

2024-01

Analysis of the Policy and Practice of Access to Urban Land for Residential Housing in Ethiopia: Evidence from Bahir Dar City

Birhan, Bosen

<http://ir.bdu.edu.et/handle/123456789/15785>

Downloaded from DSpace Repository, DSpace Institution's institutional repository



BAHIR DAR UNIVERSITY

INSTITUTE OF LAND ADMINISTRATION

MA Program in Real Property Law

**Analysis of the Policy and Practice of Access to Urban Land for
Residential Housing in Ethiopia: Evidence from Bahir Dar City**

By:

Bosena Birhan

January, 2024

Bahir Dar, Ethiopia

BAHIR DAR UNIVERSITY

INSTITUTE OF LAND ADMINISTRATION

MA Program in Real Property Law

**Analysis of the Policy and Practice of Access to Urban Land for
Residential Housing in Ethiopia: Evidence from Bahir Dar City**

By:

Bosena Birhan

A Thesis

Submitted to the Institute of Land Administration, Bahir Dar
University in Partial Fulfillment of the Requirements for the Degree of
Masters of Art (MA) in Real Property Law

Advisor: Habtamu Sitotaw (Ph.D.)

January, 2024

Bahir Dar, Ethiopia

© 2024 [Bosena Birhan Moges]

DECLARATION

This is to certify that the thesis entitled Policy And Practical Analysis Of Urban Land Access For Residential Housing In Bahir Dar City, Case Of Atsetewodrossubcity. submitted in partial fulfillment of the requirements for the degree of Master of Art (MA) in real property law, Bahir Dar University, is a record of original work carried out by me and has never been submitted to this or any other institution to get any other degree or certificates. The assistance and help I received during this investigation have been duly acknowledged.

Declared by: - Bosen Birhan Moges

Signature _____

Date _____

BAHIR DAR UNIVERSITY

Institute of Land Administration

Department of Land Administration and Surveying

MA Program in Real Property Law

Approval of Thesis for Defense

I hereby certify that I have supervised, read, and evaluated this thesis titled–Policy and Practical Analysis of Urban Land Access for Residential Housing in Bahir Dar City, Atsetewodros sub-city. by Bosena Birhan prepared under my guidance. I recommend the thesis be submitted for oral defense.

Habtamu Sitotaw (Ph.D.)

Advisor's Name

Signature

Date

Department head

signature

Date

Postgraduate head

signature

Date

Bahir Dar University

Institute of Land Administration

Department of Land Administration and Surveying

MA Program in Real Property Law

Approval of thesis for defense result

As members of the board of examiners, we examined this thesis entitled — Policy and Practical Analysis of Urban Land Access for Residential Housing in Bahir Dar City, Atsetewodros sub city. By Bosen Birhan. We hereby certify that the thesis is accepted for fulfilling the requirements for the award of the degree of Master of Art in real property law

Board of Examiners

External examiner name	Signature	Date
<u>Seidu Hussen (Ph.D. Candidate)</u>	_____	_____
Internal examiner name	Signature	Date
<u>Alelegn Wenedem (Ph.D.)</u>	_____	_____
Chairperson's name	Signature	Date
<u>Habtamu Sitotaw (Ph.D.)</u>	_____	_____

ACKNOWLEDGMENT

First and foremost, I would like to thank the almighty GOD and his mother sant-marry who made everything possible right from the start up to the end.

I would like to express my sincere and deepest thankfulness to my advisor Habtamu Sitotaw(Ph.D.) for his invaluable advice, constructive suggestions, and unreserved assistance, which made me a vigorous and successful in completing the thesis. This thesis work would not have been possible without his impressive support, guidance, and encouragement. Thank you is not enough to my esteemed and honored supervisor but it is a better means of appreciation, had it been more than thank you my supervisor would be the only one to have it.

I would to thank and acknowledge Hawassa University for giving me an educational chance and for its financial support. In addition, My deepest appreciation goes to the Bahir Dar University Institute of Land Administration and Surveying staff for their friendly interaction, intellectual and technical comments, guidance, and unreserved support from proposal development to the completion of a thesis.

I would like to express my deepest gratitude to my Parents for their prayer, moral and financial support.

ABSTRACT

Access to land for housing development in urban areas is becoming increasingly difficult in many developing countries including states in Sub-Saharan African countries. Ethiopia can never be an exception here given the presence of a high shortage of residential housing, including in Bahir Dar City. This study was carried out to assess the policy and practice of urban land access for residential housing development in Bahir Dar City by taking evidence from Atse Tewodros Sub City. The study applied descriptive research design to describe and analyze the current state of urban land access policy and practice in the City. The research has also employed a mixed-method research approach for gathering comprehensive information relevant to the research. Both probability and non-probability sampling techniques were employed. Hence, 164 sample populations were selected using stratified sampling and simple random sampling techniques. Quantitative data which were gathered from the survey questionnaire were analyzed using descriptive statistics. Qualitative data that were collected from key informant interviews and focus group discussions were analyzed using thematic analysis. The findings showed that the shortage of urban residential land for housing development is affecting the right to housing of the residents. Few of the residents are accessing land for residential purposes fundamentally through competitive tender, allotment, and purchase from third parties informally whether they get land through lease or through old possession. This situation makes many landless urban dwellers live informally. Therefore, the study suggests to develop an up-dated contemporary lease policy, pro-poor urban land policy, implementation of an urban housing policy that addresses the housing rights of the community, provide opportunities for relevant stakeholders to play their role in reducing residential housing shortage and informal settlements, create an alternative opportunity to low-income communities to engage to get residential housing and developing an up-dated and technological land delivery system.

Keywords: urban residential land, shortage, access to residential land, bottlenecks, homelessness.

Table of Contents

DECLARATION	ii
ACKNOWLEDGMENT	v
ABSTRACT	vi
LIST OF TABLES	xi
List of figure	xi
ACRONYMS	xii
CHAPTER ONE	1
Introduction	1
1.1 Background of the Study	1
1.2 Statement of the Research Problem	4
1.3 Objective of the Study	5
1.3.1 General Objective	5
1.3.2 Specific Objectives	5
1.4 Research Question	6
1.5 Scope of the Study	6
1.6 Significance of the Study	6
1.7 Limitations of the Study	7
1.8 Organization of the Thesis	7
CHAPTER TWO	8
2. Review of Related Literature	8
2.1. Definition of key terms	8
2.2. Housing Right	10
2.3 Housing as a Human Right in Various Legal Frameworks	11

2.4	HousingDevelopment	14
2.5	Historical Background of Housing Policy and Legislative Frameworks	14
2.6	Legal Framework Dealing With Urban Land and Housing Policy	16
2.7	Ethiopia's Land Delivery System for Housing Conditions	17
2.7.1	Urban Land and Housing during the Imperial Period	17
2.7.2	Urban Land and Housing Policy During the Derg	18
2.7.3	Urban Land Delivery And Housing Under The Lease System of Ethiopia	19
2.8	Legal and Constitutional Framework for Housing in Ethiopia	21
2.9	Overview of Current Functioning Legal Framework Dealing With Urban Land in Ethiopia	22
2.9.1	Allocation of Urban Land Through Land Tender	23
2.9.2	Allocation of Urban Land through Land Allotment	23
2.10	FactorsAffecting the Implementation of Urban Land and Housing Policy to Improve Affordable Housing	24
2.11	TheRole of Different Stakeholders in Housing Development	25
2.12	Informal Housing and Informal Settlement	27
2.13	The Causes and Consequences of Informal Settlement	28
2.13.1	Causeof Informal Settlement	28
2.13.2	Consequences of Informal Settlement	29
2.14	Review of Previous Empirical Research Work	29
	CHAPTER THREE	31
3.	Research Methodology	31
3.1.	Introduction	31
3.2	Description of the Study Area	31
3.3	Justification of Site Selection	32
3.4	Design of the Study	33
3.5	Research Approaches	33
3.6	Population, Sampling Techniques, and Sample Size	34

3.6.1	Sampling Frame	34
3.6.2	Sampling Technique	34
3.2.1	Sample Determination	35
3.2.2	Sample Size	35
3.3	Data Sources	37
3.3.1	Primary Data	37
3.3.2	Secondary Data	37
3.4	Data Collection Tools/Methods	37
3.4.1	Interview	38
3.4.2	Survey Questionnaire	38
3.4.3	Observation	38
3.5	Data Collection Procedure	38
3.6	Method of Data Analysis	39
CHAPTER FOUR		40
4.	Result and Discussion	40
4.1	Response Rate	40
4.2	Demographic Characteristics of Household Respondents	40
4.2.1	Age Distribution of Respondents	41
4.2.2	Sex Composition of The Respondent	41
4.2.3	Educational Level of The Respondent	42
4.2.4	Marital Status of the Respondent	42
4.3	Analysis of the Policy and Practice of Residential Land Access in Bahirdar City	43
4.3.1	The Legal Framework on Access to Urban Land for Residential Housing in Ethiopia	43
4.3.2	Practical Application of the Above Legal Framework	45
4.3.3	Legal Provision of Residential Land Access In Bahirdar City	46
4.4	Causes For The Shortage Of Urban Residential Housing	48
4.5	Accessibility of Residential Housing In The Study Area	49
4.6	Mode of Access to Residential Housing	50
4.7	Cause Of Urban Residential Housing Inaccessibility	50
4.8	Efficient and responsive land administration to supply affordable residential land	51

4.9	Major Bottlenecks That Affect The Implementation Of Urban Land Lease Policy To Improve Affordable Housing	53
4.10	Challenges of Urban Land Lease Policy to Improve Affordable Housing in Bahirdar City	54
4.10.1	Practical Challenges to Access Urban Residential Land in The City	56
4.11	The Role of Stakeholders in Reducing Homelessness and Slums in Bahirdar City	59
4.11.1	The Possible Intervention and Role of Different Stakeholders to Reduce Homelessness	59
4.12	The Causes, Consequences, and Responses of the Practice of Informal Settlement in Bahir Dar City	61
4.12.1	Cause of Informal Settlement in Bahirdar City	61
4.12.2	Consequences of Informal Settlement	65
4.12.3	Response for Informal Settlement	65
	CHAPTER FIVE	67
5.	Conclusion and Recommendation	67
5.1.	Conclusion	67
5.2.	Recommendation	69
	References	70
	Appendix	75

LIST OF TABLES

Table 1: sample household respondents in the study area	36
Table 4.1. 2: Age distributions of sample respondents	41
Table 4.2. 3: Sex Compositions of the Respondents	41
Table 4.3: Educational Level of the Sample Respondents	42
Table 4.5. 5: Marital Status of the Respondent	43
Table 6: The Cause of Land Inaccessibility of Respondents in the Study Area	48
Table 7: Level of accessibility of residential land through the lease system	49
Table 8: Mode of accessing residential plot of land of the respondents	50
Table 10: The cause of urban residential land inaccessibility	51
Table 10: Efficient and responsive land administration to supply affordable residential land	52
Table 11: The level of effectiveness of the lease system in BahirDar City	53
Table 12: Transparency of urban residential land access for respondents	58
Table 13: Negative impact of poor land delivery system	63
Table 14: The reason for the proliferation of the informality of land holding in Bahir Dar city	64
List of figure	
Figure 1: Location Map of the Study Area	32

ACRONYMS

EPRDF - Ethiopian People Revolutionary Democratic Front

FDRE - Federal Democratic Republic of Ethiopia

Proc.No - Proclamation Number

SSA - Sub Saharan Africa

CHAPTER ONE

Introduction

1.1 Background of the Study

According to Kitay (1985), land is the be-all and end-all of what towns and cities will be and where they will go. The demand for land for various uses by both public and private users necessitates that land is supplied at the right time, in the right quantity and quality, and the right locations for urban development.

According to Takagi (2019), the global urban population surpassed the global rural population for the first time in human history. The demand for sustainable, secure, and affordable housing has grown qualitatively as well as quantitatively, with dramatic and positive changes in average household wealth in many countries leading to physical improvements in housing conditions.

Access to land is broadly defined as the processes by which people, individually or collectively, can use land, whether on a temporary or permanent basis (IIED and FAO, 2006). Access to land for housing development in urban areas is becoming increasingly difficult in many developing countries including states in Sub-Saharan Africa. Most African countries have turned urban land into a commodity that can be bought and sold to the highest bidder. Low-income earners face severe accessibility challenges in Sub-Saharan Africa due to a lack of economic and political power to gain access to urban land for housing construction in suitable locations (Adedeji & Olotuah, 2012).

Access to urban land is a critical component of housing and ensuring housing rights. Where access to land is secured, the right to housing can be realized (mekuria, 2009). Human settlements have historically been centered on land. This is strongly emphasized in the HABITAT agenda, which states that legal

access to land is a strategic prerequisite for the provision of adequate shelter for all and the development of sustainable human settlements affecting both urban and rural areas(Habitat, 2013).

Legal access to land is a strategic requirement for providing adequate and affordable housing for all. In contrast, a lack of access to land is the root cause of rising living costs, the spread of slums and informal settlements, environmental degradation, and the increased vulnerability of the urban poor, women-headed households, and other marginalized and disadvantaged group (Hebbert, 2012).

The EPRDF regime which overthrew the Derg in 1991 maintained rural and urban land under public ownership. The Constitution of the Federal Democratic Republic of Ethiopia states that the right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the state and the people of Ethiopia (FDRE, 1995). According to Article 7(2) of the Urban Land Lease Holding Proclamation No. 721/2011, for housing development, the government has identified the issue of land access or delivery as a primary role, and the principles of it are indicated. Due to this, lease tender (auction), which reflects the prevailing transaction value of land and direct allocation (allotments) that gives priority to the interests of the public and urban centers to ensure rapid urban development and equitable benefits of citizens are recognized as modalities to access urban land today(Gazeta, 2011).

Housing has been identified as a major concern and policy component of Ethiopia's urban administration system(woldegebriel, 2013). The demand for affordable housing in urban Ethiopia has increased significantly. The problem is primarily associated with rapid urban population growth, household income, housing market prices, municipal housing policies, and land tenure systems. Rapid urbanization is negatively affecting the realization of affordable housing in the country given that Ethiopia is the second-most populous region, trailing only Nigeria (Habitat, 2018).

According to Tsegachew Reta et al. (2019a), housing shortages and overcrowding are recurrent issues threatening the urban centers in the Country and leading the dwellers to informally settle in the urban centers. An estimated 70– 80 percent of the urban population lives in slums, where the units lack durability, adequate space, access to safe water and sanitation, or security of tenure. Around 80 percent of dwellings in urban areas are made from wood and mud (also known as Chika construction), while two-thirds of all urban housing units have only earthen floors, another indication of very low-quality housing. The main drivers of the urban housing shortage are low incomes, insufficient supply of serviced land, and requirements that housing units meet unrealistically high and costly standards(Ethiopia).

