

Proceedings of 7th Eastern Africa Land Administration Network (EALAN) Annual General Meeting (AGM)
and Workshop Theme:

The State of Land Administration in Eastern African Countries: Comparative Overview Venue: Bahir Dar,
Ethiopia Date: 21st – 22nd July 2015

1. Introduction

The Eastern Africa Land administration Network (EALAN) is a platform through which member institutions share and exchange ideas, skills, experiences, knowledge, plans and programs on land administration and management within the Eastern Africa region through training, education, research, practice and dissemination. The 7th EALAN Annual General Meeting (AGM) and Workshop was hosted by the Institute of Land Administration of Bahir Dar University Bahir Dar (ILA/BDU), Ethiopia between 21st and 22nd of July 2015. This year's meeting was held under the theme "The State of Land Administration in Eastern African Countries: Comparative Overview". The two day event that was interspersed with deliberations followed by presentations included a total of seven sessions. Session 1 comprised the workshop overview and opening ceremony, while Session 2 provided a special forum for thrashing out mundane housekeeping issues in EALAN. Technical presentations by Land Policy Initiative (LPI) of the African Union, United Nations Economic Commission for Africa (UNECA) and African Development Bank and EALAN members were made during Sessions 3. On the second day and specifically during Session 4 presentations were given by both EALAN and Ethiopian Land Research and Development Network (ETHIOLANDNET) member institutions. During Session 5 presentations were given by invited guests. The summary and resolutions made in the meeting were presented in Session 6. This was later followed by a cocktail hosted by Bahir Dar University. The AGM and the Workshop drew attendance from Land Administration and Management experts from both academia and industry. Participants were drawn from Rwanda, Uganda, Tanzania, Kenya, Ethiopia, Burundi, and South Sudan.

2. AGM and Workshop

Sessions Session 1: Opening Ceremony

The meeting started with members introducing themselves one after another following registration. The opening ceremony was officiated by Dr. Daniel Ambaye, Deputy Director of Institute of Land Administration, Bahir Dar University (ILA/BDU). Dr. Achamyeleh Gashu, Director, ILA/BDU welcomed participants to Bahir Dar – wisdom at the source of the Blue Nile. The keynote address and official opening was presided by Dr Matebe Tafere, Vice President for Academic Affairs of Bahir Dar University. The keynote speech was given by Mr. Bayih Tiruneh, Head Bureau of Environmental Protection, Land Administration and Use, Amhara Regional State, Ethiopia.

Session 2: Election of Chairman, Confirmation of Minutes, Presentation of Annual Report and Proposed Budget and Ratification of Constitution

During this in-house session presided by Dr. Katetegeilwe Rwiza the outgoing EALAN Chairman various housekeeping matters were discussed. This included election of the new EALAN Chairman -

Dr. Daniel Ambaye, Confirmation of previous minutes and matters arising. The Annual Report and Proposed Budget for 2015/2016 were also presented by Prof. John Kiema, Executive Secretary EALAN. Details of matters deliberated during this session are contained in the minutes of the AGM.

Session 3: Presentations by LPI and EALAN Members

Dr. Judy Kariuki from the Land Policy Initiative (LPI) gave a highlight of the AU agenda on land. Among other issues this focuses on capacity development. She then proceeded to outline the elements of the strategy adopted by LPI in the training capacity building project including: enhance institutional capacity; mainstream land in the development agenda; synergies, coordination, partnerships and mobilize resources; communication and advocacy; research/knowledge generation; capacity/skills development and training; knowledge management and monitoring and evaluation. Dr. Kariuki went on to highlight the rationale behind the development of the Network of Excellence on Land Governance in Africa (NELGA). This is going to be a virtual network with lead institutions being identified in different regions of Africa. The functions of NELGA include among others to: provide and facilitate academic and vocational training; define an agenda for research; develop a repository for data, indicators and information; design appropriate monitoring and evaluation system and promote knowledge management and dissemination.

