work ,has not been presented earlier for award of any degree to any university and that all sources of materials used for the thesis have been duly acknowledged .

Name: Tuli Shifera Wakjira

Signature: _____

This research paper has been submitted for examination with my approval as University advisor.

Advisor: Mellese Damtie (PhD, Associate Professor

Signature: _____

ACKNOWLEDGEMENT

I certainly could not have completed this endeavor without the help of the creator and many individuals and institutions .First of all my thanks goes to my almighty God for without him I am not here. Second ,I would like to thank my advisor Mellesse Damtie (PhD, Associate Professor) for his timely and knowledgeable efforts ,guidance, encouragement and constructive comments despite his busy schedules ,Thirdly, I also thank my beloved family particularly my dearest fiancée Hawwi Lammessa for her unfailing support ,care and love .

Fourthly, I would like to thank FDRE Planning Commission and Addis Ababa city Housing Development Organ to access documents for my work.

Finally, I want to give thanks to my Colleagues Judges Mr Ermiyas Taddesse, Mr Ayele Horata for their moral and material support.

Table of Content

ACKNOWLEDGEMENT.....	i
LIST OF ACRONYMS AND ABBREVIATIONS.....	v
<i>Abstract</i>	vii
CHAPTER ONE.....	1
1. INTRODUCTION.....	1
1.2. BACKGROUND OF THE STUDY	3
1.3. STATEMENT OF THE PROBLEM	6
1.4. RESEARCH QUESTIONS.....	7
1.5. SIGNIFICANCE OF THE STUDY	7
1.6. OBJECTIVES OF THE STUDY	8
1.6.1. GENERAL OBJECTIVE	8
1.6.2. SPECIFIC OBJECTIVES.....	9
1.7. SCOPE OF THE STUDY	9
1.8. RESEARCH METHOD AND METHODOLOGY	9
1.9. ORGANIZATION OF THE STUDY	10
1.10. LIMITATIONS OF THE STUDY	10
1.11. OPERATIONAL DEFINITIONS	11
1.11.1. Urban Poor.....	11
1.11.2. Accessibility	12
1.11.3. Affordability	12

CHAPTER TWO.....	13
2. HOUSING RIGHTS RECOGNITION, POLICY APPROACHES AND IMPLEMENTATIONS: INTERNATIONAL PERSPECTIVES.....	13
2.1 The Role of UN-HABITAT and Housing rights in Millennium Development Goals (MDGs)	13
2.2. RECOGNITION OF HOUSING RIGHT IN DEVELOPMENT GOALS AND THE ROLE OF UN-HABITAT IN IMPLEMENTING THE RIGHT TO HOUSING:.....	14
2.3. Accessibility of Urban Land to the poor	15
2.4. The Housing Policy Objectives.....	17
2.5. Housing Policy Approaches	18
2.5.1. Supply Side Approach to housing	18
2.5.2. Demand side approach.....	19
2.5.3. Sites and Service Schemes approach.....	19
2.6. MULTI –PURPOSE FUNCTIONS OF HOUSING	20
2.7. CHAPTER SUMMARY	21
CHAPTER THREE.....	22
3. RECOGNITION OF HOUSING RIGHTS AND EVOLUTION OF ACCESSIBILITY OF URBAN LAND AND HOUSING IN ETHIOPIA.....	22
3.1. Recognition of housing rights in Ethiopia.....	22
3.1.1. Recognition of housing Rights under the FDRE Constitution	22
3.1.2. Recognition of housing Right under National Urban Development Policy and Development Plans of Ethiopia	23
3.2. The policy Impacts on housing sector in Ethiopia	24
3.3. Strategies in implementing Housing Policies in Ethiopia in different Regimes	25
3.3.1. The Pre - 1975 housing policy Situation under the Imperial Regime	25
3.3.2. Housing Development Between 1975-1991 policy.....	25

3.3.3. The current (Post 1991) Accessibility of Urban land and Policy situation In Ethiopia.....	26
3.4. Summary of the chapter	33
CHAPTER-FOUR.....	34
4. RECOGNITION OF HOUSING RIGHT AND ASSESSMENT OF ACCESSIBILITY OF URBAN - LAND AND HOUSING THE POOR IN ADDIS ABABA CITY.....	34
4.1. General Overview of Addis Ababa City	34
4.2. Recognition of Accessibility of Urban land and Housing in Addis Ababa City	36
4.2.1. Recognition of accessibility of urban land and housing Right under the FDRE Constitution	36
4.2.2. Recognition of accessibility of urban land and housing under the Addis Ababa city Charter and Other Subsidiary laws	36
4.2.3. Recognition Under the city Development and Structural Plan (2017- 2027).....	36
4.3. Ensuring Accessibility of Urban land and housing Policy in Addis Ababa City.....	37
4.3.1. Problems Related with conformity of Legal frameworks with the policy objectives-	38
4.3.2. Problem related with identifying the target group and criteria of selection	41
4.3.3. Problem related with low Budgeting and investment in the housing sector	42
4.3.4. Programs made by the government are not targeting the lower income groups	44
CHAPTER FIVE.....	48
5. CONCLUSIONS AND RECOMMENDATIONS.....	48
5.1. CONCLUSIONS	48
5.2. RECOMMENDATIONS	51
References.....	53
Appendixes.....	61

LIST OF ACRONYMS AND ABBREVIATIONS

- AACA-Addis Ababa City Administration
- AACA-LDURA-Addis Ababa City Administration –Land Development and Urban Renewal Agency
- AACPPO-Addis Ababa City Planning Project Office
- ACHPR-African Charter on Human and Peoples’ Rights
- CEDAW- Convention on Elimination of Discrimination against Woman
- CESCR-Committee on Economic, Social and Cultural Rights
- CRC-Convention on the Rights of the Child
- DESA-Department of Economic and Social Affairs of United Nations
- DPSP –Directive Principles of State Policy
- ESSP-Ethiopia Strategy Support Program
- EUR-The Ethiopian Urbanization Review
- FDRE- Federal Democratic Republic of Ethiopia
- GDP-Growth Domestic Product
- GOE-Government of Ethiopia
- GTP-Growth and Transformation Plan
- GTPI-The first Growth and Transformation Plan
- GTPII-The Second Growth and Transformation Plan
- HA-Habitat Agenda
- HCB-Housing and Construction Bank
- ICESCR-International Covenant on Economic, Social and Cultural Rights
- ICCPR- International Covenant on Civil and Political Rights
- IHDP-Integrated Housing Development Program
- I-PRSP-Interim Poverty Reduction Strategy Paper
- MDGs-Millennium Development Goals

MOHUD - Ministry of Housing and Urban Development

MPI-Multidimensional Poverty Index

MWUD-Ministry of Works and Urban Development

NHP-National Housing Policy

NPC-National Planning Commission

NPPO-National Policy Principles and Objectives

NUDP- National Urban Development Policy

OHCHR-Office of the United Nations High Commissioner for Human Rights

ORAAMP-Office for the Revision of Addis Ababa Master Plan

PASDEP-Plans Accelerated and Sustainable Development to end Poverty

PHC-Population and Housing Census

SDGs-Sustainable Development Goals

SDPRP-Sustainable Development and Poverty Reduction Program

SPPRD-Strategic Paper for Poverty Reduction and Development

UDHR-Universal Declarations of Human Rights

UNEC-United Nations Economic Commission for Africa

UEUS-Urban Employment unemployment Survey

UNDESA-UN Department of Economic and Social Affairs

UNDP-United Nations Development Program

Abstract

Housing rights are recognized under UDHR, other international covenants and in most states policies and programs in different ways. Ethiopia also recognized under the Constitution as National social policy objective and the country is member to different international Declarations and covenants recognizing this right. Since housing right is part of human rights it is universal ,inalienable ,inviolable and interdependent with other rights and its implementation must also be all inclusive including the poor .With this regard the country has introduced Several policies ,programs and made subsidiary legislations to mitigate the acute problems of urban land and housing accessibility to the urban poor. But the implementation of this right is lagging behind .The failure to address the low income group results to proliferate illegal settlements and increment of slum dwellers. Hence, the objective of this study is to assess the implementation of the policy related to accessibility of urban land and housing to the poor in Addis Ababa city. The study adopted primarily a doctrinal approach and to meet this objective policy documents, national development plans, government development programs, housing program published and unpublished reports, as well as the legislations relating to urban land acquisition and housing were considered. The data analyzed indicate that the accessibility of urban land and housing to urban poor in Addis Ababa city is lagging behind and not pace with the growing urban population and still far to meet the demand which is indicative of the policy objectives under implementation .The major factors contributed to this under implementation were laws related to acquisition of urban land like lease law ,laws relating to the Condominium housing lacks conformity with the policy objectives and Integrated Housing Development Program (IHDP) not targeting low income groups. In addition Lack of specific Housing and slum upgrading policies and low budgeting and low investment in urban housing are also the key factors identified by the study.

Key words: *Urban poor, accessibility, affordability, housing, urbanization*

CHAPTER ONE

1. INTRODUCTION

Urbanization is a sign of development¹ and it is widely and increasingly accepted that urbanization is an inevitable phenomenon.² It is one of the global mega trends of our time, unstoppable and irreversible.³ The pace of urbanization and the number of people living in urban settings has increased exponentially over the course of the past century, with more than half of the world's population now living in urban areas.⁴ Current urbanization trends indicate that an additional three billion people will be living in cities by 2050, increasing the urban share of the world's population to two thirds. Cities face challenges –extreme urban poverty, poor living conditions for one billion slum dwellers.⁵ Projections indicate that the urban portion of global population will continue to rise over the next few decades, reaching 67 per cent by 2050.⁶ By 2050, projections indicate that the global urban population will grow by almost 3 billion to a total of 6.2 billion and much of this urban population growth will occur in low –and middle income countries, especially in Asia and Africa. Urban poverty accounts for a growing share of global

¹Biranu Leta Gebre Mirutse, 'The Effect of IHDP on Housing Ownership of lower income groups' 'The case of Dire Dawa'' Public Policy and Administration Research ISSN 2224-5731. [6 ,2] (2016) 41-58, 42 .

² Melesse, M. 'City Expansion, Squatter Settlements and Policy Implications in Addis Ababa: 'The Case of Kolfe Keranio Sub-city' Working Paper on population and land use change in central Ethiopia (Avhandling/rapporter Theses and reports Trondheim. 2006) 2.

³UN-Habitat .The Strategic Plan , '*A better quality of life for all in an Urbanized world*' endorsed by the committee of Permanent Representatives at its Seventy –first regular meeting ,on 6 December 2018 and subsequently approved by the UN-Habitat Assembly at its first Session Organized from 27 to 31 May 2019 in Nairobi(Strategic plan 2020-2023 document) 7.

⁴Unlocking Ethiopia's Urban land & Housing Markets (synthesis report).The Ethiopia Urbanization Review (EUR) Jointly published by the World Bank &the GoE (2015)

⁵Sustainable Development Solutions Network .A Global Initiatives For United Nations .The Urban Opportunity :Enabling Transformative and Sustainable Development ,(May 20,2013)

⁶DESA (Department of Economic and Social Affairs), 'United Nations ,World Urbanization Prospects' The 2011 Revision ,2020 ,Accessed from <http://esa.un.org/unup/> May 25, 2021 .

poverty⁷ and estimates indicate that 40 per cent of urban residents will live on less than \$1 per day, and that over 50 per cent of urban residents will live on less than \$2 per day.⁸

The rate of urbanization is directly related to the demand for houses. Though the importance of housing in economic development was disregarded until recently, now days it is considered as one of the sectors that serve as a tool to address poverty and bring sustainable development.⁹ The provision of affordable housing is recognized under Universal Declarations of Human Rights¹⁰ and the International Covenant on Economic, Social and Cultural Rights, which obliges States parties voluntarily bind themselves to bring national legislation, policy and practice in line with their existing international legal obligations. By ratifying these and other binding texts, States commit themselves to respect and ensure the rights and freedoms found in these documents.¹¹ The right to adequate housing has also gained attention and promotion from the United Nations Center for Human Settlements (Habitat). This began with the implementation of the Vancouver Declaration on Human Settlements issued in 1976, followed by the Proclamation of the International Year of Shelter for the Homeless (1987).¹²

Unfortunately, urban services and housing supply have largely failed to keep pace with the demand. With market forces driving up land and property prices, and policies that provide few

⁷ DESA (Department of Economics and Social Affairs), 'United Nations, *World Urbanization Prospects*' (2012).

⁸ Ferre, C., F. H. G. Ferreira, and P. Lmjouw, '*Is There a Metropolitan Bias? The Inverse Relationship Poverty and city Size in Selected Developing Countries*'. Policy Research Working Paper 5508, The World Development Research Group Poverty and Inequality Team' (2010).

⁹(n 7) 4.

¹⁰ Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III)(UDHR) – Art 25(1) - which states that 'the right to everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions'.

¹¹ International Convention on Social, Political and Economic Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPER) Article 11(1) declares that: 'The States parties to the present covenant recognize the right of every one to an adequate standard of living for himself and his family including adequate food, clothing and housing, and to the continuous improvement of living conditions.'

¹² UN.G.A. Res 37/221 of 20 December 1982, the Assembly proclaimed the Year 1987 International Year of Shelter for the Homeless noting that lack of adequate housing for millions of people constitute a serious social problem requiring urgent action at national and international levels and to pay due attention to the social and human aspects of housing for the poor and disadvantaged as well as to follow up through the Commission for Human Settlements. Accessed at digital library un.org/record/156231.

incentives to develop low income housing ,many are left with no chance to buy or even rent adequate legal housing ,which increases social and economic inequality.¹³

1.2. BACKGROUND OF THE STUDY

Most States have adopted laws ,policies or created programs designed to improve access to housing for their citizens . According to study conducted by UN-Habitat ,48 States have adopted national laws that recognize ,at least in part ,the right to housing and the government’s responsibility to ensure adequate housing for all people.¹⁴In 2002 Miloon Kothari ,Special Rapporteur¹⁵ on Adequate Housing of the Human Rights Commission of United Nations (UN) ,Said : ‘Globally ,more than 50 countries have adopted or amended national constitutions to include elements that address the right to adequate housing ,many of which contain explicit guarantees to the right to adequate housing.’¹⁶

Ethiopia has also acceded to the ICESCR on Sep 11 ,1993 and hence all the Socio economic rights enunciated under this Covenant are part and parcel of the law of the land of the country .¹⁷The most fundamental rights like the right to water and housing are protected

¹³Unlocking Ethiopia’s Urban land & Housing Markets .Urban Land Supply and Affordable Housing Study synthesis Report .The Ethiopia Urbanization Review (EUR) Jointly published by the World Bank &the GOE (2017).

¹⁴UN-Habitat, ‘National Housing Rights Legislation’ (2002) ,www.unhabitat.org/downloads/docs/3669-2930-1..pdf.

¹⁵A *special Rapporteur* is an independent expert appointed by the Human Rights Council to examine and report back on a country situation or a specific human rights theme. The expert is not United Nations Staff nor paid for his /her work .The Special Rapporteurs are part of the Special Procedures of the Human Rights Council .

¹⁶United Nations Economic and Social Council Commission on Human Rights fifty –eight Session Item 10 of the provisional agenda .Report of the Special Rapporteur on adequate housing as a component of the right to standard of living, Mr Miloon Kothari (E/CN4/2002/59 , fifty-eight session, 1 March 2002 Para. 22)11.(Accessed on 19 September 2021 from www.hlrn.org/img/documents/E-CN-2002-59.pdf).

¹⁷GebreamlakGebregiorgis, ‘The incorporation and the Status of International Human Rights under the FDRE Constitution’, Ethiopian Human Rights Law Series ,[1.2} Faculty of Law (2008)37

under National Policy Principles and Objectives , Article -90(1) of the Constitution .Ethiopia has also acceded to the ACHPR in 1998.¹⁸

In addition to these the country is member State to major international human rights instruments providing for ESC right and according to which rights providing there in shall be interpreted .¹⁹ All these international agreements ratified by Ethiopia therefore, guarantee human right in the same way as domestic laws and are all binding in the operation of the three branch of the government .²⁰

Despite the low level of urbanization and the fact that the country is predominantly rural, there is rapid rate of urban growth, which is estimated at 5.1 % per year. The urban population of Ethiopia is concentrated in few urban centers and the urban system of the country is dominated by Addis Ababa ,which has status of a primate city that is ranking as the first urban center in the country, accommodating near to 30% of the urban population of Ethiopia²¹ is like any other major city in Africa is presently suffering from a host of social and economic problems including widening income disparity ,deepening poverty ,rising unemployment ,severe housing shortage and the proliferation of slum and squatter settlements.²²

¹⁸Accession to the African Human Rights Charter Proclamation No.114/1998 ,Federal Negarit Gazeta ,4th Year ,No-1.