The challenges of access to urban land for residential purposes are witnessed in Amhara National Regional State. This study focuses on the issue of policy and practical challenges related to residential housing in Bahir Dar City. The city is the capital of Amhara National Regional State and one of the major cities in the region where access to urban land for residential purposes has been a challenge to its dwellers. Although there had been efforts to make land available through a leasehold system to address the housing shortage over the years, the policy failed to address the housing demands of the growing population. Given this state of affairs, the current research aims to analyze to what extent the policy and practices are responding to the land demand for housing purposes in Ethiopia by taking evidence from Bahir Dar City(Endashaw).

1.2 Statement of the Research Problem

Shortage in housing is challenging basically in the developing world. The current trend of urbanization is linked with the problem of urban housing. This phenomenon is associated with growth and development, but it also causes major problems in the housing sector (TsegachewReta et al., 2019a).

Many cities in Ethiopia are facing rapid urbanization in the face of the stark demand for urban land by urban dwellers for residential housing to sustain their livelihoods. The presence of a high rate of rural-urban migration has caused an increase in urban poverty and inequality, as well as a high cost of living and inaccessibility of affordable land for housing, leading to the rapid growth of slums and informal settlements. Furthermore, urban residents are facing landlessness and homelessness due to insecure land tenure and housing rights, with the housing rights of the poor often dominated by the urban affluent.

According to a study conducted by Bahirdar University on the Bahirdar City Structural Plan as of 2012, there were 94,565 houses available, meaning that 314,534 of the city's population were beneficiaries of these dwellings. However, there were 176,599 households in the city, creating a difference of 82,034 compared to the existing number of houses. Furthermore, data obtained from the Housing Development and Management Office of the City Administration indicated that there were approximately 70,000 housing registrants in the registration conducted by the City Administration in 2011 and 2012 (both in the Ethiopian calendar). The message is that the study area has a high rate of residential housing demand that is disproportionate to the supply of serviced residential housing, creating a need for increased housing to meet sustainable residential housing supply.

Previous studies in Ethiopia have revealed several challenges associated with residential housing development. Daniel, (2010), (Wenedem, 2016), Has Rat (2018), and Adgeh and Taffse (2021) identified policy challenges, governance

problems, and an imbalance of demand and supply of land and housing units, insufficient supply of land, escalating lease prices, inadequate information on urban land and housing, affordability issues, regulatory standards, financial constraints, and limited involvement of the private sector/monopoly of the government in the delivery of land and housing units as further challenges. The studies, however, did not strictly reveal the legal implications of urban land policy and the practical consequence of residential land access for the dramatic expansion of informal settlement. The current research aims to fill this research gap by analyzing the urban land policy and its practice in realizing the housing demand of urban dwellers in Bahir Dar City.

1.3 Objective of the Study

1.3.1 General Objective

The general objective of this study is to examine the policy and practice of access to urban land for residential housing in Ethiopia by taking evidence from Bahirdar City.

1.3.2 Specific Objectives

The study also has the following specific objectives:

1. To analyze the legal and constitutional framework for access to land for residential housing in Ethiopia.
2. To study the bottlenecks that affect the implementation of the urban land and housing policy and laws to realize affordable housing specific to the study area.
3. To investigate the possible interventions and the role of different stakeholders in reducing homelessness and slums in the study area.
4. To scrutinize the causes, consequences, and responses for the practice of informal settlement in Bahir Dar City.

1.4 Research Question

1. How far the legal and constitutional framework is adequate regarding access to land for residential housing in Ethiopia?
2. What are the bottlenecks that affect the implementation of the urban land and housing policy and laws to realize affordable housing specific to the study area?
3. What are the possible interventions and the role of different stakeholders in reducing homelessness and slums in the study area?
4. How to scrutinize the causes, consequences, and responses for the practice of informal settlement in Bahir Dar City?

1.5 Scope of the Study

The scope of the study is defined geographically and thematically. Geographically, the study is delimited to Bahir Dar City. Even from the City administration, only one sub-city is selected for the study. Although the issue of urban land access for housing purposes is an issue that shall be studied in many urban centers of the country, due to various reasons (financial, time, accessibility to the researcher, etc.), Bahir Dar City is selected for the investigation. Thematically, access to land for housing purposes is confined to the urban area only. This researcher believes that access to land for housing is equally paramount to peri-urban and rural residents.

1.6 Significance of the Study

The study is expected to contribute to the understanding of policy and practical challenges of urban land access for housing purposes. It is hoped that the findings of this study will help to strengthen the government's policy, legal framework, and practical performance, to construct and produce residential housing units in Bahir Dar City to respond to the housing demands in the study area. Furthermore, it will serve as an additional foundation for policymakers to review the country's land and housing policies, as well as potential researchers to conduct additional research on the subject.

1.7 Limitations of the Study

This research has gone through different challenges. Among thus, the data gathered by the researcher may not be inclusive of all the issues what the researcher wants and all the components of urban residential land access for residential housing development in Ethiopia including housing policy of Ethiopia. This is due to the limitations unwillingness and non-cooperativeness of the respondents to give information about land and housing conditions, and scarcity of data from urban land administration institutions. Moreover, few respondents were not volunteered for interviews and filled out questionnaires. Despite this, the researcher overcame these problems by using various mechanisms. For instance, the researcher made frequent emails and phone calls until officials in the field or meeting returned and asked the representative of the sector.

1.8 Organization of the Thesis

The study is organized into five Chapters. The first Chapter discusses the introductory part of the research which includes a background of the study, a statement of the problem, general as well as specific objectives of the study, research questions, significance and scope of the study, and organization of the thesis. Chapter two reviews the literature relevant to the study. Chapter three provides the research methodology. The fourth chapter presents results and discussions while the fifth chapter is a recap.

CHAPTER TWO

2. Review of Related Literature

2.1. Definition of key terms

Land: is defined as an area of the earth's surface that includes all physical and biological elements that influence land use. Thus, land encompasses not only soil but also climate, hydrology, vegetation, and fauna, as well as land enhancements such as terraces and drainage works(Smyth et al., 1993).

Land: the earth's surface, land, water, and anything attached to it, whether by natural processes or human intervention. all natural resources in their original deposits, including wildlife, timber, fish, water, coal deposits, and soil (land as a resource), and it is also one of the four agents of production, along with capital, entrepreneurial coordination, and labor (land as good)(Ravid & Liu, 2017).

Urban land: according to Urban Lands Lease Holding Proclamation No.721/2011 urban land is defined as land areas required for urban activities at the time and within sight located within an urban boundary. According to Erkan (2009), it is a human settlement with a high population density and built-environment infrastructure. Urban areas are formed through urbanization and are classified as cities, towns, and suburbs by urban morphology. The term contrasts with rural areas such as villages and hamlets in urbanism. It contrasts with the natural environment in urban sociology and urban anthropology. For this study, the definition provided by the Federal Democratic Republic of Ethiopia's Urban Lands Lease Holding Proclamation No.721/2011 is used(Gazeta, 2011).

Residential land supply: Residential land supply refers to the land supplied by the government for residential use over a given period, either directly or through tendering, measured in plots or square meters. It encompasses the procedures and

institutional arrangements for making developable land parcels available and accessible for residential use(Alemu, 2021).

Shortage of residential land supply: a shortage exists when people wish to acquire residential land through formal modalities and existing legal frameworks but are unable to do so(Adigeh & Taffse, 2021).

Land Policy: It is a method of carrying out programs aimed at planned development and increased supply to meet land demand through public land acquisition, while also curbing speculation, preventing excessive price increases, and capturing unearned increments in land values(LICHFIELD, 1980). According to Lim (1982), any particular land policy contains one or more policy instruments concerning land acquisition, planning measures such as use regulation, land preparation procedures, development methods, delivery/disposal mechanisms, ownership rights, and taxation of unearned increments in land values, among other things.

Urban Land policy: is a type of policy that is part of a country's national policy. These policies are generally concerned with economic development, social justice and equity, and political stability. Land policy is defined as a policy that includes or promotes the provision of security of tenure, improved access to credit, land reform, land titling, and the resolution of issues relating to traditional or customary tenures, facilitates special attention to the provision of land for the poor, ethnic minorities, and women facilitates land use and physical planning, real property taxation, and measures to prevent land speculation and land disputes(Debele¹ & Negussie, 2021).

Lease: A lease is a contractual agreement in which the owner of real property (the lessor) grants another (a lessee) the right of possession for a specified period (term) and a specified consideration (rent). A lease contract can be signed between the government and individual users or between the government and developers. The Federal Democratic Republic of Ethiopia defined a lease as a system of land tenure in which the right to use urban land is acquired under a fixed-term contract(Gazeta, 2011).

Land tender: An official modality of supplying and transferring a lease of urban land to a bid fulfilling the competition requirements issued based on the rule of market competition of urban land tenure(Gazeta, 2011).

Land allocation: This is an officially recognized (legal) modality of supplying and transferring urban lands by lease without tender(Gazeta, 2011).

Housing; Housing is one of those basic social conditions that determine the quality of life and welfare of people and places. It offers a great spectrum of opportunities to promote economic development, quality of life, and social equality. Housing is a basic requirement for achieving an adequate standard of living. (GETAHUN, 2020).

2.2. Housing Right

The right to housing is supported by international law, and it is at the very foundation of the international human rights system in the Universal Declaration of Human Rights, developed under the leadership of Eleanor Roosevelt and adopted by the United Nations General Assembly. The United Nations adopted this Declaration in 1948, and it establishes an internationally recognized set of standards for all persons, without exception. It states that "everyone has the right to a standard of living adequate for his or her own and his or her family's health and well-being, including food, clothing, housing, medical care, and necessary social services, as well as the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood due to circumstances beyond his or her control(Pavone, 2017).

This Declaration has been signed by all 192 United Nations member states, but it is not a binding treaty. The protection of the right to housing enshrined in the Universal Declaration applies to all United Nations Member States, as it defines the human rights that all members, as parties to the United Nations Charter, are bound to respect, protect, and fulfill. Furthermore, it is now argued that the Universal Declaration has matured into customary international law and is thus applicable to all states, including those that are not members of the United Nations.

This is accompanied by an increase in the demand for land in residential developments. The orderly development of urban areas is impossible without the ability to make available planned and sufficient land. Land is an important input for housing, and access to land and housing are inextricably linked. Land remains an important ultimate asset in Ethiopia because it is linked to the primary source of shelter (Popescu-Vâlceanu et al., 2015). It is jointly owned by the government and the people (Abdulahi, 2007). When managed properly, it has the potential to maximize social, economic, and environmental benefits (Abbink, 2011). Many laws and policies have been drafted to regulate urban land for housing development, and the lease system is the current mechanism for allocating urban land for housing in Ethiopia.

2.3 Housing as a Human Right in Various Legal Frameworks

Housing as a fundamental human right has been recognized in various legal frameworks around the world. The right to adequate housing is guaranteed by international human rights treaties such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights. Furthermore, the right to housing has been incorporated into many countries' national constitutions and laws. The South African Constitution, for example, recognizes housing as a fundamental human right and requires the government to provide adequate housing for all citizens (Assembly, 1948).

Similarly, the US Department of Housing and Urban Development (HUD) has put in place a variety of programs to ensure that low-income families have access to affordable housing. The Fair Housing Act of 1968 prohibits housing discrimination based on race, color, religion, national origin, sex, familial status, or disability in the sale, rental, and financing of housing. Despite these legal frameworks, many individuals and communities around the world lack access to adequate housing. Homelessness, inadequate housing conditions, and forced evictions continue to be major issues in many communities (Leong et al., 2017).

Finally, recognizing housing as a basic human right in various legal frameworks is an important step toward ensuring that everyone has adequate housing. More must be done, however, to address the barriers that prevent individuals and communities from exercising this right. To ensure that everyone's right to housing is upheld and protected, a collaborative effort is required(Wenedem, 2016).

The right to adequate housing is established and recognized by international law. The human right to adequate housing, also known as the right to housing, housing rights, the right to one's home, the right to shelter, land rights, livelihood rights, and the right to the city, is enshrined in international treaties. Thus, Article 25(1) of the Universal Declaration of Human Rights declares(Assembly, 1949).

"Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, and housing, as well as medical care and necessary social services, as well as the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood due to circumstances beyond his control(Assembly, 1949)."

Human rights are interdependent and indivisible, and infringement on one right results in infringement on all. The right to a decent place to live is essential for human survival. Other fundamental human rights, such as the right to family life and privacy, the right to freedom of movement, the right to assembly and association, the right to health, and the right to development, will be jeopardized if there is no right to housing. As a result, various international and regional human rights standards recognize the right to housing as a human right aspect(Assembly, 1949).

The right to housing is supported by international law; indeed, the Universal Declaration of Human Rights, drafted under Eleanor Roosevelt's leadership and adopted by the United Nations General Assembly, is at the very foundation of the international human rights system. The United Nations adopted this Declaration in 1948, and it established an internationally recognized set of standards for all persons without qualification(Hannum, 1998). It is stated:

"Everyone has the right to a standard of living adequate for his or her own and his or her family's health and well-being, including food, clothing, housing, medical care, and other necessary social services, as well as the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other lack of livelihood due to circumstances beyond his or her control."

The United Nations Special Rapporteur on the Right to Adequate Housing, Miloon Kothari, states that "the human right to adequate housing is the right of every woman, man, youth, and child to gain and sustain a secure home and community in which to live in peace and dignity." The right to adequate housing is inextricably linked to other fundamental human rights, such as the right to life, the right to privacy, the right to family and the right to one's home, the right not to be subjected to inhuman or degrading treatment, the right to land, the right to food, the water right, and the right to health. He has also stated that its fulfillment is contingent on respect for the fundamental principle of non-discrimination and gender equality(Kucs et al., 2008).

The African Charter on Human and Peoples Rights does not specifically mention the right to adequate housing, but other provisions of the Charter can be cited in terms of African Commission case law, such as Articles 14 (right to property), 16 (right to health), and 18(1) (right to family life, women, children, and persons with disabilities), which can be interpreted as protecting the right to adequate housing. It also states that African states must implement the African Charter on Human and Peoples Rights(Article 60 of the African Charter)(Golay et al., 2005). The African Charter of Human and Peoples Rights has been ratified by 53 African Union member states(Umozurike, 1983). As a result, all states that have ratified the African Charter and the International Covenant on Economic, Social, and Cultural Rights are obligated to take steps to ensure that their people have access to adequate housing(Umozurike, 1983).

2.4 Housing Development

Housing development programs in Africa either do not exist, do not produce affordable housing, or are insufficient in scale relative to demand, according to a report by the United Nations Human Settlements Program,(Habitat, 2018). On the contrary, the region is rapidly urbanizing. According to the report, Africa's cities will need to house an additional 40,000 people every day for the next fifteen years. With few affordable housing options, it is no surprise that the majority of Africans live outside of the formal housing market, typically in slums and informal settlements(Alemienh, 2022).

In comparison to Latin America or parts of Asia, Sub-Saharan Africa's slums and informal settlements, excluding South Africa, are truly the most difficult. Extremely poor housing quality; ongoing marginalization and stigmatization; high rates of poverty and, in many cases, low economic development; and a lack of government attention to slum improvement distinguish all African slums from their counterparts in Latin America and Asia(Jaitman, 2015).