Mr. Byron Anangwe (Regional Center for Mapping of Resources for Development) made a presentation on LPI Capacity Building Initiative under the framework of Implementation of the AU Agenda on Land. He reiterated the need for using land for societal benefit before highlighting the predominant land issues that include: proper planning; sound policy formulation with implementation; timely service delivery to people and allocation of resources. These issues are often intertwined in politics, business and competing interests. Mr. Anangwe pointed out that the specific objectives of the project included: Enhanced capacity of RCMRD partners to facilitate the implementation of the Declaration on land issues and challenges; Policymakers and other stakeholders equipped with information and evidence relevant on pertinent issues related to policy formulation and implementation; Enhanced knowledge generation and dissemination to raise awareness and build evidence related to land policy formulation/implementation; Enhanced capacity and skills in support of land policy development and implementation in Africa; Enhanced tools for knowledge generation, management and dissemination for evidence based land policymaking and implementation and Enhanced monitoring and evaluation in support of land policy formulation and implementation. Mr. Mwesige (Makerere University) gave a presentation entitled Land Information System in Uganda: Development, Implementation, Achievements and Challenges. He pointed out that the DeSILSoR (Design, Installation, Implementation of the Land Information System and Securing of Land Records) Project was initiated by Ministry of Lands, Housing and Urban Development (MLHUD). Its main goal was development of the LIS (Land Information System) software, integrating the data converted to digital format from the Land Registry (LR) and Survey and Mapping (SM) Department in Entebbe in order to secure current land registry records into a unified database. The LIS aims to integrate spatial and literal aspects of land administration data that was formerly manually managed by district offices. The presenter noted that some of the land administration challenges in Uganda include: Incomplete geographic data set ; need to secure land tenure and the importance of a title (the land records are in poor conditions and this generates distortions, loss, damages, leading to fraud, disputes or delays in the land transactions); the manual system of registration leads to accumulation of volumes of works, errors in entities, poor storage, loss of documents, corruption/forgeries and loss of faith in the land administration system. General lack of information by the stakeholders about; the importance

of land, the rights provided by each land tenure system, the importance of land titles/certificates of ownership and the offices able to deliver these titles the requirements and useful information to follow the procedures and the role of the existing land-related structures (DLOs, NLIC...)

Mr. Mwesige highlighted some of the achievements of the project that include: Effective decentralization of the cadastral and registration services; Securing of land records and maps; Establishment of audit trail; Improvement of the quality of records and their management; Instant retrieval of information; Improvement in service delivery and Improvement of decision-making intelligence.

Dr. Gordon Wayumba (Technical University of Kenya) gave a presentation entitled Land Administration Framework in Kenya. He mentioned the cadastral boundary systems used in Kenya and the land tenure systems employed in Kenya including: Public Land Tenure System; Private Land Tenure System; Customary Land Tenure System; Informal Land Tenure System and the Ten-Mile Coastal Strip. Dr. Wayumba then gave a chronology of land registration systems enacted in Kenya including: ITPA 1882 and the 1897 East Africa Order in Council; Registration of Documents Act (RDA) Cap 285 of 1901; Part XII Crown Lands Ordinance 1902; Land Titles Act (LTA) Cap 282 of 1908; Government Land Act (GLA) of 1915; Registration of Titles Act (RTA) of 1919; Registered Land Act (RLA) of 1963 and Land Registration Act No.3 of 2012. He then shared his perspective on the future direction of land administration in Eastern Africa highlighting the main change drivers including: rapid urbanization; environmental drivers/global climate change; food security, prices and changing land use patterns; new Scramble for Africa Land Resources; Regional Co-operation and Integration and technology Drivers In conclusion the presenter noted that in Kenya today the Cadastre is still in paper format and 2 dimensional. In future, however, the Cadastre must be reformed into 3D and 4D system in order to meet the new computation and mapping demands of Cadastre 2014 and beyond and 2034. Additionally, land professionals in Kenya have to develop these new models in order to cope with the cadastral demands of the future with use of Object Oriented database system for cadastral modeling.

