



Research Gaps on Land Tenure Policy in Ethiopia

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Introduction

Ethiopia is a country where agriculture is still the backbone of economic growth and development. The country's economic policy focuses on strengthening the agricultural sector that can lead to industrialisation through agricultural transformation. The major input for agricultural activities is rural land that can be used for small scale farming as well as large scale agricultural investments. Therefore, land has to be properly administered and managed so as to make it relevant in solving socio-economic problems of the society at large. As is typical throughout much of Africa, more than 80% of Ethiopia's population lives in rural areas (FAO, 2012), where smallholder subsistence farming on rain-fed plots is the dominant source of livelihood (Deininger et al., 2008). Few rural households have members engaged in substantial non-farm employment or self-directed small enterprise (Ibid).

Ethiopia has passed through different land tenure systems in different times. Most of the literature classifies the land tenure system of the country into three major periods. These are land tenure systems during the respective regimes of the Emperor (pre-1974), Derg (1974-1991) and the current, EPRDF Regime. Research and studies in Ethiopia show that insecurity of land tenure restricts rights to land, reduces incentives to productively invest in land, and limits transferability of land. Consequently, these pose significant constraints to agricultural growth and natural resource management (Holden and Sosina, 2015).

Since the late 1990s the Ethiopian Government has shown interest in rural land registration. Among the apparent concerns of the rural land administration initiative is ensuring tenure security to land users. The officially given rationale and policy intention of land administration laws and institutions, since the last days of the Derg regime, are based on the well-established economic theory of tenure security and its resulting economic benefits. The theory states that tenure security has a positive impact on land values, investment, input use, and output. Improved tenure security will increase investment in equipment and in land improvements because there will be better incentives and greater access to institutional credit (Reyna and Downs, 1988).

Organisations and individuals, both outside and inside of Ethiopia, have been fascinated by rural land issues in Ethiopia and the system of land registration and certification, and quite a handful of them have undertaken research on land related issues.

Deininger et al. (2007) conducted a study based on nationwide panel survey data of about 2,300 households in 115 villages in 2006. One of the issues the study explored was the impacts of the land registration. The researchers characterised the land certification as speedy, participatory and unbiased against the poor. Users' positive assessment of the process and their readiness to pay for certificates, and their equally positive assessment of the likely impacts of the registration are considered as indicators that the certification was implemented in response to local needs. But they also observed problems which included lack of guidance in the procedures of updating information collected, failure to consistently include common property resources and house plots, absence of graphical record of boundaries on the certificates that could have been used in reducing boundary disputes, and lack of a conducive policy environment which could have dealt with well-defined compensation, protection of contracts and security against arbitrary land redistribution and transferability of land use rights for longer periods.

The study by Holden et al. (2007) in Tigray region focused on the quantitative analysis of panel data to identify the impact of certification on land rental markets. The study concluded that there was a positive significant effect of land registration and certification on land rental markets. The land certification appeared to have reduced transaction costs in the land rental market by making potential landholders more willing to rent out their land and tenants to access land to rent-in.

However, given the complexity of issues and problems in land administration in Ethiopia as a whole, and as per the findings of this paper, there are not enough studies conducted in the area and there is a need to carry out further research. We also think that what has been done so far has not been publicised or disseminated properly. Having properly evaluated this, the Department of International Development of the UK (DFID) in cooperation with the Ethiopian Government, has launched the Land Investment for Transformation Programme (LIFT), a 6.5-year programme, in line with Ethiopia's direction of economic development and transformation. LIFT uses the 'making markets work for the poor' (M4P) approach, which together with other two components of the programme aims to improve the incomes of rural people and enhance economic growth.

Therefore, the primary purpose of this desk research is to identify, review and evaluate the relevance of existing and ongoing research in the areas of rural land policy issues in Ethiopia so as to propose further research

needs that will add value to land management and the efforts made to boost food security and sustainable development of the country. These areas include:

- Functioning of the land rental sector,
- Impact of land rental on income of farmers,
- Fixed rent versus sharecropping,
- Impact of land rental on vulnerable groups,
- Impact of land certification on income of farmers,
- Land rental disputes, and
- Social equity and access to land.

Objectives and Methodology of the Research

Objectives

The overall objective of this research is to map all completed and ongoing research on land policy issues in Ethiopia, identify the existing research gaps that could contribute towards improving various instruments in the land policy framework, and determine what further research could be commissioned to address these gaps.

The specific objectives of the research are to:

- Undertake an in-depth review of the research that has been undertaken or is on-going in the following thematic areas: functioning of the land rental sector; impact of land rental on the incomes of farmers; renting versus sharecropping; impact of the land rental sector on vulnerable groups; land rental disputes; impact of land certification on incomes of farmers; social equity and access to land.
- Identify work in progress or planned to be undertaken by other programmes in the sector including the Land Administration to Nurture Development (LAND) and Responsible and Innovative Land Administration in Ethiopia (REILA) programmes.
- Propose a set of maximum 15 research topics which are relevant in the Ethiopian public land ownership context that LIFT could take forward in the area of rural land governance and land tenure.