According to the United Nations Human Settlements Program'sreport, most countries, particularly those in Africa, continue to face difficulties in providing affordable housing. The ongoing growth and expansion of African cities have widened the supply-demand gap for urban land and housing. The vast majority of Africans cannot afford houses built and sold in the formal market(Habitat, 2013).

2.5 Historical Background of Housing Policy and Legislative Frameworks

According to Un-Habitat (2013), direct large-scale public housing provision peaked in most Western European countries during the 1960s and early 1970s. The supply of housing had been significantly increased, primarily through high-rise housing developments. A significant portion of the housing stock was rental housing, which was frequently public, subsidized social rental housing managed by municipalities and

local councils. A paradigm shift occurred in the Western European housing sector in the early 1980s.

During that time Rental housing was pushed to the margins, while private individual home ownership rates increased. While housing markets in Western Europe were liberalizing, Eastern Europe maintained its emphasis on centrally planned and administered housing. As a result of economic, political, and social changes in the early 1990s, the housing sector in Eastern European countries fundamentally shifted from centrally planned to market-oriented housing (Tosics, I., Hegedüs, J., and Remmert, M., 2002).

Countries shifted from centrally planned to market-oriented housing sectors. The goal was to gradually but not gradually apply market principles to the housing sector. Liberalization was even more pronounced in some cases than in Western European countries. The most noticeable change was the widespread and rapid sale of public housing units. Various measures were used to transfer houses to their occupants. In Armenia, for example, the government and local governments owned nearly half of all housing (49% in 1990), but only 3.9% in 2001 (UN Habitat, 2005).

According to the Habitat policy responses, macroeconomic stability is improving the housing supply, particularly in the Baltic region, Poland, the Czech Republic, and Hungary. It is now between 60 and 80% of what it was during the socialist era. Over the last 60 years, there have been numerous ideological, theoretical, policy, and practice shifts in the housing sector (Global Housing Research Initiative, 2016). Nonetheless, achieving universally affordable and adequate housing has remained elusive under all economic and political systems. Certainly, progress is being made, and the proportion of the population living in inadequate housing is higher than ever before. Still, historical changes demonstrate that the housing sector is fundamentally shaped by many actors, including policymakers, local governments, private enterprises, and households, among others whether housing affordability improves or

deteriorates is determined by a variety of actors, particularly the political will of national governments, local and regional governments (Soederberg, 2017).

2.6 Legal Framework Dealing With Urban Land and Housing Policy

For this study, the urban land legal framework is defined as a comprehensive set of constitutional, legislative, regulatory, managerial, and implementation rules that establish the rights and obligations of all parties involved in the utilization of urban land. This framework provides a clear guide for the overall procedures for the supply of serviced land through official channels for each urban use, ensuring that all stakeholders are held accountable for their actions.

Furthermore, as (Moussmouti & Crispi, 2015) and also (Bertolino et al., 2015), state the successful implementation of urban land policy is contingent upon the presence of a comprehensive legal framework that delineates the roles and responsibilities of all stakeholders involved in and related to the policy, and hold them accountable for fulfilling their respective obligations. Consequently, a well-crafted legal framework is essential for the effective implementation of urban land policy in general, and the practicality of providing serviced residential land through officially recognized formal modalities in particular.

Contrarily, complex, overlapping, and poorly enforced provisions, as well as antiquated laws, will have a detrimental effect on the availability of urban land. (Beresford, 2016) notes that misguided assumptions, unrealistic expectations, and a wide disparity between intention and reality are common issues in the legislation of many African countries.

According to (Bertolino et al., 2015), other common issues include regulatory barriers that impede opportunities in formal land markets and exacerbate inequality, as well as laws that are not enforced or implemented. Consequently, due to the ineffectiveness of

urban land laws, informal structures have become the norm, with the interests of elites taking precedence over those of the majority of the population.

Legislation can be classified as effective or ineffective according to (Xanthaki, 2008), Effective legislation creates rules that address existing issues, take into account the perspectives of those affected, ensure accountability, and can deliver the desired outcomes. (Mousmouti, 2014), further states that effective legislation must have a clear purpose as well as consistent and well-crafted rules and enforcement mechanisms that effectively tackle the targeted problems. On the other hand, ineffective urban land law is characterized by unclear objectives, rules whose effects have not been considered, a lack of consideration for enforcement and implementation issues, and contradictory drafting choices, among other issues.

2.7 Ethiopia's Land Delivery System for Housing condition

Despite its long urban history, Ethiopia remains one of Sub-Saharan Africa's (SSA) least urbanized countries. One of the major issues that require immediate attention in urban areas is a lack of housing. The majority of Ethiopian houses are of poor quality and lack adequate space. There is very little provision for water supply, electricity, and drainage. These have an impact on the lives and health of the people who live in these houses. All of this will continue unless major improvements are made in the housing markets, as well as the expansion and improved provision of infrastructure and services (Tesfaye, 2007).

2.7.1 Urban Land and Housing During the Imperial Period

Urban land and housing were largely the property of the feudal elite during the Imperial era. At the time, over 60% of residential real estate was rented. In this case, widespread speculation by landlords and housing providers resulted in rising land prices and little investment in new dwelling units for low- and middle-income households (Tesfaye, 2007).

2.7.2 Urban Land and Housing Policy During the Derg

The Proclamation, enacted by the Provisional Military Administrative Council (commonly known as the Derg), which replaced the Imperial government of Haile Selassie in 1974, was one of the very significant legal frameworks that had a significant impact on Ethiopian urban land. When the Derg came to power, it issued Proclamation No. 47/1975, which nationalized all urban lands and extra houses and abolished private land ownership(No).

It was the establishment of the state's monopoly on land ownership. Instead of ownership, urban residents were granted lifetime use rights to urban land, with the exception that landowners were required to pay urban land rent (Article 9). Landless people were guaranteed a maximum of 500 square meters of land on which to build a single dwelling house (Article 5.1).

Following the 1974 revolution, the Derg established a command system for economic production and the delivery of public services. The Derg's housing policy was primarily implemented through the proclamation on government ownership of urban land and extra houses (Proclamation No. 47/1975), which effectively prohibited private sector rental or sale of real estate development. This legislation nationalized all urban land and housing units that were not occupied by owners.

To encourage the growth of the cooperative system, the Derg intervened with a variety of incentives. These are some examples: Land was provided for free for the construction of owner-occupied dwelling units; the maximum plot size for cooperative housing was 500 square meters from 1975 to 1986 when Proclamation 292/1986 reduced the ceiling to 250 square meters; typical plot sizes for middle and low-income cooperatives were 175 square meters(Tesfaye, 2007).

2.7.3 Urban Land Delivery And Housing Under The Lease System of Ethiopia

Following the Derg's demise in May 1991, the EPRDF (Ethiopian People's Revolutionary Democratic Front) devised a new approach to urban land provision in Ethiopia. Despite implementing a market-oriented economic policy and introducing a new form of urban land provision policy (urban land lease holding policy) in the country, the EPRDF, like the Derg, has maintained the policy of public land ownership (Tesfaye, 2007).

Unlike the permit system that existed during the Derg regime, the EPRDF introduced the urban land lease-holding policy as a mode of landholding for the first time in Ethiopia when the new Proclamation 80/1993 was issued in 1993. One of the goals of Proclamation No. 80/1993, as stated in the preamble, was to convert the Derg's permit system of landholding into a lease system and create an equitable distribution of land (Gebremichael, 2017).

Urban land should only be allocated through public tender, according to the Urban Land Lease Holding Proclamation No.80/1993. This proclamation was repealed a few years later and replaced by the Revised Urban Land Lease Proclamation (Proc. 272/2002) in 2002. Unlike its predecessor, Proclamation 272/2002 provides a variety of methods for gaining access to urban land. It identified auction or public tender, negotiation, and decisions for private residential housing made by city or regional governments as possible modalities for acquiring urban land (Article 4(1) of Proclamation No.272/2002) (Gebrelibanos, 2015).

Later, the Ethiopian government reconsidered the revision of the urban land lease proclamation and issued a new Urban Lands Lease Holding Proclamation No.721/2011 in October 2011. Unlike Proclamation No.272/2002, the 721/2011 Urban Lands Lease Holding Proclamation states that urban land may only be leased through tender or allotment. One of the reasons given for revising the existing lease

proclamation, as addressed in Articles 4(2) and (3), is that urban municipalities have become corrupt and inefficient in terms of land supply (Gazeta, 2011).

Corruption, non-transparency, and injustice were eliminated from the system, creating a haven for a small number of urban speculators and brokers. As a result, the proclamation is expected to aid in efficient land transfer (Article 4(4)). Furthermore, it has been argued that demand for land in urban areas has been far greater than the land authority's supply of land. In addition, in May of 2012, a policy and strategy for urban land development and management were developed.

The FDRE constitution recognizes the formulation of policy with regard to housing issues as per Arts 89 and 90. Because of this constitutional recognition, urban development policy is adopted by the council of ministers in March 2005.

Housing has been identified as a major concern and policy component of Ethiopia's urban administration system (woldegebriel, 2013). According to the Urban development policy (2005) Housing development issues is governed by urban development policy which is developed by the Ministry of Urban Development, Housing, and Construction (currently, renamed as Ministry of Urban Development and Housing) (Wenedem, 2016).

In Ethiopian cities, including Bahirdar, the lease mechanism is the primary formal land delivery system for residential housing. The land is a public good, and a person can only enjoy the use right of land that he or she owns. As a result, the ability to legally (formally) acquire a plot of land for housing development is dependent on the lease policy's effectiveness. Lease Proclamation No 721/2011 is the current active law governing urban land provision. It includes instructions on how to obtain a plot of land. Under these provisions, land can be acquired through a tender (auction) and allotment system.

The Ethiopian constitution ensures that the state owns the land. Article 40/3 of the Ethiopian constitution states that land "is exclusively vested in the state and the

peoples of Ethiopia." It also states that "land is the common property of Ethiopia's Nations, Nationalities, and Peoples and shall not be sold or exchanged." The Urban Lands Lease Holding Proclamation No. 721/2011 covers the entire urban land tenure system. The leasing system is used in this proclamation to allocate land.

2.8 Legal and Constitutional Framework for Housing in Ethiopia

For this study, the term legislation refers to only formal laws directly dealing with the implementation of urban land policy in general and the supply of affordable residential land in particular. The Federal Democratic Republic of Ethiopia's Constitution, the Federal Democratic Republic of Ethiopia's Urban Development Policy, the Urban Land Lease Holding Proclamation No.721/2011, the Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation No.1161/2019, and the Expropriation of Landholdings for Public Purposes and Payment of Compensation, Regulation No.135/2007 are the main ones. The Amhara National Regional State (ANRS) lease regulation No. 103/2012 (Endashaw).

According to Art.40 of the constitution of Ethiopia; Land is a common property of Ethiopia's Nations, Nationalities, and Peoples, owned by the State or public, and shall not be subject to sale or other means of exchange, according to the current Ethiopian Constitution. Municipalities are the de facto owners of urban land. As a result, the state is the sole supplier of land for various urban land uses. Individuals looking for urban land for various developments can purchase the rights to use the land for a specific period. Transferring land-use rights facilitates land transfer(Ganta, 2022).

In this regard, both public and private users can occupy land through the use of two rights recognized by the country's formal/official legal frameworks: land auction (tender) and land allotment proclamation 721/2011(Gazeta, 2011). However, in the case of Ethiopian urban land policy, people also occupy land through various informal mechanisms, such as buying from neighboring peasants and land speculators, as well as inheritance and gifts from relatives(Derso & Gebremichael, 2022).

In terms of land ownership and allocation, neither the government monopoly, which fosters corruption, bureaucracy, lack of transparency and probity, and so on, nor the market, which introduces negative externalities and inequity, may be the most efficient system. Thus, the solution to ineffective and counterproductive urban land development is not to eliminate government interventions and policy initiatives but to strike the proper balance, or division of labor, between the public and private sectors in urban land development(Dowall & Clarke, 1991).

As a result, the lease policy states that the right to use urban land by lease is permitted to realize the common interest and development of the people. The lease policy is expected to address the development challenges in urban Ethiopia. According to evidence, the key challenges in urban Ethiopia include, among other things, a lack of affordable and decent housing, unemployment, infrastructure such as water supply and sanitation, and poor waste management. According to a World Bank study, the fundamental causes of these development problems in Ethiopian urban areas are land management, governance, and municipal finance(Group, 2014).

2.9 Overview of Current Functioning Legal Framework Dealing With Urban Land in Ethiopia

Land rights in Ethiopia are divided into four categories: land ownership rights, the right to supply land for various urban uses, the right to manage land use, and land use rights. The right to land ownership is stated as being exclusively vested in the State and peoples of Ethiopia. The right to supply land for various public and private users entitles the state (municipalities) to supply land for urban development via two modalities: auction (tender) and allotment at any time, in any quantity, and at any location. As a result, management of land use grants the state control and administration of land use, whereas land-use rights grant individuals and organizations the right to use the land(Ganta, 2022).

As indicated in its preamble, Proclamation No.721/2011 of the Federal Democratic Republic of Ethiopia has two main objectives. These are: to satisfy the growing urban

land demand that resulted from the fast economic growth of the country; and to ensure good governance in the development of an efficient land market and a transparent and accountable land administration system. Similarly, as detailed in the Urban Land Development and Management Policy and Strategy of Ethiopia, one of the main issues of the policy is preparing and supplying sufficient land with the provision of infrastructure to solve the problem of the housing shortage(Gazeta, 2011).

2.9.1 Allocation of Urban Land Through Land Tender

Tender is defined in the Urban Lands Lease Holding Proclamation 721/2011 as one of the modalities of urban land supply under the lease system to transfer the lease of urban land to a bid winner fulfilling the competition requirements issued based on market competition of urban land tenure. As a general rule, before the supply of and advertising of urban lands prepared for tender, each urban land prepared for tender should meet the lease policy requirements(Gazeta, 2011).

2.9.2 Allocation of Urban Land through Land Allotment

According to Article 2(10) of Proclamation no 721/2011 allotment is a method of supplying urban lands by lease to institutions that could not be accommodated through tender. As a result, cities and towns may provide urban lands through allotment based on decisions made by the cabinet of the relevant region or the city administration for some selected bodies of paramount importance to society. According to Article 12 of Proclamation No.721/2011, public residential housing construction programs, government-approved self-help residential housing constructions, and persons displaced as a result of urban renewal programs, among others, are eligible for urban land allotment(Gazeta, 2011).

As a result, both public and private users can occupy land through the two rights recognized by the country's formal/official legal frameworks: land auction (tender) and land allotment. However, people also occupy land through various informal

mechanisms that, in the case of Ethiopian urban land policy, include buying from neighboring peasants and land speculators, as well as inheritance and gifts from relatives (Asres et al., 2023).