Dr. Tatien Masharabu (University of Burundi) made a presentation entitled “Status of Land and Natural Resources Administration in Burundi: an overview”. He noted that land and natural resources are critical aspects for the development. He further observed that the existing data on the land occupation in Burundi are very contradictory and there is not inventory so far. Burundi used to be among the first countries in the sub-region to adopt a land policy in 1986. Since then other laws have been enacted and amended accordingly. Concerning the coordination of the implementation of the national land policy, the Government of Burundi has set in place the following institutional device: land sector based group; inter-ministry steering committee of the land reform; coordination unit of land national programme; national land commission and coalition of the civil society on the land. However, the diversity of actors and institutions intervening in the management and administration of the land in Burundi is challenging: a blur and juxtaposition of competence defined in the legal and regulatory framework. The respective attributions of different actors are then not clearly defined and do not allow coordinating and optimizing interventions.

In conclusion Dr. Masharabu noted that it was important to build human and institutional capacities. Existing programmes related to land are involving many Departments of University of Burundi as well as Biology Dept., Soil Science Dpt. (Faculty of Science), Faculty of Agronomy & BioEngineering, Dept. of Geography, Faculty of Engineering Science, Faculty of Law etc It is

therefore important to set up with the support of partners (EALAN,...) a specific teaching/training and research programme dedicated to land sector such a unique Programme of Land Governance/Administration / Management at University of Burundi as a trans / inter /multi-disciplinary programme.

Session 4: Presentations from EALAN and ETHIOLANDNET Member Institutions

Dr. Tadesse Amsalu (ILA/BDU) made a presentation entitled “An overview of the Ethiopian Land Research and Development Network (ETHIOLANDNET)”. He began by giving the rationale for research on land and land related issues in Ethiopia that was the impetus for establishing the Ethiopian Land and Development Research Network (ETHIOLANDNET). This was established, under a Memorandum of Association (MoA) in 2014 by the founding member organizations, including: Bahir Dar University; Haramaya University; Hawassa University; Mekelle University; Woldia University; Addis Ababa University; Ethiopian Development Research Institute (EDRI); Ethiopian Economic Professionals Association; Forum for Social Studies (FSS); Ethiopian Land Administration Association; Ethiopian Institute of Agricultural Research; Federal Ministry of Agriculture; Ministry of Urban Development, Housing & Construction. The Institute of Land Administration of Bahir Dar University (ILA/BDU) was selected to establish and manage the Secretariat of the ETHIOLANDNET.

The specific objectives of ETHIOLANDNET are to: a) Provide a forum to create and nurture cooperation and exchange of knowledge, skills and information among research and academic institutions, government organizations, Networks, non-governmental and international organizations, involved in research and development endeavors in the areas of land tenure, land administration and land management; b) Promote research and disseminate research outputs on land to address developmental needs of the country; c) Guide and facilitate selection of land-related research proposals for research grants and papers and documents for publication; and d) Serve as a repository to which development practitioners, public authorities, researchers and the academic community can turn for information on land issues in Ethiopia. Dr. Amsalu went on to present the core functions of ETHIOLANDNET together with the functions of the Secretariat. He proceeded to highlight the some of the challenges facing ETHIOLANDNET including: networking activities require fulltime engagement; securing finance from donors is not an easy task; membership does not have binding rules, hence much of the work is based on voluntary services. In conclusion the way forward for ETHIOLANDNET includes: conduct aggressive promotion activities, develop strong research proposals and capacity development projects; attract potential partners; strengthen the secretariat; develop a strong strategic plan to assure sustainability of the network.