¹⁹FDRE Constitution articles -9(4) and article -13(2) –International agreements to which Ethiopia is a party to are part and parcel of the law of the country and the human rights are to be interpreted in alignment with those treaties .

²⁰*Ashenafi Eticha Gada, ‘Do the Policy Objectives of provisions of The FDRE Constitution Hinder Justifiability of socio economic Rights in The Constitution?’ (A Thesis submitted to the School of Graduate Studies of Addis Ababa University in partial fulfillment of the Requirements for the Masters of Law (L.L.M) in Human Rights Law Stream , Addis Ababa University 2017)*

²¹Demissachew Shifera, ‘Self–initiated Transformation of Public –Provided Dwellings in Addis Ababa ,Ethiopia’, *Cities* [15,6] [1998]437-448.

²²(Ibid) 443.

In Addis Ababa city Urban land supply is failing to meet demand ,on one hand it is not available in sufficient quantities to meet demand for different uses and on the other hand its acquisition doesn't favor the poor .²³

Land access is regarded primarily as a welfare enhancing measure or a means to improve social inclusion in economic development ,rather than a means of more fundamental social and economic transformation in favor of the poor.²⁴ Land Access programs targeted towards the poor ,whether based on state led or marketed mechanisms ,or combinations of these ,will need.²⁵In Ethiopia though the housing rights were recognized under the FDRE Constitution ,International Covenants to which Ethiopia is a party as the recent MDG needs assessment study indicates ,the proportion of urban population living in slums is as high as 80 percent ²⁶ which is high compared to the average 72 percent UN-Habitat estimate for the whole of urban Africa and this highlights the severity of housing conditions in Ethiopian Cities and towns. ²⁷

As the city level Addis Ababa Structure plan²⁸ is prepared to guide the development of the city for the coming years cognizant of the fact that the city needs to achieve economic, social ,cultural and environmental objectives stipulated by Articles 89-92 of the FDRE Constitution ,and the right of the residents to “improved living standards and to sustainable development” to

²³Abaynew Wudu Belete, ‘Assessment of Addis Ababa’s Urban Land Lease Implementation: A Backing to Make Informed Decision’ Civil and Environmental Research ISSN224-5790(paper) ISSN 2225-0514(online) FDRE Policy study and research center [9, 5](2017) 38-47,38.

²⁴*Land Access in the 21st century :Issues ,trends ;linkages and Policy options*, Julian Quan ,LSP Working Paper 24 , Access to Natural Resources Sub-programs ,(Natural Resources Institute University of Green which, 2006).

²⁵ (ibid)14.

²⁶UN-Human Settlement Program (UN Habitat) , ‘Cities Without Slums .Sub-Regional Program for Eastern and Southern Africa ,situation Analysis of Informal Settlements in Addis Ababa Slum Upgrading Program’ .Web-
www.unhabitat .org. HS/876/06E .ISBN :92-1-131863-7 .

²⁷Ibid.

²⁸The 10th Development Plan enacted by the city council pursuant to the power given to the Revised Addis Ababa City Government Charter Proclamation No.361/2003 .This 10th Addis Ababa City structure plan is enacted by Proclamation No-49/2017 and was promulgated by the Addis Ababa City Council on July 12th ,2017 (Hamle 5,2009 E.C).

meet their basic needs (FDRE Constitution art 43(1) and (4) .²⁹The Plan recognizes the responsibility of the Addis Ababa City Government as an organ of state to abide by and promote the national policy principles and objectives as stipulated under art 85(1) of the FDRE Constitution, and is compliance with national policy principles and objectives as enunciated by the FDRE Constitution and other Federal Laws, including the Revised Addis Ababa City Government Charter Proclamation No-361/2003 and subsidiary legislations.³⁰

To alleviate the housing problem Addis Ababa City started the Integrated Housing Development Program since 2006 that aims to mitigate the housing problems, but the supply of housing is still said to have not meet the current demand in numbers and quality.³¹This failure could arise either from lack of conformity of subsidiary laws with the grand policy objectives, problems related with targeting the poor, low budgeting and investment of the housing sector to implement provision of housing right recognized in international and national laws, policies and programs.

1.3. STATEMENT OF THE PROBLEM

Some literatures indicate that housing situation in Ethiopia is mainly characterized by unplanned and informal, high - density, homelessness, plastic made housing, street Peoples and the like.³²Housing shortage ,poor housing quality ,poor working and living environment ,shortage of related services have been and will continue to be serious problems challenging the Addis Ababa City Government and the housing need and the shortage is one of the worst problems that Addis Ababa is facing.³³In the Rose Curran Report this housing issue is clearly studied and she summarized that “housing conditions specifically in Addis Ababa ,and generally throughout Ethiopia ,are among the worst in the world”.³⁴Slums constitute the biggest share

²⁹ Lia, ‘Addis Ababa City Structure Plan Draft Final Summary Report (2017-2027) AACPO Document’ (September 12, 2017) 14.

³⁰Ibid.

³¹(Ibid) 17 .

³²UN-Habitat , ‘United Nations ,The Millennium Development Goals Report (2007)’ ,Accessed from ,http://www.un.org/millennium_goals/pdf/mdg2007.pdf

³³Rosemary T. Curran, ‘From – Supplying Central City Housing for all Income Groups in Addis Ababa’ (PhD thesis ,University of April 2007 ,First Draft).

³⁴ Ibid.

of land and housing in the city ³⁵.As stressed by UN-Habitat , a lot of what has gone wrong with cities is related in one way or another to housing and the sustainable future of cities and the yields of urbanization will therefore strongly depend on facing and tackling the housing problems.³⁶Therefore, Urbanization needs to be proactively managed to better drive growth and to realize the 2025 vision of becoming a middle income country³⁷and such challenges call for deep exploration of assessment of policy implementation of ensuring accessibility of urban land and housing to the poor in Addis Ababa city.

1.4. RESEARCH QUESTIONS

The research is aimed to answer the following questions:

- ✓ Do urban land and housing accessible to lower and no income people in Addis Ababa city?
- ✓ What are the factors that affect accessibility of urban land and housing to the urban poor?
- ✓ Do the laws and programs of the country in general and Addis Ababa City in particular encourage ensuring accessibility of urban land and housing policy implementation to the no income and low income urban poor?
- ✓ If the laws and programs of the city do not encourage ensuring the effective implementation of the policy what is the reason?

1.5. SIGNIFICANCE OF THE STUDY

Housing right is one of the basic human rights and this right has interrelations with other human ,economic and social rights .Therefore, the study may enable us to publish the key knowledge that may help rethinking policies in the intellectual and practical dimensions. In this perspective, the study may have the following major significances.

³⁵UN –Habitat Regional and Technical Cooperation Division .Ethiopia: Addis Ababa Urban Profile .United Nations Human Settlements Program(UN –HABITAT) ,2008 .HS /1003/08E ,ISBN :978-92-1-131982-8 .Nairobi ,Kenya ,.Website :<http://www.unhabitat.org> .

³⁶UN-Habitat III, ‘Housing at the Centre of the new Urban Agenda’. UN-Habitat Housing and Slum Upgrading Branch (Position Paper , October 2015)2.

³⁷ Ibid.

Time significance: The problem is current in that it focuses on one of the most important issues the country and the world are seriously concerned about. So understanding factors that contribute to the problems of realization of the accessibility of urban land and housing to the urban poor in Addis Ababa city and working for the solution.

Academic significance: The findings of the study can be a good resource bearing valuable information and initiate intellectual debate about problems encountering ensuring accessibility of urban land and housing to the urban poor which attract attention of other researchers and law makers and to engage in with further enquiries.

Policy significance: the study may help the policy makers to rethink on the importance of making the specific housing and slum upgrading policy for the implementation of the grand social policy objectives concerning the accessibility of urban land and housing to the poor.

1.6. OBJECTIVES OF THE STUDY

The objective of this research is to assess the implementation of the policy objectives related to accessibility of urban housing to the poor sections of the society in the Addis Ababa city with the stated grand social policy objectives of the country and other national and international instruments that recognize the rights of housing as human right.

Therefore, objectives of this research are categorized into general and specific objectives stated as follows.

1.6.1. GENERAL OBJECTIVE

The overall objective of this research is to assess how far accessibility of housing the urban poor in the country in general as well as the Addis Ababa city in particular is implemented and the factors that contributed to less implementation of the policy goals.

This is to evaluate the fit –for purpose of urban land acquisition lease laws, laws related to accessibility of urban housing and housing programs are to be evaluated in relation to their roles in achieving the policy objective and also purpose of their adoption.

1.6.2. SPECIFIC OBJECTIVES

The specific objectives of the research

1. To review the overall effort made to implement the constitutionally granted national social policy objectives and urban development policy objectives of the country in relation to ensuring accessibility of urban housing ;
2. To examine factors and the major root causes that hindered the effective implementation of this policy to the urban poor in Addis Ababa City;
3. To assess whether the subsidiary legislations governing accessibility of urban land and housing are in conformity with the policy objectives ;
4. To identify whether there is linkage of the policy with budgeting of the sector to implement the policy objectives;
5. To examine the housing program against the set policy objective in terms of targeting the poor.

1.7. SCOPE OF THE STUDY

In substance, the research limits itself to assess policy implementations related to ensuring accessibility of housing to the low income groups in Addis Ababa City Administration. Although as a ground making , a brief indication of the general framework relating to recognition of housing right and its implementation is discussed with the existing literature.

With regard to the geographical scope of the study, the research covered issues of ensuring accessibility of urban land and housing to the poor within Addis Ababa city Administration.

1.8. RESEARCH METHOD AND METHODOLOGY

The researcher adopted primarily a doctrinal approach .For this doctrinal ,the researcher relied on relevant legislations such as the FDRE Constitution, International and regional treaties to which Ethiopia is a party to ,urban land lease holding legislations ,urban housing related laws and other sources like government policy documents ,reports ,books ,journal articles ,both published and unpublished research works ,UN-Habitat work papers ,recommendations and resolutions related to the topic at hand.

The method of data gathering, this is qualitative research and mostly secondary method of data gathering and legislative analysis based on Ethiopian Constitution and other legislations related to urban land acquisition and housing ,UN housing related documents, UN-Habitat documents ,Ethiopian National Planning Commission policy documents including the recent(2020-2030) plan ,Urban land Development and management Policy 2011 document, Housing program documents and other SDGs, MDGs ,poverty alleviation documents ,Addis Ababa city structural plan (2017-2027),National statistical Agency documents were analyzed to see whether the policy related to ensuring accessibility of urban housing is effectively implemented.

1.9. ORGANIZATION OF THE STUDY

The study is organized in to five chapters .Chapter one presents the “Introduction” that explains background , statement of the problem, significance of the study and the approaches of investigation in general terms. Chapter two discusses Housing Rights ,Recognition ,Policy approaches and Implementations in International Perspectives .Chapter three focuses on the Ethiopian context of housing rights recognition ,housing policy and program ,legal frame works related to the topic at hand .Chapter four discusses implementation of the accessibility of urban land and housing for the urban poor specifically in Addis Ababa City by analyzing of data collected mainly from policy documents ,reports ,national plan documents and related legislations .Chapter five is the “ conclusion” and “recommendation part”. The conclusion part summarizes the finds in a sequential way to reveal how the research questions are answered and makes concluding remarks. The final section of the chapter forwards recommendations and future solutions from what is concluded from findings.

1.10. LIMITATIONS OF THE STUDY

The topic at hand is much interesting in assessing implementation of policy related to ensuring accessibility of urban land and housing situation of the Addis Ababa city. In doing so the laws governing the area, policies ,regulations ,guidelines ,recent housing and population statistics is needed to undertake the study .But the work could not be very much exhaustive due to lack of access to get pertinent data and source available in the city specially no income registration for people engaged in informal economy to identify their income category .In addition to such constraint the problem of pandemic noble Corona Virus disease (Covid -19) was the limitations

to access related documents from the concerned institutions. The researcher has tried to tackle the problems by accessing some documents from their websites.

This study was not based on absolute figures of how many urban poor are there in the study area and identifying the correct number of the urban poor as appropriate parameter for affordable or accessible urban land and housing in Addis Ababa City. This is due to the fact that income generation system and registration in the country in general and the Addis Ababa City in particular is outdated and most households engage in informal economic sector for their livelihoods. This issue may form another dimension of research ,however it is one that does not fall within the scope of this study.

1.11. OPERATIONAL DEFINITIONS

1.11.1. Urban Poor

There are a number of definitions of poverty and poor populations. The United Nations Development Program (UNDP) defines poverty as a denial of choices and opportunities and as a violation of human dignity. This implies a lack of the basic capacity to participate effectively in society ,and living in marginal or fragile environments without access to basic services such as clean water or sanitation .³⁸ .

The World Bank (2003) also defines poverty based on income. A person is considered poor if his or her income level falls below the minimum level necessary to meet basic needs. This minimum level is usually called the ‘poverty line’ .It varies in time and place ,and this indicates each country uses lines that are appropriate to their level of development ,social norms ,and values .³⁹ .

In this study, the term poor or poverty is defined based on income level of the urban community to meet minimum housing need in addition to other basic needs.

³⁸United Nations Human Development Report (UNDP, 2006) .Human Development Report 2006 :Beyond Scarcity ,poverty and the global water crisis ,New York <http://hdr.undp.org/en/content/human-development-report-2006>’.

³⁹World Bank (WB) , Economic Growth in the 1990s : Learning from a Decade of Reform’ .Washington ,DC: World Bank.

1.11.2. Accessibility

UN-Habitat Fact sheet state that accessibility is one element of adequate housing and housing is not adequate if the specific needs of disadvantaged and marginal groups are not taken into consideration.⁴⁰ As stated in the structure plan document accessibility emphasizes ease of reaching services at reasonable cost (affordable) and time; adequacy refers to the availability of services that fulfill prescribed standards and their convenience.⁴¹

1.11.3. Affordability

Affordability- requires housing costs to be kept at the level not threatening other basic needs of households or individuals .⁴² In European Social Charter (ESC) –housing is affordable if the household can afford to pay initial cost(deposit ,advance rent),current rent and or other housing -related costs (e. g utility ,maintenance and management charges) on long -term basis while still being able to maintain a minimum standard of living ,according to the standards defined by the society in which the house hold is located.⁴³

⁴⁰United nations Habitat and United Nations High Commissioner for Human Rights(November 2009) 6.*The Right to Adequate Housing Fact sheet No 21*(rev.1),New York .Retrieved from <http://www.academia.edu> --Deficient Housing Development of a New-the-.Fact sheet OHCHR/UN-Habitat is a series of joint publications by the Office of the United Nations High Commissioner for Human Rights with other United Nation partners to focus on economic ,social & cultural rights.

⁴¹Lia (n-29)101 .

⁴²ARTURS KUCS ,ZANE SEDLOVA AND LIENE PIERHUROVI CA (University of Latvia ,Riga) .The Right to Housing :International ,European and National Perspectives .

⁴³European Social Charter Digest of the Case law of the European Committee of Social Rights (December 2018) Article 31(3) 225. Accessed from [https://rm.coe.int.digest.2018.en/1680939f80\(20](https://rm.coe.int.digest.2018.en/1680939f80(20) September 2021.

CHAPTER TWO

2. HOUSING RIGHTS RECOGNITION, POLICY APPROACHES AND IMPLEMENTATIONS: INTERNATIONAL PERSPECTIVES

2.1 The Role of UN-HABITAT and Housing rights in Millennium Development Goals (MDGs)

The right to housing is recognized in many international texts at the international level⁴⁴ as well as on regional levels. The right to housing was first recognized internationally in the UDHRs Article -25 of the Declaration. The force of the UDHRs stems from its being accepted now by almost all states recognized as such. In 1966, almost 20 years after the UDHRs States adopted the International Covenant on Economic, Social and Cultural Rights, which specifically recognized the right to housing. This Right is recognized under Article 11(1) of the Covenant which is the most Comprehensive and perhaps the most important of the relevant provisions.