2.10 Factors Affecting the Implementation of Urban Land and Housing Policy to Improve Affordable Housing

Because land supply is important in promoting urban economic growth in general and the residential housing sector in particular, it is one of the critical activities that largely determines the outcome of the operation of land-supplying modalities to a large extent, determines the ease with which land seekers of various socioeconomic characteristics can access urban land. According to Ethiopia's Urban Lands Lease Holding Proclamation 721/2011, the only two modalities of urban land supply under the lease system are land auction (tender) and land allotment.

Procedural Delay in Land Allocation

According to Dowall et al. (1996), land allocation processes are highly bureaucratized and inaccessible; they are too complex and require technical knowledge, and the majority of people do not have access to land or cannot afford it. processing applications for site development, approval of related plans, and issuance of associated permits in Pakistan is slow and complex, taking up to a year. Even if acquiring land is practically impossible for the vast majority, those who do so by chance will face two challenges related to land development constraints (Dowall & Ellis, 2009).

The first is the high capital costs of obtaining development approval and servicing, and the second is long approval delays due to cumbersome procedures and a lack of capacity in government organizations. As a result, complex organizational procedural steps necessitate technical knowledge to gain access to land, which the majority of people cannot afford. This situation forces the majority to seek other options, such as informality. As a result, delays and complicated procedural steps hampered access to formal land (Dowall et al., 1996).

Currently, Ethiopian Urban Land Lease Proclamation No. 721/2011 stipulates that the only way to acquire urban land is through the land lease market system or allotment. However, in practice, these are not the only land acquisition mechanisms in urban Ethiopia; the land is also acquired through the secondary market, in which individuals who obtain/lease land through auction can illegally transfer the land to a third person via a bilateral agreement. This type of land acquisition is highly expensive and unregulated, and it is a source of great concern due to its lack of effective and legally binding contractual arrangements between the supplier and the customer (Gazeta, 2011).

According to the 2020 report from the Ministry of Urban Development and Construction (MUDCo), the formal land supply is often inadequate to meet the demand due to the separation of urban and rural land rights, weak enforcement capabilities, and the prevalence of rent-seeking practices. This has resulted in the proliferation of informal development in and around cities. To ensure the proper functioning of the urban property market, proper land management and harmonized land tenure systems are essential (Mekuria, 2022).

2.11 The Role of Different Stakeholders in Housing Development

According to the Federal Democratic Republic of Ethiopia's Urban Land Development and Management Policy and Strategy, government involvement in urban land issues is required for efficient allocation of all land uses in urban settings; to supply adequate serviced land for residential as well as other functions through formal (officially recognized) modalities (Haile, 2022).

Additionally, government involvement in urban land issues is required for efficient allocation of all land uses in the urban setting; providing adequate land formally for residential as well as other functions; providing proper infrastructure; and controlling irrational land price escalation and land speculation, among other things. As a result,

the urban land policy must ensure functional efficiency in the supply of serviced land as well as harmonious urban development(Mekuria, 2022).

According to Haile (2022), Representatives from all stakeholders involved in the housing value chain (e.g., land, infrastructure, construction, building materials sector, finance, etc.) should be involved in the design and implementation of the proposed new housing policy and governance structure. It is critical to involve all stakeholders, including the private sector and all levels of government, to successfully implement the policy without delay.

Housing governance and institutional restructuring are critical for carrying out such complex responsibilities. Government entities at all levels must be evaluated and assured of their capacity and effectiveness in enabling the housing market to function and removing roadblocks along the housing value chain. For example, to address housing shortages, all stakeholders, such as the private sector and local and regional governments, should be involved in the program(Mekuria, 2022).

As Haile (2022)aside from the constraints imposed by the private sector, urban centers are expected to finance housing development. However, most urban areas have limited municipal finance options. Urban centers could have obtained loans from a variety of sources to help alleviate their financial problems. There are, however, gaps in the mechanism for extending loans and subsidies to urban centers to finance housing development and infrastructure development, including land supply for residents and the private sector.

Furthermore, one of the critical shortcomings of the Ethiopian housing program is the lack of engagement of foreign real estate developers as private sector investment or through various mechanisms such as cooperating with state or local investors through joint venture cooperation to build technical and financial capabilities; however, little effort has been made to implement these modalities(Haile, 2022).

Addressing these challenges will necessitate a multifaceted approach involving the government, civil society organizations, and the private sector. Governments must prioritize affordable housing while also ensuring that housing policies are inclusive and equitable. Civil society organizations can be critical in advocating for the right to housing and holding governments accountable for their responsibilities. The private sector can also help by investing in affordable housing projects and promoting environmentally friendly housing practices(Endashaw).

Finally, recognizing housing as a fundamental human right in various legal frameworks is an important step toward ensuring that everyone has access to adequate housing. However, more must be done to address the obstacles that prevent individuals and communities from exercising this right. (Mekuria, 2022).

2.12 Informal Housing and Informal Settlement

According to Mekonnen (2008), the inability of the city to provide the needed land for housing and the lack of regulations and means of controlling informal settlements in the city aggravates illegal settlements. In the process of land development, these informal settlements create an additional burden for the city, where the city has financial limitations to provide serviced land.

Yirsaw (2006) observes that the land lease policy implementation in ANRS is reported to be far from being realistic in all lease cities. Bahir Dar city is among them. The land lease allocation processes in the city are hindered by several problems related to financial and skilled manpower inadequacy, lack of comprehensive parcel data, lack of serviced land, and inaccessibility of land information(Teferi, 2010).

Informal housing is increasingly becoming an important component of housing provision in major urban centers in Ethiopia. Informal housing units constitute 30% of the total housing stock (Abenet, 2017).

Common informal housing locations are:

- Land already reserved for residential development and public spaces
- Peri-urban locations that belong to the future urban expansion areas
- Riversides and hilly areas not planned for residential development

The problem of informal housing has its roots in the failure of city governments to provide sufficient land and infrastructure for residential purposes, the inability of city governments to enforce building control regulations, the lack of housing finance mechanisms, especially for low-income groups, illegal management of urban and peri-urban land by illegal developers (mafias), brokers, peri-urban farmers, and corrupt bureaucrats and administrators (Un-Habitat, 2008).

2.13 The Causes and Consequences of Informal Settlement

2.13.1 Cause of Informal Settlement

Informal settlements and slums are caused by several interconnected factors, including population growth and rural-urban migration, a lack of affordable housing for the urban poor, poor governance (particularly in policy, planning, land, and urban management, resulting in land speculation and grabbing), economic vulnerability and underpaid work, discrimination and marginalization, and displacement caused by conflict, natural disasters, and climate change (Baye et al., 2020).

The large minimum lot sizes for residential and commercial use, combined with restrictions on land plot coverage and building heights, discourage high-density formal multi-family inhabitation within any given formal plot, making formal land and housing unaffordable for many residents. As a result, there is a trend toward horizontal, low-density urban expansion (Koroso et al., 2021).

Study on city expansion, squatter settlements, and policy implications in Addis Ababa, respondents identified high building standards of legal houses, delayed responses and procedural problems of legal land provision, and high housing rents in the city center

as the causes of squatting in the study area. Other factors that have contributed to the emergence and proliferation of squatter settlements include less government control of open spaces, the limited capacity of the code enforcement service to control illegal house construction, a lack of a comprehensive legal response to the problem of squatting, and the practice of land sale by land speculators as a means of profit (Melesse & Hanley, 2005).

In Bahir Dar city it can be concluded that informal settlements are outcomes of poor urban land governance. The empirical findings presented also show that informal settlements are expanding spatially and temporally in Bahir Dar. The causes of the spatial and temporal expansion of informal settlements identified in this research are the result of weak urban land governance (Alemie et al., 2014).

2.13.2 Consequences of Informal Settlement

According to Baye et al., (2020), the conditions in informal settlements and slums endanger inhabitants' health and make them more vulnerable to communicable disease outbreaks, with dramatic consequences for slum dwellers' life expectancy.

Bahir Dar's unplanned housing units are frequently exposed to health risks associated with environmental problems ("informal settlement," 2014). Informal settlements in Bahir Dar have the potential to cause environmental pollution and land degradation, as well as to be sources of health problems, crime, and urban violence. Unless they are assisted and rescued from such living conditions, they will become a social liability (Tsegachew Reta et al., 2019b).

2.14 Review of Previous Empirical Research

The legal and practical challenges of urban land access for housing development in Addis Ababa and Bahirdar City. The study uses both primary and secondary data collected through an interview and reading of reports, laws, plans, internet sources, and literature and analysis through textual format of collected qualitative data. The

result of the study shows the existence of a violation of housing rights because of the inaccessibility of urban land due to the principle incorporated under the lease laws, regulatory standards of housing, and affordability problems (Wenedem, 2016).

According to Tsegachew Reta et al. (2019b) studied the urban residential housing provision and its challenge in Bahirdar City. The study uses both primary and secondary data. The result shows that some residential housing provisions are factors related to financial constraints, lack of raw material resources, lack of enough open space, and imbalance in housing demands and supplies.

According to Endashaw 2012, they analyzed urban land and housing policy for poor and women in Bahirdar city. The study adopted a multi-faceted approach employing multiple methods for the collection of study data. Detailed documentary reviews and in-depth interviews were the primary methods of the study. Documentary review on national and regional urban land and housing policy including IHDP, and relevant regulations particularly on the allocation of condominium unit issues in both printed & electronic form have been conducted. In-depth interviews and discussions were made with members of Amhara National Regional State Construction and Housing Development Agency who are responsible for the construction and distribution of condominiums on behalf of the agency.

CHAPTER THREE

3. Research Methodology

3.1. Introduction

This section outlines the research setup and the main methodological issues that underline this research. The section overviews the research methods, research design, research approach, and research strategies that are used to achieve the study's objective, as well as considerations for research reliability.

3.2 Description of the Study Area

Bahir Dar is the administrative seat of the Amhara National Regional State and one of the fastest-growing cities in Ethiopia both demographically and spatially. The city administration consists of six sub-cities(Atsetewodros, GasheAbye, Belay Zeleke, DagmawiMinilik, Tana, and Fasilo Sub-Cities), twenty-six urban kebeles, three satellite cities (Zegie Town in the North, Meshenti Town in the South-west, and Tis Abay Town in the South-East), and eleven rural kebeles with a total population of 414,763 of which 201,904 are male and 191,031 are female. Among the six sub-cities, one sub-cities, namely Atsetewodros was purposively selected as a case study, as per the information found in the municipality, a large portion of land transactions is made in these sub-cities(Derso & Gebremichael, 2022).

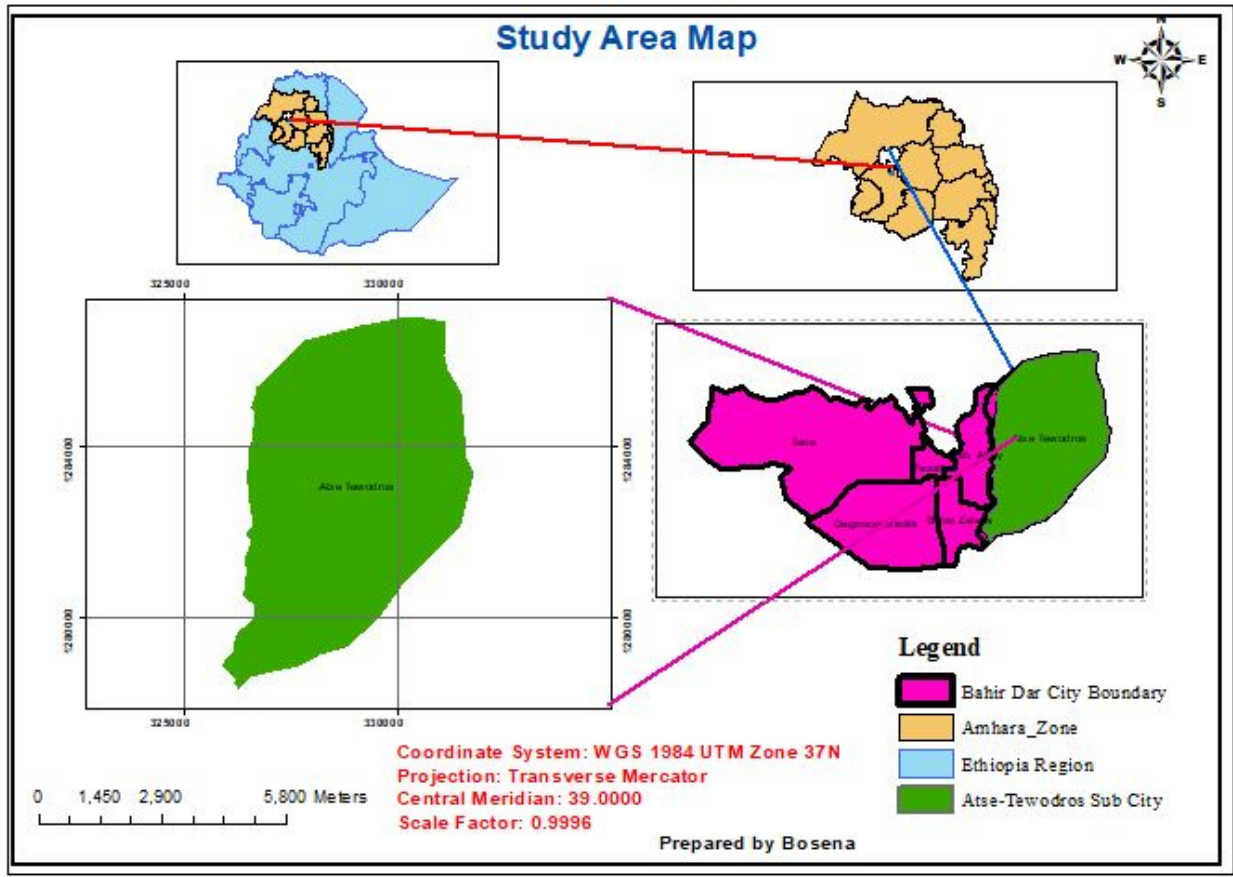


Figure 1: Location Map of the Study Area

Source; own survey, 2023

3.3 Justification of Site Selection

In Bahirdar City, the number of households who need urban land for the development of residential housing is becoming very high from time to time. The selection of Bahir Dar City as a case study for this thesis work is due to several reasons. As a standing point, Bahir Dar City is the capital of the Amhara National Regional State and it has been implementing an urban land lease policy for the first time in the region. The other justification is the prevalence of informal settlements in the city usually due to the increasing shortage of residential housing.

The other reason for selecting Bahir Dar for the case study is due to the possibility of generalizing the findings to other similar towns in the country. Also, Atsetewodros Sub City is selected from the rest of the other Sub-Cities because there is a special movement regarding the allocation of urban land for residential housing development through the formal channels because there is a different source of land for delivering residential land better than other sub-city.

3.4 Design of the Study

The research design outlines the overall structure and plan for conducting the research. For this thesis, the descriptive research design was used. This research design aims to describe and analyze the current state of urban land access (both the policies and practices) in Bahirdar City. It involves data collected from multiple sources, such as government documents, interviews with stakeholders, and surveys of residents.

