

Establishing an Ethiopian Land Administration Professionals' Association: A Conducive Environment

MELKAMU Belachew Moges, Ethiopia

Key words: land administration, association, professionals, Ethiopia

SUMMARY

Ethiopia is, in the last two decades, taking some positive measures to improve the old long lasting poor land administration system. Some laws were made at federal and regional level; so were some policy guidelines. More importantly, land registration and certification is being implemented in the country though in quite varying scale and quality. In view of this, it is quite appropriate to investigate the major gaps in the existing sustainable land management practices. The gaps should be identified and a few possible solutions be indicated. The main problems in this regard relate to enforcing institutions of the land laws and activities, legislative framework for the land administration, and the technical management of the land related information such as the issue of computerization. However, this governmental effort has to be supported by the land professionals in the country whose number is increasing at a good rate. In view of this, the land professionals have already planned to come together in an association called the Ethiopian Land Administration Professionals' Association. They will obviously help the government's efforts through the identification of the gaps and problems in the land administration system, not to mention the high advantage they will get through the advancing of their own professional self interests. Therefore, this paper attempts to explain briefly the need for such an association in Ethiopia and the nature of the association which has been established and will hopefully be soon registered.

Establishing an Ethiopian Land Administration Professionals' Association: A Conducive Environment

Melkamu Belachew, Ethiopia

1. INTRODUCTION

All over the world, it has been quite a settled practice to establish an association or institution of surveyors to carry out various functions such as advancing the knowledge of surveying and promoting the general interests of the surveying profession¹. The majority of these associations are member associations of the International Federation of Surveyors (FIG) representing one or more of the disciplines of surveying (other levels of membership to the FIG are affiliates, corporate members, academic members, and correspondents). Thus by November 2009, there are 102 member associations representing 83 countries of the world².

The African continent is the least represented one as compared to the other parts of the world looking at the member associations representing each country.. In the continent the countries that are represented in the International Federation of surveyors through their member associations include Algeria, Benin, Botswana, Burkinafaso, Cameroon, Congo D.R., Egypt, Ghana, Kenya, Morocco, Tanzania, Togo, Tunisia, South Africa, Papua New Guinea, Niger, Nigeria, and Zimbabwe. Ethiopia has only recently began preparation to assume membership through the newly established association.

2. MAJOR STEPS IN THE FORMATION OF THE ETHIOPIAN LAND ADMINISTRATION PROFESSIONALS' ASSOCIATION

To begin with, the initial idea of establishing an Ethiopian land administration association dates back to June 2008 when the FIG Working Week was held in Stockholm from 14-19 June 2008. In this event, I got an interesting opportunity to participate and present a paper at the same time as I was defending my thesis for my MSc degree in Land Management³. That was the event during which I heard about member associations and other kinds of members. Based on this initiative, the newly born Institute of Land Administration at Bahir Dar University to which I belong today has, based on its ambitious managerial and technical administration, encouraged and adopted the ideas.

The first step was taken by making the Institute an academic member of the FIG and appointing a correspondent⁴. At the same time, the idea of establishing the association as

¹ see for example objectives of the Institution of Surveyors of Kenya at www.isk.or.ke

² retrieved from www.fig.net

³ I am one of the several persons who got an opportunity to study an MSc programme in Land Management out of the cooperation between the Swedish and Ethiopian Governments.

⁴ See at www.fig.net. A correspondent is a person appointed in a country where no FIG member association exists.

owned by the Institute has been developing into a practice. The major step taken was the inauguration of the Ethiopian Land Administration Association in a workshop conducted on the 22nd and 23rd of October, 2009 at Bahir Dar, the capital of the Amhara National Regional State⁵. There were more than 56 founding members coming from different parts and regions of the Federal nation, namely from Amhara, Tigray, Oromyia, Addis Ababa, and the South region. They came mainly from offices of land administration, environmental protection, municipalities, urban works and development, agriculture and rural development, mapping, relevant universities, political administration, NGOs, and other private associations.

Interestingly enough, the founding members made a very active participation and showed an astonishingly great interest for the formation of the association. Thorough discussions were made on such things as the nature of the association, vision, mission, and objectives of the association, membership to the association, and financial sources of the association. The workshop ended after selecting the executive members of the association who will manage and run its day to day activities⁶.

