A PROGRAMME FOR IMPROVING LAND GOVERNANCE
TRANSPARENCY IN ETHIOPIA

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Abstract
A recent study identifies positive elements in Government thinking on land governance, despite criticisms over recent years. The smallholder titling program and new Rural Land Administration System are one example, while 2005 land legislation improved tenure security and provided rights holders with more flexibility and choices over using their land, including renting and contracting out. A revision will consolidate these gains and address pastoralist and communal rights. The Government is considering Voluntary Guidelines and Responsible Agricultural Investment approaches to private sector land allocations, and is engaging with stakeholders over new land use policy. A new commercial agricultural investment strategy shifts focus from land acquisitions to a value-chain inclusive business approach. However, recent land-related conflicts underline the need for improved land governance. A new Plan for Improved Transparency in Land Governance sets land governance within an inclusive rural development strategy, which will foster greater transparency. The Plan forms part of the DIFD-funded Land Investment for Transformation (LIFT) programme being implemented by a DAI-led consortium. It underlines potential synergies between smallholders, pastoralist communities and private investors, and supports policy dialogue; it also aligns with the recent LGAF to develop new land activities for the 2020-2025 Growth and Transformation Plan.

Key Words: Ethiopia, land, rural development, transparency, inclusive
INTRODUCTION
This discussion of land governance in Ethiopia comes at a complex moment for land issues. Violent protests in rural areas in 2016 were triggered in many cases by land enclosures for investment projects and poor governance in the sector in which scant regard has been paid to existing holding rights and open consultative procedures with local people. Plans to extend major cities including Addis Ababa by incorporating neighbouring areas into ‘masterplans’ have also revealed serious problems with the way rural land rights are appropriated without due consultation and adequate compensation.

The Government of Ethiopia is noted for its commitment to a strong state-driven development model with rural transformation at the heart of a plan to industrialise the economy and make Ethiopia a middle income country by 2025. While the top-down planning and implementation inherent in this model can provoke local level reactions, a recent LGAF assessment indicates that much can be done with land administration and management to promote more transparent and inclusive land governance. The Transparency Report completed through the DfID-funded Land Investment for Transformation (LIFT) programme being implemented by the DAI-led consortium which includes NIRAS and Nathan Associates London (Tanner 2016) also underlines positive trends in Government thinking. This report has led to the development of a ‘Plan to Improve Transparency in Land Governance’ that links land sector activities with a wider, more inclusive vision of rural and economic development.

The paper presents the main findings of the Transparency Report and discussions in Addis Ababa in late 2016 and early 2017, followed by the Plan for Improved Transparency. It closes with a summary of what is expected of this Plan, and what is needed to ensure that it is implemented and can have a longer term impact in the context of the next Growth and Transformation Plan (2020-2015).

THE REVIEW OF TRANSPARENCY AND LAND GOVERNANCE
The 2016 Transparency Report (DFID 2016) looked at four main areas:

- Government land policy, laws and procedures against international best practice (FAO VGGT etc.), including community-based and pastoral land rights and tenure security;
- Land administration issues impacting transparency and the existing situation with respect to land investments;
- Issues related to harmonizing rural and urban land policies, particularly in areas of urban expansion, including compensation; and
- Projects supported by other donors which impact on land transparency.

The report found that while there have been problems with land governance in recent years, there are positive trends that should be focused upon in order to bring about an overall improvement. It is also important to place the analysis in the wider context of the political economy of land governance and rural development. This is defined by five key elements:

- The right to ownership of land exclusively vested in the State and in the peoples of Ethiopia (this gives those close the State and able to leverage its services, a considerable advantage in terms
of how land is accessed and used; and allows ‘national interest’ arguments to influence the way that land management decisions are taken);

- the country has a dynamic and growing market economy (this is driving demand for land as a productive asset, especially near cities and good transport routes);

- over 60 percent of the population still depends on land for their basic livelihoods (this means that keeping people on the land is a social as well as economic priority, while new investment projects must find a way to deal with existing local rights);

- the Government follows a strong ‘development state’ approach with a continuing emphasis on large scale agricultural development as the motor of transformation, linked to an industrialisation programme to absorb youth labour and raise national income to middle-income country levels;

- although significant efforts have been made to improve the situation, very weak institutional capacity at all levels (Federal, Regional, sub-regional) leads to poor governance as decisions are taken with inadequate information and consultation, exacerbating tenure insecurity especially for women and vulnerable groups.

These elements together foster a climate of poor land governance (where ‘good land governance’ is understood to be a system that allows different kinds of land user and other social and economic actors – including the State - to interact and achieve their various purposes without conflict and in a relatively equitable and consensual way).

Poor land governance is problematic for investors and local people alike: both pay the price for having undocumented or vulnerable land rights when demand for land increases and informal systems can no longer offer secure guarantees. Poor land governance will also constrain or even deny access to formal services like credit; and fail to provide adequate legal guarantee and protection when land users enter into contract with third parties.

While the structural elements of the underlying political economy are beyond the scope of the analysis, it is possible to consider improving transparency in land governance through technical and capacity building interventions on the one hand, and constructive measures to promote discussion and inclusive, participatory development on the other. It is in this context that the 2016 Transparency Report has identified a series of positive factors that can be built upon and used to promote or induce a shift to greater transparency as a more inclusive development model takes hold.

Firstly, the certification of smallholder rights in Ethiopia – presently being implemented by several projects but with the DFID-funded LIFT1 project at its core - has already gone a long way to addressing the weak tenure security of millions of households, including those headed by women. The LIFT project

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1 Land Information for Transformation. This project is implementing a large part of the Government Second Level Land Certification (SLLC) program, with a target of 14 million parcels of rural land certified, with 70 percent of the rights holders being jointly or individually, women. The other main project working in this area is the REILA (Responsible and Innovative Land Administration) project, funded by Finland.
is also developing a Rural Land Administration System (RLAS) which in principle will ensure the longer
term sustainability of the new land rights database and facilitate a range of rural development activities
which depend upon having secure land rights that are also documented and verifiable in accessible
official land records.

Good data are only part of the transparency picture however. Having formalised land rights does more
than secure tenure; it formalises the right of the holder as a stakeholder in the development process,
with the right to participate as development and investment plans are drawn up and implemented. The
Economic Empowerment Unit of LIFT also links having a Certificate with access to advantageous credit
schemes and assistance with rental agreements. Thus land users who traditionally have relied on other,
mostly informal local systems to uphold land rights, are persuaded of the value of having a Certificate
and will keep using the RLAS as land rights change hands or land is rented out and parcelled.

It is important to maintain the momentum generated by the SLLC program, and see that the RLAS is
completed and operated sustainably over the longer term. More importantly however, this programme
must be seen by both land administrators and more general ‘development managers’ as a necessary
element of a rights-based strategy that links smallholders, investors and the State together in a mutually
beneficial, inclusive development scenario.