3.5 Research Approaches

The research utilized a mixed research approach, which combines both qualitative and quantitative data collection and analysis techniques. This approach allows the gathering of comprehensive information and provides a holistic analysis of the policy and practical aspects of urban land access for residential housing. The quantitative data would provide information on the extent of urban land access and housing development in the city, while the qualitative data would provide insights into the policies and practices that shape the phenomenon.

The rationale behind using this mixed approach was to crosscheck the data generated from the survey questionnaire and key informant interviews and increase the validity of the result. The research was primarily focused on the nature of reality in the social world. As a result, several issues under consideration, such as urban land supply, urban land policy, and procedures, are not easily quantifiable. The relationship between and analysis of urban land policy and procedures, as well as urban residential land supply

processes, due to their complex and mutually interactive nature, cannot be conclusively studied and verified using a quantitative approach.

3.6 Population, Sampling Techniques, and Sample Size

The population of this study was drawn from households of the bahirdar city sub-city of Atsetewodros. To select an appropriate sampling unit from the households stratified sampling followed by proportional and then simple random sampling technique was employed. Samuel Campbell and e.tal (2004) stated that stratified sampling is an efficient sampling method that combines the techniques of stratified sampling based on grouping units into strata and then using a hierarchical structure of units within each stratum. Based on this sampling method, the households were grouped into formal and informal households. Each of them was also further stratified into allocation through land tender, allotment, and informally from third parties.

3.6.1 Sampling Frame

The sample frame refers to the specific population or group from which the researcher selected the sample population for the research. For this case, the sample frame could include various stakeholders involved in urban land access for residential housing in Bahirdar city. Possibly the sample frame included local authorities, land owners, residents, legal professionals, and academic institutions

3.6.2 Sampling Technique

The sampling technique for this study was both probability and non-probability sampling technique. From the probability sampling technique, stratified random sampling was used. A stratified random sampling technique was used to get relevant information for the intended objectives. There is a heterogeneous population regarding access to residential housing in the study area. Key stakeholders are stratified by their involvement or influence in the policy and practice of urban land access for residential housing in Bahirdar City. From the non-probability sampling technique, the study used

purposive sampling for choosing the sample purposely according to their spatiality and professions and the sample size for each stratum could be determined using the appropriate formula for stratified random sampling, and participants could be selected using a random sampling technique.

According to Padilla Diaz (2015), Purposive sampling is characterized by incorporating specific criteria met by participants at the moment of selection. It gives the researcher freedom to determine what needs to be known and sets out to find people who can and are willing to provide the information by knowledge or experience.

3.6.3 Sample Determination

Sample determination involves selecting a representative subset of the population or groups identified in the sample frame. The sample size and selection method depended on the research objective, available resources, and the desired level of generalizability. There may be differences in land access and housing policies for different types of housing tenure, such as rental housing, owner-occupied housing, and informal settlements.

3.6.4 Sample Size

To determine the sample size on the type of urban residential land access from the perspective of the legal framework of Ethiopia.

The required sample size was determining by using Yemen formula i.e. $n = \frac{N}{1 + (e^2)}$ Where: n = the sample size N = total number of households in two kebele e= maximum variability or margin of error 8% (0.08) and 1= the probability of the event occurring.

Therefore, the sample size would be $n = N / 1 + (e^2) = n = 39084 / 1 + 39084(0.08)^2 = 155$ by adding 15% none responsive rate (by assuming 15% of the respondents may have been don,t feel the survey quetsion) the final sample size was 179.

Table 1: sample household respondents in the study area

Household	Population	Sam ple	Throug h tender	Through allotment	Percent
formally through lease	16,612	77	11	65	43%
Purchase	9,588	43			24%
Applicants have not get land	12,884	59	59		33%
Total	39,084	179	70	65	100%

Source, own survey 2023

The above table shows, the households who registered to get residential land and those who haven't get land are only the applicants in the tender process for only 116 developed lands in 2015. Because in the allotment process, there is no data regarding the recent registrants to get land through allotment due to the problem of allocation of urban land through allotment, instead the data gathered only from the municipality through a tender process, those registrants for lease tender to get residential land, the registered households for accessing land through tender is not only from Bahir dar city but also includes the land seeker from everywhere that is competitive to be the highest bidder then the selection of the sample size is by considering how to join the tender competent for information by using a snowball sampling technique.

3.7 Data Sources

The source of data may include government policies and regulations related to land use and housing development as well as practical considerations such as land availability.

3.7.1 Primary Data

Primary data collection involves collecting new data specifically for the study. Primary data are collected through interviews with 17 key informants and surveys from 164 sample household stakeholders. The households either or not access urban land through formal channels for residential housing development, interview with key informants, such as government officials, government organizations in the Bahirdar City Department of Urban Development and Housing, Offices of Urban Land Preparation and Marketing, office of urban land banking, urban land preparation.

3.7.2 Secondary Data

The secondary data are collected from policy documents, reports, laws, books, internet sources, and journal articles.

3.8 Data Collection Tools/Methods

In this study, it is found necessary to obtain the views of relevant stakeholders as they are believed to have an insight into the broad factors that affect the implementation of urban land lease policy regarding the allocation of urban land for residential housing.

Data collection methods included surveys, interviews, group discussions, and document analysis. Surveys were used to gather quantitative data on housing access and policies, while interviews and focus group discussions were used to gather qualitative data on stakeholder perspectives and experiences. Document analysis was used to examine relevant policies, legislation, and other documents related to urban land access for residential housing in Bahirdar.

3.8.1 Interview

The purpose of the interview is to view the perceptions, experiences, and recommendations of land, housing, and related authorities towards urban land acquisition for residential housing development. Semi-structured interview checklists were prepared and interviews were conducted with key informants from the case area, Bahir Dar City. The key informants from the area were interviewed until the data got saturated. Such as government officials, government organizations in Bahir Dar City Department of Urban Development and Housing, Offices of urban land preparation and marketing, office of urban land banking, and urban land preparation.

3.8.2 Survey Questionnaire

Both open and closed-ended questionnaires were developed and firsthand information related to the scenario, challenges, and policy issues of urban land acquisition and housing rights were collected from sample household respondents of the Atsetewodrossub-city.

3.8.3 Observation

The researchers also try to observe the actual practical issues on land acquisition for housing development scenarios, and the infrastructure situations in Bahir Dar City participants in the lease tender process.

3.9 Data Collection Procedure

The data for this study requires careful procedures. First of all, standardized structure questions with closed-ended and open-ended types of questions were prepared in the English language. After this, the data were collected by using a self-structured questionnaire to distribute the questionnaire to the sampled population. Interviews with concerned bodies to gather any information that is available for the research work

then finally group discussion with some official experts were applicable for conducting the research through efficient ways.

3.10 Method of Data Analysis

The data analysis for this study could involve both quantitative and qualitative analysis methods. Quantitative data were analyzed using statistical methods, such as descriptive statistics and SPSS analysis. Qualitative data could be analyzed using thematic analysis, identifying key themes and patterns in the data. A mixed-methods analysis could be used to integrate the quantitative and qualitative data to provide a more comprehensive understanding of the policy and practice of urban land access for residential housing in Bahirdar City.

The most important aspect of research is the analysis of the data, which implies examining, categorizing, or recommending the evidence. Since the data nature is both qualitative and quantitative, a descriptive analysis was applied, and the data were presented in composed of tabular and graphic ways. In addition, the data collected especially through questionnaires were analyzed using descriptive statistics (frequencies and percentages). And the presentation was based on major areas of discussion which were organized according to the research questions.

CHAPTER FOUR

4. Result and Discussion

This chapter deals with the presentation, interpretation, and analysis of data, which was collected from different data sources. The recorded response that was obtained from the interview and focus group discussion was analyzed and interpreted, together with findings that were obtained from the responses to a questionnaire and supported by relevant literature and laws.

4.1 Response Rate

Regarding the response rate, the respondents who completed semi-structured questionnaires were correctly divided by the total number of participants in the sample. When the response rate of the respondents is 70% and above, it is deemed ideal (Baruch, 2008). Based on this assumption, the response rate for this study was satisfactory, which improves generalization confidence. The study was conducted by distributing different questionnaires to 179 of the selected sampled respondents of the Atsetewodros sub-city of Bahirdar City, out of which 164 (92%) were filled and returned while 15 (8%) of the questionnaires were not returned after distribution. Therefore, the response rate of the questionnaire was approximately 92 percent.

4.2 Demographic Characteristics of Household Respondents

Considering the demographic characteristics of respondents in this thesis is found crucial because it is to understand that the research on urban land access for residential housing policies and practices in Bahirdar City is inclusive, representative, and relevant to the needs and challenges faced by different demographic groups.

4.2.1 Age Distribution of Respondents

As shown in table 4.1. below, from the total sample size of 164 household respondents in the study area, 30 (18.3%) were between the ages 20-30, 62(37.8%) were between the ages 31-40, 32(19.5%) were between the ages 41-50 and 40(24.4%) were the age greater than 50. The age distribution of the sample households shows that the residential housing issue is sensitive under all age groups of the community.

Table 4.1. 2: Age distributions of sample respondents

Age of respondent	Frequency	Percent
20-30	30	18.3
31-40	62	37.8
41-50	32	19.5
>51	40	24.4
Total	164	100.0

Source: filed survey, 2023

4.2.2 Sex Composition of The Respondent

As indicated in Table4.2., 61 percent of respondents are represented by males, and the remaining 39 percent of respondents are represented by females.

Table 4.2. 3: Sex Compositions of the Respondents

Sex of the respondent	Frequency	Percent
Male	100	61.0
Female	64	39.0
Total	164	100.0

Source: own survey, 2023

4.2.3 Educational Level of The Respondent

Table 4.3 below the data shows that most of the respondents 36 persons (21.95%) were illiterate. The number of respondents who attended primary and secondary school was very few that is 20 persons (12.1%) and 37 persons (22.6%) respectively. 42 persons (25.6%) of the respondents were educated up to a diploma and 29 people (17.7%) of the respondents were educated up to a degree level and above. Generally, in the study area, most of the respondents are educated (highbrow). Therefore, both levels of respondents are affected by urban land access-related problems. The overall educational background of the respondent is presented in the following figure follows

Table 4.3: Educational Level of the Sample Respondents

Educational level	Frequency	Percent
Illiteracy	36	21.95
primary school	20	12.1
secondary school	37	22.6
Diploma	42	25.6
degree and above	29	17.7
Total	164	100.0

Source; own survey, 2023

4.2.4 Marital Status of the Respondent

Based on the given data, the marital status of the sample population can be analyzed. Out of the total 164 sample population who are responsible to respond the given survey questionnaires, 111(67.68%) of the respondents are married, 39(23.78%) of the respondents are unmarried, 11(6.7) of the respondents are divorced and 3(1.8) are widowed. The data shows that the majority of the sample population is married accounting for 60% of the total population.

Table 4.5. 5: Marital Status of the Respondent

Marital status	Frequency	percent
Married	111	67.68
Unmarried	39	23.78
Widowed	3	1.8
Divorced	11	6.7
Total	164	100.0

Source; own survey, 2023

4.3 Analysis of the Policy and Practice of Residential Land Access in Bahirdar City

In this section, the legal and policy framework and practice of urban land accessibility for residential housing development in Ethiopia by taking evidence from Bahir Dar City have been thoroughly examined and analyzed.

A policy and practical analysis of urban land access for residential housing involves examining the policies and practices that govern access to land and housing in urban areas. This analysis focuses on identifying the strengths, weaknesses, and potential areas for improvement in these policies and practices, to promote more equitable and sustainable outcomes. To ensure a comprehensive understanding of the intended objective of the study relevant laws and regulations have been studied. And also the practical applicability of these laws has been thoroughly investigated.

4.3.1 The Legal Framework on Access to Urban Land for Residential Housing in Ethiopia

According to the FDRE constitution, Article 40/3, both urban and rural land, as well as other natural resources, are owned by the state and peoples of Ethiopia and thus land cannot be owned privately. To secure urban land use rights on a plot of land, residents must go through the tender and allotment procedures of the urban land lease system.

The Ethiopian urban land lease system has attempted to strike a balance between the general public's interests as a landowner on one hand and individual interests in urban land on the other. Tenure security is one of the most important urban land-related concerns for the average citizen.

In Ethiopia, several laws provide guidelines on how land can be acquired, developed, and allocated for residential purposes. Here are some of the key laws relevant to urban land access and residential housing development.

Ethiopian constitution; the Ethiopian constitution establishes the legal framework for land ownership and use in the country. It recognizes both public and private ownership of land and provides principles for equitable access to land resources. The constitution also recognizes the right of individuals and communities to use land for their livelihoods and requires the government to ensure equitable access to land. Art. 40(4) of the constitution further states that “the state shall, within the limit of its resources, provide every citizen with access to land based on land policy and land tenure system to be formulated by law”.

Federal urban land lease holding proclamation No. 721/2011; this federal law governs the lease holding of urban land in Ethiopia. It provides guidelines for the allocation, administration, and transfer of urban land for various purposes, including residential development. It outlines the procedures and requirements for obtaining leases, setting terms and conditions, and resolving disputes related to urban land. The Urban Land Leasehold Proclamation No.721/2011 governs the legal framework for land tenure in urban areas in Ethiopia and outlines the leasehold system for residential housing. Under the lease system, the government leases urban land to individuals or organizations for a specific period subject to certain conditions and restrictions.

Amhara National Regional State urban land lease holding proclamation No.136/2005; this regional law specifically applies to the Amhara National Regional State including Bahirdar City. It provides additional regulations and guidelines for

urban land lease holding within the region, including provisions for land allocation, lease duration, and lease renewal.

Rural Land Administration and Use Proclamation No.456/2005; this federal law establishes the legal framework for land administration in Ethiopia. It sets out principles and procedures for land registration, land use planning, land surveying, and land dispute resolution. It also addresses issues related to land tenure, land rights, and land administration institutions.

Housing Development Proclamation No. 109/1998; this federal law focuses on housing development and aims to ensure the provision of adequate and affordable housing for all citizens. It provides guidelines for the planning, financing, construction, and management of housing projects, including those for residential purposes.

4.3.2 Practical Application of the Above Legal Framework

The legal land delivery system for residential housing development involves a set of legal procedures and regulations that govern the acquisition, development, and transfer of land for residential purposes. This system is designed to ensure that land transactions are conducted fairly and transparently and that the rights of all parties involved are protected. This legal delivery system of urban land for residential housing in Ethiopia is governed by the Urban Land Leasehold Proclamation No. 721/2011. The proclamation sets out the legal framework for land tenure in urban areas and provides for the allocation of urban land for residential housing purposes.

Furthermore, the rationale from the Federal Democratic Republic of Ethiopia's constitution for the urban land transfer through a lease system for residential housing development is to ensure that urban land is used for the benefit of the public and to promote sustainable urban development. The Urban Land Leasehold Proclamation No.721/2011 which governs the leasehold system for urban land in Ethiopia is based on the principle of sustainable urban development and the need to ensure that urban

land is used efficiently and effectively. But practically the urban residential land delivery system in the study area indicates that there is a high rate of violation of the above principles of respect for individuals' land and housing rights. the data collected from household respondents and key informants show that the residential housing demand of the community increase from time to time but the accessibility is very low then although it exposes to a violation of the housing rights of the community.