3. OBJECTIVES OF THE ETHIOPIAN LAND ADMINISTRATION PROFESSIONALS' ASSOCIATION

The formation of an association of land administrators will create a favourable condition to so many situations. Thus the founders of the association have underscored about nine specific objectives which are hoped to be achieved throughout the life of the association⁷. Let us quickly turn to some of these:

- Maintaining the professional integrity, interests and benefits of the Land Administrators through creating a favorable condition for their voices to be heard

The association primarily aims at fostering the profession of land administration in all its dimensions, i.e. surveying, land law, land economics, GIS, geodesy, mapping, and so on. The profession will be well known in Ethiopia at all major levels, i.e. at individual and public levels. This will in turn maintain the integrity of the land administration professionals. What is more the professionals in the field just as it is the case in any other professions would like to advance their unique interests in terms of say expressing and sharing their knowledge and experience to the rest of the

⁵ See for more at www.ila.edu.et

⁶ The author is the Secretary of the Association.

⁷ See Art. 6 of the Articles of the Association.

community and argue on the creation of opportunities for their involvement in the land administration system and land market, to mention one.

- Creating awareness of the economic, legal, social and environmental significance of land resource

In Ethiopia, the understanding of land in its technical and individualized form is just a new matter. Popularly, land is known in its ordinary sense as something to walk on, establish a house, cultivation of crops and maintaining grazing fields. However, the association aims to contribute to the wide understanding of land as an economic, social, political, and environmental element. In particular, awareness is apt to be widely created in the public to the effect that land is a precious resource that needs to be individualized, counted, recorded, and managed comprehensively irrespective of the different form of ownership or other right attached to it.

- Providing assistance for the government in its endeavor to formulate land policy and law;

Indeed, this association is the result of the recently growing initiative of the Ethiopian government to put in place a sound land administration system in the country. In other words, such an association would not have been thought over had it not been for the government's first initiative to establish a land administration and registration system as of 1997 at Federal level and subsequently at regional level. However, it is easily observable that there are, as should be expected at this stage, many areas of legislation and policy that urgently require the voluntary and responsible intervention of the professionals in the field by way of citizenry cooperation. For example, identification of aspects of land administration that still need legislative framework with the view to promote rule of law and land policy with regard to urban-rural land administration linkage could be cited.

- Increasing the knowledge and skills of the Land Administrators

Presently, land administrators are being produced especially since the establishment of the Institute of Land Administration at Bahir Dar University in 2006 with the cooperation of the Swedish and Ethiopian governments. The BSc programme that the Institute has started to run is staffed by a few individuals trained in Sweden at the Royal Institute of Technology. However, not only the other learned people in the field have a knowledge in relation to

just one or the other single aspect of land administration such as Surveying and Engineering but also the individuals who have got a relatively more advanced and complete education in land management need to increase their knowledge, experiences, and skills. The association will be in a position to achieve this through seminars, workshops, symposium, publication and the like.

- Strengthening the relationship among the members on the one hand, and the Association and other national or international Associations on the other;

The clearest outcome of forming such an association is the creation of a viable opportunity to the members to get first introduced to each other and then enhance discussion and exchange of knowledge and experience. Further the association has the purpose of fostering coordination between itself and other sister associations both at national and international levels. In particular, the association plans to join the FIG (international Federation of Surveyors) group of member associations thereby representing Ethiopia in the international forum of land management and surveying. Hopefully, this shall create a favorable condition for the transfer of knowledge, technology, and information between the association and other national or international associations.

4. THE NATURE, LEGAL BASIS AND MEMBERS OF ELAA

The Ethiopian Land Administration Professionals' Association is established pursuant to Article 404 (and following Articles) of the Ethiopian Civil Code and the newly proclaimed law known as Charities and Societies Proc. No. 621/2009. Any land administration professionals could be its members. For the purpose of the association, a land administration professional is defined as any person having land related education or adequate experience on land matters. And land administration is defined as the process of determining, recording and disseminating information about the tenure, value and use of immovable properties while implementing land management policies. Finally, "Land" is defined as all types of individualized immovable properties such as a parcel, a building, conduit, fence and other facility constructed in or above

ground for permanent use, standing trees and other vegetation, natural manure and the like.

As compared to most of the FIG member associations representing many countries across the globe, the Ethiopian Land Administration Association is a broader association in terms of the diversity of the professions it contemplates. That is, it includes not only surveyors but also other related professions as will be mentioned below. Accordingly, there is the potential for the formation of more specific and technical associations from this wider association in the future.