Methodology

Desk Review

A literature review is an objective, thorough summary and critical analysis of the relevant available research and non-research literature on the topic being studied (Hart, 1998). Its goal is to make the reader up-to-date with current literature on the topic and form the basis for another goal, such as the recommendation and justification for further research in the area. The sources for a review can be primary or secondary. In this study, an exhaustive desk review of the literature and documents has been undertaken focusing on the thematic areas listed under the specific objectives.

Overall, the documents that have been reviewed are classified into three major categories: legal documents; academic papers; and documents reflecting international practices. Legal documents include the Federal and Regional constitutions, land administration and use proclamations and regulations. The literature review also examines various research works and studies undertaken by scholars in national, regional or international organisations on issues and problems related to rural land matters particularly the land rental market in Ethiopia. The desk review is intended to map all research undertaken/on-going on land policy issues in Ethiopia and it has especially helped to identify the gaps and determine further research topics.

Consultation

Since one of the objectives of this research was to identify research gaps for further research in the rural land rental sector, it was found necessary to use primary sources of information through face to face consultation. Accordingly, in addition to the desk reviews, continuous consultations were made with researchers who have been involved with the issue under investigation and with key stakeholders in the government, other development programmes, development partners and academia. An interview guide was prepared and used for undertaking the consultation. The consultation had been undertaken with key informants in the following institutions:

- Ministry of Agriculture, Land Administration and Use Directorate
- Regional Bureaus of Environmental Protection, Land Administration and Use

- Justice Bureaus
- Courts
- NGOs and donor funded projects such as LAND and REILA
- Universities

Analysis

Document analysis, which is used in this study, is a form of qualitative research in which documents are interpreted by the researchers to give a voice and meaning around an assessment topic. The initial step in the process was to read the articles and documents. Reading the abstracts or summaries found at the beginning of the research articles and documents assisted in making decisions as to whether it was worth reading the whole document or including it in the list of materials to be analysed.

Once the initial overview is completed, a more systematic and critical review of the content of the articles/documents was undertaken. At this stage, a method proposed by Cohen (1990) was employed. This method is referred to as the preview, question, read, summarize (PQRS) system. The collected information has been analysed to yield descriptive assessments.

The research materials gathered were critically reviewed by the research team together. The summary of this critically reviewed content is presented logically to provide a descriptive assessment of problems and gaps identified in the land rental market and related issues in Ethiopia. With regard to the data from consultation, a separate analysis was made so as to use them to present an accurate depiction of what is being evaluated. This was followed by identification of the most common issues and researchable gaps. This has helped to identify the actionable research topics.

Review of Literature

Holden and Sosina (2015) in their study on pro poor land rental markets in Ethiopia indicated that there is a huge theoretical and empirical literature on land rental markets in Asia and Europe, but that empirical literature on land rental markets in Africa, including Ethiopia, is more limited. This part of the paper is devoted for the mapping of the most relevant literature on land tenure issues in Ethiopia. In addition, an identification of some important research gaps and how this research team aims to intervene in filling some of these gaps in Ethiopia are discussed at the end of each section.

Functioning of the Land Rental Sector

Introduction

A theoretical study by Sadoulet et al. (2001) indicated that land rental markets are very critical for the transfer of land to its most productive use and hence increase production and ensure economic efficiency. Imperfections in other market structures, that are common in developing countries, affect the nature and direction of rental contracts.

In Ethiopia, after being discussed for a decade and half, the ban on the land rental market (fixed cash rental and sharecropping) was partly lifted in 1990. Despite existing constraints that limit the free (and formal) operation of the land rental market¹, a study has found that the size of land transaction (both fixed fee rental and sharecropping) is high. An empirical study conducted by Samuel (2005) shows that taking fixed rental and sharecropping together, 22% and 23% of households in Tigray and Amhara regions respectively, cultivate someone else's land obtained through the land rental market. The same study also reveals that in comparison to the size of non-marketed land, marketed land constitutes 27.9% and 23.4% in Amhara and Oromia regions, respectively. At national level, the figure is 13.4%. On the other hand, about 19% to 22% of total land owned by surveyed farmers was supplied to the land rental markets in Tigray, Amhara, and Oromia regions. Another empirical study by Carswell et al. (2000) was also conducted in Amhara, Oromia and Tigray regions. The study shows that in comparison to the size of non-marketed land, the land marketed constitutes 21.2%, 27.9% and

¹ According to public statements made repeatedly by senior politicians, a freely operating land rental market could lead to unproductive accumulation of land or translate immediately to the creation of a large landless class. Even though the level of rural and urban poverty is comparable in Ethiopia, privatization of rural land and the free operation of land rental markets could lead to the urbanization of rural mass poverty – something that could lead to a sudden destabilization of the social system.