To the Committee on Economic, Social and Cultural Rights⁴⁵ the right to housing should not be interpreted in a narrow or restrictive sense.⁴⁶ The legal obligations of Governments concerning the right to housing consist of the more specific obligations to recognize, respect, protect and fulfill this and other rights.⁴⁷

⁴⁴HCHR, UN, 'Habitat and Housing rights legislation: review of international and national instruments' (HCHR, 2002) <http://huachen.org/English/about/publications/docs/housing.pdf>.

⁴⁵The body in charge of monitoring the implementation of the International Covenant on Economic Social and Cultural Rights in the States which are party to it

⁴⁶General Comment 4 on the right to adequate housing (Article 11, paragraph -11 and 7 adopted on December 13, 1991 [http://www.unhcr.ch/tbs/doc.nsf/\(symbol\)/HRI_GEN_1-Rev-7 Sp](http://www.unhcr.ch/tbs/doc.nsf/(symbol)/HRI_GEN_1-Rev-7_Sp).

⁴⁷Article 2.1 -Each State Party to the Present Covenant undertakes to take steps, individually and through international assistance and co-operable resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

2.2. RECOGNITION OF HOUSING RIGHT IN DEVELOPMENT GOALS AND THE ROLE OF UN-HABITAT IN IMPLEMENTING THE RIGHT TO HOUSING:

The 2001 Habitat meeting, known as Istanbul, reaffirmed the 1996 Istanbul agreement and Habitat Agenda, and established the UN-human settlement Program and is the most important international forum for the right to housing. It is tasked with promoting housing rights through awareness campaigns, and to develop benchmarks and monitoring system. UN-Habitat's strategic goal in promotion of urban land and housing is to bring national and local government as well as Habitat Agenda partners to implement improved land and housing policies for the sake of sustainable urbanization and it implements the UN-System wide human rights based approach⁴⁸, which means that all program should further the realization of human rights standards and principles, and development with mission statement "to leave no one behind and no place behind."⁴⁹ That objective is consistent with the Sustainable Development Goals principle to "leave no one behind", with Goal 11 making cities and other human settlements inclusive, resilient and sustainable and with the principles and commitments of the New Urban Agenda.⁵⁰ Slum upgrading is a major plank in UN-HABITAT's pro-poor land and housing strategy.⁵¹ Its agenda is within the overall context of enabling approach, support Governments to take appropriate action in order to promote, protect and ensure the full and progressive realization of the right to provision of adequate housing (para.61)⁵². UN-Habitat noted that, a lot of what has gone wrong with cities is related in one way or another to housing

⁴⁸The human Rights Based Approach to Development cooperation : Towards a Common Understanding among UN-Agencies . Available at <https://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies> .

⁴⁹ UN-Habitat III, 'Housing at the Centre of the new Urban Agenda'. UN-Habitat Housing and Slum Upgrading Branch . (Position Paper , October 2015) 9.

⁵⁰Ibid.

⁵¹(Ibid)31.

⁵²United nations Habitat and United Nations High Commissioner for Human Rights(2009) November .*The Right to Adequate Housing Fact sheet No 21*(rev.1),New York .Retrieved from <http://www.academia.edu> --Deficient Housing Development of a New-the-.Fact sheet OHCHR/UN-Habitat is a series of joint publications by the Office of the United Nations High Commissioner for Human Rights with other United Nation partners to focus on economic ,social & cultural rights.

came to propose that ‘housing at the center approach’⁵³ which positions housing at the center of national urban policies and cities and encourages the UN-Habitat program and member states to consider the implementation of the Global Housing strategy as appropriate.⁵⁴ According to UN-Habitat in order to place housing at the center of national urban Development the guiding principles should be considered are:

- ✓ Housing is inseparable from urbanization and housing policies and strategies should be integrated with economic and social policies ;
- ✓ Housing is a socio economic imperative ;
- ✓ Systemic reforms ,strong states and long –term policy and finance are needed to enable access to adequate housing for all;
- ✓ A simultaneous twin-track approach with curative (slum upgrading) and preventive (new provision) housing policies and programs should be promoted
- ✓ Housing and Slum upgrading policies should be accompanied by national strategies;
- ✓ Human rights principles and standards are of outstanding relevance for urban development to lead to socially sustainable and inclusive cities. Targeting the most poor and groups in vulnerable conditions is crucial if the situation is not to deteriorate, and interventions cannot depart from addressing the root causes that prevent their access to adequate housing.⁵⁵

2.3. Accessibility of Urban Land to the poor

The starting point of all urban development is land and it is the be –all and end –all of what a city is going to be and where it is going and the land policy should have a number of clearly

⁵³In its resolution HSP/GC/L.6, the 25th Session of the Governing Council of UN –Habitat ‘‘Takes note of the ‘Housing at the Centre approach’, which positions housing at the Centre of national urban policies and of cities ,and encourages the United Nations Human Settlements Programme and member States to consider the implementation of tools and mechanisms to promote inclusive housing finance at the national and local levels to bridge the housing gap and to contribute to the progressive realization of the right to adequate housing for all.’’ [UNHABITAT.pdf \(ohchr.org\)](#).

⁵⁴ (Ibid)3.

⁵⁵ UN-Habitat III, New Urban Agenda (n 49)13.

stated goals to keep the availability of land in line with the demand for land ,and at an acceptable time and price .⁵⁶

There is more demand for urban land especially to provide shelter for the teeming population in urban area.⁵⁷It is in the urban areas where the problem of shelter has reached crisis proportions .The housing structures are not only inadequate, but also fragile.⁵⁸Though human rights law does not, currently, recognize a self –standing right to land.⁵⁹While many studies have documented the social and economic implications of insecurity of tenure and inaccessibility of the urban poor to urban land ,little seems to be known about alternative approaches to guaranteeing the access of the poor to urban land.⁶⁰It is one of the most important pillars of housing value chain and can account for a sizeable share of housing cost and a majority of urban residents are unable to access to land or housing in the formal sector and are stuck in informal settlements .⁶¹

⁵⁶Kitay , M.G., ‘*Land Acquisition in Developing Countries ,Policies and Procedures of the Public Sector*’ .(A Lincoln Institute of Land Policy Book .Orgeschager ,Gunn and Hain ,Publishers ,Inc .USA 1985)7 .ISSBN 0-8946-192-1.

⁵⁷Conference Paper, ‘Enhancing Access to land by the urban poor: Exploring Viable Alternatives’ .October 2010,Proceedings of The International Conference of The School of Environmental Technology ,Federal University of Technology (Akure, Nigeria ,Held Between 25th and 27th 2010)82.

⁵⁸*Ibid*.

⁵⁹Miloon Kothari, ‘Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living ,(A/HRC/4/18,paras ,26 and 31) .The Special Rapporteur recognized and emphasized the importance of land as a “critical element” of the right to adequate housing ,and called on Human Rights Council to ensure “the recognition in international human rights law of land as human right.”

⁶⁰*ibid* .

⁶¹Housing Market Dynamics In Africa .El-hadj M.Bah Issa Faye Zekebweliwai F.Geh .African Development Bank Abidjan .Cote devour ISSN -978-1-349-95120-8.Issbn 978-1-59 792-2 (eBook) <https://doi.org/10.1057/978.1-137-59792-2>(Library congress Control Number :20956090 , 2018)29 .

2.4. The Housing Policy Objectives

Article 2(1) of the ICESCR places particular emphasis in the adoption of legislative measures to achieve the realization of the rights recognized in the covenant. For instance legislation is needed to elaborate on the concept of adequate housing in art 11 of the ICESCR⁶². Urban poverty has, until recently, been low on the agenda of development policy because of dominant perception of urban bias and the need to counter this with a focus on rural development policy.⁶³ However, policy interest in urban issues is increasing recently as a result of two phenomena⁶⁴:

- ✓ Projections of a large and increasing proportion of poor people living in urban areas, partly as a result of urbanization;
- ✓ And claims that structural adjustment programs –which have removed some of the urban bias, by removing price distortions–have led to a much faster increase in urban poverty than rural.

On the other hand researcher Lund in his research points out that there is a lot of housing policy systems, however,

Each of them contains:

- ✓ Regulatory procedures according to which the housing problems are identified.
- ✓ Analysis of causes of housing problem;

⁶²ICESCR, The Nature of State Parties Obligation, General Comment No.3, Para 3, adopted on 14/12/90, (5th Session, 1990), U.N. Doc. E/1991/23, Available at: <http://www.refworld.org/docid/4538838e10.htm>.

⁶³Urban Poverty: A Gender Analysis. Report Prepared for the Gender Equality Unit, Swedish International Development Cooperation Agency (Sida October 1997). BRIDGE (development –gender) Institute of Development Studies University of Sussex Brighton BN1 9 RE, UK. Web site: <http://www.ids.ac.uk/bridge/>
Institute of development studies ISBN 1 858643473 .

⁶⁴ (Ibid)3.

- ✓ Ways of how and why the state should intervene in the housing market.⁶⁵

Donner in her research characterizes the housing policy as;

in a narrow sense as physical human shelter ,whereas in broader sense it includes all other aspects that are essential for adequate or optimal living conditions. Provision of minimal housing standard is contribution in the welfare of the whole society. It should be agreed with the opinion of the researcher Donner that the main aim of housing policy is to prevent or to correct housing consumption by ensuring access for each household to the housing appropriate in terms of size and quality for adequate price.⁶⁶

2.5. Housing Policy Approaches

2.5.1. Supply Side Approach to housing

Supply side approach is chosen whenever housing supply is low, less private sector provision of housing and when government issued policy encouraging public ownership.⁶⁷This approach is criticized since it allows government active involvement in the sector that it probably leading to the crowding out of private sector ,as it violates the consumers sovereignty⁶⁸and it further

⁶⁵Lund Brian , ‘Understanding Housing Policy’ .Bristol : ‘‘The Policy Press’’ Journal of Social Policy [36,4] 262-691 ,(published online by Cambridge University press :08August 2007) Accessed from <https://www.Cambridge.org/core/journals/journal-of-social-policy/article> Accessed on 20 September 2021. DOI: <https://doi.org/10.1017/S0047279407001365>.

⁶⁶ Donner, C. ‘*Housing Policies in the European Union : Theory and Practice*’.(Vienna 2000)1-566 .<https://www.openlibrary.org/works/oL2850575w/housing-policies-in-the-European-Union?edition=ISBN103950041745>.

⁶⁷UN-Habitat , ‘Slums of the World’ ‘The challenges of Slums’ Global report on human Settlements’’ (London: Earth scan 2003b)

⁶⁸Makumbi, A. Yirga .B, Tugume, D., & Teshome, T., ‘*Urban Housing and Community Development – Course Hand book*’ (Addis Ababa: Ethiopian Civil Service University 2013).

contradicts with market conditions and segregate poor at specific site and is considered as more expensive in providing adequate housing for all house seekers.⁶⁹

2.5.2. Demand side approach

Demand side approach directly points towards the target groups to address their housing problem. It advocates direct subsidies to the poor and allows people to prefer their own housing choice. Unlike supply side approach, demand side instrument respects the right of the poor people to choose the nature of houses and the private to supply them. The poor are given coupons serving as cash increasing utility as well as expenditure on used houses that typically less expensive than new houses.⁷⁰

Demand side subsidies are typically two in kind known as direct and indirect subsidies. Direct subsidies are granted to households directly whereas the indirect subsidies may be in the form of capital grants which given at a time for the purpose of housing purchasing, building, completing.⁷¹

The proponents of this policy approach claim that it is flexible that allows households the right to choose quality as well as site of housing. But the opponents of this approach claim that to ensure housing ownership of lower income earners, public sector provision is better.⁷²

2.5.3. Sites and Service Schemes approach

This approach focuses on provision of infrastructural services and utilities provisions so as to encourage individuals, cooperatives and private sector with the intention that these actors address housing problem.⁷³ In this scheme the role of public sector is allocation of land, provision of

⁶⁹Martha, 2006a cited in Jemila, 2010).

⁷⁰Dodson, J.(2007).*Government discourse and Housing* :Urban Research Program .Australia, Griffith University.

⁷¹World Bank (WB), ‘*Land Policies for Growth and Poverty Reduction* .A World Bank Policy research report (Washington, DC: Oxford Press2003).

⁷²John and Daniel, 2007 cited in Jemila, H(2010).*Assessment of Integrated Housing Development Program in Addis Ababa :Housing Provision and Employment Creation* .Addis Ababa University .Addis Ababa.

⁷³UN-Habitat ,2003 and 2008 Report .(UN-Habitat 2003b Slums of the World .The challenges of Slums .(Global report on human Settlements 2003 .London: Earth scan),UN-Habitat ,2008.Housing for All :the challenges of affordability .The Experiences and instruments from developing and developed worlds. (A synthesis report .Nairobi :UN Press)

infrastructural facilities and the role of housing provision and financing rests on private developers, cooperatives and individuals. It gives more attention to individuals and communities in housing sector development, whereas role of government is reduced to sharing of responsibility of providing basic facilities.⁷⁴

2.6. MULTI –PURPOSE FUNCTIONS OF HOUSING

Though the importance of housing in economic development was disregarded issue until recently, now days it is considered as one of the sectors that serve as a tool to address poverty and bring sustainable development.⁷⁵The housing program was conceived with the intention of bringing multiple effects that contribute to the betterment of urban residents and factors that affect housing ownership of lower income families is based on the success of the program implementation.⁷⁶In contrast ,economists now widely acknowledge housing to be a Sectoral tool for economic development in less developed economies in terms of better workforce productivity⁷⁷and the positive economic role of housing in developing Countries ,has also captured the attention of the World Bank .⁷⁸ Concerning the role of housing sector in socio-economic, political and other aspects of lives , various literatures stated that it is an important element that overlaps with many aspects of people’s lives and showed the level of housing sector development contribution in local and national economy in various significant directions.⁷⁹

⁷⁴UNESCAP, (2008).*World Urbanization Prospect ,Percentage of population residing in urban areas by major area, region and country ,(1950-2050)*

⁷⁵UN-Habitat ,*'The Challenges of Slums :Global Report on Human Settlements ,(‘Earth scan Publications ,London 2003).*

⁷⁶Biranu Leta Gebre Mirutse, ‘The Effect of IHDP on Housing Ownership of Lower-Income Groups : The Case of Dire Dawa’(2016),Public Policy and Administration Research. ISSN 2224-5731[6, 2] 41,47 .

⁷⁷Harris ,R.,& Arku ,G., ‘Housing and Economic Development :The evolution of an idea Since 1945’ (Habitat International 2006) 30,1007-1017

⁷⁸ (Ibid)109.

⁷⁹Edwards, B. & Turrent , D. ‘Sustainable Housing Principles and Practice’(London ,E and FN Spon 2000).

2.7. CHAPTER SUMMARY

International human rights law recognize every one's right to an adequate standard of living, including adequate housing which accessibility is part of it. This right is recognized as part of the right to adequate standard of living in the 1948 Universal Declaration of Human rights and in the 1966 International Covenant on Economic, Social and Cultural Rights .Other International and regional human rights treaties have since recognized it. Several constitutions of states also protect the right to ensure adequate housing and living conditions for all.

Different countries of the world use various kinds of policy approaches to implement this rights .Some countries use the demand side approach ,some others use the supply side and others use the sites and service scheme approaches within the context of enabling approach.

In implementing this right the UN-Habitat plays its role in the UN-System –wide human –rights based approach that all program should further the realization of human rights standards and principles ,and development with the mission statement “to leave no one behind and no place behind.” That objective consistent with the Sustainable Development Goals Principle ‘leave no one behind’, with the Goal 11 making human settlement inclusive and resilient. Ethiopian Government has also partnered with to fully review the status of the cities, though the status of its implementation is a great moot.

CHAPTER THREE

3. RECOGNITION OF HOUSING RIGHTS AND EVOLUTION OF ACCESSIBILITY OF URBAN LAND AND HOUSING IN ETHIOPIA

The chapter is presenting how far housing rights is recognized in the Ethiopian government's development declaration and under the Constitution of Federal Democratic Republic of Ethiopia, Ethiopian development plans ,national housing policies and programs in different regimes in Ethiopia.

