



ORIGINAL RESEARCH PAPER

Management

AN ASSESSMENT OF LAND USE INITIATIVES IN ETHIOPIA

KEY WORDS: Legalization, Squatter settlements, Housing Units, House hold Head

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ABSTRACT

Legalization as part of policy intervention emphasizes on the integration of informal land and housing markets in the formal economy and access to ownership through property titles. The study aimed at investigating the major Administrative, Socio economic, technical and legal challenges and prospects of legalization of squatter settlements. The study employed descriptive research method. An interview questionnaire and key informant interview were the instruments used to collect primary data. Regarding the secondary sources; field reports, archival records, published articles on informal settlements and empirical evidences were reviewed under the study. The researcher used a Stratified sampling technique and 293 sampling units were selected from each stratum. The heads of squatter settlements servicing project desk office, land management and building certificate office, the process council and mapping office were the key informants from whom primary data was collected. Lack of sufficient awareness about the overall process of legalization, failure to afford the payment of fee for legalization, absence of an alternative modes of payment, mistakes and misrepresentation of results, lack of coordination, poor record management, inability to understand the application of GIS and inexistence of binding contracts was found to be the major socio economic, technical, administrative and legal challenges inhibiting the process of legalization. So, AACG shall augment the level of awareness of the residents, downsize recessive land registration process, enforce a legally binding contract with the house hold heads, revise the payment of fee for legalization on the basis of the ability of the residents to pay and arrange a different payment modalities and conduct training regarding the technical aspects of legalization especially on GIS.

1. Introduction

It has been estimated that (30% to 35%) of the total urban population of the third world countries and up to (40% to 50%) in some of its largest cities live in squatter settlements, where households do not own or rent the land on which they live but are illegally dwelling on it.[1].

Human settlements, for a variety of reason do not meet requirements for legal recognition (and have been constructed without respecting the formal procedures of legal ownership, transfer of ownership, as well as construction and urban planning regulations), exists in their respective countries and hamper economic development. While there is significant regional diversity in terms of their manifestation, these settlements are mainly characterized by informal or insecure land tenure, inadequate access to basic service both social and physical infrastructure and housing finance. [2].

The harbinger of squatting activities is inaccessibility of land engendered by low income of the urban poor. The end product is the creation of slums. In this wise, the world bank thematic group on service to the urban poor and underserved neighborhoods typically settled by squatters. [3].

Until the 1970's, the usual policy of the authorities towards squatter settlements in developing countries was to clear the land by demolishing the structures and resettling the residents in low cost housing schemes or in rural areas. [5].

The effect of such demolition and resettlement policies were negative because the families that were resettled under these schemes could not afford the cost f houses and subsequently abandoned their dwellings. In addition those families that were resettled in the rural areas returned to the cities where they could make living. [6].

The best curative approach is legalization of squatter settlements. One of the recent innovative attempts led by international aid agencies,, such as the world bank is to upgrade urban shelter standard in low income areas has been the rationalization of land tenure schemes. [2]

Taking in to consideration the economic, political and socioeconomic effects of demolishing squatter settlements and the huge amount of finance needed to upgrade and resettle the squatters, the AACG have been issuing different regulations and legalizing informal squatter settlements through providing a legally deed.

In the year 2000, the total area covered by the squatter settlements in AA was 2000hectare and about 30,000 people were living in 60,000 squatter housing units [7].

Major squatter settlements are found in the peripheral areas of the city, where they are characterized by their irregular shape and large plot size. Out of the total 94,135 housing units built in the city between 1984 1994, 15.7% (14,794 housing units) were built by the squatters. [4].

The task of legalization of squatter settlements has been in progress and (until February, 2012), 46,571 legal deeds were printed for all sub cities. out of this figure, 3669 legal deeds were prepared for Akaki - Kality Sub City and a total revenue of 18, 047, 886.00 ETB was collected out of 2634 legal deeds distributed to the residents of the sub city. (Land Management and Certificate Temporary Project Desk Office Report, 2012). However the process of legalization was tied with intricate socio economic, technical, administrative and legal challenges.

2. Statement of the Problem

Insuring the security of land tenure throughout de facto protection against eviction and a nationwide de jure legalization of land tenure for squatter settlements is one of the major challenges for the government and needs an efficient administrative set up, a special committee and advanced technical skill for its successful implementation. [10].

Policies to legalize squatter settlements have been better attempted in most Latin American, NALAS member countries including (Albania, Macedonia, and Serbia) and UNECE regions, Turkey, Croatia and Montenegro. Their experience demonstrates that legalization programs needs to be designed carefully to avoid either making conditions worse for the low income residents. [8].