23.4% in Tigray, Amhara and Oromia regions. In general, survey data indicates that the size of the land rental market is high both in terms of the number of market participants and size of land supplied to the market. Similar patterns occur in the southern highlands of Ethiopia, for example, in Wolayta in SNNPR.

Gebregziabher and Holden (2011) investigated how contract choice was associated with food insecurity for poor farm households in Tigray region of Ethiopia. They found that land renting was one of the coping mechanisms of poor households to shocks, and distress rental was associated with fixed rent contracts by desperate landlords in need of urgent cash. Their weak bargaining power in such situations cause them to rent out their land at rental rates much lower than what they would have gotten with a standard sharecropping contract.

Land Rent as a Component of Land Holding Rights

In Ethiopia, land rent is one of the components of the land holding rights stipulated under the Federal and Regional Rural Land Administration and Use legislations. Pursuant to this legislation, farmers are entitled to rent a certain portion or all of their holding which will be sufficient for the intended development activities in a manner that shall not displace them from their livelihood. Such rental agreement is required to be made for a certain fixed period of time. However, the land rental market has been restricted by legislation.

The Federal Government sanctioned land leasing, though it left land rental policy decisions and administration authority up to the discretion of regional governments (Crewett, et al, 2008). Accordingly, it is subject to legal restrictions on the size and duration of the lease which may vary from one regional state to the other on the basis of legal provisions stipulated in the land administration and use laws. Existing federal requirements for residency on or near one's holding and restrictions on transfers limit access to land for immigrants and constrain the movement of people to areas of greater availability of land for fear of losing existing holdings.

Similarly, certain legal provisions in regional laws are believed to undermine security of land tenure, restrict access to land for in-migrants, or deter people working elsewhere to remit earnings back home. A study by Holden and Tefera (2008) suggests that although there are regional variations in policy governing land leasing, nearly every region stipulates rules that (1) restrict the amount of land that may be rented out – in many areas the landholders may rent out no more than half of their holding, (2) restrict the duration of the lease – typically shorter (ranging from three to five years) for land farmed using traditional methods, longer (ranging from ten to fifteen years) for land farmed using modern techniques, and up to fifty years for investors, (3) prohibit sub-leasing, and (4) require leases to be registered with the relevant local authority, though there is little evidence that regional authorities have the capacity to register and enforce leases. In addition, to varying degrees, regions require land holders a continuous residency in the area and a demonstrated dependence on agriculture for livelihood in order to retain land use rights (Gebreselassie 2006). In Tigray, for example, the land laws require residency on one's holding; thus, individuals absent from the locality for more than two years risk forfeiture of their landholdings.

A report document on the options for strengthening land administration in Ethiopia by World Bank (Report No: 6163-ET) stated that while the Amhara regulation of rentals appears to be the most liberal and conducive to the efficiency of land markets, it also entails risks. An exemption from registration of rentals of up to three years, combined with the possibility of renewing such rentals, implies that there is no actual record of the true user of the land for the purposes of land administration decisions (such as expropriation). Amhara's legislation also engenders greater potential for disputes in the absence of written contracts. On the other hand, the restrictions imposed in the other regions inhibit the efficient operation of rental markets. The requirement of official approval of rental transactions creates opportunities for rent-seeking and may inhibit investment by commercial enterprises utilizing rural land. However, apart from explaining the legal differences among regions, there are no comparative studies that can show the possible effects of such differences among the regions on the various aspects of the rural farmers. Therefore, this can be an area where further research is needed.

Characteristics of Land Rental Market in Ethiopia

An empirical study by Gebreselassie (2006) revealed that about a quarter of all rural families in Ethiopia (and nearly half in the Tigray region) are engaged in land rental market transactions, the vast majority of which are informal sharecropping arrangements with neighbours, relatives or in-laws. Land rentals encompass a variety of land transfers that are often socially embedded, follow their own logic and, in an ethnographic study in the Tigray area, were found to be rarely competitive market transactions driven by price considerations (Segers et al. 2010). Another study showed that, lack of clarity about regulations governing land leasing, and a lack of confidence in the ability of officials to enforce contracts may be taken as other factors that keep land

leasing transactions informal and between people with strong social and familial connections (Gebreselassie, 2006).