3.1. Recognition of housing rights in Ethiopia

3.1.1. Recognition of housing Rights under the FDRE Constitution

By ratification of international and regional human rights instruments like ICESCRs, CRC, the ACHPRs and these human rights are part and parcel of the law of the land of Ethiopia.⁸⁰ Ethiopia is a member State to almost all international Human right treaties .UDHR,ICESCR,ICCPR,CERD ,CEDAW,CRC,ACHPR,ACRWC are among others.⁸¹For instance ,Ethiopia has acceded to ICESCRs on Sep 11, 1993 and hence ,all the socio-economic rights enunciated under this covenant are an integral part of the law of the land .⁸² On the other hand, in the legal system of Ethiopia the FDRE Constitution is the supreme law of the land.⁸³The government is obliged to amend or repeal laws or policies that have the effect of marginalizing or excluding particular groups from the enjoyment of publicly funded social

⁸⁰FDRE Constitution Article 9(4)-which reads - All international agreements ratified by Ethiopia are an integral part of the law of the land.

⁸¹*Auth,cfm* , 'From Practice to Theory' ,African Journal of International and Comparative Law(2011) [19,1] 107 available at :<https://papers.ssrn.com/5013/cf-dev/Abs/Bper/id> .(see appendix I)

⁸²Gebreamlak Gebregiorgis , 'The Incorporation and the Status of International Human Rights Under the FDRE Constitution'

Ethiopian Human Rights Law Series (Faculty of Law 2008) [1.2]41,43

⁸³FDRE Constitution Article 90(1) –which reads to the extent the country's resources permit, policies shall aim to provide all Ethiopians access to public health and education, clean water , housing ,food and social security.

services .⁸⁴ Furthermore ,the FDRE Constitution clearly stated that fundamental rights and freedoms in its bill of rights shall be interpreted in a manner conforming to the principles of UDHRs, International Covenants on Human Rights and other International Instruments adopted by Ethiopia.⁸⁵

3.1.2. Recognition of housing Right under National Urban Development Policy and Development Plans of Ethiopia

In line with the objectives of the Millennium Development Goals and UN -Habitat the Government of Ethiopia has developed policies and strategies to eradicate poverty and sustain macroeconomic stability.⁸⁶The government ,through its five –year strategic plans stating Strategic paper for Poverty Reduction and Development (2001-2005),Plan Accelerated and Sustainable Development to End Poverty (PASDEP 2006-10) ,and Later Growth and Transformation Plan (GTPI,2011-2015,GTPII 2015-2020) have embarked on aggressive Program to accelerate progress rapidly as possible⁸⁷and also included poverty reduction under the recent ten year transformation and development plan which is projected to register GDP growth by annual average rate of 10 % during the period from 2020/2021 to 2029/30 aimed to reduce poverty level from 19% in 2020/2001 to 7% in 2029/30 .⁸⁸

Different states use different strategies and programs for its implementations .For instance ,in India, a number of specific programs for the poor have included like: slum up gradation and

⁸⁴Rakeb Messele, ‘*Enforcement of Human Rights In Ethiopia* ,Research Sub-Contracted by Action Professionals’ Research Sub-Contracted by Association for the people (APAP)’ (unpublished 2002)³⁸ available at :<http://www.apepeth.org/Docs/ENFORCEMENT%20Of%20HR.pdf>

⁸⁵FDRE Constitution ,Art 13(2) –which states that The Fundamental rights and freedoms specified in Chapter three of the FDRE Constitution shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights ,International Covenants on Human Rights and International Instruments adopted by Ethiopia .

⁸⁶Samson Kassahun and Alok Tiwari, ‘Urban Development in Ethiopia: Challenges and Policy Responses’ The IUP Journal of Governance and Public Policy (Ethiopian Civil Service University , March 2012)[7,1](60-75)64.

⁸⁷Mo FED, Ethiopia: Sustainable Development and Poverty Reduction Program (Addis Ababa: Federal Democratic Republic of Ethiopia , Ministry of Finance and Economic Development (Mo FED) ,2002).

⁸⁸FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA, PLANNING AND DEVELOPMENT COMMISSION, *TEN -YEARS DEVELOPMENT PLAN A PATH WAY TO PROSPERITY* Document (2021-2030) 10.

redevelopment ,land reservation for poor in new projects ,sites and services ,night shelters, environment improvement urban slums ,million housing program etc.⁸⁹Furthermore, the Government of India has adopted a dual policy for providing affordable Housing for all including the fiscal incentives and housing sector reforms mainly target the middle and upper income groups who will be provided housing through the market process.⁹⁰Countries like Brazil, realizing that the major cause of unaffordability of housing is the high cost of land, formulate the land and tax policy which will operate both on supply and demand side –tools to increase supply and curb excess demand of land by increasing the holding cost of vacant land by imposing maximum vacant land tax.⁹¹

Ethiopia is also being the member and signatory of international declarations and charters⁹², showing its commitment in its National Constitution recognizes provision of housing as one of the basic rights of citizens.⁹³ In consistent with this, the country tries to meet some of the prerequisites to create an atmosphere conducive to upholding the housing rights of the urban poor and solving their housing problems.⁹⁴

3.2. The policy Impacts on housing sector in Ethiopia

When we see the impact of policy measures implemented so far on this sector the reviewed literatures suggests that it has been subject of interventions over the past decades.⁹⁵ The Population of the country as well as Addis Ababa is increasing, but this population increase was not supported with appropriate Economical, Social and policy measures which resulting urban housing problem which has not been yet addressed.⁹⁶

⁸⁹National Resource Centre SPA, New Delhi, ‘Affordable Housing for Urban Poor’ (Ministry of Housing and Urban Poverty Alleviation Government of India July 2009)15.

⁹⁰(Ibid)23.

⁹¹Mercy Brown –Luthango , ‘Access to Land for Urban poor .Policy Proposals for South African Cities’ .To be presented to the Conference of the (International Sociological Association –Research Committee from 23-25 August 2009 in Sao Paulo Brazil)(2010)10.

⁹²See appendix , Box 1 at the end of the paper for more details to understand some international and national agreements to which Ethiopia is a member.

⁹³ See FDRE Constitution ,Art -90

⁹⁴Islam, F., ‘*The right to Shelter*’.[e. book] Dhaka :Ain .O. Salish Kendra (ASK)(2006).Available at :<http://www.askbd.org/Hr06/Shelter.htm>[Accessed 12 may 2021].

⁹⁵ Ayele, E. (2001). *Policy Impacts on Housing Sector* : The case of Addis Ababa(pp1-10) .Addis Ababa .Retrieved from <http://www.1th.sc/filcadmin/hdm/alumni/papers/ad2001/ad2001-06.pdf>.

⁹⁶(Ibid) introduction part.

3.3. Strategies in implementing Housing Policies in Ethiopia in different Regimes

3.3.1. The Pre - 1975 housing policy Situation under the Imperial Regime

It is generally acknowledged that the pre-1975 land tenure system in Ethiopia had been one of the most complex tenure systems in the world and had not been thoroughly studied.⁹⁷The country's geographical, ethnic and cultural diversity and its historical background were mentioned among those factors that produced highly differential forms land utilization and ownership.⁹⁸Most of the housing units built were small and substandard; the city apparently did not suffer from any alarming housing shortage when the February 1974 revolution broke out.⁹⁹In Addis Ababa, the only pre-1974, low cost housing development worth mentioning was the Kolfe Low Cost Housing Scheme of (1960-1969).¹⁰⁰Until the fall of Haile Selassie's monarchist regime, most urban (and rural) land was ruled by few elites. The majority of formal housing in Addis Ababa (accounting for about 40 % of the housing stock) was thus provided by them¹⁰¹. The impossibility of access to land by the poor ensured the rising of informal structures amid the formal –today a prevalent feature of the city.¹⁰²

3.3.2. Housing Development Between 1975-1991 policy

Proclamation No-47/1975 nationalized all urban land and extra urban houses, high rise apartments and office buildings without any compensation. The main target of the

⁹⁷Yegremew Adal, 'Review of Landholding Systems and Policies in Ethiopia under the Different Regimes' EEA/Ethiopian Economic Policy Research Institute Working Paper No 5/2002(December 2002) .[Dessalegn 184;Cohen and Weintraub 1975;Gilkes 1975 ;Dejene 1999].

⁹⁸ Ibid.

⁹⁹UN-H (2007) .Cities Without Slums : Sub-Regional Program for Eastern and Southern Africa , Situation Analysis of Informal Settlements in Addis Ababa (2007)11.

¹⁰⁰Uli Wessling Tolon , 'Comparison of Urban Upgrading Projects on Development Cooperation in Ethiopia' (2008)18.

¹⁰¹UN –Habitat Regional and Technical Cooperation Division .Ethiopia: Addis Ababa Urban Profile .United Nations Human Settlements Program(UN –HABITAT) ,2008 .HS /1003/08E ,ISBN :978-92-1-131982-8 .Nairobi ,Kenya ,.Website :<http://www.unhabitat.org> .

¹⁰² (Ibid)8.

proclamation was to get rid of the right of land lords.¹⁰³ The most important immediate effects of the proclamation were a regressive reduction on the amount of rent by 50 % for tenants who were paying a monthly rent less than 144 Birr .Then the government has direct involvement in the sphere of housing provision .¹⁰⁴The Dergue era or the socialist regime (1974-1991) nationalized urban land and extra houses, and had set maximum threshold for private capital accumulation. This had inhibited investment, economic growth as well as urban development.¹⁰⁵

3.3.3. The current (Post 1991) Accessibility of Urban land and Policy situation In Ethiopia

Accessibility of land and housing assets in urban areas can improve livelihoods by providing the poor with access to services and the urban economy¹⁰⁶ and a more equal distribution of land is imperative as poverty is linked to land access .¹⁰⁷Compared to earlier periods, post -1991 Addis Ababa has seen far greater participation of local authorities, NGOs and the wider community in slum and squatter upgrading programs.¹⁰⁸There were two major parallel ,community –based slum upgrading programs operating in Addis Ababa –the first is conducted by the municipal authority and the second major slum improvement program in Addis Ababa is carried out by various NGOs with cooperation from the municipal authority and the target communities.¹⁰⁹

¹⁰³Proclamation No-47/1975 , A proclamation to Provide Government Ownership of Urban land and Extra Urban Houses ..(see objectives of the proclamation ,para 2).

¹⁰⁴ Ibid paragraph. 3.

¹⁰⁵Lia, ‘Addis Ababa City Structure Plan Draft Final Summary Report (2017-2027) AACPPO (2017, September 12.2017)1.

¹⁰⁶Nemasetoni, Irene and Royston, Lauren, ‘*Sustaining Livelihoods in Southern Africa, theme : Shelter and Sustainable Livelihood* ‘(August 2005) Issue 15.

¹⁰⁷Porteous at el , ‘*Making Urban Land Markets Work for the Poor-Debates and positions, Excerpts from the Program Proposal to DFID*’ Urban Land Mark (2005)1-22.

¹⁰⁸(n 100).

¹⁰⁹(Ibid)25, Para .2.

3.3.3.1. Policies aimed at alleviating Housing Problems

Ethiopia annual population growth is 2.6 percent¹¹⁰ and Eighty seven percent of the population is “multi dimensionally poor”, suffering from some combination of food insecurity, insufficient access to adequate education, health services and inadequate employment opportunities.¹¹¹ Because of the global corona virus disease (COVID -19) Pandemic Ethiopia faces significant development risk and the implication is on the urban poor, destitute, homeless and those working in informal sectors of the economy are likely to be highly affected.¹¹² Ethiopia’s population is projected to be 126 million people by 2030, 27 percent of whom will live in urban settings.¹¹³

The government of Ethiopia adopted the first Growth and Transformation plan (GTPI(2010/11-2014/15) aimed to reduce the population living below the national poverty line fall from 38.7% in 2003/4-29.6% in 2010 /11. The ongoing housing development program in Addis Ababa targeted to build 150,000 housing units during the five years plan period. Accordingly, 174,190 housing units were constructed under different housing programs¹¹⁴. The GTP II (2015/16-2019/2020) was designed to reduce urban unemployment rate from 16.1% to 12.1% and to increase urban residential house constructed from 174,190 to 750,000.¹¹⁵

Ethiopia being the member State of UN, with regards to the implementation of SDGs Agenda has been taking coordinated and organized practical actions, all in conspicuous commitment and

¹¹⁰Central Statistical Agency (2013), ‘*Population Projection for Ethiopia, 2007-2037*’. <http://www.csa.gov.et/census-report/population-projections>.

¹¹¹United Nations Development Program .*Human Development Report: Ethiopia Human Development Indicators (Country profile)*<http://hdr.undp.org/en/countries/profile/ETH>.

¹¹²World Food Program (WFP) Document Executive Board Annual Session, Rome 29 June -3 July 20120 Agenda item 8 .Ethiopia Country Strategic Plan (2020-2025)3 .Accessed from <https://executive-board.wfp.org/>.

¹¹³Central Statistical Agency (2013) .*Population Projections for Ethiopia 2007-2037*, <http://www.csa.gov.et/census-report/population-projections>

¹¹⁴Federal Democratic Republic of Ethiopia Growth and Transformation Plan II (GTP II) Volume I; Main Text .National Planning Commission Part I . Performance Under The First Growth and Transformation Plan (GTP I) (2010/2011-2014/2015)(Addis Ababa May 2016) 6.

¹¹⁵Federal Democratic Republic of Ethiopia Growth and Transformation Plan II(GTP II) Volume I; Main Text .National Planning Commission (Addis Ababa .PART II May 2016)97 .

sense of ownership ¹¹⁶and the formulation and implementation of any development policies, strategies ,plans and programs shall be guided by the Constitutional Principles and objectives of the constitution which are geared towards Sustainable development and poverty eradication .¹¹⁷

To mitigate the housing problem launching various types of housing programs with the intention of providing adequate, sustainable ,and equitable supply of land and enable rapid urban development Ethiopia has recently adopted Ten -years development plan(2020/21-2029/2030) with the main objectives:- to satisfy at least 75% of the demand for urban land by raising the proportion of land that is made available through auction 5% to 40% and by reducing the proportion of land directly allocated by the government from 95% to 30% ,in order to ensure an equitable allocation of land for various development purposes ;

-to raise the ratio of housing demand satisfied in urban areas from 64% to 80% by building more than 4.4million houses.

-to build using different supply modalities, around 600, 000 houses (or about 14%of the total number of houses planned to be built) in the vicinities of industrial parks;

¹¹⁸(--emphasis added).

3.3.3.2. Integrated Housing Development Program (IHDP)

The housing development experiences before the 2005 revealed that unplanned ,informal and private housing development have poorly responded to the housing demand in urban areas .This was partly due to the undesired bureaucracies in getting urban land ,nationalization policy of previous Dergue regime that banned construction of extra houses and ever increasing informal housing supply .¹¹⁹ Such distorted housing scheme has of course resulted in shortage of houses and has made the same unaffordable .Such difficulties have dictated the government to introduce an Integrated Housing Development Program (IHDP) in 2005 .

¹¹⁶The Federal Democratic Republic of Ethiopia accepted and approved the 2030 Sustainable Development Agenda during the UN-member States meeting held in New York from September 25 to 27, 2015.

¹¹⁷G.A.Res.70/1,Transforming our World: the 2030 Agenda for Sustainable Development, pmb.(September 25,2015) .Accessed from https://sustainabledevelopment.un.org/content/documents/21252030_Agenda_for_Sustainable_Development_web.pdf (un.org) 20 July 2021.

¹¹⁸ FDRE Planning and Development Commission Ten – years Development plan (2021-2030) 49.

¹¹⁹UN-Habitat(UN.H) ‘Cities Without Slums’ : Sub-Regional Program For Eastern and Southern Africa ,Situation Analysis of Informal Settlements In Addis Ababa (2007)11.

Ethiopia has been executing its ambitious IHD aimed at constructing over 400,000 units (houses) in urban areas to meet the housing demands of the low and middle income inhabitants.¹²⁰ This integrated housing development plan was introduced in 2005 and the projected time of completion was 2010. Out of the total houses about 175,000 units were planned to be built in Addis Ababa.¹²¹ But only 100,000 were built until 2013.¹²²

3.3.3.3. The lease Policy impacts on Accessibility of Urban land and Housing to the Poor in Ethiopia

Land laws, policies and strategies should be framed in a way that they could accommodate the land related interests of all sections of a society.¹²³ The right to access to land cannot be seen separately from other basic rights. It is overwhelmingly interrelated with other fundamental rights of individuals as full realization of these rights is impossible without real properties (land and buildings).¹²⁴ Access by the poor to the natural resources including land, is essential for sustainable poverty reduction. FAO and many others like EU (2004) argued that increased land access for the poor can bring direct benefits to poverty reduction and in equal distribution of assets, especially land capital and land, affects overall growth, affecting the income growth of disproportionately.¹²⁵ Access to urban land, in particular, needs special consideration as urban land is so scarce and the competition over it is so stiff.¹²⁶ The price and availability of land for housing remains an important influence on housing prices and

¹²⁰UN-Habitat, 'Condominium Housing in Ethiopia: The Integrated Housing Program' (2011)vii .