In countries where large scale legalization is implemented (e.g. Turkey), studies point out a number of problems. Legalization program proceeds extremely slowly as a result of costly and lengthy procedures of plot measuring and registration. Legality also proved to be expensive for many poor urban residents despite the subsidies allocated for the process. Registration fees for land and property titles, in addition to future taxes and fees for service, is beyond the capacity of poor households which opted for illegality in the first place. [9].

Taking in to consideration the economic, political and socio economic effects of demolishing squatter settlements and the huge amount of finance needed to upgrade and resettle squatters,

the AACG have been issuing different regulations towards legalization of squatter settlements located in the city of AA.

In line with AACG broader objective of legalization of squatter settlements, Akaki- Kality sub city has been legalizing squatter settlements which were owned and built before and after the issuance of proclamation number 47/1975 until may 1996.

The nonexistence of a research work in the areas of legalization was both an incentive and a disincentive for the researcher. The advantage was the prior opportunity entertained by the researcher to identify and asses the challenges and prospects of legalization.

The disincentive was absence of related local research works to be considered as a bench mark for the study and the inability to accurately determine the knowledge gap and the contribution of the research in comparison with the findings of prior researches conducted in the area being investigated.

However, the study will serve as a baseline finding concerning the socio- economic, technical, administrative and legal challenges affecting the process of legalization to mainstream the project in to a large scale.

3. Research Questions

On the basis of the aforementioned problems, the researcher came up with the following research questions:

- What are the socio economic variables affecting the process of legalization
- What are the technical challenges affecting the process of legalization
- What are the administrative practices affecting the process of legalization
- What are the legal issues obstructing the large scale implementation of the project

4. Research Objectives

General Objective

The general objective of the study was to identify the major challenges and prospects of legalization of squatter settlements.

Specific Objectives

On the basis of the general objective of the study, the following specific objectives are developed to:

- Elucidate the administrative challenges inhibiting the process of legalization
- Identify the socio economic challenges affecting the process of legalization
- Point out the technical challenges inhibiting the process of legalization
- Scrutinize gaps in regulation used to legalize squatter settlements

5. Significance of the Study

The research is conducted to find out the major challenges faced and prospects of legalization of squatter settlements. The researcher believed the office of land administration of Akaki - Kality Sub City is the leading stakeholder to enjoy the fruits of the study through giving a due emphasis and consideration on the basis of the finding of the study. On the other hand, the study can be a reference material for the researchers who will conduct a study in similar research topics.

6. Scope of the Study

The study was limited to Woreda 01 and 02 of Akaki Kality Sub City. The researcher identified only the socioeconomic, technical, administrative and legal challenges encountered in the process of legalization of squatter settlements and it must be noted that the intention of the researcher was not to assess the political dimension of legalization and it did not represent other sub cities. Finally, the study is limited to only the ownership administration component out of the complex activities undertaken by the office of land and ownership administration and it embraced only the settlements owned before and after the issuance of proclamation number 47/1975 until May 1996.

7. Research Methodology

Research Method

Problems dictate the selection of research method. So the study employed descriptive research method and survey method is employed to accurately describe the target population. The study is cross sectional in the sense that relevant data is collected at one point in time.

Population, Sampling Design and Procedure

Population

The target populations of the study were squatters (squatter settlements) located in Akaki Kality sub City. The sub-city has a total of 11 Woredas, among which the researcher selected two woredas i.e. woreda

01 and 02. The sample woredas were selected on the basis of the largest squatting units existed in the area, magnitude of legal deeds printed and the number of complaints raised in the process of legalization through reviewing the field reports and archival records. The total number of population for the two woredas was 1100 household heads. Out of the total number of 1100 household heads 680 of them were located in woreda 01 and 420 of them are located in woreda 02.