Various studies on the extent of efficiency of rental markets in Ethiopia yield contradictory results: while some are unable to reject the hypothesis of frictionless adjustment through rental markets (Pender and Fafchamps, 2006). In their study on the land lease markets and agricultural efficiency in Ethiopia found that land lease markets operate relatively efficiently in the villages studied. Others also provide strong evidence for land markets allowing at best partial adjustment (Teklu and Lemi 2004; Ghebru and Holden 2006). However, on assessing the functioning of land rental markets in Ethiopia Deininger et al (2008) found that although rental markets are used to equalize factor proportions, high transaction costs, partly policy induced and partly related to other factor market imperfections, imply that many households are either completely out of rental market participation or are unable to use land rental to attain their optimum operational holding size.

Sharecropping arrangements were largely strategies for rural households to access missing inputs, rent or exchange to access better or more conveniently operated land, or access land for landless or land-poor members of the household, particularly adult children without government allocated land (Segers et al., 2010). Sharecropping can be a beneficial strategy for households in Ethiopia, but significant questions remain about whether sharecropping as a contract choice has a dampening effect on agricultural productivity and efficiency (Deininger, et al., 2011; Segers et al., 2010; and Pender and Fafchamps, 2006). Sharecropping between closely tied parties can be a risk-sharing strategy in the uncertain rain-fed agricultural context, and the proximity and social connectedness of contract partners can help minimize contract enforcement problems (Teklu 2004). In the case of female headed households, there may also be pressure to rent land in a sharecropping arrangement to family or in-laws rather than pursue a cash rental arrangement with someone outside the family sphere (Holden and Bezabih 2009).

Sharecropping is the predominant mode of land use right transaction among smallholder farmers in both Raya Azebo and Tahitay Adiyabo woredas of Tigray region. Several types of sharecropping arrangements are practiced depending on types of resources (land, labour, input, draught oxen, etc) to be shared between the contracting parties. The extent and degree of land use right transaction varies greatly from one kebele to another depending on the proximity of a particular kebele to a major town, the extent of landholding per household and other factors. Most households who rent out or give up land on sharecropping basis contract out about a quarter to half of their total holdings. The common duration for the sharecropping and /or rental arrangement ranges from 2 to 5 years. One key reason for farmers not to rent out or sharecrop for a longer duration is that most want to cultivate their land once they overcome their financial difficulties that forced them to resort to such an agreement. In Raya Azebo woreda, there is a social taboo where a farmer who rents or gives out his land for sharecropping for an extended duration is often socially despised and considered as lazy (Yitbarek and Adem, 2009 cited in ELAP, 2009). Possible reasons for far households a not to engage in longer period contracts include: those who rent-in/share-in do not apply farming practices that improve the fertility of the soil; those who rent-out are speculative and intend to increase the rental fee any time; and those who rent –out or share-out believe that farming is a viable economic activity and therefore would like to operate their farm once their temporary resource related problem is solved (ibid). On the contrary, a study conducted in two kebeles (Lume and Illu) of Oromia region revealed that, though in depth studies are lacking, share cropping arrangements are claimed to be insignificant (Teshome and Sembeta, 2009 cited in ELAP, 2009). But these studies have been undertaken in very small areas (1or 2 woredas in a region) and may not represent even the whole region; therefore, it is not possible to say that there is enough clarity in this area Thus, we can only say that more in depth research with a greater geographical scope is required.

On the other hand, though fixed cash rentals are uncommon in rural areas, landlords may choose this option with farmers migrating in from other areas, when the landlords do not have much agricultural experience themselves, and in areas where there is good access to roads and commercialization (Teklu, 2004). On the contrary, a study conducted in Oromia revealed that, although rental and sharecropping arrangements are practised in Lume and Illu woredas, the most common practice is rental arrangement (Teshoem and Sembeta, 2009 cited in ELAP,2009).

An empirical study Holden and Bezabih,)2009) indicated that land certification has increased rentals by female-headed households, because better perceived tenure security has strengthened their position as landlords which may have enhanced their negotiating position in the land rental market.

Unlike what most expect, landlords in Ethiopia tend to be poorer than their tenants. Households without adequate male labour or oxen often rent out of necessity a portion of their land to households with more resources (Teklu 2004). These resource poor landlord households are often headed by women, comprised

primarily of the elderly, or are too poor to access the resources needed to work their land using family labour (Holden, et al., 2009). Female-headed households are particularly disadvantaged in farming in the Northern region because ox ploughing (the predominant mode of cultivation) is traditionally a male activity, making it difficult for women to acquire both the oxen and the male labour needed for effective and efficient cultivation (Deininger, et al., 2009). Shared tenancy arrangements can provide such landlord households a critical source of income to supplement subsistence farming activities (Holden, et al., 2009).

On the other hand, renters of land tend to include relatively better-off farmers with high resource endowments and who seek to expand the amount of land they are operating, and also landless families unable to access land through government allocation or family inheritance (Teklu 2004). For many young families, renting is the most viable avenue for accessing land to enter the agricultural sector (Ibid). Although the land rental market is vibrant throughout most of the country, surveys made on rural households indicate that many farmers would like to rent more land than they are currently able to access in the market, indicating that the market may be constrained to some degree (Deininger, et al., 2009).