4.3.3 Legal Provision of Residential Land Access In Bahirdar City

According to Proclamation 721/2011 Art.4 (1) no one may own urban land other than under the lease-holding system outlined in this proclamation. Auction and allotment are the only methods for obtaining a lease right (urban land lease holding proc. No. 721/2011.Art.6 (2). The second way of leasehold purchase is allotment which is restricted to specified urban land uses. Allotment requires a decision of the concerned region's cabinet or the city administration Art.12 (1-3).

This shows that in Ethiopia the government bears complete responsibility for residential housing supply. While the private sector and individuals play a limited role in the housing land supply. The urban land policy of Ethiopia aims to alleviate the housing shortage in urban areas by collaborating with the government and private sector. but as the data collected from key informants from Bahir Dar City Housing and Infrastructure Bureau, the presence of less involvement of the private sector in the housing sector shows a high rate of imbalance between demand and sufficient residential housing in the city.

✓ Supplying urban land through land lease tender

According to the Urban Lands Lease Holding Proclamation 721/2011 tender is defined as one of the modalities of urban land supply under a lease system to transfer the lease of urban land to a bid winner fulfilling the competition requirements issued based on the market competition of urban land tenure. As a matter of principle, before the

supply of and advertising of urban lands prepared for tender, every urban land prepared for tender should fulfill the requirements set out under the lease policy.

As the data gathered from the survey questionnaires the urban land delivery system through auction (tender) is open for only a few urban elites and investors and it excludes others because the law at its first instance makes the land tender for the highest bidder who can get a high ranking of bid competition. Therefore the tender as land delivery system of urban land policy is not efficient in accessibility of urban land for residential housing development for households who minded to get land and to develop residential housing due to its very high advanced payment in the study area.

✓ **Critics in Urban Land Delivery through Lease Tender (Auction)**

According to interviewees and survey data, the land allocation process through the lease tender (auction) process for residential housing purposes in Bahirdar City is inefficient regarding satisfaction of the housing interest of the city. In its accuracy, the tender is more accurate than allotment because it consumes a short period and as much in its transparency for the tender competent. Whereas urban residential land transactions through land tender are in a manual system. Due to this form of backward transaction system, it is difficult to transfer accurate and efficient land. As the interviewee, apart from the criteria set by the urban land lease holding system to get urban residential land through tender (auction), the working system of the lease transaction process is not modernized and it leads to the failure and bureaucratization of the lease tender process.

✓ **Supplying urban land through land allotment**

Allotment is defined as a modality of supplying urban lands by lease to institutions that could not be accommodated by way of tender (Article 2.10). Accordingly, cities and towns may supply urban lands by allotment based upon the decisions of the

cabinet of the concerned region or the city administration for some selected bodies that have paramount importance to society.

✓ **Critics in the Process of Urban Residential Land Delivery through Allotment**

As interviewed with key informants and survey data land delivery through allotment is criticized in many ways from the policy itself and the practice. The policy perspective to deliver urban land through allotment is; limited eligibility criteria, Lack of clarity and standardization, Lengthy and complex application process, Subjective evaluation, Lack of public participation and consultation, and Inadequate monitoring and enforcement.

4.4 Causes for the Shortage of Urban Residential Housing

According to the interviewees information regarding the cause of shortage of residential land in Bahir Dar city; they responded that the lack of free land that is ready to deliver for residential housing is a major cause of residential housing shortage in Bahirdar city. In the urban land delivery system of Bahirdar city, the limited availability of suitable land for housing development is faced as a challenge in the city. This has led to increased competition for available land, which has driven up prices and made it difficult for low-income households to access affordable housing. To address this challenge the government has implemented various policies aimed at increasing the supply of land for residential development. But in other means;

Table 6: The Cause of Land Inaccessibility of Respondents in the Study Area

What are the cause of residential land inaccessibility?	Frequency	Percentage (%)
Limited land supply from the government	8	4.9
Financial constraints felt	36	22.0
Duetobureaucratic, cumbersome, and lengthy process and corruption	120	73.2
Total	164	100.0

Source; filed survey, 2023

According to the survey data and as indicated in the above table 6, from the total respondents 4.9 % of the respondents have responded that the cause of land inaccessibility in the city is limited land supply from the government. While 22.0 % of the respondents responded that the cause of land inaccessibility in Bahir Dar city is a financial constraint I felt. The remaining 73.2 % of the respondents responded that the cause of land inaccessibility in Bahir Dar City is a bureaucratic, cumbersome lengthy process, and corruption. Hence, the major causes of land accessibility in cities are bureaucratic, cumbersome lengthy processes, and corruption.

4.5 Accessibility of Residential Housing In The Study Area

According to Table 7 above, regarding the accessibility of urban land for residential housing development the survey data showed that 68.9% of the respondents responded that they don't access urban land, while the other 31.1% of the respondents responded that they can access urban land for residential housing development through the lease tender and auction. Accordingly, most of the data are obtained from households who have't get land for residential housing development from the government through a formal land delivery system. As the data obtained from the surveys how they did get the urban land they responded that few of the lands are obtained from the government through allotment and the process is eventful to get these lands for housing development.

Table 7: Level of accessibility of residential land through the lease system

Level of accessibility response		Frequency	Percent
Did you access land plot for residential housing in the city?	Yes	51	31.1
	No	113	68.9
	Total	164	100.0

Source; own survey, 2023

4.6 Mode of Access to Residential Housing

As shown in Table 8 below; regarding the mode of accessing urban residential housing in Bahirdar City out of the total sample respondents 68.9% of the respondents responded that they are not access urban residential land for housing development. While the other 31.1% of the total respondents responded that they are accessed residential land formally through lease system.

Table 8: Mode of accessing residential plot of land of the respondents

Mode of access	Frequency	Percent
allotted by government	51	31.1
Do not access urban residential land plot	113	68.9
Total	164	100.0

Source; own survey, 2023

4.7 Cause of Urban Residential Housing Inaccessibility

According to Table 9 below, the data collected from the survey data regarding the cause of the residential housing shortage in Bahirdar City, 11.6% of the respondents responded that inadequate institutional capacity was a cause of shortage of residential housing, 36.0% of the respondents responded that poor know-how in rules, proclamations and other legal frameworks 48.2% Of the respondents responded that inefficient and ineffective land management practice as a cause of residential housing shortage and 4.3% of the respondents are responded other causes for the shortage of urban residential housing development.

Table 9: The cause of urban residential land inaccessibility

What do you think are the main causes for the shortage in urban residential land provision of the city municipality?		
Response	Frequency	Percent
Inadequate institutional capacity	19	11.6
Inefficient & ineffective land management practice	79	48.2
Poor know-how in rules, proclamations, and other legal frameworks	59	36.0
Other	7	4.3
Total	164	100.0

Source, own survey, 2023

4.8 Efficient and responsive land administration to supply affordable residential land

According to the above Table 10; regarding the responsiveness and efficiency of the land administration system for supplying urban residential land continuously for housing development in Bahirdar City. 4.87% and 13.4% of the respondents responded that they strongly agree and agree respectively with the efficiency and responsiveness of land administration to continuously supply urban residential land for the land seekers. However, the other 25.6% and 56.1% of the respondents responded that strongly disagreed and agreed respectively with the efficiency and responsiveness of land administration to supply urban residential land for land seekers in the city. However, from the survey data shown below the urban land administration system lacks in response and efficiency to address the interest of residential housing for land seekers.

Table 10: Efficient and responsive land administration to supply affordable residential land

There is an appropriate administration that is efficient and responsive to supply land continuously for urban residential land in the city.		
Response	Frequency	Percent
Strongly agree	8	4.87
Agree	22	13.4
Disagree	92	56.1
strongly disagree	42	25.6
Total	164	100.0

Source; own survey, 2023

According to Table 11 below, regarding the effectiveness of the lease policy to responded the interest in residential land for housing development in Bahir Dar city, about 3% and 12.8% of the respondents responded that strongly agree and agree respectively and the other 60.3% and 23.7% of the respondents are responded disagree and strongly disagree respectively. From the survey data, it can be concluded that the lease policy is not effective in addressing the residential housing interest of the residential land seekers in the city.

Table 11: The level of effectiveness of the lease system in BahirDar city

To realize the common interest and development of the people, the right to use urban land by lease has effectively responded to the demands for residential land in the city.		
Response	Frequency	Percent
Strongly agree	5	3.0
Agree	21	12.8
Disagree	99	60.3
Strongly disagree	39	23.7
Total	164	100.0

Source, own survey, 2023

4.9 Major Bottlenecks That Affect The Implementation Of Urban Land Lease Policy To Improve Affordable Housing

As interviewed with interviewed key informants in Bahir Dar city urban land lease policy and its bottlenecks to implement and improve affordable residential land for all land seekers. Different bottlenecks affect the implementation of lease policy to improve affordable land for residential housing development. These include;

The presence of UN pro-poor land lease policy; as the data conducted from selective key informants, the lease policy of Ethiopia Proc. No. 721/2011 applicable at the present day in all cities of Ethiopia at its instance excludes the poor from urban residential land accessibility. So it is difficult to implement the lease policy to improve affordable housing for all income levels of the community. The reason is that land provision through the lease system; tender (auction) provides urban land for the highest bidder, and allotment provides urban land for special services and individuals through lengthy and cumbersome processes and criteria.

Political will and commitment; the lack of political will and commitment to implement the laws and policies, often due to a lack of understanding of the importance of affordable housing and its impact on the overall development of the city. As the information collected from key informants, apart from the need to improve the lease policy to improve affordable housing in the city to be inclusive of all members of the community the implementation of the applicable lease policy lacks political will among different obstacles.

Lack of coordination and collaboration; the presence of a lack of coordination and collaboration among different government agencies responsible for implementing these policies and laws, often leads to duplication of efforts, conflicting policies, and lack of accountability. As the key informants and as the researcher observes the work ethics of different departments of urban residential land-related workers done their work separately.

Shortage of funds for affordable housing projects; as key informants shortage of funds makes it difficult to implement these policies and laws effectively, this, is often due to a lack of investment in affordable housing both by the public and the private sector.

Lack of information; As the data gathered from focus group discussion lack of information of data on the housing needs of low-income households in Bahir Dar city; this makes it difficult to design effective policies and programs that address the specific needs of these households.

4.10 Challenges of Urban Land Lease Policy to Improve Affordable Housing in Bahirdar City

Absence of technological working process

Interviewed the key informants in the land preparation and marketing bureau because the lease process is implemented in a manual process, addressing the needs of households who seek residential land are impossible. As the information gathered

from the key informants from the two modes of an urban land delivery system for residential housing; tender (auction) and allotment, land delivery through the tender system is more accurate in addressing the needs of the community but the non-computerized working system makes the tender system inaccurate, inefficient and dishonesty among the land seekers and tender participants.

According to the information from the interviewee the lease system is open to bad working ethics for example at the time of urban land allocation through the allotment system, individuals use fake kebele identification cards and double identification cards to get the land, and there are highly expanded cheated mechanisms even though by violating the two-year residency criteria to participate in the urban residential land allocation system. Then due to these manual and massive working processes, the urban land is transferred to those who don't fulfill the requirements for accessing urban land for residential housing development in the city. The land transferred through allotment in 2015 through the lease allotment system fell into a hazardous situation after the land was distributed to the applicants. Regarding this hazardous issue, the municipality is at the reappraisal of the allocated land because the problem is solved after distributing the land.

Limited awareness and understanding of the laws and policies: According to key informants many residents and developers may not fully understand the provisions of the urban land leasehold proclamation, and this can lead to confusion, misunderstandings, and non-compliance with the regulations.

Corruption and rent-seeking behavior; as the survey data corruption and rent-seeking behaviors undermine the effective implementation of urban land lease policies. These practices can lead to the unequal distribution of land, favoritism, and unfair practices in the allocation of urban land for residential housing in the study area.

Inadequate monitoring and evaluation; According to the interviewee effective monitoring and evaluation are critical for ensuring that urban land lease policies are being implemented effectively. However, there have been inadequate monitoring and

evaluation mechanisms in place, which can hinder the implementation of these policies in the city.

Limited community participation; As key informants community participation is essential for ensuring that urban land lease laws and policies are responsive to the needs and aspirations of the local community. Nevertheless, in the city, there are limited opportunities for community participation in the implementation of policies, which can lead to a lack of accountability and transparency in the lease policy. In addition, tenure insecurity arises when residents do not have a clear and secure right to the land they occupy. Thus, undermines the effective implementation of urban land lease policies.

As a result, there is Confusion and delay in land acquisition, adequate service, and infrastructure, Social and economic inequality, Inefficient allocation of urban land, Undermine public trust, confidence, and the development of a vibrant and sustainable community in the study area.

4.10.1 Practical Challenges to Access Urban Residential Land in The City

Lengthy and bureaucratic process; As the interviewee lease policy requires developers to go through multiple Stages of approval before they can obtain a land lease. The process can take several months or even years, which can be frustrating and time-consuming for developers. Additionally, corruption and favoritism within the approval process can further delay or prevent developers from obtaining land leases.

High cost of land lease fee: According to the interviewee current policy requires developers to pay a significant amount of money upfront to lease land from the government. The cost is often too high for many developers, especially for small-scale ones who are unable to secure financing to cover this cost. As a result, many

developers are discouraged from investing in residential housing development in Bahirdar City.

Lack of transparency and consistency;As the survey data there is a lack of transparency and consistency in the application of urban land lease policy. The current lease policy is often applied inconsistently across different regions and municipalities including Bahir Dar City. This lack of inconsistency creates confusion and uncertainty among developers. Making it difficult for them to plan and invest in residential housing development projects.

Manual working process

As the interviewee manual working process of the lease policy presents a significant challenge in delivering urban land for residential housing. This is due to the time-consuming and often inefficient nature of the manual process. It is essential to streamline the lease policy process through the use of technology and automation. This will not only save time and resources but also improve the accuracy and transparency of the process. In conclusion, the manual working process of the lease policy is a significant obstacle in delivering urban land for residential housing. However, by embracing technology, involving all stakeholders, and streamlining the process, improving the Lease Policy for Urban Land to Facilitate Residential Housing.

As the interviewees the manual working process of the lease policy for urban land delivery has been a topic of discussion for a time now. The aim is to streamline the process and make it more efficient in delivering residential housing. The cumbersome and lengthy process of leasing urban land for residential housing development can be a significant challenge for developers. This process can involve numerous steps and requirements, including obtaining permits, conducting environmental assessments, and negotiating lease terms with landowners. These complexities can lead to delays and increased costs, making it difficult for developers to bring much-needed housing to urban areas.

Both the respondents and personal interviews with officials of urban land-supplying government agencies indicated that formal land-supply processes are very lengthy and uneconomical. The time spent to accomplish all the activities and make the land ready to supply is a very long process. It requires a large amount of costs in terms of human and material resources. The lengthy procedure is also asserted as one of the factors that cause delays in the implementation of the supply of urban land. About this, 37(88.1%) of the respondents declared that the land supply procedure is cumbersome.