Sampling Design and Procedure

The researcher used the following sample size determination formula developed by [11].

$$n = \frac{N}{1 + N(e)^2}$$

Where,
n = the sample size,
N = is the population size, and
e = Allowable error (i.e. with 95% confidence level, 5% margin of error)

$$n = \frac{1100}{1+1100(0.05)^2} = \frac{1100}{3.75} = 293$$

By using the above formula, 291 respondents were selected from the total population of 1100 of the two woredas. The number of samples taken from each woreda is indicated as follows: The sample proportion will be:

$$\frac{293}{1100} = 26.6\%$$

Table 1. Sample size

Woreda's	Number of Household Heads	Percentage	Number
Woreda 01	680	26.6%	181
Woreda 01	420	26.6%	112
Total	1100	53.2%	293

In order to select the sample respondents, the researcher made use of a stratified sampling technique. Accordingly, the first sample household head was selected using random number table and the next nth household heads was also incorporated on the basis of the sampling fraction following the selection of the first sample respondent. The first number selected in the random number table was 0005, the first three digits were ignored and the researcher focused on the last digit that was 5, since the number fitted between 0 and 110. Hence, the first respondent was the 5th household out of the list of 1100 total population. The researcher continued to select the next 293 household heads in every 10th house hold heads until the total sample size is satisfied.

Date Type and Source

The study employed both primary and secondary data sources. The primary data was collected using self-administered questionnaire and key informant interview. Regarding the secondary sources; field reports, archival records, published journals on informal settlements and squatting activities and empirical evidences of different countries was incorporated under the study. Instruments of data collection

$$\frac{\text{Sample size}}{\text{Total population}} = \frac{n}{N} \text{ (i.e. 1 in 4)}$$

Key Informant Interview

The key informants were identified and selected purposefully to point out creative and resourceful employees who are supposed to have valuable data to satisfy the intended objectives of the study. The researcher prior attempt to understand the core processes of legalization was the crucial factor to locate and identify the key informants. Specially, the researcher collected first hand qualitative data regarding the administrative and legal challenges affecting the process of legalization.

Interview Questionnaire

The researcher entirely prepared both open and close ended questions and administered personally since majority of the sample respondents were not educated. The instrument was also vital to minimize problems related to incompleteness, late collection and inconsistency towards the responses of the respondents.

The study lends itself towards a descriptive type of research. The researcher employed a mixed approach for analyzing the processed data. The data is presented in terms of table and responses from the interview questionnaire, key informants were analyzed using mean and standard deviation accordingly.

8. Results and Discussions Descriptive Statistics on the responses of Informal Settlements Household Heads

Table 3.2. Administrative Challenges and Prospects

	Valid N	Mean	SD
Resource Availability	293	2.14	1.515
Process of Land Registration	293	4.43	1.231
Record Management	293	4.54	1.034
Difference in Parcel (Plot Size)	293	2.39	1.34
Responsiveness	293	4.59	1.636
Total	293	2.92	0.76

The descriptive statistics of the constructs are indicated in Table 4.2 showing the mean, and standard deviation scores of the construct. The average scores from the 5-point Likert's scale where 5 is strongly disagree, 4 disagree, 3 neutral, 2 agree and 1 is strongly agree. The mean score of the sample household heads for resource availability shows a mean of 2.1 and a standard deviation of 1.515 which means the household heads are agreed with the availability of resources which are necessary to carry out the process of legalization.

For answers pertaining to land registration, the mean score is 4.43 with a standard deviation of 1.231. This implies the process of land registration is very lengthy and the household heads are very disagreed with the process of registration.

The land object in land registration is the basic unit of cadastral record [12]. In case for informal settlements a single point within an identifiable structure is surveyed and coordinated [13]. As far as record management is concerned, the mean score is 4.54 with standard deviation of 1.034, so there is poor record management characterized by loss of files and mixing of one file with the other hampering the subsequent process of legalization.

For question pertaining to difference in parcel size, the mean score and standard deviation of the household heads shows the score of 2.39 and 1.34 respectively. Hence, it's possible to underscore the point that the household heads are agreed with difference in parcel characterized by mistakes and misrepresentation of results. At last the mean score and SD of the household heads shows a mean score of 4.59 and 1.636 respectively. This implies majority of the respondents are disagreed with the responsiveness of the officials who are in place to legalize the informal settlements.

Hence, the researcher personally observed the fact that land registration and record management is undertaken separately in which the registration is made at woreda basis and the records were kept at sub city level which may leads to either loss or misrepresentation of the household head's file.

Table 3.3. The Socio Economic Challenges and prospects

	Valid N	Mean	SD
Level of Awareness	293	4.34	1.014
Provision of the legal Deed	293	1.85	0.761
Rate of Payment	293	4.92	0.673
Modes of Payment	293	4.12	1.216
Total	2.7825	0.78	0.78

Source: Own field Survey, 2013 Table 3.3. Shows the socio

economic challenges and prospects affecting the process of legalization. For question pertaining to the level of awareness of the household heads regarding the process of legalization, the mean score is 4.34 and the standard deviation is 1.014 which implies the household heads have a lower level of education they may not have sufficient level of awareness especially regarding the technical aspects of legalization squatter settlements. However as far as the provision of the legal deed is concerned, the mean score is 1.85 and the standard deviation is 0.761 which implies the heads of squatter settlements are very conscious regarding the provision of the legal deed. The household heads also understands the legal deed importance in terms of giving them a security, stable life, opportunity to benefit from utilities like water, electricity and telephone and moreover it appreciates the value of their home and the liquidity of their fixed asset, home.