An empirical study conducted in three kebeles in each of two woredas (Ilu and Lume) of Oromia region revealed that the key factors that often force to rent-out their holdings include: physical weakness due to old age, illness or physical disabilities, lack of resources typically oxen and agricultural inputs, emergencies such as serious health problems, and women-headed households with labour deficits. Similarly, the socio-economic attributes of households who often rent-in include: landless youth having no land asset, better off farmers who want to expand their operation, town dwellers who often do not have alternative livelihood support, and farmers who want to cultivate different types of land in order to grow different types of crops (Teshome and Sembeta, 2009 cited in ELAP, 2009). The other study in Raya Azebo and Tahitay Adiyabo woredas of Tigray region also showed that, most farmers who engage in share- in are the economically better off while most of those who share out are “poor” and “middle” level farm households. Most farm households who rent in include the better off farmers and the landless youth (Yitbark and Adem, 2009 cited in ELAP, 2009).

According to Negatu (2005), the process and act of land transfer among land users, however, is often non-transparent. The transfer process usually takes place informally and is usually confined to neighbours or relatives. The land rental market is constrained, *inter alia*, by lack of clear rules and regulations for secure and transparent transaction of land rental holdings. Lack of confidence among farmers in effective enforcement of transaction agreements is expected to influence farmers’ decisions on whether to use new production technologies, and especially sustainable land management technologies on rented lands (Negatu, 2005). With regard to the agreement modalities, in a sharecropping arrangement, agreements are made orally in the presence of local elders and the two contracting parties. The agreement modalities for rental arrangements are often done a written document. In the case of Ilu woreda, written agreements are done either through traditional arrangements or in accordance with the Oromia Rural Land Use and Administration Proclamation (ibid).

What are the Research Gaps?

Generally speaking, there are only few studies which were conducted on the functioning of land rental markets in Ethiopia. Most of the existing studies tried to address the general issues such as sharecropping vs. fixed land rental, productivity effects of land markets, reasons for rent-in/share-in and rent-out/share-out by farmers, etc. In addition, most of these studies were conducted as case studies at kebele level, the woreda level being the maximum. Although there are no indications of any institutional support provided to the parties in the land rent determination process, which is one of the important variables in the land rental market, no studies have been conducted with regard to the determination of rent by the parties and whether there are interventions by land administration institutions in the rent determination. The existing studies also lack the investigation and analysis of demand and supply of available land to rent in the rental market. Most of the existing researches showed that the rental agreement is usually made between relatives, neighbours and other socially embodied individuals, but they did not investigate the motives of the parties in doing so. That is, the existing researches lack investigation of the competitiveness of the land rental market. There is also a mixed result regarding the formality /registration of the rental agreements by the parties. However, the existing studies did not see some of the reasons /motives that cause the farmers not to get the rental agreements registered.

With regard to the Ethiopian land rental market policy, there are two positions that promote different views on land in Ethiopia’s development endeavour. On one side of the debate economists and donors, looking for viable options to spur economic growth and alleviate poverty, present a range of possible policy changes including privatization of land, instituting secure, long-term and transferrable use rights (Deininger and Jin 2006), and liberalization of land rental markets (Crewitt and Korf 2008). They counsel removing

restrictions that prevent land rental markets from functioning freely, including limitations on the number of holdings that may be rented, and requirements that farmers must work half their land to retain usufruct rights (Gebreselassie 2006). They maintain that freely operating rental markets will have a positive effect on agricultural productivity by allocating land most efficiently, placing land in the hands of the most productive farmers (Deininger, Ali, and Alemu 2011), and freeing up unproductive farmers for migration and development of the non-farm rural employment sector (Ibid).

On the other side of the debate, the Government of Ethiopia argues that a freely operating land rental market could spur concentration of unproductive land and risks distress rentals that could lead to a large number of landless rural poor (Gebreselassie 2006). The government has expressed a concern that such a mass shift would precipitate untenable rates of rural-urban migration with destabilizing effects (Ibid). Finally, officials state that a free rental market could return the country to a pre-revolutionary feudal system in which landlords exploit peasants (Ibid). Government fears appear largely to be driven by lessons drawn from Ethiopia's own history and a perception that neoliberal reforms have failed African states (Dom, 2009). Observers also speculate that the federal government may be reluctant to alter rural land policies in ways that reduce its power to distribute land (Crewett and Korf, 2008).