Table 12: Transparency of urban residential land access for respondents

What do you think about the process of a land delivery system for Housing development in the city?		
Response	Frequency	Percent
Transparent	63	38.4
not transparent	101	61.6
Total	164	100.0

Source, own survey, 2023

According to the above table regarding the transparency of urban residential land access for respondents 101 of the total respondents (61.6%) responded that the urban land delivery process is not transparent and the other 38.4% of the respondents responded that it is transparent. As the response from the respondents to address this issue, it is essential to establish clear guidelines and protocols for transparency in the leasing process. This will help to prevent any potential abuses and ensure that all parties involved are treated fairly and equitably. By promoting transparency, as the respondent's response they recommend that to create a more trustworthy and reliable leasing system that benefits everyone involved. As respondents and interviewees, the lack of transparency in urban land policy presents a significant challenge to accessing land for residential housing development. This deficiency can lead to confusion and uncertainty among developers, making it difficult to plan and execute projects effectively.

4.11 The Role of Stakeholders in Reducing Homelessness and Slums in Bahirdar City

As the interviewees homelessness and slums are pressing issues that require the involvement of various stakeholders to address them effectively in the city. Stakeholders including government officials, non-governmental organizations, community leaders, and residents, must work together to develop and implement sustainable solutions. This can involve providing affordable housing, improving access to education and healthcare, and creating job opportunities. Furthermore, stakeholders must prioritize the needs of vulnerable populations, such as women, children, and the elderly, who are disproportionately affected by homelessness and slums. By working collaboratively, stakeholders can create a more equitable and inclusive society for all. The role of stakeholders in reducing homelessness and slums in the City is vital. however, the involvement of different stakeholders to ensure that everyone has access to necessities and opportunities for a better life is practically imprudent in the city.

4.11.1 The Possible Intervention and Role of Different Stakeholders to Reduce Homelessness

As interviews with key informants and conducting surveys on the Possible Interventions of stakeholders in reducing homelessness and slums in Bahir Dar City, the collaborative work among different stakeholders needs to Provide affordable housing for low-income families, the government can allocate funds to build low-cost housing units or provide subsidies to private developers who build such units. Different housing sectors can also partner with the government to provide housing assistance programs, such as rent subsidies, or microfinance loans for construction, and Improve access to basic services such as water, sanitation, and health care. This can be achieved through the construction of public facilities such as community toilets and health clinics, addressing the root cause of homelessness and slums, such as

poverty and unemployment. The government tries to create job opportunities through public job programs or by attracting private investment to the city.

The role of the government; the government has a critical role to play in reducing homelessness and slums in Bahir Dar City. As interviewees to avoid these housing shortages and to reduce homelessness the government is in the process of preparing a real-estate proclamation that applies to avoid these problems still in the future.

As the interviewees under State/public ownership of land, it can be concluded that the government as the sole supplier of land for formal development has not provided enough urban land to meet the demand for residential purposes. Furthermore, the net effect of public ownership and management of land is purported to be an artificial scarcity of land supply on the market, resulting in prices that are generally out of reach for the majority of people. As a result, deficiencies in public land management are frequently blamed for contributing to the prevalence of informality, particularly in shelter solutions.

Non-governmental organizations (NGOs); as the interviewee's NGO can play a vital role in reducing homelessness and slums in the city. By providing housing assistance to those in need such as through building affordable housing or rehabilitating existing housing, educating communities about their housing rights and advocating for policies that promote affordable housing options, and providing social services and support to those living in informal settlements such as health care and education, partnering with the government and private sector to implement housing programs and initiatives. Whereas practically there is inadequate involvement to avoid such problem of residential housing shortage.

As the interviewees private sector can also contribute to reducing homelessness and slums in the city by investing in affordable housing development to provide options for low-income families, partnering with the government and NGOs to implement housing programs and initiatives, providing job opportunities and economic development in informal settlements to improve living condition, offering low-interest

loans or financing options for housing development in the city but practically it is not prudently applying.

Communities; communities can also play a vital role in reducing homelessness and slums in the city by participating in community-led housing initiatives such as community land trusts or cooperative housing, advocating for their housing right and holding the government accountable for providing affordable housing options, participating in community development programs to improve living conditions in informal settlement, reporting unsafe or inadequate housing conditions to the government for action.

Overall; reducing homelessness and slums in Bahir Dar City requires a collaborative effort among various stakeholders by working together and implementing policies and programs that promote affordable housing options, provide basic service and infrastructure, and ensure that all houses are safe and habitable, we can create a more equitable and sustainable city for all.

4.12 The Causes, Consequences, and Responses of the Practice of Informal Settlement in Bahir Dar City

Informal settlements, also known as slums or shanty houses, are typically characterized by inadequate housing, lack of basic services, poor sanitation, and high levels of poverty. In Bahir Dar City, informal settlements have emerged as a result of various factors, including rural-urban migration, lack of affordable housing options, and poverty.

4.12.1 Cause of Informal Settlement in Bahirdar City

The Lease Policy Itself

As the key informants, it is difficult to gain access to land through the lease system, especially for people those who have a low economy and live in informal housing.

Due to the presence of complicated eligibility criteria to get residential land through formal way..

Corruption in the land sector

According to key informants corruption in the land sector is widespread and lacks effective controls. It exists in both statutory and customary systems. Bribes and fraud on a small scale (e.g., administrative corruption) to high-level abuse of government power and political positions (e.g., political corruption) are examples of corruption. Corruption, whether administrative or political, is detrimental to the development of long-term national or local land strategies. When there is corruption in the land sector, related actions and decisions are influenced by distorted interests and policies that benefit a few. Corruption in government administration and services is common in the land sector.

Financial shortage

As the survey and keyinformants one of the most common barriers to accessing land through the market is a lack of financial means, particularly for the poor. Rigidity, and sometimes ambiguity, in land policies, generally prevent the poor from gaining access to land. Reform is hampered by political controversies, the complexities of land issues, and the fact that the benefits of policy improvements do not accrue to people.

Absence of Pro-poor Urban Land Policy

As discussed above the current functioning urban land lease policy for instance excludes the poor and middle-income communities by setting eligibility criteria to access urban residential housing in the study area.

Informal land transaction

According to the interviewee, one of the major causes of informal settlement in Bahirdar City is informal land transactions. The legal restrictions of the transfer of the land are caused different issues including informal land land transaction and informal settlement for residential housing development for which excludes the urban poor and middle-income societies from accessing urban land, then results in informal settlements which are dwellings constructed usually without a formal design and standard specifications that control urban development in the city. The lands are acquired and also the houses are developed with temporary structures, without access to public utilities like clean water, power, sanitation, and drainage. Thus illegal and unplanned land acquisition and informal housing development have a direct impact on the environment.

Table 13: Negative impact of poor land delivery system

What do you think are the possible and significant negative effects of a poor land delivery system?		
Response	Frequency	Percent
Informal transaction	59	36.0
Expansion of informal settlements	39	23.8
Land speculation	66	40.2
Total	164	100.0

Source, own survey, 2023

In the above table 13, shows the negative impact of poor urban land delivery systems as a cause of informal settlement, and out of the total sample population 23.8% of the respondents responded that one of the negative impacts of poor land delivery systems is an expansion of informal settlement, about 36% of the respondents responded that the negative impact of poor land delivery system is informal land transaction and the

other 40.2% of the respondents responded that the negative impact of poor land delivery system is land speculation.

Additionally, Rural-urban- migration; in search of better economic opportunities, often leads to the creation of informal settlements and a lack of affordable housing; the cost of formal housing is often too expensive for low-income families, which forces them to live in informal settlements, Poverty; many residents of informal settlements are living in poverty and cannot afford to pay to formal housing or basic services.

Table 14: The reason for the proliferation of the informality of land holding in Bahir Dar city

What do you think are the reasons for the proliferation of the informality of landholding in Bahir Dar city?		
Response	Frequency	Percent
Absence of supply by municipality	16	9.8
Land trade	52	31.7
Need for wide land	22	13.4
The high amount of municipality payment	74	45.1
Total	164	100.0

Source own survey,2023

In the table above regarding the proliferation of informal settlement 9.8% of the respondents responded that absence of land supply from the municipality, 31.7% of respondents responded that land trade, 13.4% responded that need for wide land and 45.1% responded that high amount of municipality payment as cause for the proliferation of informal settlement in the city.

4.12.2 Consequences of Informal Settlement

As collect data from the households who live in informal settlements and key informants, informal settlement in Bahirdar City has significant consequences that impact the lives of residents and the overall development of the city. These settlements often lack basic infrastructure and services, resulting in inadequate housing conditions and a high risk of diseases. The absence of proper sanitation, clean water, and healthcare facilities poses health risks to the residents. The prevalence of poverty and social inequality in the settlement further exacerbates the challenges faced by the inhabitants. Moreover, the rapid expansion of informal settlement in the city contributes to urban sprawl, encroachment on agricultural land, and environmental degradation. Access to education is also limited, hindering the education of the children living in these settlements. As the interviewee addressing these consequences requires comprehensive strategies to improve housing conditions, provide basic services, implement urban planning measures, and promote inclusive and sustainable development in the city.

Furthermore, as the interviewees Poor living conditions and social exclusion; residents of informal settlements are often excluded from formal economic and social systems, which can lead to social exclusion and marginalization. environmental degradation; informal settlements often lack proper waste management systems, which can lead to environmental degradation and health hazards.

4.12.3 Response for Informal Settlement

As key informants about the response to informal settlement is upgrading informal settlements as an approach to address informal settlements. **Firstly**, as much as possible by upgrading them and providing basic services such as water, sanitation, and electricity. **Secondly**, Providing affordable housing; the government and other stakeholders can provide affordable housing options to low-income families to reduce the demand for informal settlements. **Thirdly**, Community participation; encouraging

community participation in housing development and upgrading initiatives can help ensure that residents' needs are met and that they are included in the decision-making process. **Fourthly**, Strengthening land tenure; strengthening land tenure systems can help prevent the creation of new informal settlements and provide security of tenure for existing residents, promoting economic development in informal settlements can also help residents' access formal economic system and improve their living conditions.

Overall; informal settlements are a complex issue that requires comprehensive and multi-faceted responses. By addressing the root causes of informal settlements, providing basic services, and promoting economic development, it can be possible to create a more equitable and sustainable city for all residents.

CHAPTER FIVE

5. CONCLUSION AND RECOMMENDATION

5.1. CONCLUSION

This study was mainly aimed at assessing the policy and practice of accessing urban land for residential housing in Bahirdar City by taking evidence from the Atsetewodros sub-city. In sight of the objective of this study, the findings from the perception, feeling, and experience of the key informants and sampled respondents on the issue of policy and practice of residential land access are concluded as follows.

Access to urban land is a critical component of housing and ensuring housing rights. Legal access to land is a strategic requirement for providing adequate and affordable housing for all. However, the reality in the study area showed that land is becoming severely scarce and homelessness has become an increasing problem from time to time. A combination of factors such as unpropoor urban land policy, lack of up-to-date urban land lease policy, rapid population growth, rural-urban migration, corruption, and rent-seeking in the land sector... have aggravated the problem of homelessness and violation of housing rights. The study has revealed that the opportunity for accessing urban land through government allocation (tender and allotment) is inaccessible as land is not available in the city. Due to high competition in accessing urban residential land through lease tender and allotment the possibility of accessing urban land through these mechanisms is not available for most of the respondents due to its eligibility criteria. Due to this fraction of urban residential landless has got land from the government through lease tender and allotment. In conclusion, the study indicates that the opportunity for residential landless to access urban land in the study area is low.

Regarding bottlenecks in the implementation of urban land lease policy to improve affordable housing in the study area, the result showed that due to the problem of unpro-poor land lease policy, Political will and commitment, Lack of coordination and collaboration among stakeholders the majority of residential landless faced difficulty to get residential land and expose to the violation of their housing rights. In this case except few residential landless households who seek to get residential land through lease tender and allotment prefer to engage in informal settlements. However, the majority of residential landless in the city are accessing residential land by purchasing from a third party as an option.

To reduce the problem of homelessness and slums in the study area the involvement of different stakeholders is crucial in providing affordable housing for low-income families, Improving access to basic services, and addressing the root causes of homelessness and slums such as poverty and unemployment. To avoid these housing shortages and to reduce homelessness the government is preparing a real-estate proclamation that applies to avoid these problems still in the future.

Regarding the cause and consequence of informal settlement, due to the problem of up-to-date Lease Policy, Corruption in the land sector, Financial shortage, Absence of pro-poor urban land policy, Informal land transactions, Rural-urban- migration, and Poverty informal settlement are rising rapidly from time to time it leads to lack of basic infrastructure and services, resulting inadequate housing conditions and high risk of diseases, Poor living condition social exclusion.

The residential land shortage has become a serious problem that should be solved in every urban area. The problem requires an integrated and accountable body that applies the objective realities in line with the residential land demand of the community to enable residential landless get engage in housing accessible. Hence the residential land shortage scenario in general leads to the residential housing shortage is not handled with clear guidelines.

5.2. RECOMMENDATION

Based on the findings and conclusion of the study, the following recommendations are forwarded to the relevant stakeholders to tackle the problem of residential housing shortage.

- ✓ As the problem of residential land shortage becomes a serious problem in the city. The applicable legal framework should be updated in its massive working process, especially in its eligibility criteria to access urban land for residential housing development.
- ✓ Residential land shortage is a cross-cutting issue that requires the involvement of a multitude of stakeholders, including government, non-governmental organizations, and private sectors. these stakeholders should integrate their efforts to enhance alternative residential housing opportunities and enable to reduction of homelessness and slums.
- ✓ The government should develop strategies, policies, and proclamations that address the problem of residential housing shortage in the study area.

References

- Abbink, J. (2011). 'Land to the foreigners': economic, legal, and socio-cultural aspects of new land acquisition schemes in Ethiopia. *Journal of Contemporary African Studies*, 29(4), 513-535.
- Abdulahi, M. (2007). The legal status of the communal land holding system in Ethiopia: The case of pastoral communities. *Int'l J. on Minority & Group Rts.*, 14, 85.
- Adedeji, Y., & Olotuah, A. O. (2012). An evaluation of the accessibility of low-income earners to housing finance in Nigeria. *American-Eurasian Journal of Scientific Research*, 7(1), 23-31.
- Adigeh, D. T., & Taffse, M. B. (2021). Urban Land Acquisition and Housing Practices in Bahir Dar City and Debre Berhan Town, Ethiopia. *Journal of Urban Development Studies*, 1(2), 61-71.
- Alemie, B. K., Bennett, R., & Zevenbergen, J. (2014). The socio-spatial synergy in land governance: a case of informal settlements in Bahir Dar, Ethiopia. Proceedings of Annual World Bank Conference on Land and Poverty 2014, 24-27 March 2014,
- Alemieneh, T. (2022). *Assessing the Affordability of Residential Real Estate in Bahir Dar City*
- Alemu, K. D. (2021). Assessment of housing demand and feasibility of establishing real estate business in Ethiopia. *Journal of Land Management and Appraisal*, 8(2), 28-38.
- Asres, H. B., Semahegne, H. S., & Wubie, A. M. (2023). Assessment of the trends of urban land lease price from spatio-temporal perspective in Ethiopia: evidence from Bahir Dar City. *Survey Review*, 1-13.
- Assembly, U. G. (1948). Universal declaration of human rights. *UN General Assembly*, 302(2), 14-25.
- Assembly, U. N. G. (1949). *Universal declaration of human rights* (Vol. 3381). Department of State, United States of America.
- Baye, F., Wegayehu, F., & Mulugeta, S. (2020). Drivers of informal settlements at the peri-urban areas of Woldia: Assessment on the demographic and socio-economic trigger factors. *Land use policy*, 95, 104573.

