

Land Registration System in Ethiopia

Comparative Analysis of Amhara, Oromia, SNNP and Tigray Regional States

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1. Introduction

The key focus of this paper is firstly on the registration system, process and status in four regions (Amhara, SNNP, Oromia and Tigray). The second focus is on issues, constraints, and opportunities of land registration. Based on the findings, the paper aims to make practical recommendations. The paper is largely based on a review of land registration literatures and discussions with regional experts in the field.

Land registration is a process of recording rights on land which provides safe and certain foundation of acquisition and disposal of rights in land, where disposition includes transfer, leasing and mortgage (investors) of the holding rights in the context of Ethiopia land policy.

Land registration and cadastre usually complement each other; they operate as interactive systems. At present a multi-purpose cadastre is common and incorporates into one source the data concerning the *legal* and *fiscal* cadastre along with information on land use, soil and other factors.

Registration of holdings and granting land use-right certificates to holders have recently become a government policy in Ethiopia. Land registration institutions have been established in the four major regions. The policy was changed when the Tigray region started a comprehensive rural land registration and certification process in 1998; Amhara region started formal land registration in 2003. Then Oromia and SNNPR followed suit. In the process of land registration, communal, forest and grazing lands were also delineated, registered and certified.

Generally, the registration process is participatory; much of the local input for adjudication and demarcation of land is made by the community, while the land administration and use committee helped to keep the cost of registration low and made farmers part of the decision-making process.

2. Land Registration

This section describes the historical background of land registration in Ethiopia, the registration system, process, current status and data types and formats in the four focus regions.

3. Historical Background of Land Registration in Ethiopia

It was Emperor Menelik who issued a decree that initiated the country's land registration and cadastre survey in Addis Ababa in 1909 (Pankhrust 1966). Thus the land owners were to be given a certificate referred to as "*Yerist Woreqet*" (title deed), which was to be written in Amharic and French with a map showing the boundary of the land.

During the Reign of Emperor Haile Sellassie, the Ministry of Land Reform and Administration was engaged in measuring and registering rural land in collaboration with the Mapping Agency until 1974. This involved cadastre survey to create the system of free hold tenure, register individual title to land and institute land sale (Hoben 1973).

After the land reform of 1974, during the Derg period, the newly established lower administrative structures (PAs) were given the power of registration, including the boundary of area for which they are responsible. The register listed the names of all Peasant Association (PA) members entitled to user rights. The information collected in the registry was used for taxation and during land redistribution. The users of the land had no document except their tax receipts.

Currently, tremendous efforts have been made in issuing land certificates that indicate the land holder's name, location and area of parcels, neighbouring holders, etc, to implement the laws and regulations issued in regional states.

4. Land Registration System in the Four Regions

Based on the Federal Proclamation (Proc.89/1997), four regional states (Amhara, Oromia, Tigray and SNNP) have issued region-specific land administration and use proclamations and commenced with land registration system.

The Environmental Protection, Land Administration and Use Authority (Amhara and Tigray) and Natural Resource Sector within the Bureau of Agriculture (Oromia and SNNP) were delegated to administer and register land.

The land registration system that works in the four regions is *title registration*, which involves recording the right itself (title) with the name of rightful owner and object of that right. *Deed registration*, which records legal documents, is not for registering title to land and does not prove who owns the land. The basic characteristics of the registration system in the four regions are more or less similar (see table 1), wherein traditional registration is the main feature and the recording is manual except in Amhara pilot project where manual system of records are in the process of being booked by electronic copies at the Wereda level.

Table 1. Basic characteristics of registration system

	Amhara	Oromia	Tigray	SNNP
Recording format	Manual and computer- based in pilot	Manual	Manual	Manual
Registration system	Low-tech. traditional title registration system and GIS-based title registration in pilot area	Low-tech. traditional title registration	Low-tech. traditional title registration	Low-tech. traditional title registration
Right being registered	Use right	Use right	Use right	Use right
Registered right holder	Single or joint titling (spouse), local government and communities for communal land	Single or joint titling (spouse), local government and communities for communal land	Single and local titling (spouse), government and communities for communal land	Single or joint titling (spouse) local government and communities for communal land
Registration of polygamy	Joint titling with one wife	All wives are registered and get joint title	Joint titling with one wife	Joint titling with one wife