The other governance area that has been criticised is the Government’s approach to encouraging large
scale land allocations as part of its drive to attract foreign direct investment and get large areas of
apparently unused land into production. The Transparency Report has found that while there is some
justification for this criticism, the Government itself has been aware of the shortcomings of its approach
and has decided to re-assess how it allocates land to larger private investors.

In this context it is important to refer back also to research findings that were cited in the Transparency
Report. These come from a 2015 paper that analysed official data on land investments that had been
gathered over the years but never properly analysed (Ali and Deininger 2015). The analysis of this data
showed that in fact the large majority of private sector land investment has been in the range up to 500
hectares, and that well over 90 percent of it is in the hands of national investors. The report makes two
conclusions that are important for the overall transparency strategy now being proposed.

The first is that a large part of the transparency challenge is to achieve ‘sustained improvements in the
quality of publicity of data on large-scale land-based investments’ (emphasis added). This is a key
condition if countries like Ethiopia are to ‘put in place a regulatory framework to increase the likelihood
that [the demand for land] is translated into sustained local benefits or to attract responsible investors
and institutional capital’ (ibid:15).

The second point is that it is necessary to ‘go beyond the dichotomy of large vs. small and look instead
at new ways of combining the two.’ They make this comment with reference also to the large literature,
based in concrete examples in many countries, that supports responsible agricultural investment
following VGGT, AU and PRAI guidelines. Some of this literature shows alternative, inclusive business
models that allow small farmers and large farmers not only to co-exist but to actually work together, sometimes in the same business and on the same land.\(^2\)

These reflections are having an impact. The Government is reconsidering how it allocates land to private sector interests. These changes may not be that apparent given the conflicts that erupted in 2016, but in fact institutional reforms and policy considerations are opening up a window to develop a more inclusive rural development strategy. A key activity in this context is the € 3.8 million GIZ/EU Support to Responsible Agricultural Investments in Ethiopia project at the Ethiopian Agricultural Investment Land Agency (EAILA), which is promoting the integration of Voluntary Guidelines and PRAI approaches. This project took some time to get off the ground, but is now implementing training and capacity building activities at local level involving local government officers, local land users, private investors and CBOs.

At the same time there has been a shift to hand over responsibility for large land allocations entirely to Regional Governments, and the EAILA itself is now in the process of assuming a new role as provider of high end technical support and policy guidance\(^3\).

Another sign of an opening towards a change in land governance approach is in relation to pastoralist and communal land rights. The SLLC programme and RLAS target focus on smallholder land rights. A key area of criticism linked to the large scale land allocation issue has been the way in which pastoralist land system and communally-held and managed land rights have been largely ignored in the rush to allocate land to investors, especially along the river basins in the semi-arid south of the country. An approach similar to the SLLC and adapted to the specific context of customary and communal tenure is now required, and in fact the question of pastoral rights is now being considered in the context of the present revision of the 2005 land legislation. There are positive signs that pastoral and rangeland rights might be recognised after USAID funded research into pastoralist land systems (Flintan 2014), with some pilot participatory LUPs being carried out\(^4\) (although there are still evident differences over this and other key policy issues at the highest level of decision making)\(^5\).

**Urban-rural interface and land rights**

The rapid growth of Ethiopian cities and the need to find up to 17 industrial development zones of around 1000 hectares each is also a major factor in the present climate of tension around land issues and development. While the focus of this paper is very much on rural development, it is important to take note of the need to address the capacity and regulatory constraints that underline the poor implementation of urban expansion policies across the country.

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\(^2\) See Cotula and Leonard (2010); Allan et al. (2013); Wolford et al. (2013). Linking smallholders and large-scale investors in supply chains is reviewed in OECD 2014.

\(^3\) This shift if inferred from evidence on the ground rather than being made clear in official documentation, with the precise nature of the ‘new EAILA’ still being resolved at the time of writing.

\(^4\) Chifra Woreda Participatory Land Use and Development Plan, Afar National Regional State. Semera, State Environmental Protection, Rural Land Use and Administration Authority (EPLUAA). August 2016

\(^5\) A proposal for a collective right covering ‘rangeland units’ in the revised land proclamation was rejected. Land Administration and Use Directorate (LAUD), Ministry of Agriculture and Natural Resources.
There are also important issues to resolve regarding the treatment of existing land rights, in two senses: a) why the automatic response of the State is to expropriate land rather than find a way to achieve a more inclusive and equitable, negotiated outcome; and b) the question of compensation, which so far is derisory in terms of the subsequent gains made by developers who often work hand in hand with urban administrations to profit hugely from the land expropriation process.

A positive sign of Government commitment is a new World Bank supported project to develop a programme for urban land administration and to find land for housing needs. This needs to be reinforced with measures to fairly treat existing rural land rights, and address the root causes of much of the current tension.

**Policy and legal change backed by open dialogue**

The recent Land Government Assessment Framework (LGAF) finds that the legal framework provides all the elements needed for a more participatory and sustainable approach. Indeed, within the context of the present revision of the land legislation and the development of a new National Land Use Plan (LUP), it is probable that legal changes will clarify anomalies that have appeared in Regional Land Proclamations (land rental and inheritance, for example), and fill in gaps (regulations for Second Level Land Certification (SLLC)). Greater attention may also be given to pastoralist and communal land rights issues.

The LGAF also points to the existence of a significant body of national expertise that can be utilized, to engage in and direct policy formation, and to implement decisions once they have been made. What is needed says the LGAF, is effective implementation and more dialogue between stakeholders.

The question of opening up dialogue appears critical for achieving greater transparency and improved land governance. And again here there are positive signs of a greater willingness on the part of the Government to engage in stakeholder consultation and allow wider discussion of land and development issues. The LUP in particular has begun with the development of a Road Map charting a three-year process in which extensive consultation is underlined. This is about to move into its second phase of extended stakeholder consultation, led by a Commission that answers directly to the Office the Prime Minister.

National research capacity and engagement with land issues has also grown steadily in recent years, exemplified by the establishment of the EthioLandNet framework based at Bahir Dar University Department of Land Administration, with support from GIZ and the USAID LAND project. These and other donor projects have also commissioned research studies addressing issues that are directly linked to their field activities, as well as others such as the already referred to challenge of pastoralist land rights.