The head office of the Association is decided to be Bahir Dar, the capital of the Amhara National Regional State. The reason is that the initiative for the formation of the association has come from Bahir Dar University, located in the beautiful and highly growing city of Bahir Dar. In addition, many of the responsible individuals for the initiation and further strengthening of the association are in the same university.

With regard to membership of the association, any land administrator who supports the objectives of the association and fulfills requirements of law and of the association may become a member. The association will have five types of members, namely, full member, associate member, corporate member, honorary member and student member.

– Full Membership

A full member is any one who

- holds bachelor degree or above in Land Management, Civil Engineering, GIS, Geodesy, Physical and Land Use Planning, Surveying, Land Economics, Valuation, Land Law, Geography, Developmental Studies, Agriculture or any other land related professions; or
- has a diploma or an equivalent educational qualification in one of the above professions and has been working for more than two years; or in the absence of such experience, if he/she has made land related research works, and
- can successfully pass any land related prerequisite set by the association.

Exceptionally, any person who participated in the inaugural meeting for the establishment of the association shall be a founding and full member without any other requirement.

– Associate Membership

An associate member is any person who is not registered as full member, and

- who represents the Federal House of People's Representatives, Regional Councils, Governmental and Non-governmental organizations, or

- any one who has at least a Diploma or 10+3 certificate in any field of study, and who supports the objectives of the Association and fulfills the requirements set by the association.

An associate member has no right to elect or be elected. Yet he may be present during election and give his opinion and participate in the activities of the association.

- Corporate Membership

The third type of membership is a corporate membership. A corporate member is any institution, governmental or non governmental, local or foreign, profit making or non profit making, which supports the objectives of the Association and fulfills the requirements set by the Association. This may, for example, include Associations of Horticulture, of Real Estate and of Coffee.

- Student Membership

Any student who supports the objectives of the Association and fulfills the requirements set by same may be come a member. Upon graduation, a student shall automatically become full member after filling the application forms provided that he/she meets the other requirements.

- Honorary Membership

Any person whose professional ethics and competence is recognized and has made an outstanding contribution to the achievement of the objectives of the Association directly or indirectly may become an honorary member thereof. An honorary member shall not pay fees.

All types of members have the right to enjoy all benefits that the association offers and they must also adhere to a number of duties. These include the duty to:

- respect and follow the memorandum of association and articles of association,
- participate in research or similar other efforts in a bid to develop the Association,
- participate in all general meetings of the association,
- abide by the decisions of the Association or of its Executive Committee, and
- pay, on time, registration fee and monthly membership fee as well as any other fees as may be decided by the association.

REFERENCES

The Institution of Surveyors of Kenya, retrieved from www.isk.or.ke on Jan. 5, 2010.

International Federation of Surveyors, retrieved from www.fig.net on Jan.5, 2010.

The Institute of Land Administration, Bahir Dar University, retrieved from www.ila.edu.et on Jan.10, 2010.

Articles and Memorandum of the Ethiopian Land Administration Association (2009).

The Civil Code of the Empire of Ethiopia. (1960) Proclamation No. 165/1960. *Negarit Gazeta: Gazette Extraordinary*. Year 19. Issue No. 2.

Charities and Societies Proclamation (2009), Proc. No. 621.

BIOGRAPHICAL NOTES

Melkamu Belachew Moges, born in 1980. Graduated in 2003 as LLB in Law, Addis Ababa University, Addis Ababa and obtained in 2008 an MSc in Land Management, Royal Institute of Technology (KTH), Stockholm. From October 2007-October 2008, Officer, Law Faculty's Research and Publications Office. Since October 2008, Officer, Research Coordination and Publication Office at the Institute of Land Administration; founder of the Moot Court Competition Centre, Bahir Dar University, Bahir Dar, Ethiopia; and Secretary, Ethiopian Land Administration Association.

CONTACTS

Melkamu Belachew Moges
Bahir Dar University,
Institute of Land Administration
P.O.Box 1350
Bahir Dar, Ethiopia
Tel.: +251 918 76 11 37
Fax: +251 582 20 20 25
E-mail: melkgrowthf@gmail.com or melkamu.moges@ila.edu.et
Website: www.ila.edu.et