¹²¹ (Ibid) 11.

¹²²UN-Habitat , Interview with Mr. Makuria Haile, Minister of Urban Development and Construction, Ethiopia (2010), The Ethiopian Case of Condominium Housing (ZEMENE MAGAZINE 2013).

¹²³ IFAD, 'IMPROVING ACCESS TO LAND AND TENURE SECURITY' (Palombi e Lanci , Rome 2008)1-10.

¹²⁴Wickeri ,Elisabeth &Kalhan ,Anil ,*Land Rights Issues in International Human Rights Law* ,(2010) Institute for Human Rights and Business ,Available at http://www.ihrb.org/pdf/Land_Rights_Issues_in_International_HRL.pdf

¹²⁵Julian Quan , 'Land Access in the 21st Century :Issues ,trends ,linkages and policy options' (Natural Resources Institute University of Greenwich).

¹²⁶Leggesse Tigabu , 'Urban Land Acquisition and Social Justice in Ethiopia' *Haramaya Law Review* [4,1] (2015)130.

conditions leading to the development of illegal or informal land markets, where the poor have limited capacity to pay.¹²⁷ The principle of urban land transfer is tender¹²⁸ which makes land unaffordable to the lower class and exceptions under the lease holding proclamation No-721/2011 too do not favor the poor even in case of Condominiums.¹²⁹ This may signify that the urban land lease reform is not responsive to the demands of the poor in urban areas.¹³⁰

The FDRE Constitution obliges the government to enact laws formulate policies which ensure that all Ethiopian get equal opportunity to improve their economic conditions”¹³¹. All resource related laws ,policies and measures introduced by the government are expected to be in light of these grand constitutional principles. Though the existing urban land lease system has made the land acquisition system transparent and accountable ,the substantive rules governing acquisition of land have actually made a significant portion of the society incapable of accessing urban land .¹³²Individual citizens who do not have the financial means to compete in lease tenders nor can make the use of modality of allotment to access urban land are denied equal opportunity with others in distribution of the most important national wealth land. Most urban dwellers engage in informal economies which are diverse ,and can include a

¹²⁷Urban Poverty: A Gender Analysis .Report Prepared for the Gender Equality Unit, Swedish International Development Cooperation Agency (SIDA) . (BRIDGE (development –gender) Institute of Development Studies University of Sussex Brighton BN1 9 RE,UK October 1997)10. website :<http://www.ids.ac.UK / bridge/institute of development studies> ISBN 1 858643473

¹²⁸See Art 7,8 and 12 of the Ethiopian Urban land lease Holding Proclamation No-721/2011 .Cumulative reading of these provisions leads to the conclusion that urban land is unaffordable to the poor as they have to compete with the rich through tender procedures and they rarely acquire urban land through allotment proceedings set under article 12 of this proclamation .

¹²⁹Urban Land Lease Proclamation No-721/2011, Federal Negarit Gazeta , 18th year ,No.4,2011.

¹³⁰Leggese T (n 126)131.

¹³¹ Art 89 of FDRE Constitution under the caption Economic Objectives

89(1) reads “*Government shall have the duty to formulate policies which ensure that all Ethiopians can benefit from the county’s legacy of intellectual and material resources’ and sub (2)-Government has duty to ensure that all Ethiopians get opportunity to improve their economic condition and to promote equitable distribution of wealth among them.*

¹³²Leggese T (n 126)132.

wide variety of activities ,such as domestic workers ,garment workers ,street vendors ,crafts people ,garbage recyclers ¹³³and Average incomes in the informal sector are substantially lower than in the formal sector .¹³⁴

In tender procedure it would obviously drive the poor out of the game as the rich are able to bid higher land prices and make urban land unaffordable to the poor .In this regard ,the new lease system failed to ensure social justice which requires equitable distribution of common resources including land .Art 89(2) of the FDRE Constitution declared that “government has the duty to ensure this right” .¹³⁵

Making urban land unaffordable to some section of the society would have serious implications on social rights.¹³⁶ Of those who cannot access land and this becomes an impediment to progressive enhancement of citizens’ access to housing and social security. Thus, existing urban land lease law failing to set an accommodative land acquisition system has defeated the grand social objectives under the constitution. The urban land development policy is aimed to ensure sustained land provision to eliminate housing shortages and redeveloping dilapidated and old areas of a city improves health, the physical appearance of cities, eradicate poverty and strengthen land provision efforts at low costs.¹³⁷

¹³³*Sustainable Development Solutions Network: A Global Initiatives For United Nations* .The Urban Opportunity :Enabling Transformative and Sustainable Development ,(May 20,2013)18.

¹³⁴Proclamation No . 721/2011 Art -12

¹³⁵ *FDRE Constitution article 89(1)*. Government shall have the duty to formulate policies which ensure that all Ethiopians can benefit from the country’s legacy of intellectual and material resources and art 89(2). Government has the duty to ensure that all Ethiopians get equal opportunity to improve their economic conditions and to promote equitable distribution of wealth among them. .

¹³⁶ FDRE Constitution art 41 under Economic , Social and cultural rights. Article 41(3) reads -Every Ethiopian national has the right to equal access to publicly funded social services and 41(4) states that ‘the state has obligation to allocate every increasing resources to provide to the public health ,education and other social services .

¹³⁷Urban Poverty :A Gender Analysis .Report Prepared for the Gender Equality Unit, Swedish International Development Cooperation Agency (Sida October 1997) .BRIDGE (development –gender) Institute of Development Studies University of Sussex Brighton BN1 9 RE,UK .Website :<http://www.ids.ac.uk/bridge/> Institute of development studies ISBN 1 858643473 (n 138)18 .

¹³⁷Art .41(1) and (4) and the following of the FDRE Constitution.

3.3.3.4. Ethiopian Urban Land Development and Management Policy 2011

The main policy foundations of urban land development and management policy are the Constitution of FDRE, the Free Market System, to ensure that citizens benefit from Ethiopia's rapid development and to ensure fairness and eliminate land related rent-seeking behavior.¹³⁸ The policy objectives were to increase accessibility, transparency, fairness, developmental nature and accountability in urban land markets and land delivery system.¹³⁹ The policy principles were to ensure that land provided for housing and work areas should be serviced prior to construction and will ensure availability of adequate, suitable and affordable land for housing and work.¹⁴⁰

Ethiopia has not so far adopted a single and unified land use policy. One has to look into the different land legislations and development related policies to fully understand the country's land policy.¹⁴¹ However, as long as urban land is concerned, the country has introduced urban land development and management policy in 2011 before the adoption of the existing lease system in October 2011. Among the major objectives of this policy are ensuring access to urban land to the poor; and fostering urban land use.¹⁴² There are different sections of the society with different interests in urban areas would mean that the urban land use laws & policies should be accommodate in land development and this in turn can minimize illegal settlements and foster sustainable urban land development. On the other hand, inflexible and non-holistic urban land administration¹⁴³ may encourage illegal settlement and is a threat to sustainable land development.

¹³⁸Ministry of Urban Development and Housing, Urban Land Development and Management Policy and Strategy (Second edition, August 2013, edit 2016. Addis Ababa)8.

¹³⁹Legesse T (n 126) 130.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴²Urban Land Development and Management Policy of Ethiopia, May 2011, Addis Ababa. This Policy was introduced before the enactment of the Ethiopian Urban land lease holding Proclamation No-721/2011 to guide the adoption process of this proclamation. Yet, a number of provisions under the proclamation stand against the objectives set under the urban land policy.

¹⁴³Legesse T (n 126) 131.

3.4. Summary of the chapter

Housing the most basic human needs and the importance of this right it is recognized in many international and regional conventions ,declarations and programs .States parties voluntarily bind themselves to bring national legislations ,policy by solemnly committing themselves to respect and ensure the rights and freedoms found in these documents. Ethiopia has also legal obligations by ratifying these and other binding texts .States including Ethiopia become accountable and also recognized this right by making it part of their constitution .This constitutional principles obliges Ethiopian government to adopt policies ,programs and laws in resource related areas to be all inclusive including the lower income groups .Ethiopia has also partnered with the UN-Habitat to ensure accessibility of the housing right. To implement this policy objectives Ethiopia has made the programs and laws to show its commitment. But, some literatures argue that the programs like Integrated Housing Program introduced recently by the government faces challenges in implementing the grand policy objectives in promoting the low income groups because of different factors.

The laws made to implement this grand norm objectives concerning the accessibility of urban land and housing to the poor including the lease proclamations are also side –lined the rich in the provision of housing. Because of those and other factors the policy principles concerning accessibility of urban land housing to the poor are not implemented as intended from the outset.

CHAPTER-FOUR

4. RECOGNITION OF HOUSING RIGHT AND ASSESSMENT OF ACCESSIBILITY OF URBAN - LAND AND HOUSING THE POOR IN ADDIS ABABA CITY

4.1. General Overview of Addis Ababa City

Addis Ababa is serving as national capital ;the city hosts the headquarter of the UN-Economic Commission for Africa(ECA),the African Union (AU) and a large number of embassies ;consulates and other international organizations. From this point of view ,Addis Ababa is the diplomatic Capital of Africa.¹⁴⁴Addis Ababa is not only the largest city in Ethiopia but also a textbook example of a primate city, as it is at least 14 times as large as Dire Dawa, the second largest city in the country.¹⁴⁵ On the top of this, Addis Ababa is reputed to be the fourth city after New York, Washington, and London to have largest collection of diplomatic missions in the world.¹⁴⁶But the city is challenging with unbalanced distribution of social and economic services one of which is housing.

The Ethiopian urbanization illustrates unbalanced distribution of urban population .Industrial activities and infrastructural facilities are concentrated in the capital city, Addis Ababa, which is the main administrative, economic and financial center. This situation attracts migrants to Addis Ababa and creates a single Primate city¹⁴⁷making up 30% of the Country's urban Population.¹⁴⁸ The population of the city and its surrounding almost doubles every 15years.

¹⁴⁴Urban Land Development and management Policy ,Implementations .May 2011 ,Addis Ababa .Cities Without Slums Sub –Regional Program for Eastern and Southern Africa .Situational Analysis of Informal Settlements in Addis Ababa .Addis Ababa Slum Upgrading Program .UN-Habitat .Web –www. Un habitat .org. HS/876/O6E,ISBN;92-1-131863-7

¹⁴⁵ibid

¹⁴⁶*Solomon Keffa, 'Integrated housing Development Program (IHDP)' (2011)2.*

¹⁴⁷Addis Ababa is characterized as a primate city because of its domination in the urban hierarchy. The population size of Addis Ababa is 12 times greater than the second urban Centre [Demissachew Shiferaw , “ Self-Initiated Transformation of Public-Provided Dwellings in Addis Ababa ,Ethiopia ,” CITIES ,The international Journal of Urban Policy and Planning [15 ,6](December 1998) 437-448.

¹⁴⁸Shiferaw, ‘Self –Initiated Transformations of Public- Provided Dwellings in Addis Ababa , Ethiopia ’. CITIES , The International Journal of Urban Policy and Planning [15, 6] (December 1998) 440 .

However, the corresponding urban services have always lagged far behind the demand.¹⁴⁹ The population of Addis Ababa will reach at least 4.4 million at the end of 2023 and estimated to reach 5 million by 2040.¹⁵⁰

On the top of this most residents in Addis Ababa are poor and some studies shows the informal sector employs about 51% of the economically active urban dwellers.¹⁵¹ Some authors claim that today, about 70-80 % of the Addis Ababa Population are living at or below subsistence level.¹⁵² As stated in the recent city's structural plan document although unemployment level has gone down in recent years ,almost a quarter of the economically active population cannot find a job ,and of those employed ,the majority(close to 66%) in the city is engaged in low skill and low paying jobs .¹⁵³

Further, the urban poor are more dependent on 'subsistence production'¹⁵⁴ and according to UN-Habitat report the majority of slum dwellers earn their living from informal sector activities located either within or outside slum areas ,and many informal entrepreneurs .¹⁵⁵ Most of the slum dwellers are people struggling to make a living, within the context of extensive urban poverty and formal unemployment.¹⁵⁶

¹⁴⁹Lia, 'Addis Ababa City Structure Plan Draft Final Summary Report AACPPPO document (2017-2027 September 12, 2017)32.

¹⁵⁰ (ibid)144 .

¹⁵¹Uli Tolon (n 100) 16.

¹⁵² Ibid .

¹⁵³ UN-Habitat , 'Slums of the World' 'The challenges of Slums' Global report on human Settlements'' (London: Earth scan 2003b) 13.

¹⁵⁴H.D. Evers , "Urban poverty and Labor Force Supply Strategies in Jakarta , " in Gerry Rodges, ed. *Urban Poverty and Labor Market :Access to jobs and Incomes in Asian and Latin American Cities* (Geneva :ILO ,1989) ; H. D. Evers and R. Korff," Subsistence Production in Bangkok," *Development* (1986,pp.50-55

¹⁵⁵El-hadj M. Bah Issa Faye Zekebweliwai F. Geh , '*Housing Market Dynamics In Africa*' African Development Bank Abidjan .Cote divoré ISSN -978-1-349-95120-8.Issbn 978-1-59 792-2 (eBook) <https://doi.org/10.1057/978.1-137-59792-2> Library congress Control Number :20956090 (2018)41.

¹⁵⁶ Ibid.

4.2. Recognition of Accessibility of Urban land and Housing in Addis Ababa City

4.2.1. Recognition of accessibility of urban land and housing Right under the FDRE Constitution

Addis Ababa City Government as an organ of state to abide by and promote the national policy principles and Policy Objectives under articles 85-92 of the FDRE Constitution and as well as the right to development of citizens stated under art -43(1) and (4) of the Constitution all imply that the right to housing is recognized under the Constitution as other basic needs.

4.2.2. Recognition of accessibility of urban land and housing under the Addis Ababa city Charter and Other Subsidiary laws

Under the Revised Addis Ababa City Government Charter Proclamation No-361/2003 and subsidiary legislations Addis Ababa City Government has duty in provision of housing to the residents. Concerning accessibility of urban land to citizens Addis Ababa city has adopted lease regulation no-3/1994 after the first Urban land lease Proclamation of the country, to ensure accessibility of housing after the Condominium Proclamation no-370/2003 adopted Addis Ababa City Government Condominium Regulation no-12/2004 and to implement this housing right established responsible organ Addis Ababa Housing Development Project Office by Proclamation no-15/2004 at city level and to regulate the transfer of housing to the beneficiaries established proclamation no-19/2005 later amended as proclamation no-5/2008 and re amended by proclamation no-7/2008 to provide for the Responsibilities of the City Government Houses and its execution Proclamation . Different directives were made by Addis Ababa City Housing Development and Administration Bureau Housing Transfer and Administration directive no-1/2008 and amended directive no-2/2009 and later repealed by Directive no-066/2021 for the transfer of condominiums and commercial properties to consumers.¹⁵⁷(see box- 2 at appendix).

4.2.3. Recognition Under the city Development and Structural Plan (2017- 2027)

Urban poverty has been deepened in Ethiopia in the recent past and many authors concur that approximately two-thirds of households in cities like Addis Ababa live at or below subsistence level .Some suggests that in Addis Ababa, the proportion of households currently below

¹⁵⁷See Box 3 of the appendix part at the end of the paper for more detail .

absolute poverty line is 30% or so of the total. Undoubtedly, urban poverty of such magnitude can only be associated with extremely poor housing condition. Recognizing this Addis Ababa City administration included the housing issue in its development and recent structural plan. For instance under the Addis Ababa Revised structure or city development plan (2002-2012) the necessity of direct provision of decent housing by the public sector and the creation of fertile ground for other actors to play the lead role was recognized.¹⁵⁸ In Planning Period from 2013-2023 taking into account the estimation of the population of Addis Ababa City by 2023 one of the immediate challenge is ‘how to provide affordable and adequate housing within a livable environment’ was raised and forecasted demand for housing during the planning period to be 1,172,195 houses.¹⁵⁹ Under the national policy frameworks, regional states and city administrations are also obliged to prepare and implement plans and programs that reflect their local objective realities.