**ELEMENTS OF A PLAN TO IMPROVE TRANSPARENCY IN LAND GOVERNANCE**

The findings of the Transparency Report, together with the outcome of the initial LGAF and more recent developments such as the LSCA strategy, suggests a Plan to Improve Transparency in Land Governance (the ‘Transparency Plan’) which consists of a mix of practical, land administration activities, and others
with more of a socio-economic development focus. Together, these can create the conditions for land governance and transparency to improve over the medium-to-long term:

1. Build upon the land rights certification process to create an accessible and appropriate rural land administration system (RLAS), moving beyond land rights adjudication and certification to the task of administering change in land (and natural resource) use; in this context there are also specific issues that need to be addressed: and how land data is used:
   - **Equity and justice**: Give greater attention to securing the rights of women and vulnerable groups and ensuring their participation in subsequent development opportunities;
   - **Using land data for development**: Create a stronger capacity to analyse RLAS and other data and turn it into useful information for i) policy and planning purposes, and ii) informing the decisions of other development actors (including land investors)

2. Develop a TA and capacity building programme alongside new initiatives to address urban planning and housing needs, that looks at key issues in the context of how rural land is acquired and integrated into new urban expansion plans

3. Promote a stronger awareness amongst rights holders and local governments, about the content of the holding right and what can be done with it, to support a more inclusive and participatory rural development strategy (using Certificates for credit, better investor-local land user relationships and negotiated agreements, and alleviating conflict)

4. Extend the approach in (3) to areas of communal and/or customary rights, and where large areas are being allocated to private investors through Federal and Regional Land Banks

5. Create a formal, neutral mechanism for regular and open discussion of land governance issues (new ad hoc mechanisms are appearing, but a more formal structure would build trust, especially with civil society as a partner in policy and in implementation)

6. Develop a strategic approach to ensuring the sustainability of the RLAS and other land governance institutions/mechanisms, through cost recovery and tax systems, and guaranteeing the professional and technical human resources that are needed over the longer term

The strategy can be summed up as addressing immediate land administration and management weaknesses, but set within an economic and rural development strategy that is more inclusive and based on synergies between different groups of land user.

The logical way forward is well put in the land data analysis referred to above: it is time to go ‘beyond the dichotomy of large vs. small [to] look instead at new ways of combining the two’⁶. In other words, the Government should be encouraged to move to a more integrated agrarian policy where smallholders and other rights holders (such as pastoralists) can interact with private entrepreneurs,

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⁶ Ali and Deininger, op.cit.
making mutually beneficial agreements over land access, and sharing marketing and technology transfer opportunities between the two groups.

The scale of this challenge is underlined by the current level of tension and conflict. Demographic growth resulting in millions of under-employed young people living in already crowded agrarian landscapes presents the Government with a complex problem which current models of land governance and resource management are evidently struggling to address. And while there are positive signs of shifts over key issues like rangeland systems, there are still clear differences over this and other key policy issues.

Both the Transparency and LGAF reports also underline the negative impact of extremely weak administrative capacity at all levels on governance. This is particularly so at the ‘frontline’ where local governments must manage changes in land access and use, as well as the complex interaction between local people and investors. Weak capacity in an increasingly complex agrarian landscape creates space for corruption and manipulation by elites and economic interests to take place, especially where the landscape intersects with rapidly growing cities and towns. Conflicts then erupt as urban boundaries are extended and integrate nearby farmland through expropriation rather than the conversion of existing rights from one use to another.

Other socio-structural issues also require greater attention, notably the question of the rights of women and vulnerable groups (VGs) over land and resources, and their ability to engage with the wider development processes going on around them. While their land rights are formally protected in law, and the SLLC LIFT and REILA projects are making commendable efforts to ensure that women and VGs can register their land rights, research for the Transparency Report found that women and vulnerable groups are still at a disadvantage when it comes to securing their rights and in their dealings with administrative structures in general. Evenly-applied formal procedures are undermined by unequal gender relations and entrenched patriarchal practices, with these problems extending to the post-titling situation when women farmers want to rent their land, make agreements with investors, and look for credit.

On balance however, there are positive things to build on and the Government is open to practical alternative approaches that are still aligned with its overall social and economic plan. Political control is still strong but discussion is being allowed. The LGAF report is cautiously positive, noting that ‘there are ample opportunities to implement monitoring activities of land governance progress and improvement’; and that ‘the government promised to the public to use any available means to remove all bad governance related issues in the land sector’ (LGAF 2016:133).

Careful capacity building and other new activities can do much to reduce conflict now, and enhance governance into the future. It is essential to create new professional cultures in existing institutions, and support new but fragile consultative mechanisms that will allow consensus to develop around the land governance challenge. Universities are developing research expertise in land issues in each region, and setting up new land administration and management departments 7. Debate is being driven by initiatives like the EthioLandNet, and new Government initiatives like the National Land Use plan underline the need for stakeholder dialogue and participation.

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7 Supported by the USAID LAND project, and by other programmes like LIFT that commission research papers.
A ‘plan mentality’ where ‘master plans’ and LUPs are ‘silver bullets’ for resolving land use and rights issues should shift towards an understanding of land governance and land use planning as tools for managing relationships between different land users and their needs.

It is also important to understand how formalising rights through programmes like the SLLC also turns farmers into stakeholders with a much stronger voice. Smallholders, like any other land user, need knowledge and support to better interact with public sector structures and programmes, and with investors and others who want to use their land. New capacity to respond to this challenge is essential, but skilled resources are already available and should be better used, both inside and outside government (LGAF 2016:134).

THE CURRENT POLICY ENVIRONMENT
Before moving on to look in detail at the proposed Transparency Plan, it is important to go over the present policy environment in which this Plan will have to be implemented.

The Government development programme is laid out in the five-year Growth and Transformation Plan, now in its second phase (GTP2) covering 2015-2019. The overall goal of the GTP2 is ‘sustain the accelerated growth and establish a spring board for economic structural transformation and thereby realizing the national vision of becoming a lower middle-income country by 2025’ (GTP:80). The Government has a strong role driving this process, but the GTP2 also underlines ‘democratic and developmental good governance’ established ‘through enhancing implementation capacity of the public sector and mobilization of public participation’ as one its key pillars (GTP2:82). Indeed, there are frequent references to good governance and participation throughout the document.

The GTP2 of course covers all areas and sectors, with a table of targets to be achieved by 2019. Land and rural development come under Section V, Economic Development Sector Plan. To underline its importance in the GTP2, a separated section (VII) is devoted to Developmental Good Governance and Building Democratic System. The main points of each are now discussed, to show how they align with the Transparency Plan.

Rural development and agriculture
In the case of Agricultural Development, the GTP2 document provides important parameters for the Transparency Plan. The focus list for ‘Agriculture and Rural Transformation’ is as follows:

i) Development of smallholder crop and pastoral agriculture will be further enhanced and hence will remain the main source of growth and rural transformation during the GTP II period;

ii) Provide all rounded support to educated youth to enable them organize and engage in agriculture investment;

iii) Enhance provision of the necessary support for domestic and selected foreign investors taking their capacity into consideration to enable them participate in transformative agriculture sub sectors such as crop, flower, vegetables and fruits and livestock development;
iv) Further pursue implementation of the scaling up strategy as suitable to the various agro-ecological development zones; and

v) Pursue holistic measures aimed at addressing constraints and challenges related to supply of agricultural inputs and utilization of agricultural technologies.

This list reflects the commitment to carry on with the earlier Agricultural Development Led Industrialisation (ADLI) strategy, where a transformation of smallholder farming will address food security needs, while large scale production supplies new national industries with inputs at a sufficient scale and quality consistency. The ADLI is also explicit about absorbing unemployed young people into new industries, as part of this transformational process. Land governance is at the heart of this process, as the following sections show.