4.1 Land Registration Process and Status in Four Regions

4.1.1 Land Registration Process

In the four regions, the process is handled by the lowest level of local government (Kebele and sub-Kebele). High school graduates were trained in land registration techniques and traditional land allocators elected by the local community, who were involved in the original land redistribution process, are engaged in the registration process in Tigray region, where as in the other three regions Kebele and sub-Kebele land administration committees were elected by the local community and trained as land registrars. A local consultation process takes place before registration. The fees are generally very low, and the technology is very simple except in the Amhara region pilot area (East Gojam and South Wollo zones).

The process is systematic and all those who hold land are registered with low cost, low technology and locally managed options. Generally, this is a highly participatory process with most of the input for adjudication and demarcation of land provided by the local community, including women. The key features of land registration process similar in the four regions (table 2).

Table 2. Key features of the land registration process

	Amhara	Tigray	Oromia	SNNP
Land registered by	LAC	Technicians	LAC	LAC
Consultation with community before registration	yes	yes	yes	yes
Level of implementing authority	Kebele	Kebele	Kebele	Kebele
Book kept at Wereda	yes	yes	yes	yes
Records entered in Registry Book by	Wereda land administration team experts	Kebele DA and Kebele administrator	Wereda land administration team experts	Wereda land administration team experts
Registry Book level of storage in registry book	Wereda level	<i>Tabia level</i>	Wereda, very crowded (space for recording a few plots per household)	Wereda, only data at household level
Systematic	Systematic	Systematic	Systematic	Systematic
Fees	No fees	Very low	Very low	Very low
Monitoring system	Evaluation done for pilot, planned for traditional	None yet	None yet	None yet

Note: LAC - Land Administration Committee.

4.1.2 Status of Land Registration

Land registration and certification has become a major government policy objective and the four regions are involved in two land registration initiatives: a traditional land registration program, which covers the all the four regions and a relatively ‘high-tech ‘ land registration in two pilot project areas (Garado Indode Ber Kebele in Dessia Zuria Wereda and Addis and Gult Kebele in Gozamen Wereda) in Amhara region, which are supported by Sida (Swedish International Development Cooperation).

Out of about 13 million rural households in the four regions, registration has been completed for about 6,216,819 HH who have now received 1st level certification (see table 3). In the next 5 years, the remaining 6,783,181 HH will be registered and receive a 1st level certificate.

Table 3. Status of registration in four regions

	Amhara	Tigray	Oromia	SNNP
Number of Weredas & Kebeles	106 Ws & 2898 Ks	34 Ws & 630 Ks	200 Ws & 6000 Ks	104 Ws & 4431 Ks
Number & percentage of HH registered	2.4 million (79%)	632,000 (88%)	2,484,693	700,126 (40%)
Number of plots registered	Data not available	Data not available	Data not available	Data not available
Number of HH registered by high-tech in two pilot Kebeles	1121 (60%)	-	-	-

It is planned to undertake a registration program with intermediate technology and to issue certificates with cadastral map for about 225,000HH in the next 3 years (2006-2008) in 24 pilot Weredas in the four regions (table 4). The activity will be funded by USAID through “Ethiopia Land Tenure and Administration Programme” (EELTAP). The status of registration in the focus Weredas is as follows:

- Oromia In six selected Weredas land registration, including parcel measurement, have been completed for the majority of households.
- SNNP Of the six focus Weredas, Alaba, Wolayita, Lemon and Silte have been piloting extensive land registration.
- Amhara The land registration has been completed in the selected focus Weredas, except Kewot Wereda.
- Tigray In six selected Weredas land registration has been completed.

Table 4. Focus Weredas of EELTAP

No.	Oromia Region	Amhara Region	Tigray Region	SNNP
1.	Bule Hora	Jabi Tehinan	Entreat	Sodo
2.	Chiro	Achefer	K/Tembane	Lemo
3.	Dugda Bora	Fagita Lekema	Hafazines	Sodo Zuria
4.	Maana	Basso Warrana	H/Wejerat	Sidama
5.	Walmera	Kewot	Adawa	Alaba
6.	Tiyo	Dawa Chefa	T/Koraro	Silite

4.2 Registration Data Types and Formats

To fulfill the multi-purpose function, the registration undertaken in the four regions can no longer concentrate only on the documentation of holding rights; it will include additional information about soil, land use, land cover, etc.