- Beresford, P. (2016). Introduction: Owning is not othering our welfare. In *All Our Welfare* (pp. 1-10). Policy Press.
- Bertolino, S., Colangelo, P., Mori, E., & Capizzi, D. (2015). Good for management, not for conservation: an overview of research, conservation, and management of Italian small mammals.
- Debele¹, E. T., & Negussie, T. (2021). GROWING URBAN HOUSING CONSUMPTION AND HOUSING POLICY DEVELOPMENT TRENDS.
- Derso, W. G., & Gebremichael, B. (2022). The leasehold system and drivers of informal land transactions in Bahir Dar city, Ethiopia. *Journal of Eastern African Studies*, 16(3), 415-433.
- Dowall, D. E., & Clarke, G. (1991). *A Framework for Reforming Urban Land Policies in Developing Countries: Policy Paper*. World Bank.
- Dowall, D. E., Clarke, G., & Clarke, G. (1996). *A framework for reforming urban land policies in developing countries*. Citeseer.
- Dowall, D. E., & Ellis, P. D. (2009). Urban land and housing markets in the Punjab, Pakistan. *Urban Studies*, 46(11), 2277-2300.
- Endashaw, E. B. Session agenda: Land Policy and Reform II.
- Ethiopia, C. T. MILLENIUM DEVELOPMENT GOALS.
- Ganta, B. G. (2022). Federalism and Land Rights in the Context of Post-1991 Ethiopia. *Journal of Developing Societies*, 38(4), 398-420.
- Gazeta, F. N. (2011). PROCLAMATION No. 721/2011. A PROCLAMATION TO PROVIDE FOR LEASE HOLDING OF URBAN LANDS.
- Gebrelibanos, Y. B. (2015). Conversion of Old Possessions to Leasehold and Its Implications on Tenure Security of Holders of Old Possessions. *Mekelle ULJ*, 3, 88.
- Gebremichael, B. (2017). Heartrending or Uplifting: The Ethiopian Urban Land Tenure System Reform and Its Reflection on Tenure Security of Permit Holders: Focus on the Post-1991. *Journal of Developing Societies*, 33(3), 1-20.
- GETAHUN, W. (2020). *Understanding Informal Urban Land Transactions in Ethiopia: the Case of Bahir Dar City*

- Golay, C., Özden, M., & Europe-Tiers-Monde, C. (2005). *The Right to Food: A fundamental human right affirmed by the United Nations and recognized in regional treaties and numerous national constitutions*. CETIM.
- Group, W. B. (2014). *Doing Business 2015: Going Beyond Efficiency: Comparing Business Regulations for Domestic Firms in 189 Economies: a World Bank Group Flagship Report*. World Bank Publications.
- Habitat, U. (2013). *State of the World's cities 2012/2013: Prosperity of cities*. Routledge.
- Habitat, U. (2018). Tracking Progress Towards Inclusive, Safe, Resilient and Sustainable Cities and Human Settlements. SDG 11 Synthesis Report-High Level Political Forum 2018.
- Haile, M. (2022). Ethiopian Economics Association (EEA).
- Hannum, H. (1998). The UDHR in national and international law. *Health and Human rights*, 144-158.
- Hebbert, M. (2012). Cities and Climate Change (Global Report on Human Settlements 2011). In: JSTOR.
- informal settlement. (2014).
- Jaitman, L. (2015). Urban infrastructure in Latin America and the Caribbean: public policy priorities. *Latin American Economic Review*, 24(1), 1-57.
- Kitay, M. G. (1985). Land acquisition in developing countries: policies and procedures of the public sector with surveys and case studies from Korea, India, Thailand, and Ecuador.
- Koroso, N. H., Lengoiboni, M., & Zevenbergen, J. A. (2021). Urbanization and urban land use efficiency: Evidence from regional and Addis Ababa satellite cities, Ethiopia. *Habitat International*, 117, 102437.
- Kucs, A., Sedlova, Z., & Pierhurovica, L. (2008). The right to housing: International, European, and National perspectives. *Cuadernos Constitucionales de la Cátedra Fadrique Furió Ceriol*(64), 101-123.
- Leong, F. T., Pickren, W. E., & Vasquez, M. J. (2017). APA efforts in promoting human rights and social justice. *American Psychologist*, 72(8), 778.
- LICHFIELD, N. (1980). An International Perspective on Land. *Built Environment (1978-)*, 259-262.

- mekuria, b. (2009). *Land law and policy in Ethiopia since 1991*.
- Mekuria, H. (2022). *policy working*.
- Melesse, A. M., & Hanley, R. S. (2005). Artificial neural network application for multi-ecosystem carbon flux simulation. *Ecological Modelling*, 189(3-4), 305-314.
- Mousmouti, M. (2014). The " Effectiveness Test" as a Tool for Law Reform. *ISLRev*, 2, 4.
- Mousmouti, M., & Crispi, G. (2015). Good legislation is a means of ensuring voice, accountability, and the delivery of results in urban development. *World Bank Legal Rev.*, 6, 257.
- No, P. 47/1975. Government Ownership of Urban Lands and Extra Houses. *Negarit Gazeta*.
- Pavone, I. R. (2017). Article 25 [Health]. The United Nations Convention on the Rights of Persons with Disabilities,
- Popescu-Vâlceanu, H. C., Bratu, M., Stoicea, M., Ilie, V. M., Nan, R., Drăguț, R. M., Rusu, E., Ionescu-Târgoviște, C., & Radulian, G. (2015). COLORECTAL CANCER AND DIABETES, A REAL LINK? *Internal Medicine/Medicina Interna*, 12(5).
- Ravid, S. Y., & Liu, X. (2017). When artificial intelligence systems produce inventions: An alternative model for patent law at the 3a era. *Cardozo L. Rev.*, 39, 2215.
- Smyth, A., Dumanski, J., Spendjian, G., Swift, M., & Thornton, P. (1993). *FESLM: An international framework for evaluating sustainable land management* (Vol. 73). FAO Rome, Italy.
- Takagi, E. (2019). APPLIED HOUSING RESEARCH INITIATIVE.
- Teferi, H. W. (2010). *An Assessment of urban land lease policy implementation in Ethiopia: Case study of Bahir Dar, Ethiopia* University of Twente].
- Tesfaye, A. (2007). Problems and prospects of housing development in Ethiopia. *Property management*, 25(1), 27-53.
- TsegachewReta, D., Akmel, D., & Sishaw, D. (2019a). *URBAN RESIDENTIAL HOUSING PROVISION AND CHALLENGES: THE CASE OF SHUME ABO*,

SUB-CITY OF BAHEIR DAR TOWN, AMHARA REGIONAL STATE, ETIOPIA
Haramaya University].

Tsegachew Reta, D., Akmel, D. A., & Sishaw, D. T. (2019b). *URBAN RESIDENTIAL HOUSING PROVISION AND CHALLENGES: THE CASE OF SHUME ABO, SUB-CITY OF BAHEIR DAR TOWN, AMHARA REGIONAL STATE, ETIOPIA* Haramaya University].

Umozurike, U. O. (1983). The African Charter on Human and peoples' rights. *American Journal of International Law*, 77(4), 902-912.

Un-Habitat. (2008). *State of the World's Cities 2008/9: Harmonious Cities*. Earthscan.

Un-Habitat. (2013). *Financing urban shelter: global report on human settlements 2005*. Routledge.

Wenedem, A. (2016). *Urban Land Access For Housing Development In Ethiopia: Legal And Practical Challenges*.

woldegebriel, d. (2013). *ethiopian land law*.

Xanthaki, H. (2008). Legal transplants in legislation: Defusing the trap. *International & Comparative Law Quarterly*, 57(3), 659-673.

Appendix

Appendix1

Survey questionnaire for respondents

Questionnaire Guide Questions

This is a questionnaire guide for an MSc research project on “Analysis of the Policy and Practice of Access to Urban Land for Residential Housing in Ethiopia: Evidence from Bahir Dar City ” as a partial fulfillment of an MA in Real Property Law at the Institute of Land Administration, Bahir Dar University. The main objective of the study is to analyze the policy and practice of access to urban land for residential housing in Ethiopia by taking evidence from Bahir Dar City. To achieve this, the researcher plans to gather relevant information from selected respondents. It is hoped that respondents will provide the researcher with accurate information and this will enhance the quality and lucidity of the research. The respondents need not worry about the confidentiality of the information they will provide to the researcher as the latter will maintain strict confidentiality.

General background of the respondent

1. Name_____ (Optional).
2. Sex A. Male__B. Female__
3. Marital status A. Single ____ B. Married ____C. Widowed ____D. Divorced____

General questions need to be included

1. Did you access land plots for residential housing in the city?
A) Yes B) no

2. If your answer is “yes” to question number 1 above, how did you acquire (own) the land in the city?

A) Allocated by the government foundation

B) Bought a house and its foundation

C) Inherited from family

If by other means please specify_____

3. If your answer is “No”, why you do not acquire or own land for Housing development in the city?

A) I do not want land for housing development

B) Land allocation for housing development by the government is limited

C) Due to financial constraints I felt

D) Due to bureaucratic, cumbersome and lengthy process and corruption

If any other please specify

4. What do you think about the process of a land delivery system for Housing development in the city? A) Transparent B) Not transparent C) I do not know about it

If any other, please specify it

5. There is an appropriate administration that is efficient and responsive to supply land continuously for urban residential land in the city.

A) Strongly agree B) Agree C) No opinion D) Disagree E) Strongly disagree

6. How much do you have with the residential land delivery system of the city municipality?

A) Strongly satisfied B) Satisfied C) Dissatisfied D) Strongly dissatisfied

7. What is the main weakness that causes a shortage in urban residential land provision of the city municipality?

A) Inadequate institutional capacity

B) Inefficient & ineffective land management practice

C) Poor know-how in rules, proclamations, and other legal frameworks

If any other, please explain

9. What do you think is the possible and significant negative effect of a poor land delivery system?

A) Informal transaction

B) Expansion of informal settlements

C) Land speculation

D) Illegal sub-division

If any other, please specify

10. To realize the common interest and development of the people, the right to use urban land by lease has effectively responded to the demands for residential land in the city.

A) Strongly agree B) Agree C) No opinion D) Disagree E) Strongly disagree

11. What do you think are the reasons for the proliferation of the informality of landholding in the city?

A) Absence of supply by municipality

D) Need for wide land

B) Land trade payment

E) High amount of municipality

C) Absence/nonstrictness of regulating body

If any other, please explain

12. What are the possible recommendations you would suggest to improve the current land delivery system and to reduce land supply shortage for future development of the town?

Appendix2

Interview Guide Questions for selected key informants

Interview Guide Questions

This is an interview guide for an MSc research project on “Analysis of the Policy and Practice of Access to Urban Land for Residential Housing in Ethiopia: Evidence from Bahir Dar City ” as a partial fulfillment of an MA in Real Property Law at the Institute of Land Administration, Bahir Dar University. The main objective of the study is to analyze the policy and practice of access to urban land for residential housing in Ethiopia by taking evidence from Bahir Dar City. To achieve this, the researcher plans to gather relevant information from selected respondents. It is hoped that interview respondents will provide the researcher with accurate information and this will enhance the quality and lucidity of the research. The respondents need not worry about the confidentiality of the information they will provide to the researcher as the latter will maintain strict confidentiality

1. Are you familiar with existing legal frameworks related to land access for residential housing in Ethiopia?
2. Do you think the legal and policy framework is adequate to respond to the land demand for housing purposes in the city?
3. Do you observe gaps, or implementation challenges, in the existing rules, regulations, guidelines, strategies, and implementation manuals about land accessibility and supply?
4. Do you think that the current urban land lease policy is feasible for all income groups of people? If not, what improvements do you suggest to make the residential land accessible for all income groups of people via formal channels?
5. How do you explain the level of effectiveness and efficiency of the current government’s actions in the supply of residential land through the formal channel?

6. How do you evaluate the formal residential land accessibility procedures practice in line with the legal frameworks in the context of Bahirdar? That is, does Bahirdar City municipality follow the residential land access procedures? If not, why?
7. What are the legally accepted existing modalities applied to access residential land in the city?
8. Do you think there are practically observed challenges in the implementation of the different modalities of supplying residential land via the formal channel? Please briefly explain if there are any.
9. What are the factors that affect the execution of urban land policy in general and the procedures of residential land accessibility in particular in Bahir Dar City?
10. in your opinion, what do you think causes the shortage of land for residential purposes in the study area? How do you think each factor can contribute to the shortage of residential land in the study area?
11. Currently, how many plots of developed residential land are registered as reserves by the municipality's land banking system to be supplied for later residential use?
12. How many people are currently registered to get access to residential land through a formal channel in Bahirdar city (from the registration list)?
13. Do you think there are any weaknesses or problems with the currently functioning urban land policy (legal frameworks) concerning residential land accessibility? If your answer is yes, please mention them.
14. What measures taken by the government and private sectors to alleviate the problem of the shortage of housing units?
15. Are there any policy-related problems in the current modalities of accessing urban land for residential housing?
16. How you look the current issues regarding informal land access and informal housing, its cause and consequence.

Appendix3

Focus Group Guide Questions

This is a focus group questions guide for an MSc research project on “Analysis of the Policy and Practice of Access to Urban Land for Residential Housing in Ethiopia: Evidence from Bahir Dar City ” as a partial fulfillment of MA in Real Property Law at the Institute of Land Administration, Bahir Dar University. The main objective of the study is to analyze the policy and practice of access to urban land for residential housing in Ethiopia by taking evidence from Bahir Dar City. To achieve this, the researcher plans to gather relevant information from selected respondents in the form of a focus group discussion. It is hoped that the group focus discussants will provide the researcher with accurate information and this will enhance the quality and lucidity of the research. The respondents need not worry about the confidentiality of the information they will provide to the researcher as the latter will maintain strict confidentiality.

1. Do you think the urban land delivery for residential housing development is implemented in line with the land lease policy?
2. How do you assess the responsiveness of residential Land Provision and Administration for your organization as well as for the individual customer?
_____ (Quick, slow, Very poor, No idea) Justify your answer
3. What measures are taken by the government and private sectors to solve the problem of shortage of housing units?
4. What solutions do you suggest to resolve the observed problems in the supply of urban land for housing purposes?