There have been researches undertaken with regard to these two positions. For example, some argued that evidence on the functioning of rental markets in Ethiopia is mixed, and different assessments have drawn divergent conclusions about the effects of land rental arrangements on efficiency as well as equity in land holdings (Segers et al., 2010). The majority of the researches into land rental markets that form the basis of recommendations to liberalize has been limited primarily to the economic behaviour of farmers (Ibid). The vast majority of the surveys at the base of this research focus on highland areas and agricultural populations, while very little is known about pastoral areas (Bevan and Pankhurst 2008). In addition, there is no strong evidence yet available to indicate that the rural economy could offer sufficient wage labour opportunities to those transitioning out of agriculture (World Bank, 2009), or that urban areas could absorb a large migration of unskilled labour without increasing urban poverty (Bevan and Pankhurst, 2008). As such, the promises of benefits to rural populations as a result of rental market liberalization articulated by economists and donors remain largely speculative. Thus, this calls for further actionable researches in the area.

The Impact of land Rent on the Incomes of Farmers

Introduction

Land rental markets play an important means of accessing and transferring agricultural land in Ethiopia (Gebreselassie, 2006). In Ethiopia the existence of insufficient labour force, high proportion of female-headed farm households and lack of enough capital are problems that constrain production in a differentiated way across households. Under such circumstances, despite the problems of small land holdings and serious land pressure overall, there is no doubt that part of the country's agricultural land is underutilized because of lack of one or more of the essential inputs for production. Hence, land markets, some argue, have important resource transfer and reallocation roles that can benefit the development of the agricultural sector and the economy at large (Nega, 2004) ; both the landlord and land renter can benefit themselves in addition to benefiting the nation.

The land rental market has a positive impact in terms of improving the allocative efficiency of factors of production and expanding the use of purchased farm inputs like inorganic fertilizers and improved seeds. Farm households that rent-in or share-in lands have not only applied more improved technologies, but also get the opportunity to use labour and ox that otherwise could be under- or unutilized (Gebreselassie, 2006).

The Effect of Land certification in Transfer of Land Rights

Land certification/titling is a means to simplify land transfers, motivate the land market and enhance the supply of land on the market; and as a consequence, it can be a means for redistributing land and making land more accessible to landless and land-poor farmers (Melmed-Sanjak, 1998). This type of land transfer could be put into practice fully when land is privately owned, sold and bought in the open market.

Based on the breadth of land rights that are predetermined in the land law, land certification certainly increases land transfer through rental market by developing confidence on the landholders who are reluctant or incapable to cultivate the land by themselves. The land registration and certification reform in Ethiopia provided stronger tenure security for (potential) landlords. According to some findings (Deininger et al., 2011; Holden et al., 2011 cited in Bezu and Holden, 2014), the impact of land certifications on improving tenure security has been significant, as it resulted in increased investment, land productivity and land rental market activity. Holden et al. (2009) provide evidence of changes in investment and land productivity as a result of land registration

and certification in the Tigray region. They found significant and positive investment impacts on tree planting and the maintenance of soil conservation structures. According to the same source, land productivity was found to be approximately 40% higher on plots with certificates than on plots without certificates. Holden et al. (2011; cited in Bezu and Holden, 2014) also found that land certification enhanced tenure security which resulted in the willingness to rent out land and to increase the amount of land rented out by landlord households in the Tigray region, especially for female-headed landlord households. Holden and Ghebru (2013) investigated this issue further and found that productivity on rented-out land improved to a greater extent on plots rented out by female landlords than those owned by male land-lords. They also found that welfare improvements, measured as real per adult equivalent consumption expenditures, increased significantly in duration of land certificate ownership, particularly for female certificate holders.

According to Holden, et al. (2011; cited in Holden and Bezu, 2015) female-headed households often lack male labour and oxen that are required for ploughing activity, which is perceived to be a male task. Therefore, female-headed households often have rent out their land, but the feeling of insecurity of rights to their land may persist. Land certification, therefore, could have reduced their fear of land rights. It is perhaps for this reason that, land certification had a significant positive effect on land renting out by (potential) landlords and that it improved the land access of (potential) tenants (ibid). Particularly, female-headed households had become more likely to rent out land and they rented out a larger share of their land. The researchers estimated that the area rented out increased by 7% per year in the early years after certification. Among all landlords, 81% stated that land certificates gave them an advantage; 33% stated that it improved their tenure security, while 26% said it improved their bargaining power over the tenants. Another study conducted by Bezabih et al. (2015; cited in Holden and Bezu, 2015) in Tigray region revealed that land certification enhanced land rental market participation and productivity on rented land and the productivity gain was higher on rented land of female-headed households than that of male ones.