Types of data collected and formats used in the four regions are almost similar and consist of the following:

- Name of the landholder (the name of the household head (male, in Tigray) and joint titling in the other 3 regions);
- Address of the landholders;
- Parcel boundaries of landholder, recorded by the adjoining holder's name and artificial barriers on the four sides of the parcel (north, south, west and east);
- Estimated area of parcels (in *timad* - the amount of land that can be ploughed in one day and averaging about 0.25ha; *kerte*, square meters, etc.);
- The current land use and land cover (grazing, cropland, etc.);
- Level of fertility status (low, medium and poor), identified by subjective judgment;
- Local area name for identifying parcel's locations.

(See annexes 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 5a).

Besides the above mentioned similarities there are some differences observed in the data contents and formats among regions. These include:

- Name of legal guardian (included in SNNP and Amhara pilot beside the names of the holders and family members in Form 1);
- The fertility status of land and land use/land cover (which are not included in Form 1 and 2 of SNNP);
- Parcels numbered sequentially for each household and identifiable only through the household (SNNP and Tigray) (see annex 1a and 2a); individual parcels with unique identification number in the case of Oromia and Amhara (see annex 2a-c and 3a);
- Birth day of land holder and legal guardian included in the format used by Amhara region;
- No unique identification number for landholder except Amhara pilot area (see annex 5a);
- Coordinate of the center of the plot registered in Amhara pilot (see annex 5a), which gives adequate spatial definition for parcels;
- Precise area of the parcel is taken from total station reading in Amhara pilot;

- Real property registration included in Amhara pilot format, which is not collected at present (see annex 5a);
- Land form and soil structures included in Amhara format.

One needs to address the following crucial questions regarding the types of data, users of the data, accessibility and updating of data:

- What is the impact of collecting data on land use and fertility status, land form and soil structure for each parcel of land in the process of registration?
- Who are the users of these data?
- How do these institutions access the data?

It is suggested by Wereda experts and Kebele land administration committee members that collecting data such as land use /land cover, soil fertility status, land form for each parcel and registering all family members prolongs the process of registration and makes it cumbersome. Concerning users of data, the experts say that even though institutions such as the Revenue Department (for taxation) and Wereda courts (to solve boundary, inheritance and divorce cases) are potential users of data, but they have a problem of accessing the data.

5. Issues, Constraints and Opportunities

5.1 Issues and Constraints

This section will identify technical, institutional, economic and legal issues and constraints encountered in the registration process in the four regions:

Technical Issues and Constraints:

- Farmers were suspicious and showed some resistance during registration; they thought there was a hidden agenda that would result in their land being taken away or redistributed or the tax increased;
- Lack of mechanism for accessing data and updating registered data, i.e., almost none of the many transformations (inheritance, divorce, etc.) in the subsequent years were reflected in the registration of title;
- Parcel holders are not coded in the registration form in all regions except the pilot areas in Amhara region, which avoided ambiguity;
- Too much data content such as soil fertility status, land use/land cover for each parcel of land, which makes the registration process cumbersome and prolonged;
- Land registration is not undertaken in pastoral and semi-pastoral areas due to lack of procedures of registering customary land tenure;
- Shortage of skilled human power;

- Monitoring and evaluation are important to identify problems and improve all aspects of the land registration system, but the system is not in place in all regions except the Amhara pilot areas.

Institutional Issues and Constraints:

- The physical safeguard of registered data is low; there is evidence of destruction of registration documents by termites, rats and rain;
- Lack of coordination among different organizations;
- At the Federal level there is institutional gap for taking charge of national land administration and use policy revision, coordinating research on land tenure issues, capacity building, monitoring and evaluation.

Legal Issues and Constraints:

- Lack of comprehensive registration regulations (Federal, Tigray, SNNP and Oromia regions) on data storage and dissemination;
- Exclusion of women as land right holders in the registration process (mainly in Tigray), which may decrease their bargaining power and the participation of women in land administration committee.
- Limited types of rights registered, so that economically important interests such as lease and mortgage (for investors) not registered.

