

Evaluation of Current Urban Cadastre Practice in Ethiopia: Case of Bahir Dar, Gondar and Dessie

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SUMMARY

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Ethiopia's first real property registration proclamation was enacted in 1907. It provided procedures for the registration and transfer of land holding and the issuance of title deeds, as well as property taxation and the like. This proclamation was superseded by immovable property registration articles included in the 1960 Civil Code of Ethiopia which was marginalized by the 1975 urban land and extra housing reform that changed the urban land tenure system. Following the introduction of the 1994 urban land lease holding regulation, the City Government of Addis Ababa launched a cadastral project with the aim of registering all property for taxation purposes. The project brought many improvements in the city administration. However, it faced major problems from the start and throughout its implementation. The absence of clear legal frameworks, focal organizations and the appropriate utilization of technology were some of the major problems. As a result, beginning in early 2009, the city commenced the implementation of a modern real property registration and land (cadastre) system development project.

The successful implementation of a real property registration system depends as much on institutional and organizational aspects as on the technological ones. If these institutional factors are not taken into

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Larsson, 1990(a)). A properly organized and regularly maintained land registration/cadastral system provide security and clarity with respect to the legal status of land. This eventually leads to the improvement of property, which at the same time contributes to the growth and economic development of the city concerned. Moreover, well functioning Cadastre/land information system is useful for effective management of land as well as setting appropriate land related policies, coordination efforts of different agencies, generally for better urban management and development.

The cadastre is usually managed by one or more government agencies. Traditionally the cadastre was designed to assist in land taxation, real estate conveyancing, and land redistribution. The cadastre helps to provide those involved in land transactions with relevant information and helps to improve the efficiency of those transactions and security of tenure in general. It provides governments at all levels with complete inventories of land holdings for taxation and regulation. But today, the information is also increasingly used by both private and public sectors in land development, urban and rural planning, land management, and environmental monitoring.

A cadastre is a parcel-based system, i.e. information is geographically referenced to unique, well-defined units of land. These units are defined by the formal or informal boundaries marking the extent of lands held for exclusive use by individuals and specific groups of individuals (e.g. families, corporations, and communal groups). Each parcel is given a unique code or parcel identifier. Examples of these codes include addresses, co-ordinates, or lot numbers shown on a survey plan or map.

According to Pankhurst (1966), the land situation throughout much of the Middle Age in Ethiopia was influenced by the absence of a permanent capital city, a factor that prevented to a greater extent the emergence of urban property in land until the establishment of Gonder around 1636. Several short-lived capitals such as Lalibela, Debrebrehan, etc. existed only for a few reigns. A real breakthrough came only after the establishment of Addis Ababa as the capital city of the country in 1886.

Recognizing the emergence of new urban land tenure structure after the establishment of Addis Ababa as a capital city, Pankhurst, indicated that it was Menilik II who issued the country's first urban land related proclamation at the end of 1907, which brought legislation stating the change in ownership of the land in the city of Addis Ababa. Further emphasizing on the significance of this proclamation on the urban land tenure, the legal recognition of private ownership of urban land for the first time through the systematic land registration and issuance of title deeds was a radical departure from the past and giant step towards the privatization of urban land.

Afterwards, during Haile Sellasse I, both the 1931 constitution and the 1955 revised constitution further guaranteed all Ethiopians the right to keep the land they own. Even though, there was a sporadic effort to establish a cadastral system sometime ago in Addis Ababa, as it is not updated for a long time, it is almost non-existent as a system until very recently. It was Emperor Menilik who issued a decree that brought legislation to initiate the country's first cadastral survey in Addis Ababa in 1909. This is the Cadastre of Addis Ababa, which was a cadastral map of Gonder and Dessie (880) at that time. The first paper to be written in Amharic and French, with a map showing the boundaries of land.