**Smallholders and land holding rights**

Re-affirmation of the goals of the Certification programme underlines the importance of this activity as an essential condition for stimulating investment in on-farm production by the newly certified holders of holding rights. The GTP2 aims to formalise and certify the land holding rights of ‘7.2 million male and female headed households by carrying out the Second Level Certification of 28.6 million farmlands (parcels) in 359 woredas’. The programme is well underway, with LIFT alone expected to demarcate 14 million parcels and register the holding rights of 4.6 million male and female headed households by 2020. In addition, the rural land administration will be tasked with preparing a national rural Land Use master plan and preparing a Land Administration and Utilization master plan for each regional state.

However, the section on Rural Land Administration in the GTP2 document is very short indeed. There is no real detail about how the land use master plan will be achieved. Critically, there is nothing about developing the land administration beyond the Certification process and equipping it to assume the day-to-task of administering and managing land use, including changes in land access and use. Changes will occur as inheritances take place, property on land is sold (requiring the holding right to be transferred to the buyer of the property), and rental and other contracts are made between rights holders and third parties. Moving from a focus on SLLC to making the land administration a key instrument in the GTP2 rural and agricultural development vision is a key challenge for the coming years.

**Land for investment**

The GTP2 reaffirms the need to find more land for commercial investors, at varying scale. This will continue to be done by identifying land for the Federal and Regional land banks, by assessing its current level of occupation and agro-ecological suitability for investment. However, the GTP2 also says that not finding enough good land prevented the realisation of production targets in the GTP1 period. The GTP2 therefore underlines that the development of commercial farming has to be effectively unleashed for development through strengthening land administration system, recruiting high quality and high impact private investment, amplifying transparency and accountability... ’ (ibid:26, emphasis added).

Access to land is evidently a critical condition for this to take place. The current Second Growth and Transformation Plan (GTP2) requires that the total area of land transferred to investors will increase

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8 GTP2:120
9 GTP2:124
from 2.4 million hectares in 2014/15 to 3.1 million hectares by the end of 2019/20. This clearly has implications for the complex question of how to deal with the populations who live on land targeted for investment.

On the other hand, the Transparency Report quotes preparatory documents for the GTP2 which talk of the poor performance of large land allocations. This conclusion is reinforced by the analysis of official land data: firstly, smaller scale private investment has been far more productive than the much bigger units; and secondly, large scale investments have struggled to compete even with the smallholder sector. The Government recognises that better due diligence is needed when dealing with all investors; in the GTP2, support will focus ‘domestic small and medium investors with land holding between 100 and 5000 hectares out of the 3 million hectares of land suitable for investment’ (GTP2:127, emphasis added).

Recent meetings at the EAILA also indicate a significant change in Land Bank policy. A moratorium on allocations over 5,000 hectares in March 2016 has been extended, and the land allocation function of the EAILA is apparently being passed entirely to the Regional governments. In this context it is not yet clear what the new mandate for the agency will be, but the presence of the GIZ/EU project referred to above would suggest that it might evolve into a high-end technical assistance and advisory body for supporting Regional governments as they manage investor requests for suitable areas of land.

A new strategy for large scale commercial agriculture (LSCA)
A key development that sets the stage for the Transparency Plan is the new Large Scale Commercial Agriculture Strategy (LSCA) that is close to being finalised. The LSCA reflects the GTP2 focus on socio-economic transformation and growth achieved through agricultural-development led industrialization (ADLI). Reflecting the fact that large scale agricultural investment as still seen as a key element in the Government development strategy, the LSCA strategy is driven by an assessment that ‘one of the main hurdles presently undermining industrial competitiveness in Ethiopia is constrained raw material supply. In this context LSCA is seen as ‘the most viable sub-sector to ensure sustainable supply inputs supply to manufacturers’ (FDRE 2016:1-2).

The LSCA strategy recognises that investor access to land is important, but also signals a significant shift in approach. Thus is also ‘attempts to address socio-economic challenges endemic to the sub-sector, including...livelihood protection and local community development’; and most importantly, it is seen as ‘one of the key instruments to smallholder transformation as the dominant raw material supply source’ (ibid:2, emphasis added).

This new strategy has huge implications for land governance. It represents a major shift from the past focus on large-scale production units – a ‘plantation approach’ – to an agri-business and value chain approach where agreements and contract with smallholder producers is a recognised part of the overall picture. The large investors are not assumed to be simply seeking large land allocations, but will be investing elsewhere in the value chain – for example in processing plant – and sourcing their supplies through national producers of various types and scale.

10 Ali and Deininger, op.cit.
Investors will be offered incentive packages to work with local farmers and land rights holders through a range of inclusive business models and agreements. This shift reflects both earlier assessments of the poor performance of land-acquisition based models, and Government reactions to the unrest of 2016 that underline the need for an approach that recognises local rights and works with instead of against smallholders (and pastoralists).

There is an important caveat here, and one that is significant for the Transparency Plan that is proposed below. It is clear in discussions about the LSCA strategy that its land governance implications have not been fully thought through. The approach still reflects the view that the State, as ‘owner’ of the land, should be the recipient of lease incomes paid by investors for the land they use. It is also focused on attracting investors and lowering their transaction costs, rather than on concrete actions to ensure that local rights holders are treated as active stakeholders (who then for example, have a right to participate in the rents and other income created by the investments).

Nevertheless, the LSCA strategy presents an opportunity in the context of private investment intersecting with local land rights. With the right support, it should be possible to promote a more participatory, negotiated rural development process through activities that link LSCA and smallholder transformation within a mutually beneficial and reinforcing strategy. The objective then would be to build in lessons learned from this into the new GTP3 planned for 2020-2025.

Land for urban areas and industry – the urban-rural interface
The other sense in which rural land is targeted for investment is when the process of urban expansion requires more surrounding rural areas to be incorporated into cities and towns. Land in this context is needed either for residential and commercial development; or for locating new industries within with the wider context of the ADLI strategy. The rapid urban expansion of recent years has indeed created a strong and growing demand for nearby rural land, most of which will have some kind of existing right over it. Tensions caused by the poor management and planning of this process, linked to the opportunities it presents for speculation and high profits for developers, has been the root cause of conflict.

Current legislation is very limited in terms of how this is process is managed and carried out. The focus is very much on the payment of compensation, predicated on the application of the principle that ‘Land belongs to the State’ which then allows existing rights holders to be expropriated ‘for public purpose’ (Proclamation 455/2005). There are several key issues here:

- Firstly, the fact that radical title lies with the State may cloud the fact that there are other subjacent rights over land that need to be acknowledged and properly managed by planners;
- Secondly, the concept of ‘public purpose’ is loosely defined and applied in such a way as to lose any real meaning, and often even to facilitate subsequent acquisition of land for private development which is argued to be part of larger public planning processes (urban Master Plans etc.)
- Thirdly, there is no real link between the real value of the land in question, and the way in which compensation is calculated
Fifthly, the a priori assumption of the need to expropriate pays no attention at all to the possibility that an existing holding right holder (with or without a Certificate under the SLLC) can retain their right, which is then converted into an urban holding right with all that this implies for them being able to gain from the added value.