Economic Issues and Constraints:

- Logistic problems for purchase of materials for area measurement and registration such as ropes, paper, pen, tape, registry book, vehicles and per diem;
- No remuneration system for Kebele and sub-Kebele land administration committee members who spend their time and labor;
- The cost of registration for High Tech Amhara pilot is expensive, i.e., about US \$10 per parcel, compared to the traditional one, i.e., about US \$0.25-0.50.

5.2 Opportunities

The regional governments' current efforts to address the problem of land tenure insecurity and the establishment of land administration institutions that have responsibility to administer land is courageous. This initiative has laid the ground for further improvement in policy and can facilitate research, networking and advocacy. The participatory registration process has helped to keep cost low. This also paves the way for adopting low-cost intermediate technology for land registration process.

Field evidence and the literatures suggest that land registration has a number of advantages in the four regions:

- Reduction of conflict/litigation: Land-related conflict has decreased due to clarification of boundaries and field-based adjudication by social courts and land administration committees;
- Women's empowerment: The inclusion of their name in registration will improve their status and bargaining power vis-à-vis their husbands and communities at large and their participation in LAC raises awareness;
- Increased investment: The farmers and experts mentioned that secured land holding right increased their investment on their land, especially in construction of water conservation structures.

6. Recommendations

To strengthening the on going land registration and certification program it is important to consider the following technical, institutional, economic and legal recommendations:

Increased awareness, participation and technical support:

- Much more emphasis and support is needed on awareness raising, capacity building, and women's involvement in the process of registration;
- The process of consultation and access to information should be enhanced;
- Adopting a system of unique identifiers for each parcel of land in order to facilitate registration of changes in user right arising from inheritance, divorce and renting of land and possible future conversion to a more efficiently administered parcel-based land registration system;
- Devising a system whereby the system of recording is converted to electronic copies which allows cross-referencing data and help to deal with human resource constraints;
- Parcel and parcel holders should be coded to make the registration process easy and unambiguous (see annex 5a and 6a);
- To simplify and speed up the registration process, collect data (soil fertility status, land use/land cover) at Kebele/watershed level instead of collecting such data for each parcel of land ;
- Need for research and study on registration procedures for pastoral and semi-pastoral area ;
- Need for training at different levels and in different fields so as to carry out various tasks in the system;
- Establish monitoring and evaluation mechanisms for the registration system (system of data transfer from Wereda and regular backups).

Institutional capacity building:

- Archiving of land registration documents and improving the availability and quality of archival offices in order to protect the records;

- Strengthening institutional linkage by creating forums for exchange of information and experiences.
- Upgrading the institutional set up of land administration and use team at the Federal level.

Instituting legislation:

- Timely provision of guidelines during registration processes;
- Enhancing the representation of women in LAC and their registration as right holders, including joint titling;
- Filling gaps in the legal framework by issuing various regulations;
- Developing clear guidelines and mandate for conflict resolution to facilitate registration processes. Capacity building for local level actors would improve dispute resolution mechanisms such as local courts.
- Expanding the type of rights to be registered so that economically important interests such as lease and mortgage (for investors) are also accommodated;

Economic support:

- Devising cost recovery mechanisms to cover running cost of land registration system;
- Financial support from government and non-government sources to develop a sustainable land registration system;
- Adopting low cost intermediate technology to facilitate the land registration process.

References

- Hoben, Allan. 1973. *Land tenure among the Amhara of Ethiopia: The dynamics of agnatic descent*. Chicago and London: University of Chicago Press.
- Pankhurst, R. 1966. *State and land in Ethiopian history*. Addis Ababa: Institute of Ethiopian Studies, in association with Oxford University Press.