Dr. James Bango (University of Juba) made a presentation entitled “Status of Land Administration in South Sudan”. He began by outlining the historical significance of land in South Sudan. He noted that decades of civil war disrupted land administration governance in South Sudan. He went on to give the institutional and legal frameworks for land administration in South Sudan. Dr. Bango pointed out that South Sudan faces several challenges in the land administration including: interface between customary and formal law; large demand to access land particularly in the urban areas; lack of coordination between the different government institutions for land administration; lack of capacity; weak financial support and lack of training/educational institution specializing in land issues. He pointed out that limited reforms have taken place in land administration sector in South Sudan. The only major reforms include: establishment of South Sudan Land Commission (SSLC), and development of the National Land Policy. Ms. Mireille Biraro (INES-Ruhengeri) made a presentation

entitled “Access to the Land Tenure Administration System in Rwanda and Impacts of the System on Ordinary Citizens”. The major objective of this study sponsored by USAID Land Project was to assess the degree to which ordinary citizens have access to Rwanda’s formal Land Administration System (LAS) and the impacts of that system and land certificates on the primary goals for formalization, including access to credit, increased investment and productivity, reduced prevalence of land disputes, and robust land markets. The study investigated four broad themes namely; awareness of the formal LAS; access of citizens to LAS services; impacts of the system on ordinary citizens in terms of achieving the primary goals of registration and current concerns and alternative measures for improvement. A multi-stage stratified random sampling approach involving 1957 Households in 75 cells was adopted. 79 key informants participated in the survey. To improve the LAS in Rwanda four major recommendations were drawn namely: need to make efforts to improve citizens familiarity with procedures for registering land transaction; rapidly deploy trained Sector Land Managers and Offices in order to decrease the physical distance to register land transactions, and therefore the time and cost needed to do so; revise fixed transfer fees for registering land transactions taking in consideration the size and value of market transferred properties and consider different bases for fees of non-market transferred properties (e.g. inheritance, gift or umunani) and carry out further research that investigates why land titles do not appear to be facilitating resolution of boundary disputes and on the impacts of Land Law Article 30 (restricting subdivision of agricultural land) on formal registration and land markets, and come up with appropriate policy recommendations.

Dr. Daniel Ambaye (ILA/BDU) made a presentation on a new PhD program in Land Policy and Governance at ILA/BDU. He started by giving the rationale behind starting the academic program. The Doctorate of Philosophy in Land Governance and Policy is a 4- years programme, primarily intended to produce high level land related academicians and researchers, land policy makers, advisors and managers in land administration institutions with a view to strengthen the capacity of land administration institutions at federal and regional level. The program is designed to have 32 credit hour courses. Compulsory courses include: Theories and Foundations of Land Governance and Administration; Advanced Qualitative Research Methods; Theories on Land Tenure and Property Rights; Economics, Organization and incentives and Advanced Quantitative Research. Elective courses include: Real Property Valuation; Theories for real estate development and management; Land Policy and Reform; Seminar on Contemporary Issues in Land governance for development; Compulsory purchase and land acquisition for urban and rural areas; Land information system theories, practices and applications; Land law and policy formulation; Theory of Justice in property rights and Federalism and land administration. Dr. Ambaye proceeded to give the staff profile. Students will be expected to publish 3 to 4 articles in peer-reviewed national or international journal as well as a Monograph. Delivery will be through either a sandwich or joint program.

Dr. Agnes Mwasumbi (Ardhi University) gave a presentation entitled “Politics of Land Conflicts in Tanzania – Developing Human Capacity Interventions”. The presenter began by highlighting land administration status in Tanzania noting that from an organizational set up the structure is heavily centralized. This leads to limited roles for local governments in land administration which is a challenge. Other challenges include: poor land data management; changing nature of land conflicts; lack of common strategies and political interventions. Two levels of intervention in addressing current status of land administration were outlined namely; government levels and academic and professional levels. On strategies towards strengthening land administration at government level several (donor funded) projects in the offing were pointed out including: Integrated Land Management Information System (Tenders being evaluated); Land Tenure Support Programme (ongoing); Reviews on Land

Acquisition and Compensation law and Human Capacity Development through Twinning Cooperation with Swedish Land Titling and Registration agency. Academic and Professional Level Intervention is mainly by Ardhi University – a land based University with over 40 different programs. The presenter proceeded to share the ongoing restructuring of the land administration Unit at Ardhi University.