The other contextual element to this sensitive issue is the extreme weakness of existing urban land administration systems, and the complex institutional set-up which divides land between urban and rural sectors, with little or no interaction and collaboration between them to foresee and plan for potential conflict and grievances that might arise.

The Government is keenly aware of the challenges in this sector, and is clear about the need for serious measures under the GTP2. Recent events underline how the capacity to plan and manage this process is still greatly challenged.

**Pastoralists and communal rights**

The treatment of pastoralist rights remains a polemical issue. As mentioned above, there are signs of an opening by the Government to the possibility of creating some form of collective land right for pastoralist and other communal land holdings. This process has been supported by the USAID-funded LAND project, which has produced a book on the issue and commissioned reports that have indicated ‘steps in the right direction’; and indeed it appears that proposals for some form of collective right for pastoralists were proposed in the draft revision of Proclamation 456/2005.

Meanwhile, there have been some pilot activities to define and demarcate pastoralist land use systems, involving the pastoralists themselves and using guidelines developed for the purpose. Yet as if to underline the continuing divide on this issue, the resulting participatory LUP was quickly followed by another one commissioned by the Afar Regional Government. This ‘official’ plan is completely different and presents a LUP based on agro-ecological and ‘best use’ criteria.

An indication of the official position at this point is found in the GTP2, which talks of modernising livestock production across the country including in pastoralist areas, and giving emphasis to ‘expand modern ranches carried out by private investors [through] provision of all rounded support including supply of land’. At other points in the GTP2 document, there are indications of a strategy to settle and change the mode of production of pastoralist systems.

Being aware of the sensitivity around this issue, a Transparency Plan should identify where the pastoralist issue is being addressed by ongoing activities, and underline the need for continuing debate around this important topic, underlining here the importance of creating a space for open and constructive dialogue. It should also integrate the pastoralist issue into other components which promote a more inclusive approach to investment and development. This does not align precisely with the official position that appears in the GTP2, but is in line with the principles of participation, governance and ‘building democracy’ that appear in the document. It is anticipated that by

11 Flintan, op.cit.; USAID 2015
12 Flintan and Cullis, 2014, op.cit.; and Chifra Woreda (op. cit.)
13 GTP2:123, emphasis added
demonstrating the potential of a more inclusive and rights-based approach (see the following section for example), it will be possible to develop a more consensual strategy that does not undermine existing livelihoods.

**Using certified rights for transformation and development**

While the SLLC process has achieved admirable results, the GTP2 focus is on modernising the sector rather than a concern for rights per se. It rests on assumptions about tenure security creating an incentive to invest in and take better care of the land. Also, the *transformational agenda* driving these measures has important implications for how rights are used and in particular how they can be shared with or transferred to other actors with the resources to get land producing more effectively. While the SLLC is about tenure security, it is part of the wider transformation programme which seeks to transform today’s peasant farmers into commercial producers.

Thus the GTP2 includes measures ranging from improved access to markets to better extension to help smallholders make the transition from essentially subsistence-based production, to a high-yielding commercial smallholder sector. Activities like the Economic Empowerment Unit of the LIFT project, linking the SLLC to enhanced micro-finance availability, also respond to this concern.

It is necessary to go further however, and look beyond what a farmer might do on her or his land to consider how they might engage with other development actors. This is also a key ‘transformational moment’ that can take smallholders, investors and Government agents ‘beyond the dichotomy of large vs. small’ and ‘look instead at new ways of combining the two’. In other words, the two-pronged agrarian development strategy of the GTP2 should include measures to facilitate and promote an active engagement between different land users and the State.

‘Combining the two’ then becomes a question of helping newly certified smallholders to make the most of their newly secured rights, including in their interactions with investors and State-backed projects. This approach may also be relevant and useful for addressing the still-polemical of how to deal with pastoralist rights in a more inclusive and equitable manner. How to do this is directly addressed in specific components of the Plan presented below.

**Women and vulnerable groups**

The GTP makes frequent reference to the participation of women in all areas of the development programme. This includes the brief discussion of land administration, and in a specific section on Women and Youth in Section VIII, Cross-cutting Issues.

Three ‘strategic directions’ are outlined:

(i) Strengthening women and youth organizations;

(ii) Ensuring the active participation of these women and youth organizations in the development and governance programs of the country, and ascertain equity in benefiting women and youth from the resultant development and governance outcomes; and

(iii) Establish coordination of these organizations with other concerned bodies working in women and youth affairs at all levels (GTP2:208).
Gender equality including rights over land and other resources is enshrined in the Constitution of Ethiopia. The GTP2 also makes constant reference to the participation of women, and a specific reference to SLLC being for all farmers, men and women. However, the Transparency Report identifies problems with the way these principles are practiced on the ground. There is evidence from field interviews and academic research papers, that the way women’s rights are dealt with is still conditioned by unequal gender relations and entrenched patriarchal systems in all regions.

In this context, male elders are responsible for the application and upholding of customary norms regarding women’s rights; and these norms tend to predominate over formal normative frameworks imposed from above. While programmes like LIFT and REILA pay specific attention to ensuring that women are able to come forward and register their holding rights, achieving sustainable improvements in the gender context of land rights requires normative change and hence measures aimed at the male leaders who regulate and administer customary and patriarchal systems.

Both LIFT and REILA, as the main SLLC-focused projects, have methodologies to ensure that women and VGs take part in and benefit from the certification process. LIFT also works hard to include women with new Certificates in its economic empowerment activities (such as facilitating access to credit and brokering new land rental agreements). This focus on the women themselves should of course continue, and be strengthened if possible. It should also be complemented by activities that seek to raise awareness amongst male leaders, about the need for normative changes that can ensure real gender and VG equality in terms of land rights and land governance. Women will then face fewer socio-cultural hurdles when attempting to take advantage of SLLC and other post-certification opportunities.

**Taxation, revenues and sustainability**

The GTP2 stresses the need to raise public revenues from an improved and extended tax system. However, there is little mention of land fees and land taxes, and the need to increase revenues from land-related services to ensure the sustainability of the current, largely donor-supported investment.

Long-term sustainability also requires a reliable supply of professional staff. Once again the GTP2 is aware of the need to produce the required human resources over the period 2015-2019 and beyond, but makes no specific reference to the needs of the land sector and how to meet them. The Transparency Plan will therefore include these issues in its assessment of ongoing activities and propose some immediate measures to begin to address the longer term sustainability question.