Annex 1a

Data Collection Form 1 for SNNPR

Content of Data Registry

Location of parcel: Zone ----- Wereda/Special Wereda----- Kebele-----

Serial number	Name of Land holder	Number of holdings	Farmers sharing boundary				Area of parcel	Village name
			East	West	South	North		
1	Name ----- Sex ----- Age -----							
2	Name ----- Sex----- Age-----							
3	Legal guardian: Name----- Sex----- Age-----							

Holder's Family Members

1 ----- Sex----- Age-----
 2----- Sex----- Age-----
 3. ----- Sex----- Age-----

Holder's/Legal Guardian's Name and Signature

A. Name ----- Signature-----
 Date ----- Month----- Year-----

B. Name ----- Signature-----
 Date ----- Month----- Year-----

Chairman of Land Administration Committee

Name ----- Signature----- Stamp-----

Annex 1b

Form 2 for SNNPR

Location of parcel: Zone ----- Wereda/Special Wereda----- Kebele-----

Serial No.	Name of parcel holder	Number of family members		Number of parcels	Area of parcel in hectare	Remarks
		Male	Female			

Annex 2a

Form 1 for Oromia

Zone----- Kebele----- Gote----- No.-----

Wereda ----- Ketena----- Data-----

1. Personal Records

Holder's Name----- Sex----- Age-----

Relatives

Female HH Age Name Sex Age

1.----- --- 1.----- ----- -----

2.----- ----- 2.----- ----- -----

3.----- ----- 3.----- ----- -----

2. Holding records

Code of parcel	Area and quantity of parcel		Fertility level	Present land use	Boundaries				
	Quantity	Area			East	West	South	North	
		<i>Kerte</i>							Hectare

3. Holding Data received -----

Year Registered----- Approved-----

Name----- Signature----- Date-----

Remarks: One form will be used for one land holder.

Annex 2b

Form 2b for Oromia

Zone----- Kebele----- Special location-----

Wereda----- Ketena----- Date-----

Personal Data:

Name of Land holder Sex Age Number of family members

----- ----- ----- Male-----female-----

Name of female household Age

1.-----

2.-----

3.-----

Land holder's record

Serial No.	Code of parcel	Parcel quantity and area			Fertility status	Type of holding	Land use type	Boundary			
		Quantity	Area					E	W	S	N
			Kerte	Hectare							
Total											

Prepared by:

Name-----

Signature-----

Date-----

Remark: One form will be filled for one land holder.

Annex 2c

Content of Wereda Data Book (Oromia)

Serial No.	Parcel code	Parcel quantity and area		Holder's name	Name of female household	No. of children			Kebele	Ketena	Fertility status	Type of Holding	Land use type	Boundary					
		Quantity	Hectare			F	M	Total						E	W	S	N		

Certification Number	Date of certification	Name & signature of Registrar	Holding transfer			
			Holder's name and Signature	Transfer receiver	Area	Date

Remarks: This form will be filled after completion of land measuring and registration.

- Code of parcel and serial number will be filled sequentially

Annex 3a (Cont'd)

2. Description of Land under use right

Special Location	Description of boundary			
	North	East	South	West

Members of Sub-Committee collecting the data:

- 1) Name ----- Signature-----
- 2) Name ----- Signature-----
- 3) Name ----- Signature-----
- 4) Name ----- Signature-----
- 5) Name ----- Signature-----
- 6) Name ----- Signature-----
- 7) Name ----- Signature-----
- 8) Name ----- Signature-----
- 9) Name ----- Signature-----

Annex 4b**Tigray**Form 2

Certificate of possession/ Title deed for -----National Regional State

- 1) Data book number ----- refer to (Format 1)
- 2) Name of holder-----
- 3) Family size-----
- 4) Zone----- Wereda -----Village----- PA-----

Serial No.	Location of parcels (Gote)	Type of present land use			Size of holding		Boundaries	Remark
		Farm land	Grazing land	Wood-lots	Timad	Hectare		

I confirm that you are the holder of this land as indicated above.

Peasant Association Chairman:

Name-----

Signature -----

Date-----

Annex 5a**Amhara Regional State
EPLAUA Rural Land Registration Form**

1. Parcel code -----
2. Parcel location: Zone----- Wereda----- Kebele-----
3. Parcel holder's name: 1st ----- Date of birth----- Relative's name -----
2nd ----- Date of birth ----- Relative's name-----
4. Parcel holder's address: 1st -----Zone-----Wereda-----Kebele-----Sub-kebele---
Gote-----

2nd -----Zone-----Wereda-----Kebele-----Sub-kebele---
Gote-----
5. Legal guardian's name: 1st ----- Date of birth----- Relative's name -----
2nd ----- Date of birth ----- Relative's name -----
6. Legal guardian's address: Zone-----Wereda-----Kebele-----Sub-kebele-----Gote----
7. Address of children under guardian: Zone -----Wereda-----Kebele-----
Sub- kebele----- Gote-----