It has been found that ‘the most commonly recognized benefits from the registration and certification of land, besides the tenure security bestowed on the land owner, is the use of those secure ownership rights as collateral to get credit’ (Melmed-Sanjak and Lastarria-Cornhiel, 1998). By analogy, when the legislation does not allow the use of land as collateral; for instance, as Ethiopia, land registration and certification of holding rights may significantly facilitate transfer of land either in gift or through inheritance and rental agreement with very small transaction cost. In addition, the inheritance rights have also been specified and in some case extended beyond the core family members in Ethiopia and it is allowed for land to be bequeathed to people outside of the family if those assisted the rights holders in times of need (Bogale, et al., 2008).

Land Rental vs Income of Farmers

Land rental can play an important role in allowing individuals or households that are productive but are either landless or own little land to have access to land. Land markets also facilitate the exchange of land as the off-farm economy develops and, where the conditions for doing so exist, provide a basis for the use of land as collateral in credit markets. The ability to transfer land also increases the incentives to undertake land related investments (Deininger, 2004). The possibility for the rights transfers will be important in many setting in rural area, but the function of other markets, labour and credit markets in particular, will affect the ultimate impacts of land markets. Imperfections in labour and credit markets, and the scope of economies of scale in production will affect the way in which land markets function (ibid).

There is empirical evidence that the efficiency of land lease and rental markets has become a critical issue in many developing countries. This has also become a central issue for land policy makers in Ethiopia, where land sales are officially prohibited by the new constitution and land leases have been permitted since 1991 and have again become common in many parts of Ethiopia. Rental markets are characterized by low transaction costs and, in most cases where rent is paid on an annual basis, require only a limited initial capital outlay. This, together with the participants’ ability to adjust contract terms so as to overcome market failures in capital and other markets, implies that rental is a more flexible and versatile means of transferring land from less to more productive producers than sales markets (Sadoulet, 2001).

A national survey conducted by McClung (2012) revealed that 40 percent consider the lack of available farmland to be the primary barrier to increasing agricultural productivity. Farm households that rent-in or share-in land have not only applied more improved technologies, but also have got the opportunity to use labour and ox that otherwise would have been underutilized or unutilized (Gebreselassie, 2006). The ratio of labour to land or draft-oxen to land is high among households that have got land through rental market. Different studies have shown that households that rented-out (or shared-out) their land have engaged in more diversified income generating activities but earned less, while the reverse is true for households that rented-in (or shared-

in) land. This suggests that households who got extra land from rental market are not only doing better in their farming activities but also in their non-farm activities probably by concentrating on a few activities that help them to realize the benefits of specialization (McClung, 2012). The positive relationship between the amount of cash income from non-farm activities and high level participation in land rental market may depict the fact that the level of non-farm activities is too small to affect farming activities negatively (ibid)

Literature has long pointed out that rental arrangements based on fixed rather than shared rent are more likely to maximize productivity (Cheung, 1969). Poor producers may, however, not be offered fixed-rent contracts at least in part because of the risk of default. In such circumstances, sharecropping has emerged as a second-best solution. Whether sharecropping contracts are associated with sizeable inefficiencies and whether government action could lead to an improvement have been subject to considerable discussion. In practice, the general consensus is that prohibition of sharecropping or other forms of rental contracts is unlikely to improve productivity (Otsuka, 1998).

Land rental market has been constrained due to the imposition of rental ceilings coupled with the granting of statutorily secure status to tenants. Although such tenancy regulation will benefit sitting tenants if effectively implemented, it may not be an efficient way of transferring resources to the poor, even in the short term. In the longer term, such restrictions will reduce the supply of land available to the rental market and undermine investment, directly hurting the poor. Prohibitions against renting of land merely drove this market into informality, thereby creating a secondary market that was even more active than it would have been in the absence of such regulation, but greatly reducing the benefits from doing so for participants (Sadoulet, 2001). Short-term rental contracts will only provide limited incentives for users to undertake land-related investment. For longer-term contracts to be feasible, long duration of land rights and high levels of tenure security, coupled with enforceable provisions for a tenant's compensation for the unexpired value of improvements, are critical (Beyene et al., 2012).

Transfers of land-use rights through rental markets can go a long way towards improving productivity and welfare in rural economies. At the same time, the ability to transfer ownership of land will be required to improve the potential for the use of land as collateral in credit markets, and thus to contribute towards the basis for effective development of financial markets in rural areas. The empirical study in Teklu (2004) showed that transactions in rental markets provide an additional venue to access land, reduce disparity in distribution of area of land operated, correct imbalances in factor proportions at farm level, and partly substitute for missing or incomplete factor markets.

Land markets that can adjust flexibly to the changes brought about by new technology, greater integration with marketing and processing, and better off-farm opportunities, will affect the extent to which rural producers will be able to take advantage of these new opportunities. However, in Ethiopia, the imposition of rental ceilings coupled with the restrictions on out-migration to find non-agricultural employment opportunity hinder the efficient way of transferring resources to both the landlord and the renter, even in the short term. In the longer term, such restrictions will reduce the supply of land available to the rental market and undermine investment and productivity, and as a result the income of both parties. Prohibitions against renting of land merely drove this market into informality, thereby creating a secondary market that was even more active than it would have been in the absence of such regulation, but greatly reducing the benefits from doing so for participants (Sadoulet, 2001).