4.3. Ensuring Accessibility of Urban land and housing Policy in Addis Ababa City

There is substantial imbalance in the demand for and the supply of housing and shortage of residential housing is especially acute for over 80% of the city’s population live in Slums. This housing shortage in Addis Ababa has prompted the municipal government to adopt a range of strategies for improving the housing condition of these the Integrated Housing Program (IHDP), Putting urban land lease holding policy by enacting its own Regulation No-3/1994, Started urban slum upgrading program aligning with the objective of Millennium Development Goal No.7 Target 11 to reduce slum and the commitment of the country and city under the Agenda 2030 for Sustainable Development as well as UN-Habitat that ‘no one should be left behind’ principle grounded in the UDHR and International Treaties indicating the protection for Universality of human rights including housing to the poor.

Looking the above commitment and recognition of housing right it is a moot point as to how far would these succeeded in making available affordable housing and of foremost importance is the question whether these policies will get implemented. Since success of a policy or program is defined in terms of accessibility of a large Section of population to adequate affordable

¹⁵⁸Lia, ‘Addis Ababa Structure plan Final Summary Report AAACPPPO document (2017-2027)(September 12,2017)33.

¹⁵⁹(Ibid)110.

housing .In order for any policy or Program to succeed it is important to take an integrated view of the housing problems of all sections of population Confining the policy or program to one section ,while the requirements of the other section are still unmet can lead to hijacking of the program by the more powerful sections.

The challenges in implementing the policy objectives were:

4.3.1. Problems Related with conformity of Legal frameworks with the policy objectives-

Urbanization does not take place in thin air ,it requires enormous amounts of land to mushroom so the principal objectives of land policies is to provide land to the urban poor and the other main objective is it seeks to improve economic equity by allocating resources to low income groups .¹⁶⁰ Access to land is one of the main drivers of housing stock and absence of appropriate land and housing policy in the city of Addis Ababa has given way to massive urban Slum and informal settlements in the city of Addis Ababa.¹⁶¹ Also as stated by Kitay in his popular book principal Goal of urban land policy is to assist in the planning and implementation for urban development in facilitating the implementation of housing policies or programs ,preventing any land lying idle or underutilized, to prevent undesired urban sprawl ,minimizing urban development problems related to land and to assist in realizing social justice in urban development (equality principle) .¹⁶²

The FDRE Constitution also obliges the government to enact laws which “guarantee to all persons equal and effective protection without discrimination on grounds of race, nation

¹⁶⁰Urban Management Program ‘A frame work for Reforming Urban Land Policies .Paper no. 25358 (August 1996’) 4.

¹⁶¹UN-HABITAT (UN.H), ‘Condominium Housing in Ethiopia .The Integrated Housing Development Programme ’.(Nairobi 2011b).

¹⁶²Kitay ,M.G., ‘*Land Acquisition in Developing Countries ,Policies and Procedures of the Public Sector*’ ISSN 0-8946 -192-1 (A Lincoln Institute of Land Policy Book .Oelgeschager ,Gunn & Hain , Publishers ,Inc. USA 1985) 8.

,social origin ,color, property or other status ¹⁶³and formulated policies which ensure that all Ethiopians get equal opportunity to improve their economic conditions”.¹⁶⁴The Constitution further provides all resource related laws ,policies and measures introduced by the government are expected to be in light of these grand Constitutional principles .The Policy foundations of Urban Land development and Management are also the Constitution of FDRE ,the free Market System ,to ensure that citizens benefit from Ethiopia’s rapid development and ensure fairness and eliminate land related rent-seeking behavior .¹⁶⁵The dramatic growth of urban populations has resulted in an increase in demand for economic and social services which has caused a huge gap between the demand for and supply of housing.¹⁶⁶ The main objectives of the recent urban land development policy of Ethiopia is to alleviate housing shortages in urban centers by providing sufficient land that is accessible ,affordable and appropriately located and to ensure sustained land provision to eliminate housing shortages and redeveloping dilapidated and old areas of a city ,eradicate poverty and strengthens land provision efforts at low costs¹⁶⁷. Addis Ababa city has also obligation to ensure effective implementation of the urban Land Development and Management Policy and Strategy in its respective administration and to ensure laws adopted by federal government ,use programs and strategies fit context of their respective urban center and as an organ of state to abide by and promote the national policy principles and objectives as stipulated under art 85/1/ of the FDRE Constitution ,and is in compliance with national policy principles and objectives as enunciated under the FDRE Constitution and Federal laws, including the Revised Addis Ababa City Government Charter Proclamation No-361/2003 and subsidiary legislations.¹⁶⁸

¹⁶³Federal Democratic Republic of Ethiopia ,1995, Proclamation ,No-1/1995 -Art-25 ,Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia .Addis Ababa, Berhanena Selam Printing Enterprise .

¹⁶⁴(Ibid)Art -89 .

¹⁶⁵Ministry of Urban Development and Housing, Urban land Development and Management Policy and Strategy .Second edition August 2013, edit ed 2016 Addis Ababa.

¹⁶⁶(Ibid)31.

¹⁶⁷ Ibid.

¹⁶⁸Ministry of Urban Development and Housing, Urban land Development and Management Policy and Strategy .Second edition August 2013, edited 2016.

The constitutional principles and urban policy objectives obliges the government to distribute resources equally to all people but the legislations made later are not supporting the poor in relation to the objectives stated under the urban development and housing policy in helping the poor to access urban land and housing. For instance, the urban land lease holding proclamation No 721/2011 Under Article - 12 which puts tender as the only way of acquiring the urban land as the principle disregard the urban poor, because it forced them to compete with the rich .¹⁶⁹Addis Ababa is the first city government to follow the Federal lead in passing urban land lease regulation in 1994¹⁷⁰and the currently practiced market oriented land management system has been ascribed to exacerbate the already existing chronic housing shortage in the city widening the gap in access to land between the haves and have not's .¹⁷¹ Tesfaye also argue that lack of appropriate urban land and housing policy has exacerbated the dire housing demand in the city of Addis Ababa.¹⁷²

When we see also the Condominium proclamation the objective of introducing condominium house construction is to narrow the balance between the demand for any supply of housing.¹⁷³ The same proclamation empowers under art 42 The city Administrators to issue regulation necessary for the implementation of this proclamation .Based on this for instance ,Addis Ababa City Administration has made regulation to administer and regulate the condominium houses in the city¹⁷⁴ and later made another proclamation setting criteria who is eligible to access the condominium houses and those proclamations and regulations on one hand put preconditions of advance payments to be part of the lottery which is beyond the reach of most of the urban poor which indicates those subsidiary laws go against the intended purpose and principal objective of the condominium housing and policy objective which need to favor the

¹⁶⁹The cumulative reading of Art - 7 and 12 of the Urban land lease holding proclamation no-721/2011 prove that the poor didn't given attention to access to urban land for housing .

¹⁷⁰Regulation No-3/1994, Addis Negat Gazeta of Region 14 Administration Urban Lands Lease Holding Regulation No-3/1994, Berhanena Selam Printing Press , Addis Ababa.

¹⁷¹Tesfaye Abraham, 'Problems and Prospects of housing development in Ethiopia' Journal of Property Management(Emerald Group Publishing Limited 0263-7472,CBE ,Addis Ababa ,Ethiopia 2007) [25,1]27,42. Available at www.emeraldinsight.Com/0263-7472.html.

¹⁷²(Ibid) 43.

¹⁷³Proclamation No.370/2003 .Condominium Proclamation , preamble part paragraph 2.

¹⁷⁴Regulation No-12/2004 .The Addis Ababa City Government Condominium Regulation .

poor when looking its preamble part .¹⁷⁵The directive made later by the Addis Ababa City Housing Development and Administration Bureau also puts the same criteria and it gives priority of 30% for women ,20% of the government employees ,5% of people with disability and the remaining 45% for who meet the criteria are to be included in the lottery and no priority is given in those subsidiary legislations for people who could not pay the amount stated in ¹⁷⁶ and people with no income and homeless people those individuals the city Government itself acknowledged that at minimum between 10,000 to 20,000 homeless people residing Addis Ababa city.¹⁷⁷

The Proclamation No-19/2005 and proclamation No-7/2008 (as amended) under art -6 states that the government or the Addis Ababa City Cabinet has authority to make regulation to give priority to the poor to get the urban land without casting lot when they are evicted from their former home for upgrading.¹⁷⁸ But these proclamations did not specifically put the homeless or urban poor with no income to get urban land or condominium without fulfilling the criteria set by the authority.

4.3.2. Problem related with identifying the target group and criteria of selection

Government interventions in provision of housing should focus on addressing the root causes that prevent their access to adequate housing.¹⁷⁹ In Ethiopia in general and Addis Ababa City in particular Integrated Housing Development Program was designed mainly with the objectives of targeting lower income groups both in promoting housing ownership and job creation. The research carried out in 1996 suggests that in Urban Ethiopia as a whole involvement in the informal sector could be as high as 61% .The study by Association of Ethiopian Micro Finance

¹⁷⁵Proclamation No-19/2005.The proclamation to provide the responsibility of Government Organs in the transfer of the city government houses and its execution proclamation ,later amended by proclamation no-5/2008 and again re-amended by proclamation no-7/2008 .Art 6.

¹⁷⁶Addis Ababa City Housing Development and Administration Directives No.1/2008 and amended directive no.2/2009 and the later re amended as directive no.66/2011 article .17.

¹⁷⁷Lia (n 158)117 .

¹⁷⁸Proclamation No-7/2008 .A proclamation to provide for the Responsibilities of the City Government Houses and its Execution Proclamation No-19/2005 Re amendment Proclamation Art- 6

¹⁷⁹UN-Habitat ,United Nations Human Settlements Program Housing and Slum Upgrading Branch . ‘Housing at the Centre of the New Urban Agenda’ (Position paper, October 2015)13.

in 2002 shows that the informal sector employs about 51% of the economically active labor force and according to ORAAMP (2002) ,80% were slum dwellers in Addis Ababa are poor of which 60% are below poverty line.¹⁸⁰The recent structural plan document of Addis Ababa also recognized that in Addis Ababa city the informal sector accounts for more than 60-70% of the economy.¹⁸¹In addition, it is the city where most households spend nearly 50% of their income on food, there would not be much money left for housing purchase or improvement. In Ethiopia in general and Addis Ababa City in particular Integrated Housing Development Program was designed mainly with the objectives of targeting lower income groups both in promoting housing ownership and job creation but looking its content the program has not included the poorest of the poor residents with no or limited income who cannot fulfill the set requirements based on income level.¹⁸²On the other hand, identification of who is the poor is also a major problem since urban poor are predominantly engaged in the informal jobs and their incomes are not registered in the national income record¹⁸³and in this case it is a very lengthy process to know a person's monthly income in determining who should be categorized as poor.¹⁸⁴Lack of formal income registration at the country as well as at the city level and since the poor are mostly engage in informal work and have no constant income which makes it a very lengthy process to know a person's monthly income in determining who should be categorized as poor.

4.3.3. Problem related with low Budgeting and investment in the housing sector

The population of Addis Ababa city is increasing, on the other hand ,this population growth was not supported with appropriate economical and social circumstances which resulting complicated urban problems-of all these problems ,housing sector, in the City where the informal sector accounts for more than 60-70% of the economy¹⁸⁵;is one of the main problems

¹⁸⁰Office for the Revision of Addis Ababa Master Plan (ORAAMP), *City Development plan 2001-2010* :Executive summary (ORAAMP ,Addis Ababa 2002).

¹⁸¹Lia (n 158)25.

¹⁸²Solomon K . (n 146)10.

¹⁸³Peter D. Linneman and Isaac F. Megboluegbe, 'Housing Affordability : Myth or Reality?' Urban Studies [29,3/4] (Sage Publication Inc. May 1992)369-392. <https://www.jstor.org/stable/43082926>.

¹⁸⁴Khan , M.M., 'State of governance in Bangladesh' (Routledge ;Taylor and Francis Group 2003)[370].

¹⁸⁵Lia (n 158) 25.

,which has not been yet addressed. It is realized that given the magnitude of housing problem, it will not be possible for the government to provide subsidized housing to all the problems. But where needed ,governments should also directly intervene and ensure housing will be affordable ,accessible and provided for all targeting the most poor and groups in vulnerable conditions is crucial if the situation is not to deteriorate ,and interventions cannot depart from addressing the root causes that prevent their access to adequate housing.¹⁸⁶

Supply of housing is a very expensive process and most governments also often give less priority to the housing sector because of their shortage of investible resources. In a country like Ethiopia which strives to get quick return from investment it can be expected that the housing sector would be given less attention owing to the fact that a significant investment in the housing sector would also result in resolving social problems which the city is now facing.¹⁸⁷In Ethiopia as in most other African Countries, Capital expenditure in housing has remained well below 3 per cent of GNP for the past decades .In fact, it appears it has not exceeded 2 per cent of GNP as of the 1980's .This combines with government policies to account for the woefully poor housing and neighborhood conditions in the most part of urban Ethiopia.¹⁸⁸Public spending is guided by the Growth and Transformation plan (GTP) and particularly targeted to the pro poor sectors identified in the plan and accordingly the proper sector of the GTP are agriculture, education, health, roads and water so the 70% of total general government expenditure is allocated to these sectors and the budget allocated to urban Development and housing is low.¹⁸⁹ Ayele also puts that concerning operational problem on investment in housing, Ethiopia becomes one of the developing countries to allocate a very low percentage on housing sector ,which is estimated to be 2.5 % of its national income. This

¹⁸⁶UN-Habitat III, 'Housing at the Centre of the new Urban Agenda'. UN-Habitat Housing and Slum Upgrading Branch (Position Paper , October 2015U) 13.

¹⁸⁷Ayele, E. (2001). *Policy Impacts on Housing Sector* : The case of Addis Ababa(pp1-10) .Addis Ababa .Retrieved from <http://www.1th.sc/filcadmin/hdm/alumni/papers/ad2001/ad2001-06.pdf>.

¹⁸⁸Urban Land Development and Management policy implementations May 2011 Addis Ababa .Cities Without Slums sub-Regional Programme for Eastern and Southern Africa .Situation Analysis of Informal Settlements in Addis Ababa .Addis Ababa Slum Upgrading Programme. UN-Habitat Website [Www .unhabitat .org](http://www.unhabitat.org). HS/876/06E.ISBN:92-1-131863-7 .

¹⁸⁹Ministry of Finance and Economic Development (MOFED) Government Finance Account , 2011.

is below the minimum standard set by the United Nations for developing countries which is 6% of GDP.¹⁹⁰ The failure to link policy, planning and budgeting is the single most important cause of poor budgeting outcomes in developing countries.¹⁹¹ The linkage framework allows expenditures to be driven by policy priorities and disciplined by budget realities.¹⁹² For instance the budget allocated for urban development and housing by the Ethiopian government in 2011 is 3% which is below the minimum standard set for allocating budget to the sector.¹⁹³ At Addis Ababa City level though housing is one of the identified priority sectors in capital project and the trend in the city's pro-poor expenditure in proportion to total spending has increased through 2004/05-2008/09 on one hand the budget is not as such enough and on the other hand such expenditure may not actually serving the poor, as targeting is usually difficult.¹⁹⁴ This all indicate though housing is very expensive and needs high amount of funds the budget allocated by the government itself is less and investment in housing is low which has direct impact on housing supply.

4.3.4. Programs made by the government are not targeting the lower income groups

The incidence of slums is very high in Ethiopia which is greater than 80%¹⁹⁵ which shows high level of poverty and inequality, with majority of growth occurring in slums and informal settlements.¹⁹⁶ Fast growing urban population and urbanization trend pose significant economic, Social and physical challenges to the population and is exacerbating housing shortage.¹⁹⁷

¹⁹⁰Ibid.

¹⁹¹ The view of World Bank 1998 and the experience of Oxford Policy management when dealing with policy and budget issues in South Asia and Sub-Saharan Africa.

¹⁹²(Ibid)32 .

¹⁹³Ministry of Finance and Economic Development (MOFED) ,Government Finance Account 2011 .See table 3 appendix at the end of the paper.

¹⁹⁴Addis Ababa City Public Expenditure Review (paper no . 67926 , July 2010)13.