8. Details of holdings

Boundary of parcel				Approximate area Unit	Coordinate mid-point		Actual area (Hectare) Area (Hectare)	Fertility status			Current land use	Location of parcel	Obligation of parcel	Remark
E	W	N	S		North	East		High	Medium	Poor				

9. Details of Family Members

9.1 Family members/Children under legal guardian

Full name	Sex	Birth date	Relative	Remark		Full name	Sex	Birth date

Certificate number -----

Date book changed and number of new Book 1st ----- 2nd -----

Registrar: Name -----

Responsibility----- Signature:-----

Approved by: Name -----

Responsibility ----- Signature:-----

10. Property transfer

10.1 Parcel of new holder

Serial No.	Code of new parcel owned through transfer	Date of property transfer	Name and code of previous parcel holder			Land use type	Boundary of parcel			Area of parcel (local unit)	Location of parcel	How parcel was owned	Obligation of parcel	File No.

10.2 Parcel relocated of land holding right

Serial No.	Code of relocated land	Area of parcel (Local)	Reason for revocation	New parcel's holder			Obligation against parcel	File number of relocated land

11. Registration of real property

Serial	Type	Unit	Quantity	Code of parcel

12. Consolidation of parcels

Serial No.	Code of consolidated parcel	Code of consolidated parcels

13. Sub-division of parcels

Code of subdivided parcels	Reason for subdivision	Code of new parcels	Area of parcels (local unit)	File code of approved redistributed parcels

Annex 5b
For 2nd Level Certification
Registration Form for Land Administration

Plot no.	Name of the owner	ID no. of the owner	Coordinates of the center of the plot		Name of farmers sharing boundary				Area of the plot		Current land use/cover	Fertility status (Relatively)	Means of securing plot	Tax	Area (ha)	Site name	Region	Zone	Wereda	
			North	East	E	W	N	S	Local Unit	Amount										

Key:

1. The first RE in the ID No. of the land owner indicates the code of the region;
2. The second letter (Z) in the plot number indicates the code of the Zone;
3. The first three digits indicates the code of the Wereda where the land owner lives (001);
4. The second two digits indicate the code of the Kebele where the land owner lives (01);
5. The last four digits in the ID No. of the land owner indicate the registration number of the land owner in the Kebele (0001-Registration number);
6. One more digit is added to the plot ID No. to describe the number of each plot held by the land owner.

Annex 6a

LALU Registration Form for Land Administration

Region	Wereda	Plot no.	Name of owner	Owner's ID No.	Local area name	Coordinate of center of the plot		Farmers sharing the boundary				Area of the plot			Current land use	Fertility status (Relatively)	Tax	Means of transfer
						N. n°/ UTM	E. n°/ UTM	East	West	North	South	Local unit	amount	ha.				

Key:

1. The first two letters **RE** 001010001 in ID No. of the landowner indicates the code of the region (RE = Region code);
2. The first three digits (**RE 001** 010001) in ID No. of the landowner indicate the code of the Wereda where the landowner lives (**001** Wereda code);
3. The Second two digits **RE 00101**00001 in ID No. of the landowner indicate the code of the Kebele where the landowner is lives (**01** Kebele code);
4. The last four digits **RE 001010001** in ID No. of the landowner indicate the registration number of the landowner in the Kebele (**0001** - Registration number)
5. In the Plot Registration No., the last five digits **RE 0010100001**, **RE 0010100002** describe the No. of each plot held by the land owner;

Re = Region	Local unit	Current land use	Fertility status (Relatively)	Means of transfer
AM= Amara	Timad*	C = Crop	H = High	Inheritance
TG = Tigray	Gemed	G = Grass	M = Medium	Redistribution
OR = Oromia	Gezim, etc.	W = Woodlot	L = Low	Gift, etc.
SN = South nation, nationalities and people	Kerte	Hs = Homestead, etc.	H-M = High-medium etc.	

*One *timad* is an area that can be cultivated in one day using a pair of oxen, i.e., approximately ¼ ha.