**Governance and participation**

The section on ‘Developmental Good Governance and Building Democratic System’ calls for a ‘paradigm shift’ in the ‘developmental political economy’ of the country, requiring ‘comprehensive capacity building ... [to ensure] the supremacy of the developmental political economy, and realization of the development, democratization and good governance goals of the country’. It continues: ‘The key [to achieving this] is to render [ensure?] the wider public play a pivotal role in the development and political affairs. Thus, at centre of GTP II is the promotion of organized and all rounded participation of communities in the development and political processes of the country (GTP2:195)’.
Furthermore, the Government affirms through this document that ‘the political leadership will demonstrate unwavering resolve in implementing the reforms focusing on those sectors that are vulnerable to rent seeking and corruptions such as tax administration, urban land use and management (ibid:195).

With the regard to urban areas – and how these expand into neighbouring rural areas - the GTP2 recognizes that ‘rent-seeking political economy still maintains its hegemony’, and underlines the governance implications of improving the urban land administration. A key ‘strategic direction’ is therefore to ‘create modern urban land administration system that promotes the utilization of urban land in an economically efficient manner for long-term developmental purposes rather than for short-term rents’. This includes establishing a cadastral system in major cities in the country’ (ibid:196, 199).

None of this undermines the points made above, about an opening towards a genuinely more consultative way of doing things. Finding a way to promote a genuinely open debate then remains a key challenge which an effective Transparency Plan should address.

THE TRANSPARENCY PLAN
Strategy and Guiding principles
The underling strategy is to begin a process that will improve transparency and land governance over the medium term (essentially the remainder of the GTP2). The Plan presented here is also best seen as a mechanism for coordinating and reinforcing existing as well as new activities, insofar as they impact on transparency and land governance. The strategic objective is to develop ideas and activities which, after a thorough assessment towards the end of the Plan, can be developed into concrete measures in a Land Governance and Rural Development sections of the new GTP3.

Thus, where existing projects are already addressing the issue, weak points and/or gaps are identified which can be filled in as part of this Plan. Where existing activities are NOT covering the issues, new activities are proposed.

The guiding principles of the Plan are as follows:

Better systems and access to information reduce the scope for corruption

Build capacity for a land administration that moves from SLLC to managing change - ensuring that land users keep using the system as changes occur in land access and use over time. This is already happening in LIFT woredas with the introduction of the RLAS, together with the necessary training and capacity building.

Analyse data and disseminate results to support balanced policy revisions, and provide land users with useful information for managing their activities and planning investment

Build on achievements and use existing or newly created mechanisms and capacity.
Many activities in existing and proposed donor-supported programmes contribute to improved transparency and governance. There are clear synergies with the LUP and LGAF processes as they develop Road Maps for implementation.

**Women and gender are not side issues but are central to achieving broader development goals**

Mainstream gender and women’s land rights into land management and governance; women are half of society and bringing them fully into all land activities – titling, land use planning, access to credit, rental and negotiation with investors, etc. - will impact on development and governance for everyone.

**Dialogue and debate can overcome mistrust and create space for more consensual, equitable and sustainable land policy and programmes.**

Transparency and good governance are rooted in trust between the State and land users, and in the social legitimacy of policy and programmes. The Government is opening up to greater participation. Civil society is a positive force and the Government needs to build new bridges with it. Facilitating dialogue between the Government and all stakeholders can resolve acute problems; allow stakeholders to work together to develop legislation and policy; and give everyone a say in how development plans and investment projects are designed and implemented.

**Legal empowerment is not a threat and can contribute to public policy as well local goals.**

People who know their rights and how to use them are not a problem, quite the opposite. They may be able to better defend their rights and resist unjust expropriation, but they are also able to make constructive and productive agreements with incoming investors and the State. This includes reaching consensus on resettlement and compensation where necessary.

**Inclusive models and ‘win-win’ are achievable.**

Rural people welcome new investment because it brings jobs and other benefits. The question is how it is done, especially when local land and natural resources are involved. Mutually beneficial negotiated agreements reduce the potential for conflict and corruption, and go ‘beyond the dichotomy of large vs. small [to] look instead at new ways of combining the two’. Inclusive business models and collaboration between small and large farmers are working in many countries. There is real potential to promote this in Ethiopia now. The new EU/GIZ project at the EAILA is an excellent starting point. Other Plan components can contribute to and work with the EU/GIZ project in pursuit of the ultimate, ‘win-win’ scenario produced by improved transparency and governance.

**Plan Components**
The Plan for Improving Transparency in Land Governance consists of six components. These are:

1. Land Administration for Change and Development, with two sub-components:
   a. Gender, women and vulnerable groups
   b. Analysis and knowledge management
2. Rural – urban land management and planning
3. Inclusive Development, with a focus on smallholders and local government
4. Inclusive Development, with a focus on private investment models
5. Dialogue around land policy and development
6. Sustainability, with a focus on two areas:
   a. Generating revenues from land access and use to support the system into the future
   b. Ensuring a supply of professional human resources as public sector capacity improves and expands

These components form part of an integrated framework of activities with medium and longer term objectives. This is shown in the diagram below.

**Activities under Component One** address what are essentially ‘system’ issues. Activities under Component One include administrative and capacity inputs to prepare the rural land administration for managing change in land access and land use once the SLLC is complete; measures to improve how women’s and vulnerable group rights are dealt with; measures to create capacity within the official sphere, to analyse land data and disseminate it to policy makers and land users.

**Component Two** also addresses systemic and basic capacity issues in the urban context, but with a focus on the interface between rural hinterlands and expanding urban landscapes (other projects are focusing
on the administrative and ‘internal’ urban capacity concerns). A first step is to provide immediate support for the Government to develop an effective planning and compensation system that addresses present grievances. New systems and a more professional workforce will significantly contribute to an improved governance, but more importantly perhaps is a focus on process and negotiation as urban government interact with regional neighbours and rural communities. Moving away from automatic expropriation to a more negotiated and inclusive way of dealing with existing rights, together with much improved benefit sharing arrangements, is a key element in this picture.

Components Three shifts the focus away from land administration towards ‘land and development’, with a more inclusive strategic approach. The objective is to enhance the impact of and build on the SLLC programme, to make clear and reliable land data the heart of a more inclusive rural development process. The belief is that a more participatory and mutually beneficial development process will reduce the need for top-down land acquisitions that do not take local rights into account, and thus over time, improve overall transparency and governance.

The other spin-off from this process is that it will begin to make small farmers and others realise that it is useful to use the newly installed Rural Land Administration System (RLAS) and rights registration processes. Having an up-to-date land certificate can be a condition for engaging in a new partnership or rental agreement with an investor for example. Agreements are also given greater security by the legal requirement to register these in the RLAS; and this only makes sense if any changes in the holding right are registered beforehand. Giving people a reason to use the land administration – to develop and secure new livelihoods strategies for example - is an essential part of ensuring its sustainability, whatever technical measures are put in place.

Component Four reflects the strategic shift already underway, towards a more VGGT and PRAI based approach, and the adoption of the value chain and inclusive thinking behind the new LSCA strategy. The objective here is to develop the skills and the strategies for promoting a constructive and more equitable alternative to expropriation when investment projects are planned; it can also feed into the key challenge of regulating and managing urban expansion into rural areas.