¹⁹⁵El-hadj M. Bah Issa Faye Zekebweliwai F. Geh , ' African Development Bank Abidjan .Cote d'Ivoire ISSN - 978-1-349-95120-8.Issbn 978-1-59 792-2 (eBook) <https://doi.org/10.1057/978.1-137-59792-2> Library congress Control Number :20956090 (2018)218.

¹⁹⁶Ibid .

¹⁹⁷*The Governance of Addis Ababa City Turn Around Projects :Addis Ababa Light Rail Transit and Housing* .Meseret Kassahun and Sebawit G. Bishu

Shortage of residential building is especially acute for low –income households that account for over 80% of the city’s population.¹⁹⁸ It is realized that given the magnitude of housing problem, it will not be possible for the government to provide subsidized housing to all the problem. But where needed ,governments should also directly intervene and ensure housing will be affordable ,accessible and provided for all targeting the most poor and groups in vulnerable conditions is crucial if the situation is not to deteriorate ,and interventions cannot depart from addressing the root causes that prevent their access to adequate housing.¹⁹⁹It is against this setting that the government of Ethiopia drafted the NUDP which became operational in 2005.Based on this the Integrated housing Development program was introduced with the aim of targeting the low-income section of the population ,unfortunately the “poorest of the poor” are not benefitting from the IHDP due to inability to afford the initial down payments .Income is the most important market element in shaping the housing situation since it determines a country’s capacity for housing its population .For the millions of urban poor ,who earn their living from informal activities housing access in a market term is not viable. On average, urban residents in Ethiopia spend 49% of their income to fulfill their basic requirements.²⁰⁰Addis Ababa City Administration estimated that of all the inner city dwellers about 26% does not have the means to pay the required down payment to own subsidized housing through 20years mortgage.²⁰¹50 % of the population of Addis Ababa is living under the UN-set poverty line (less than \$2 per day)and majority of the city has low and unreliable source of income and engage in informal economic activities (which accounts 60% of the total economy) characterize life for most of the city dwellers .²⁰²Also as stated by Jemila ,it seems that Addis Ababa city administration has puts the monthly income levels to > 300 for studio ,301-600 for one bed room and above 600 ETB for two and three bed rooms respectively considering its context. In this time those who

¹⁹⁸ Tesfaye Abraham, ‘Problems and Prospects of housing development in Ethiopia’ Journal of Property Management(Emerald Group Publishing Limited 0263-7472,CBE ,Addis Ababa ,Ethiopia 2007) [25,1]27-42. Available at www.emeraldinsight.com/0263-7472.htm. 45

¹⁹⁹ UN .Habitat III , New Urban Agenda (n 186)13.

²⁰⁰Ibid.

²⁰¹Addis Ababa City Administration –Land Development and Urban Renewal Agency (ACA-LDURA) , ‘Implementation of Urban Renewal Projects (Power point Slide edn, ACA-LDURA, Addis Ababa 2012).

²⁰²(n 171) 4.

earned above 600 ETB monthly considered as high income groups. This is indicative of the fact that the majority of urban population in Ethiopia does not have adequate income to build its own house.

The effectiveness of the policy or program is measured based on the targeting of the benefit it gives to the majority whether the program is an effective way of targeting the urban poor and its role in the context of an effective poverty reduction strategy and further analyzing the distributive impact of the program helps in identifying trade-off between efficiency and equity that characterizes this program. When measured the program as compared with the stated objectives of the program in terms of targeting its failure is related to the objectives and components of the program this can be observed from the content of the programs less attention that it set general income levels as a country level considering the contextual realities²⁰³ and the program is made without consideration of people with no income, no plan for those who cannot afford the housing down payment.²⁰⁴ The poor are not properly addressed, and the city core poor are further impoverished and marginalized in the process of applying such programs. This indicates that the failure of the low income housing program is related to the objectives and components of the program itself.

Table 1: Distribution of households by income group

Income group	Share by 2002(%)	Share by 2012(%)	Share by 2023(%)	Share of household units by 2023
Low income	80	66	35	420,000
Middle income	16	26	50	600,000
High Income	4	8	15	180,000
Total	100	100	100	1,200,000

Source: From Addis Ababa City Structure Plan Draft Final Summary Report (2017-2027) AACPPPO Document, Lia (September 2017)112.

²⁰³MWUD , Integrated Housing Development Program (Amharic version 2005). Accessed from www.fig.net/resources/proceedings/fig-proceedings-pdf .Accessed August 12 ,2020.

²⁰⁴Jemila, H, 'Assessment of Integrated Housing Development Program in Addis Ababa: 'Housing Provision and Employment Creation' (Addis Ababa University ,Addis Ababa 2010).

From the above data one can conclude that share of the demand of housing is estimated based on the income classification .But still this data cannot provide full information who is low income earner, who is middle income earner and also who is high income earner .In addition since there is no formal income registration the for cast or estimation cannot be expected to be near to reality and still the fate of individuals with no income are not considered. The Program faces challenges of that the program has not included the poorest of the poor; residents with no or limited income which have no ability to fulfill the minimum set requirements.²⁰⁵ .Concerning the problem of housing the urban poor which is the majority as the Addis Ababa Urban profile 2008, 60% of the population can't afford even the studio which is by far the indication of the program is not accessible to the poor by the set criteria.²⁰⁶ In case of less attention in the area, for instance there is no housing program which gives priority for the homeless residents who is estimated number is 10,000-20,000 people in Addis Ababa city.²⁰⁷

²⁰⁵*Integrated Housing Development Program (IHDP) As Instrument to Alleviate Urban Poverty* :(The case of Addis Ababa),Solomon Keffa (Ethiopia).FIG Congress 2014,Engaging Challenges –Enhancing the Relevance (Kuala Lumpur ,Malaysia 16-21 June 2014).

²⁰⁶UN –Habitat Regional and Technical Cooperation Division .Ethiopia: Addis Ababa Urban Profile .United Nations Human Settlements Program(UN –HABITAT) ,2008 .HS /1003/08E ,ISBN :978-92-1-131982-8 .Nairobi ,Kenya ,.Website :<http://www.unhabitat.org>

²⁰⁷Lia (n 168)117 .

CHAPTER FIVE

5. CONCLUSIONS AND RECOMMENDATIONS

5.1. CONCLUSIONS

Housing is universally recognized basic need and it is one of the basic necessities for human survival and the housing rights and of the urban poor ,homeless ,destitute have been recognized in many international and national declarations and charters. Many countries also recognized in their constitutions and recently housing is the main problem and became the main concern of new urban agenda. Most States have adopted laws, policies or created programs designed to improve access to housing for their citizens. But only some of them have done so with the explicit purpose of realizing the right to housing for its citizens. Almost all State housing policies make a pitch for providing for low –income groups and all most all state housing policies make a pitch for providing for lower income groups .Many states have their own housing specific programs targeted towards the poor to facilitate implementation of these programs because the need for housing is high at the lower end. The housing policies have to be directed towards meeting requirements of all sections of population.

Being a signatory to many international declarations and charters Ethiopia has also recognized under art -90 of the 1995 of the FDRE Constitution as basic human right under its part of social policy objectives and in addition under art -13(2) of the same human rights shall be interpreted in accordance with the international treaties to which the country is member. Alignment with national development pans ,the United Nations Sustainable development Cooperation framework and other frameworks ,the right to housing is included under different development and strategic plans of Ethiopia, for instance in SDPRPI,SDPRPII (PASDEP),in Ten Years Perspective strategic plan (for July2020- June 2030).To solve the acute housing shortage and implement housing right Ethiopia introduced the ambitious housing program called IHDP in 2004.

Addis Ababa City Government as an organ of state also to abide by and promote the national policy principles and objectives as stipulated under art -85(1) of the FDRE Constitution ,and is incompliance with national policy principles and objectives as enunciated by the FDRE Constitution and other Federal Laws ,including the Revised Addis Ababa City Government

Charter Proclamation No-361/2003 and subsidiary legislations, has duty in provision of housing to the residents .Addis Ababa city with a share of near to 30% of urban population of Ethiopia is one of the cities mostly affected by the housing problem.

There is substantial imbalance in the demand for and the supply of housing and shortage of residential housing is especially acute for over 80% of the city's population live in Slums .This housing shortage in Addis Ababa has prompted the municipal government to adopt arrange of strategies for improving the housing condition of these the Integrated Housing Program (IHDP),Putting urban land lease holding policy by enacting its own Regulation No-3/1994,Started urban slum upgrading program aligning with the objective of Millennium Development Goal No.7 Target 11 ,to reduce slum and the commitment of the country and city under the Agenda 2030 for Sustainable Development and UN-Habitat that 'no one should be left behind' principle grounded in the UDHR and International Treaties indicating the protection for Universality of human rights including housing to the poor.

The right to adequate housing is not the same as the right to land. Access to land can constitute a fundamental element of the realization of the right to adequate housing, as such the enjoyment of the right to adequate housing might require, in certain cases, securing access to and control over land.

It is a moot point as to how far would these succeeded in making available affordable housing. Of foremost importance is the question whether these policies will get implemented .Since success of a policy or program is defined in terms of accessibility of a large Section of population to adequate affordable housing .In order for any policy or Program to succeed it is important to take an integrated view of the housing problems of all sections of population Confining the policy /program to one section ,while the requirements of the other section are still unmet can lead to hijacking of the program by the more powerful sections.

In the ordering of the research questions, the first finding of the study is related to whether or not urban land and housing is accessible to urban poor in Addis Ababa city. Accordingly, the study identified that, urban land and housing is not as such accessible to urban poor with low or no income. With respect to the major factors that impede the implementation of the policy objectives the study has the following findings .First, problems related with conformity of legal

frameworks with the policy objectives .In this case the content of subsidiary legislations adopted to implement the objective of the policy like urban land lease holding laws, condominium proclamation no-370/2003 and Addis Ababa City Government Condominium Regulations No-12/2004 ,and other laws related with accessibility of urban house like proclamation No-7/2008 A proclamation to provide for the Responsibilities of Addis Ababa City Government Houses and its Execution and Addis Ababa City housing Development and Administration directives no -66/2021as re amended looking their content lack conformity with the policy principles .Second ,problem related with identification of who is poor and should be given priority to be beneficiary of the house .In this case , since most urban poor engage in informal economy and there is no income registration it is another problem to identify and categorize urban population based on income. Thirdly, problem related with low budgeting and investment in the housing sector .Especially, government to alleviate the shortage of housing should have given attention and allocated budget the sector as much as possible as another poverty reduction sectors. Fourthly, the study indicated that, housing programs made by the government themselves like IHDP themselves are not correctly targeting the urban poor with no or low income. This can be deduced from the criteria they set as pre conditions to be beneficiary from the program which cannot be reached majority of the poor which goes against the policy objective intended to be ensured.

5.2. RECOMMENDATIONS

Based on findings of this research the author forwards the following recommendations:

- ✓ The starting point of all urban development is land and it is the be-all and end -all of what a city is going to be and where it is going .Access to urban land can also constitute a fundamental element of the realization of the right to housing and the major cause of unaffordability of housing is the high cost of land .The government has to formulate a land acquisition policy which can make land available for different uses to all categories of population at reasonable price or for free as needed. In this case since land is the ownership of the nations, nationalities and peoples of Ethiopia land should be reserved for the urban poor with no income for residential house development without tendering with the rich.
- ✓ It is recognized that in order to improve housing condition of all the urban poor would require a massive dose of funds .But Housing should be one of the Priority Sectors and given attention by the government as other pro-poor or poverty alleviation sectors and higher budget at least the minimum set by WB 6% of the GNP should be allocated by enhancing the city to increase its own revenue by increasing tax base and imposing more tax rate on vacant urban land left without development or utilization in the hands of individuals and organizations .In this case the experience from Brazilians is useful which would help in increasing availability of land for development as well as increasing revenue for the municipality at least to benefit the lower end population with no income as priority.
- ✓ Since about 80% of the Addis Ababa's residential areas are slums there should be specific upgrading policy and regulations governing the design, implementation and management of slum upgrading. To make slum upgrading policy oriented and strategically regulated rather than seasonal work.
- ✓ The government should revise the discriminatory legislations like the Proclamation to provide For the Lease Holding of Urban lands no-721/2011, Condominium Proclamation No-370/2003 and Addis Ababa City Government Condominium Regulation No-12/2004 ,proclamation No-7/2008 (as re amended) A proclamation to

provide the City Government Houses and its execution Proclamation No-19/2005 re amendment Proclamation, Addis Ababa City Housing Development and Administration Directive No -66/2011 which put the eligibility criteria beyond the reach of the poor should be amended in the way it gives lower –income and no income families to get urban land for residential houses for free without tendering with the rich and some condominium houses should be reserved for the poor who could not fulfill the required down payment.

- ✓ While designing low-income and no income housing programs and policy the government does account for a number of required parameters such as income sources ,average monthly income, average expenditure on housing and other basic needs based on research and a degree of priority should be accorded to those whose needs are most urgent to align with the mission of Agenda 2030 and the UN-Habitat’s human rights – based approach ,which ensures that “those furthest behind should be targeted first.”

References

List of Reference Materials

1. Books

- ARTUS KUCS, ZANE SEDLOVA AND LIENE PIERHU ROVI CA, ‘ *The Right to Housing: International, European and National Perspectives*’ (University of Latvia, Riga).
- Dale, Peter, ‘ *The Importance of land administration in the development of land market –a global perspective*’ (University College London, England (2000)).
- H.D .Evers, “ *Urban Poverty and Labor Force Supply Strategies in Jakarta* ,in Gerry Rodges ,ed *Urban poverty and lab our market :Access to jobs and Income s in Asian and Latin American Cities* (Geneva :ILO,1989); H.D –Evers and R.. Korff,” ‘ *Subsistence Production in Bangkok*’ *Development* (1986).
- H.J. Chang, in M. Woo, cunnings, ‘ *The Developmental State* ’ ‘(eds)’ (Cornel University Press ,1999).
- Michael G. Kitay, ‘ *Land Acquisition in Developing Countries Policies and Procedures of the Public Sectors*’. (Lincoln Institute of Land Policy Book 1985),HD1131.K58 1985 ,ISBN 0-89946-192-1
- Porteous, at el, ‘ *Making Land Markets Work for the poor Debates and positions* ’ , *Excerpts from the program Proposal to DFID*. Urban Land Mark (2005).
- Samson Kassahun, ‘ *Social Capital for Synergy partnership: Development of poor Localities in urban Ethiopia*’ (Gottingen CuvillerVerylag 2004).
- Sue Jones and Nici, Nelson , ‘ *Urban poverty in Africa :From understanding to Alleviation*’(eds)’(London: Intermediate Technology Publications,1999)

2. Journal Articles

- Amsalu Darge Mayessa, ‘ *Derivation of Rights: Affording Protection to Latent Socio Economic Rights in the FDRE Constitution*’, *Oromia Journal of Law* [2, 2]33-74.
- Auth-cfm, ‘ *From Practice to Theory*’ (2011) *African Journal of International and Comparative Law* [19, 1] .Available at: [https:// papers .ssrn com/5013/cf-dev/Abs Per id](https://papers.ssrn.com/5013/cf-dev/Abs Per id).