Regarding the rate of payment for legalization, mean score is 4.92 and a standard deviation of 0.673 which implies the heads of squatter settlements are completely disagreed with the rate of payment for legalization. Concerning the modes of payment for legalization, the mean score is 4.12 and a standard deviation of 1.216. The respondents also complemented the fact that the rate of payment was determined without taking into consideration their ability to pay. Regarding the modes of payment, the mean score is 4.12 and the SD is 1.216. which implies the respondents are disagreed with the modes of payment for legalization. The respondents stated they are expected to settle the payment of fee for legalization only with a lump sum payment.

Table 3.4. Technical Challenges

	Valid N	Mean	SD
Staff Qualification	293	4.38	1.084
Training and Development	293	2.91	1.066
Instruments of Legalization	293	2.76	1.063
		2.6833	0.72

Source: Own field Survey, 2013 Table 3.4 shows the technical challenges affecting the process of legalization. Regarding staff qualification the mean score is 4.38 and the standard deviation is 1.084. This implies the heads of squatter settlements lacks the technical skill pertinent to the process of legalization.

For question regarding the training and development the household heads replied with a mean of 2.91 and a standard deviation of 1.066. This implies they have not been provided with training pertinent to the technical aspects of legalization. The respondents have been complaining about differences in parcel size between what has been stated in the GPS and physically owned parcel.

Concerning instruments of legalization, the mean score is 4.76 and the SD is 1.063. thr household heads question technical software instruments like GIS (base map), the sofratop map and others by their very nature failed to include the picture of some areas due to the geographical land escape of the territories and the existence of long plants shielding the territory of the housing units and failure to scrutinize and keep the record of such housing units are found to be the technical challenges affecting the process of legalization.

9. Conclusions

Socio economic Challenges

The low level of awareness of the household heads on the overall process of legalization in general and the necessary requirements for the provision of the legal deed in particular, failure of the residents to receive the legal deed in particular, failure of the household heads to receive the legal deed due to boarder dispute,

ownership conflicts, plot size difference, inability to afford the payment of fee for legalization and absence of an alternative modes of payment other than lump sum payment are found to be the major socio economic challenges affecting the process of legalization.

Technical Challenges

Lack of qualified skills, absence of training regarding the technical aspects of legalization, inability to understand the measurement scale and failure to convert field maps in to a digital format and the resultant mistakes and misrepresentation of results (i.e. Difference in plot size, block number, name and parcel) are found to be the technical challenges affecting the process of legalization.

Administrative Challenges

Lengthy procedures of land registration and measurement, poor record management, lack of coordination due to difference in location of the office of land registration and documentation at different tiers of the government, decision makers' inability to understand the application of GIS are found to be the administrative challenges affecting the process of legalization.

Regarding the legal challenges, the sub city should have to devise ways to enter in to a mutual agreement with the residents which is enforceable by law in connection with ownership or right to use, settle property disputes and agreement to settle the financial obligations. Eventually, a due emphasis must be taken to better refine the regulation and the policy as well to mainstream the project in to a large scale.

10. Recommendations

The sub city should have to embark on a massive and extended campaign using face to face communication, group discussion, brochures and make use of broadcasting Medias to reach the grass root community and augment the level of awareness of the household heads concerning the pertaining to the process of legalization squatter settlements.

The sub city should have to review and analyze the factors considered while setting the payment of fee for legalization and the total payment of fee charged for individual households taking in to consideration their ability to pay. In addition the sub city should arrange alternative modes of long term payments like mortgage, monthly or yearly installments, and borrowing other than lump sum payment.

Regarding the technical challenges, the sub city should have to provide an opportunity for training to the technical staffs either through short term training or further extended studies and share the experience of other sub cities to improve the knowledge and skills of the technical staffs to reduce the recurrent mistakes and misrepresentation of results and complaints of the housing units as well.

The sub city shall bring the office of land registration and documentation together to reduce the long time taken for land registration and measurement and to avoid the loss and mixing of documents.

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