Component Five is a key element of the Plan for driving the Transparency Plan forward into the longer term framework of the GTP3. It creates a new space for dialogue and debate, where an important objective is to further encourage civil society to contribute in the land sector alongside the present opening up towards academics and other national specialists. It also provides a mechanism for assessing the feedback and lessons learned from the other activities, which then leads on to possible changes in policy direction and/or the Government committing to new budgetary and programme targets to support further activities. Note that the goal of promoting greater participation matches the declared principles of the GTP2. However, this component moves beyond the GTP2 vision of a more controlled and functional form of stakeholder involvement. It will need skilled and experienced technical support if it is to be developed into a well moderated mechanism where deeply held positions can be discussed and a new consensus constructed.
Finally, Component Six cements the process, by creating a ‘virtuous circle’ whereby new resources – material and HR – are created and fed back into the overall ‘land governance system’.

THE IMPORTANCE OF DIALOGUE

Of all the components in this Plan, Component Five is perhaps the key for ensuring that improvement in governance and transparency are consolidated over the longer term and into the GTP3. The Forum proposed could be called the Land and Development Forum (LDF). It is useful to say a little more about this before closing the paper.

Several existing elements of an improving environment for dialogue have already been mentioned. These include:

- The creation of the EthioLandNet led by and based at Bahir Dar University, Department of Land Administration (with its first Annual Meeting providing a good springboard for developing a formal LDF proposal with the Government)
- The recently completed first phase of the Land Governance Assessment Framework, with its calls for continuing discussion of its findings
- A clear awareness on the part of the Government that more participation is essential to ensure that new land governance and policy instruments are to have broad support.

The first of these is already being supported by several donor partners (the USAID Land Administration for Nurturing Development (LAND) Project, and GIZ, with support to regional centres of excellence of which Bahir Dar will be one). The Universities and professional organisations also offer a useful vehicle to bring civil society back into the process. Universities are state institutions, but are not formally Government entities; and academics and professionals occupy a space between ‘official’ and ‘civil society’ and have ethical and professional codes that underline the need for objectivity and impartiality in research and technical advice roles.

The LGAF documentation, accepted by the Government and now in the process of being collated into a summary document and road map for implementation, clearly recommends that the Government and its partners should ‘provide for a wider public participation in land use planning’.

Of particular importance for the LDF is the current Road Map for developing a new National Land Policy and Land Use Plan within the next three years. The following quote from the Summary of the draft Road Map document is particularly relevant in the context of the LDF proposal:

For effective participation and ownership, organizing all stakeholders of land use by common commodity group and building their capacity in participatory planning and livelihood project identification has a paramount importance. At the same time, having an authoritative institution that can facilitate, guide, regulate and arbitrate land use planning and implementation at all administrative levels is seriously essential. Raising the awareness of the general public and capacitating the land use planning and implementation Facilitation offices very important too. The basic principle will have to be having a land use plan which is the result of **beneficiary driven, government-facilitated, and expert-guided** exercise\(^{15}\) [emphasis added].

The quote points towards the key features of the LDF mechanism and what it can achieve: it can bring in the beneficiaries and ensure that they have a say in how the LUP (and other land activities such as ongoing policy development) is designed, developed and implemented; it establishes the role of the Government as facilitation rather than imposing a pre-defined agenda; and it recognises the need for serious technical assistance and support as and when required.

A key strategic objective of the LDF proposal is to increase civil society participation in the land and rural development debate, both as protagonists of alternative approaches to local rights and equitable development, and as **partners in implementation**. This is particularly the case for the kind of development model which the Transparency Plan seeks to promote through all of its components. The LDF mechanism should provide the opening for a more constructive engagement between civil society and the Government in the future\(^{16}\).

Finally, it is important to underline that this component **must be jointly-funded by a number of donor partners with if possible, a significant contribution from the Government (perhaps within the LUP budget). This is essential to convey the message that the LDF is a national mechanism and does not reflect the agenda or interests of any specific donor or stakeholder.**

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\(^{16}\) A good working example is the Consultative Forum on Land created in 2010 by the Government of Mozambique, with multi-donor support and involving several key sectors that either manage, administer or use land in some way; local governments; national and invited international experts; civil society; and land users (community and private sector). Government – civil society relations have also been strained in Mozambique and the CFL has done much to repair the situation and develop constructive partnerships.
THE LONGER TERM - REVENUES, BUDGET, HUMAN RESOURCES

While the Transparency Plan looks at ways to improve transparency and governance, the question of longer term sustainability is critical. This is integrated into the Plan in its Component Six, but more detail is needed on how this might evolve and what the immediate and longer term needs are.

*Revenues from land administration and use*

Revenues coming from land administration services and land charges are very low, and are certainly nowhere near enough to support the new RLAS and other land governance activities over the longer term. Cost recovery mechanisms in the RLAS related to the administration of the SLLC and subsequent transactions through the system are also very weak and produce virtually no income. However, LIFT is conducting a comprehensive opportunity assessment and study of the RLAS sustainability, which is also looking at potential revenue sources.

In most countries taxes and charges on land administration services form the basis for supporting land administration budgets and other land governance services in the long term. The LIFT RLAS team assess that some Birr 460 million is needed annually to keep the present RLAS functioning, and is proposing measures to generate revenues in the future. In the medium term however financial support for the system is essential, either from Government public budgets or donors, or a mixture of the two.

Focus on RLAS needs however detracts from the larger picture where other land users also have to pay tax in line with their legal and social obligations. A comprehensive tax policy is required that includes measures that effectively cross-subsidise different parts of the overall land administration system. In this case, tax and fees paid by commercial and large land holders can offset the costs of the fees that would have to be paid by small land holders (area occupied here being a proxy for relative wealth and ability to pay).

Building a sustainable land taxation system is a long term endeavour that will require significant support beyond LIFT and into the GTP3 period, and the Government and donor partners need to be aware of this and planning for it. This is more than just a technical land administration and revenue-raising issue however. It has important socio-economic policy dimensions as well. For example:

- who will be exempted and on what basis (this is essentially a pro-poor question with implications about how to classify exempt categories of land user);
- how will revenues be distributed (in some countries, regulations dictate that a portion of taxes generated from private investment in local areas should be returned to the communities with land rights there);
- how will land charges and taxes be used to promote a sustainable and equitable land use system which contributes in turn to the kind of inclusive and participatory development model being advocated through Components 2-4 of the Transparency Plan;
- should an objective of the system be to reduce the incentives to accumulate land, and if so, how is this achieved?
It is essential that this activity does not trigger a concern amongst the smallholder and agricultural community in general that their engagement with LIFT is simply a pretext for the Government then being able to levy taxes on farmers. This message would have a negative impact on the willingness of farmers to engage in the SLLC programme and to go back to the RLAS services later on to update their land information and certification when changes in land use and title holder take place.