- Biranu Leta GebreMiruts , ‘*The Effect of IHDP on Housing Ownership of lower –Income Groups*’ :The case of Dire Dawa’(2016) Public Policy and Administration Research www.iiste.org ISSN2224-5731(paper) ISSN 2225-0972[6,2].
- Chigwenya Average, ‘*Policy and Practice Low –income housing problems and low-income housing solutions: Opportunities and Challenges in Bulawayo*’*Journal of Housing and the Built Environment* (2019) [34]927-938. <https://doi.org/10-107/s10901-019876-ww>.
- Craig Scott, ‘The Interdependence and Permeability of Human Rights Norms: Towards a partial Fusion of the International Covenant on Human Rights’, *Osgoode Hall Law Journal* [27,4](1989) .
- Dejene Girma, ‘Economic, Social and Cultural Rights and their Enforcement Under the FDRE Constitution’ *Jimma University Law Journal* [1, 2] (2008).
- Demissachew Shifera, ‘Self –initiated Transformation of Public –Provided Dwellings in Addis Ababa’ *CITIES .The International Journal of Urban Policy and Planning* [15,6] (December1998)437-448.<https://www.science direct.com/journal cities .>
- GebreamlakGebregiorgis, ‘The incorporation and the Status of International Human Rights Under the FDRE Constitution’ *Ethiopian Human Rights Law Series Faculty of Law*[1,2] (2008).
- Leggesse Tigabu , ‘Urban Land Acquisition and Social Justice in Ethiopia’ *Haramaya Law Review* [4,1] (2015).
- Lund Brian ., ‘Understanding Housing Policy’ .Bristol : ‘The Policy Press’’ *Journal of Social Policy* [36,4] 262-691 ,(published online by Cambridge University press :08August 2007) Accessed from <https://www.Cambridge .org/core/journals/journal –of-social-policy/article> on 20 September 2021. DOI: <https://doi.org/10.1017/S0047279407001365>.
- Minase Haile, ‘*The New Ethiopian Constitution ;It’s Impact upon Unity Human Rights and Development*’(1996) *Suffolk Transitional Law Review*[20,1].
- Peter D. Linneman and Isaac F. Megboluegbe, ‘Housing Affordability: Myth or Reality?’ *Urban Studies* [29,3/4] (Sage Publication Inc. May 1992)369-392. <https://www.jstor .org/stable/43082926>.
- Samson Kassahun and Alok Tiwari , ‘Urban Development in Ethiopia: Challenges and Policy Responses’ *The IUP Journal of Governance and Public Policy*(Ethiopian Civil Service University ,March 2012) [7,1]

- Sisay Alemahu, ‘The Constitutional Protection of Economic and Social Rights in the Federal Democratic Republic of Ethiopia’ *Journal of Ethiopian Law* [22 , 2](2008).
- Tesfaye Abraham, ‘Problems and Prospects of housing development in Ethiopia’ *Journal of Property Management*(Emerald Group Publishing Limited 0263-7472,CBE ,Addis Ababa ,Ethiopia 2007) [25,1]27-42. Available at www.emeraldinsight.com/0263-7472.htm.

3. Thesis

- Ashenafi Eticha Gada, ‘*Do the Policy Objectives of Provisions of the FDRE Constitution Hinder justiciability of Socio-economic Rights in The Constitution?*’ (Thesis submitted to for Masters of Law (LL.M) in Human Rights Law Stream, Addis Ababa University 2017).
- Curran Rosemary T, ‘*Supplying Central City Housing for all income Groups in Addis Ababa* (First draft).Addis Ababa.
- Ismael Ali , ‘*Rethinking Justifiability And Enforcement of Social -Economic Rights In Ethiopia :International Context And Comparative Perspective*’ ,Available at: [https://chilot .me/llm thesis paper-ii](https://chilot.me/llm-thesis-paper-ii)
- Jemila H, ‘*Assessment of Integrated Housing Development Program in Addis Ababa: housing Provision and Employment Creation*’ (Addis Ababa University .Addis Ababa 2010).
- Melesse M ‘*City Expansions, Squatter Settlements and Policy Implications in Addis Ababa: The case of Kolfe Keranio Sub –city*’ Working Papers in population and land use change in Central Ethiopia (nr2-Avhandlinger org rapporteur Theses and reports Trondheim 2005).
- Rakeb M ‘*Enforcement of human rights in Ethiopia*, Research Sub-contracted by Action Professionals’ Association for the people (APAP)’(unpublished 2002).Available at: [http://www.apapeth.org/Docs/ENFORCEMENT %20OF 20HR.PDF](http://www.apapeth.org/Docs/ENFORCEMENT_%20OF_20HR.PDF),last accessed August 8,2020.

4. Legislations

- Accession to the African Human Rights Charter Proclamation No-114/1998 ,Federal Negarit Gazeta ,4th Year ,No.1
- Addis Ababa City Master Plan Proclamation No-17/2004
- Addis Ababa City Master Plan Proclamation No-49/2017
- Revised Addis Ababa City Government Charter Proclamation No-361/2003
- Proclamation No-574/2008, Federal Planning Proclamation.
- Urban Land Lease holding Proclamation No-80/1993.
- Urban Land Lease holding Proclamation No-721/2011, Federal Negarit Gazeta, 18th 2011 , No.4 .
- A proclamation to Provide for the Responsibilities of the Addis Ababa City Government Houses and Execution Proclamation No.19/2005 and Re –amendment Proclamation No-7/2008.
- Dire Dawa City Administration Regulation to Determine Constructed Houses Transferring Powers: Regulation No.26/2006.Addis Ababa.
- Federal Democratic Republic of Ethiopia,1995 , Proclamation,No-1/1995 ,Proclamation of the Constitution of the Federal Democratic Republic of Ethiopia .Addis Ababa, Berhanena Selam Printing Enterprise.
- Government Ownership of Urban Lands and Extra Houses Proclamation No.47/1975.

5. Treaties

- African (Banjul) Charter on Human and Peoples Rights adopted on June 27,1981 and entered into force in 1986 ,OAU ,Doc (AB/LEG/67/3).
- General Comment 4 on the right to adequate housing adopted on December 13, 1991 [http://www.unhr.ch/tbs/doc.nsf/\(symbol\)/HRI,GEN,1-Rev-7sp](http://www.unhr.ch/tbs/doc.nsf/(symbol)/HRI,GEN,1-Rev-7sp).
- The Covenant on Economic Social ,Cultural Rights ,General Comment No.3: *The Nature of State Parties Obligations* (art.2(2),(Fifth Session ,1990).

- International Convention on Economic, Social and Cultural Rights (*adopted and opened for signature, ratification and accession by UNGA Res. 2200A(XXI) of 16 December 1966(ICESCR)*).
- Universal Declaration of Human Rights (adopted 10 UNGA Res 217 A (III) (UDHR)UN , Doc .A/CONF.157/124/(1993).

6. Working Papers, Reports and other policy documents

- Addis Ababa City Structure Plan Draft Final Summary Report (2017-2027) AACPPO (Lia, September 12, 2017).
- Ayele, E.(2001) .Policy Impacts on Housing Sector: The case of Addis Ababa (pp1-10.Addis Ababa .Retrieved from <http://www.1th.sc/filcadmin/hdm/alumni/papers/ad2001/ad2001-06-pdf>.
- Azeb Kelemework Bihon, ‘*Housing for the poor in Addis Ababa*’ (Addis Ababa 2006)www.cth.se/fileadmin/papers/sdd2006/sdd2006-2pdf.
- Brihanu Lodamo, ‘Low Cost Housing Technology’ (Addis Ababa 2006).
- Sweden in Digest of the Case law of the European Committee of Social Rights Conclusion (Sweden 2003).
- DESA (Department of Economic and Social Affairs), United Nations ,*World Urbanization Prospects* ,The 2011 Revision ,Accessed from <http://esa.un.org.un.up/>.
- Development Partners, ‘Consequences of the Condominium Housing Project in Addis Ababa with a Focus on Housing Access to the Poorest in the city’ (final draft)(Document for CRDA Addis Ababa 2007).
- *Enhancing Access to land by the urban poor: Exploring Viable Alternatives*. Conference paper .October 2010,Proceedings of The International Conference of The School of Environmental Technology ,Federal University of Technology ,Akure ,Nigeria ,Held Between 25th and 27th 2010.
- Ethiopian Urban Land and Management Policy document, 2011.
- Ethiopian Government (2005) .*Plan for Accelerated and Sustained Development to End Poverty (PASDEP)* .Addis Ababa.
- *Integrated Housing Development Program(IHDP) As Instrument to Alleviate Urban Poverty* (The Case of Addis Ababa),Solomon Keffa(2014) ,FIG Congress 2014

Engaging the Challenges Enhancing Relevance Kuala Lumpur, Malaysia 16-21, June 2014.

- *Land Access in the 21st Century :Issues ,trends ;linkages ,and Policy options* ,Julian Quan ,Lsp Working Paper 24,Access to Natural Resources Sub –Programs, Natural Resources Institute University of Greenwich,2006
- MOFED ,Ethiopia :*Sustainable Development and Poverty Reduction Program* (Addis Ababa :Federal Democratic Republic of Ethiopia ,Ministry of Finance and Economic Development (MOFED),2002).
- Ministry of Works and Urban Development (MWUD), *Urban Development Policy* (Amharic Version) ,2005.
- Nemasetoni, Irene and Royson, Lauren (2005):*Sustaining Livelihoods in Southern Africa ,Theme: Shelter and sustainable livelihood*, Issue 15,August 2005
- *United Nations Economic and Social Council E/CN-4/2002/59 1March 2002 ,Commission on human Rights fifty –eight Session .Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living ,Miloon Kothari .Accessed from [www.hlrn.org/img/documents /E-CN-2002-59](http://www.hlrn.org/img/documents/E-CN-2002-59) PDF.*
- *Review of Landholding Systems and Policies in Ethiopia Under the Different Regimes* ,Yegremew Adal ,December 2002.EEA/Ethiopian Economic Policy Research Institute Working Paper No-5/2002
- Vienna Declaration and Programme of Action, as adopted by the World Conference on Human Rights on 25 June 1993 (A/CONF.157/23).
- Uli Wessling Tolon (2008) . ‘*Comparison of Urban Upgrading Projects on Development Cooperation in Ethiopia*’.
- UN. Habitat, ‘*The Challenges of Slums: “Global Report on Human Settlement”*’ (Earth scan Publications 2003).
- UN-Habitat, ‘National Housing Rights Legislations’, 2002, www.un.org/downloads/docs/3669-2930-1pdf.
- UN-HABITAT, ‘Housing for All: the challenges of affordability ,accessibility and sustainability .The Experiences and instruments from developing and developed worlds’ *A synthesis report* (Nairobi: UN Press 2008).

- United Nations, The Millennium Development Goals Report (2007), Assessed from [http://un.org/millennium goals/pdf/mdg.2007.pdf](http://un.org/millennium_goals/pdf/mdg.2007.pdf).
- UN-Habitat and Housing Rights Legislation: Review of international and national instruments (HCR, 2002) <http://huachan.org/English/about/publications/docs/housing.pdf>.
- UN-Habitat, *United Nations Conference on Housing and Sustainable Urban Development, Habitat III Policy papers: Policy paper 10 .Housing Policies* (New York :United Nations ,2017),www.habitat.org .ISBN Volume :97892-1-132755-7,ISBN Series :978-92-1-133392-3.
- UNITED NATIONS HUMAN SETTLEMENTS PROGRAMME (2008)ANNUAL REPORT ,ISBN Number (volume);978-92-1-1386-2,ISBN Number (series):978-92-113-1928 HS Number :HS/1120/09E .
- UN-Habitat, National Housing Rights Legislation, 2002, www.unhabitat.org/downloads/docs/3669-2930-1pdf.
- UN-HABITAT, Condominium Housing in Ethiopia: The Integrated Housing Development Programme, (2011).
- United Nations Habitat and Office Of the United Nations High Commissioner for Human Rights(November2009).The Right to Adequate Housing fact sheet No.21(Rev.1,New York)Retrieved from <http://www.Academia.edu> ...Deficient Housing Development of a New-The..
- *Unlocking Ethiopia's Urban Land Housing Market .Urban Land Supply and Affordable Housing Study* (synthesis Report).The Ethiopian Urbanization Review (EUR) Jointly Published by the World Bank and the GOE in 2015.
- *Unlocking Ethiopia's Urban Land Housing Market .Urban Land Supply and Affordable Housing Study* (synthesis Report).The Ethiopian Urbanization Review (EUR) jointly Published by the World Bank and the GOE in 2017.

Visited Websites

- ✓ Addis Ababa Municipality website, <http://www.adisababacity.gov.et>.
- ✓ Office of the United Nations High Commission for Human Rights :<http://www.ohchr.org>
- ✓ Plan and Development Commission of Ethiopia website,
[https://www.ethiopia.gov.et/ministries/commissioner-ofnational planning –Commission/](https://www.ethiopia.gov.et/ministries/commissioner-ofnational%20planning%20-%20Commission/)
- ✓ United Nations Human Settlements Program(UN-Habitat):<http://www.unhabitat.org>
- ✓ United Nations Housing Rights Program (UNHRP):<http://www.unhabitat.org/unhrp>.
- ✓ Homeless International : [http://www.homeless-international .org](http://www.homeless-international.org)
- ✓ Housing and Land Rights Network(HLRN):[http://www.hlrn.org/English /home.asp](http://www.hlrn.org/English/home.asp)
- ✓ International Network for Economic, Social and Cultural Rights (ESCRNet) :
<http://www.escr-net.org>.
- ✓ Central Statistical Agency [http://www.csa.gov.et/census-report/population projections](http://www.csa.gov.et/census-report/population%20projections).
- ✓ UNDP website, <http://www.undp.org>.
- ✓ World Bank website, <http://goworldbank.org/>.

Appendixes

Box 1 .Ethiopian government is member to regional and international organizations

To show its commitment to human rights, Ethiopian government has ratified and member to the following international and Regional treaties , which address different aspects of rights to shelter(see:hibrary.umn.edu/research/ratification/,UDHR,ICESCR,ICCPR,CERDA,CEDAW,CRC,ACHPR,ACRWC etc. See also <http://www2.ohcr.org/english/bodies /ratification /index.htm> and <http://www.achpr.org/english/info/index/ratifications-en.html>(accessed August 2021).

- ✓ Ethiopia is a founding member of United Nations , Signing the UN Charter in June 26,1945
- ✓ Ethiopia is a member State to International Convention on Economic ,Social and Cultural Rights (ICESCR)by ratification and accession since 1993
- ✓ UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) signing 1980 and ratifying in 1981- Ethiopia is a signature of International Covenant on Civil and Political Rights by signing and ratifying since 1993
- ✓ Ethiopia is State party to Universal Declaration of Human Rights (UDHR) Since its inception, 1948.
- ✓ Ethiopia is a member to International Convention on the elimination of All forms of Racial Discrimination (ICERD) which was adopted and opened for signature and ratification by G.A resolution 2106(XX) of 21December 1965 entry into force 4January 1969,Ethiopia acceded and ratified in 1976.
- ✓ Ethiopia is a member to Convention against Torture and other Cruel Inhuman or Degrading Treatment or Punishment since 1994--African Charter On Human and People's Rights (ACHPR) ,Adopted in Nairobi ,1981,Entered Into Force on October 1986,Ethiopia is a member to it since 1998 by ratification by proclamation No-114/1998,Federal Negarit Gazeta ,4th year ,no-1
- ✓ Ethiopia is a member and signatory of African Union after signed it in Lome ,Togo ,on the 11th day of July ,2000 and the HPR of FDRE has ratified at its session held on the 8th day of March ,2001 by Proclamation No- 232/2001 African Union Establishment Agreement Ratification Proclamation .

Box 2. Legal frameworks in Addis Ababa City empowering the city administration to provide housing to citizen

- FDRE Constitution Proclamation No-1/1995 Articles 89-92 Policy Objectives and Article 43(1) and (4) enhancing the capacity of citizens for development and to meet their basic needs .
- Addis Ababa Revised City Charter Proclamation No-311/2003 and its re amendment Proclamation No-361/2003
- Addis Ababa City Government Housing Development Project Office Establishment Proclamation No-15/2004
- Condominium Proclamation No-370/2003
- Addis Ababa City Government Condominium Regulation No-12/2004
- Urban land lease holding Proclamations 80/1993,272/2002,721/2011
- Urban land lease holding Regulation No-3/1994
- Proclamation No-19/2005 and its amendments Proclamation No-5/2008 and 7/2008 A proclamation to Provide for the Responsibilities of the city Government Organs in the Transfer of the City Government Houses and its Execution .
- Addis Ababa City Housing Development and Administration Bureau Housing Transfer and Administration Directive No-1/2008 ,2/2009 repealed by directive no-066/2021 for the transfer of condominiums and commercial properties to consumer .
- Federal Urban Planning Proclamation No-574/2008.
- Addis Ababa City Government Plan Revision Project Office Establishment Regulation No-43/2011.
- Addis Ababa City Structure Plan Proclamation No-49/2017.
- Addis Ababa City Master Plan Proclamation No-17/2004.
- Addis Ababa City Plan Regulation No-16/2004

Box 3: Ethiopia: General Government Expenditure 2011

	Million	In %
Total government expenditure	93,831	100%
Total government expenditure	15,655	17%
Economic development	38,422	41%
agriculture	14,183	15%
Road	18,318	20%
Social development	32,936	35%
O/W Education	23,345	25%
Health	6,307	7%
Urban Development and housing	2,762	3%

Source: Ministry of Finance and Economic Development (MOFED), Government Finance Account 2011.