Session 5: Presentations from Invited Guests

Solomon Kebede (General Director, Urban Land and Landed Property Registration and Information Agency) gave a presentation entitled “Initiatives of MUDHCo on Urban Cadastre.” He noted that urban land governance in Ethiopia is manifested by lack of secured, accurate, up-to date, modern and efficient land registration and information systems; and data affecting mainly land and property transactions, collecting revenue and further consequences in distortion of urban land and property market. In this context the Ethiopian Government has initiated a land administration reform designed to: enhance the efficient land service and utilization of urban land; further develop the urban real property market; ensure recognition of property rights by introducing a secure and sustainable real property registration system. The vision of MUDHCo is to be the trusted source of truth for urban fundamental land and property information in Ethiopian. MUDHCo has: approved Urban Land Management Policy; Produced Legal Frame on Urban Land Property Registration Proc. No.818/2014; Federal, Regional and Some Cities Registration and Information Agency have already Established. The road map on Modernizing Urban Land Management prepared by the Ministry has two phases: Phase 1 has taken place over the last 3 years and is focused on the establishment of a land registry system in 23 cities. Phase 2, once Phase 1 is substantially implemented from now on, it will be scaled up to another 68 cities to make 91 cities in total (GTP-II targeted cities); To develop and implement the Cadastre and Real Property Registration System CRPRS. The following have already been done: Requirements Analysis RAD; Preliminary System Architecture SAD; The Ethiopian Land Administration Domain Model (ELADM); The Urban IT and Network Infrastructure Standard for the CRPRS (UITNS); Quality Assurance, Quality Control and Testing document for the CRPRS Prepared; System application security also considered for the CRPRS.

Dr. Berhanu Alemie gave a presentation entitled “Developing an integrated conceptual model to understand land governance continuum”. This research aims to develop a conceptual model that is: 1) more neutral on positive and negative linkages between cadastres and land governance, 2) more inclusive of the spatial component; and 3) demonstrates the types of land governance across a continuum by integrating the inputs, processes, cadastral influences, and spatial outputs of land governance. Land governance continuum refers to the forms of land governance that can exist during people-to-land relationships. Land governance can be understood as residing on a continuum as good, good-enough, and bad governance, and perhaps even more refined categories. The good-enough land governance considers an intermediate set of options, based on societal needs: it is flexible to future upgrading. Types of land governance are the factor of: the nature of land policies and laws; diverse actors; cadastres of different quality and the resultant output indicators, such as informal settlements. In conclusion Dr. Alemie noted that improvement of the inputs and processes needs to be the first step towards improving the cadastre and land governance. The conceptual model shows that the urban land governance situation of any country can fall in any of the three types of urban land governance in the continuum. A focus on good-enough land governance appears a more workable option in the context of developing countries. In line with the contemporary socio-economic development in Ethiopia, a legal cadastre is found to be fit-for-purpose and relevant to support the marketization of urban land.

The tendency in Ethiopia towards a fit-for-purpose cadastre and good-enough land governance can be a lesson for other countries.