A clear starting point and condition for this work should therefore be the principle that all farmers engaged in what is essentially ‘livelihood farming’ (subsistence farming which includes commercial activities as part of the farm household income) should be exempt from any land tax that is being considered. The focus of any new system is to ensure that private sector larger and commercial farmers and land users pay taxes to support a system which benefits all land users in the long term.

**Human resource development**

The other side of the sustainability issue is the supply of quality human resources to keep the system working. The 2015 LAND study (USAID 2016) of professional and technical needs for the whole land administration and management system over the coming 20 years assessed needs in the short (<5 years), medium (5-10 years) and long term (10-20 years). It finds that each period will require approximately 39,000, 50,000 and 57,000 additional staff in each period respectively.

Of these the largest single need is for Land Administration technicians. This large number of predicted staff needs reflects that the fact that the country will have to manage around 50 million parcels of land, carry out cadastral surveys in a first round of 23 cities and second round of 68 (of a total of 972-1600 cities and towns); and conduct and maintain both national and more decentralised land use plans (USAID 2016:14).

The focus of the LAND study is therefore clearly on land administration at the lower end of the system. Staff for these posts are presently trained in the TVETs, vocational training centres producing technicians rather than higher level policy and managerial skills. It is estimated that the TVETs will account for some 100,000 of the total of 146,000 additional personnel who will be needed over the coming 20 years (ibid:9).

Land management, land and resource use planning, and related professional level skills are included in the assessment, which highlights the huge capacity gap in skills in land valuation and taxation. While these ‘higher level skills will take longer to develop [and are] an important part of the national administrative structure’ (ibid:9), the number of people recommended to be trained in these areas that impact directly on land governance and land management is hugely less than in land administration (a total of just 30 Masters graduates and five doctoral students annually). This imbalance needs to be re-examined if some of the longer term changes in managerial and policy development practices are to be achieved as outcomes of this Transparency Plan.

The Land study echoes the recommendations above, saying that ‘a percentage of land tax revenues [be allocated] to the development of Land Administration programmes’ (ibid:9). The training programme can also contribute to the development of new revenue raising capacity that in turn feeds back into the sustainability of the land governance system. The LAND report identifies a significant need for
personnel in data management, but this needs to be extended to include skills in data analysis and the subsequent packaging of derived data and statistics into reports and other information that can inform both policy makers and land users.

Fortunately, national capacity at higher education level is in fact evolving quite well, with 13 Masters programmes in different rural and urban land specialisations, and two PhD level programmes in areas relating to but not directly part of the wider land administration and management system (Soil Sciences and Climate Change, and Rural Development). There courses can and should be expanded however.

The TVET vocational training system is also in good shape. A key land partner, Germany, has been supporting the TVET system dating back to the Imperial and Derg regimes. This support has built the TVET network up from basic needs and regulatory development, through to the current focus on developing and maintaining quality. The approach underlines the importance of linking TVETs directly with the end-users of TVET graduates: firms and sectors that need the technical staff they produce.

Current German support to the TVETs comes through KFW with a budget of €35 million (within an educational cooperation budget of €100 million over three years). A recent innovation is the establishment of ‘A-TVETs’, for agricultural training. This is identified by German Cooperation as a focus area linked to a need to support the transformation agenda of the Government. There is also an expressed political interest in ensuring that this agenda is well implemented and does not create problems in the human rights and social equity contexts.

REILA has been supporting curriculum development at TVET level in land administration, and this is set to continue through REILA 2. The combination of an effective training system established with long term support from Germany, and more recent curriculum support to develop a land administration curriculum, has resulted in Ethiopia having ‘one of the most logically ordered and best defined LA sub-sector TVET designs of anything that is available internationally’, with ‘well-organized and well-structured training programmes for both rural and urban LA training’ (ibid:63-64). The REILA project has supported the development of an updated land administration programme that has already been implemented at the Assosa TVET programme in Benishangul-Gumuz region; this can serve as a model for other TVETs across Ethiopia.

SUMMARY AND FINAL COMMENTS
The Transparency Plan does not address deeper political and socio-structural issues at the heart of land and development conflicts in Ethiopia at the present time. Rather, it offers a series of inter-linked proposals that, if implemented with political will and collective engagement by all relevant stakeholders, can create the conditions for a new national dialogue around land rights, how land is used, and the relationship between land governance and a relatively equitable socio-economic development model.

The Plan underlines the need to continue focusing on practical land administration capacity in both rural and urban contexts. The objective here is to reduce the space for corruption, provide land services that are accessible and appropriate, and which are also seen to be useful to all land users.

Alongside this practical focus, are measures with a more policy-oriented focus. A core objective here is to create the conditions for a more constructive engagement between ‘ordinary land rights holders’; the
Government at all levels; and private sector investors be they national or foreign. ‘Ordinary’ in this context means all those who have secured rights through the various land reforms of the last decades, or through customary and other informal means over generations - i.e. ‘the people’ of Ethiopia in whose name the Government manages land and natural resources.

While the SLLC process continues to enhance the tenure security of millions of smallholders, this strategy has implications for the way in which rights holders can engage with local government, which asserts the principle of ‘State as owner of land’ to impose and direct initiatives that affect the rights and livelihoods of ‘ordinary’ land users. Components Two, Three and Four all focus on improving and to some extent inverting this relationship.

If successful, Components Three and Four can also begin to provide an effective alternative to the ‘single solution’ mentality of expropriation of rights before promoting a more nuanced and negotiated form of land access and land sharing between existing rights holders and new, external interests.

Inclusive business models can in effect transfer the burden of compensatory schemes from the Government to the investor, if ways are found to develop agreements structured around the recognition of existing land rights, and which give existing rights holders some form of stake or real return from investments made using their land. The new LSCA strategy is both a challenge and an opportunity in this context.

Component Five is the heart of the Transparency Plan in terms of its longer term impact. Dialogue on land issues is certainly improving, and there is a great incentive now to find a new way of governing and regulating land access and use. New initiatives like the EthioLandNet offer the prospect of opening up debate and should be used to develop a constructive discussion around the idea of setting up a Land and Development Forum (LDF) as a monitoring tool, as a feedback and analytical mechanism, and as a forum for developing new and consensual policy and programmes in the run-up to the GTP3.

It is also clear in the discussion of the GTP2 that the word ‘transformation’ is key. This is particularly important also when setting land policy and governance within the wider context of a Government development strategy that links large improvements in production based in agrarian transformation, with the key social objective of providing employment for millions of young Ethiopians.

It is clear that many of these young people can and should be employed in the agrarian economy, but not necessarily as smallholder or subsistence farmers, with service sector and sustainable agricultural employment on larger enterprises also being options. However, some degree of rural-urban migration and genuine agrarian transformation in structural terms is an inevitable and necessary aspect of this process. The strategies and approaches contained in Components 2-5 of the Transparency Plan all take this fully into account and provide for a measured, well-regulated, managed and just approach to achieving this overall goal.
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