Dr Gebeyehu Belay (Bureau of Environmental Protection, Land Administration and Use of Amhara Region) made a presentation on the “The Status of the Implementation of Land Administration System in ANRS of Ethiopia”. The presenter highlighted the two stage rocket. First level registration that involved: Participatory adjudication and registration; the aim was tenure security; without standard parcel maps. Second level registration involves participatory mapping supported with computerized data (ISLA); the aim: market facilitation and reduced boundary conflicts and land use planning and development control. The attendant problems include: deforestation and poor agricultural practices; land degradation; tenure insecurity due to government sponsored frequent land redistribution; sustained poverty. Objectives for second level certification include: Market facilitation (Rental market); Collateral and credit market; Land use planning and development control and Mass valuation (tax value and Credit value). Important lessons learnt include: land as a core constitutional provision; all in one organizational setting that can be organized based on core land administration processes; participatory way of working and step by step experiential learning; considerations for both legality and legitimacy; spatial component is not always a must to do and capacity building and university level training. In conclusion, Dr. Belay pointed out the following: participatory way of working and consecutive small wins approach; legal provisions based on managing different interests on land; consideration of private public partnership (PPP) for establishment and densification of GCPs shall be considered; and combination of survey methods (mainly orthophoto for establishment and mainly RTK GNSS for maintenance).

Dr. Daniel Behailu gave a presentation entitled “Large Scale Land Acquisition in Ethiopia: Towards Attracting Foreign Direct Investment”. He observed that land grabbing refers to the contentious issue of large-scale land acquisitions: the buying or leasing of large pieces of land in developing countries, by domestic and transnational companies, governments, and individuals. It is controversial because land is central to identity, livelihoods and food security. It is a ‘grab’ since some contend that since it is based on contract/agreement, the phrase ‘land grab’ is undeserving and they assert: grab undermines legality, roles of the host state and benefits to the host country. The presenter continued to articulate arguments against and for land grabbing before outlining some of the causes of land grab and its common features. He proceeded to focus on land grabs in Ethiopia highlighting human rights concerns, environmental concerns, and conflict factors. In conclusion Dr. Behailu observed that the issue of land grab is polarizing, it has both positive and negative impacts; development is nothing if it is not sustainable; however, no development is worse in its impact than poverty concerning both human rights and environmental matters; Thus, the debate must focus on alleviating poverty and promoting sustainable development; Harmony must be reached between the polarized debates on land grab; Solution can come from the notion of sustainable development and involving locals. Mr. Abraha Tesfay made a presentation entitled “Developing Conceptual Urban Land Grading Model Using GIS Application”. The existing land grade is not effective because of several factors namely; technical limitation (major factors are left out; absence of digital data base; it is developed in the context of mono-centric development); institutional weakness. The presenter highlighted the proposed methodology employed to develop the conceptual model that comprises of four steps namely; identification phase which includes identification of influential factors; integrating fuzzy logic and Analytical Hierarchical Process (AHP); aggregation phase and evaluation phase.

In conclusion the presenter observed that GIS Conceptual Modeling (GISCM) is an appropriate methodology to support land grading assessment. The potential advantage of a GIS-based approach is flexibility, updating, retrieving, data sharing, data integration. It also provides a digital data base for long-term monitoring of the land grade. Moreover, with small modifications the method can be used for other cities and towns as well. AHP is best alternative to determine the criteria weights from judgments of decision-making domain of experts.

Mr. Tom Okongo made a presentation entitled “The Application of Social Tenure Domain Model (STDm) in Mapping Informal Settlements in Nairobi, Kenya”. He noted that informal settlements are complex, dynamic social systems which experience continuous change. Furthermore, there is lack of a system for documenting and processing land related data for informal settlements. The objectives of the study were to: identify and prepare a base map for the settlement; conduct a socio-economic survey; and integrate spatial and attribute data into the STDm and query. Sample results and analyses were presented.

Session 6: Closing Remarks

The closing remarks were given by Dr. Achamyeleh Gashu (Director ILA/BDU) General. He noted that the AGM had been very fruitful and provided new and useful information to both academicians and practitioners in land administration across the entire region. He thanked all the participants for their contribution during the meeting. The vote of thanks was given by Dr. Gordon Wayumba who thanked the ILA/BDU for the splendid organization of the meeting. Participants were later invited to a cocktail hosted by ILA/BDU.