Productivity Effects of Land Rental Market

Land rental market affects labour productivity. Labour mobility is one of the productivity effects of land rental market. It is well recognized that there is considerable potential for the agricultural sector to help improve labour productivity in rural areas through technology, integration into supply chains, and better functioning of factor markets including those for land and labour to facilitate off-farm employment. In the context of economic growth, low-cost and flexible mechanisms to bring land to its most productive use can help in the transformation of rural economies by allowing those with little comparative advantage in agriculture to take up non-agricultural employment and thus lay the basis for a more diversified growth (Deininger, et al., 2011). Given their greater flexibility and limited upfront capital requirements, rental markets allow working off-farm to continue enjoying the benefits of land ownership while at the same time drawing on non-agricultural income (ibid).

Land markets, including rent, lease and other land-related transactions, have been vital to the successful development of all the advanced market economies. For the rural sector, the ability to readily rent and share crops agricultural land has been essential to the increase of agricultural efficiency. Through such transactions, more efficient, energetic and motivated farmers rent or share crops land from those who are less so, and landowners who may wish to exit farming and require additional income or who need investable capital (such

as younger persons with business opportunities), have an asset whose value can be reliably realized. Over time, land markets determine the most efficient size of farming operations in different regions of the country (Duncan, 2000).

According to Deininger (2009), a bigger constraint to productive efficiency in the rural farmers in Ethiopia appears to be the limited lease market for oxen services and the limitations on the ability of land and oxen poor households to purchase oxen, likely due to the indivisibility of such purchases together with credit constraints. Households with fewer oxen earn substantially lower returns per hectare than better endowed households. Thus, efforts by the Ethiopian government to address credit constraints and deficiencies in lease markets for animal traction may be more effective in increasing agricultural production and reducing poverty than any changes in land tenure arrangements (ibid).

Share Cropping and Productivity

In Ethiopia sharecropping is the most prevalent contractual form. According to McClung (2012) about a quarter of all rural families in Ethiopia are engaged in land rental market transactions, the vast majority of which are informal sharecropping arrangements with neighbours, relatives or in-laws. The available empirical evidence on the efficiency of alternative land tenure contracts is mixed. Otsuka (2007; cited in Holden and Sosina, 2015) concludes that sharecropping mostly is inefficient in cases with improper interventions that have enhanced the tenure insecurity of landlords. Laffont and Matoussi (1995) in their study in Tunisia found many tenants to prefer sharecropping to fixed rent contracts due to financial constraints. Tikabo and Holden (2003) found that wealthier tenants and poorer landlords were more likely to have fixed rent contracts while less wealthy tenants and more wealthy landlords were more likely to have cost-sharing contracts. An alternative hypothesis could be that the wealthier are less risk-averse and are therefore willing to carry more of the risk. The study of Gebregziabher and Holden (2011) in Tigray showed that sharecropping contracts were more likely to be chosen when ex ante production risk is high while fixed rent was more likely to be chosen when such risk is low.

A study conducted by Deininger et al. (2012) in Amhara Region showed that sharecropping was the dominant type of contract, with 95% being sharecropped, of which 12% had input sharing while the rest was under pure output sharing. The study revealed that land productivity was 17-26% higher on owner-operated land of tenants than on share cropped land of landlords, indicating that land is transferred to more efficient producers. However, pure sharecropping was also associated with lower input use and productivity that was 16-25% lower than that of owner-operated land of tenants. The researchers therefore concluded that sharecropped land was not cropped more efficiently than the owner-operated land of landlords. The small percentage of rented plots with fixed rent and input sharing/cost-sharing contracts did not show a similar lower productivity, contrary to theoretical expectation. Limited monitoring capacity of landlord households was associated with lower productivity on sharecropped plots. Deininger et al. (2012) thus concluded that landlords did not benefit much from sharecropping out their land. However, landlords may have not been able to cultivate the rented-out land equally efficiently as the much smaller land they were currently cultivating, due to the market imperfections they faced. The argument is that provision of insurance could create an incentive to move to more efficient fixed rent contracts. It remains to be seen whether such an intervention can work and enhance the efficiency of land use by changing the dominant contract form. It is possible that a transition towards more commercial agriculture will create a tenant class that is willing to offer better fixed rent contracts to landlord households and that this can enhance land use efficiency on rented land. Future studies should investigate this.

What Are the Research Gaps?

Although it is stated that land titling and certification have improved tenure security, and consequently simplified the transfer of land; enhanced its supply on market and increased productivity, their impact on the livelihood of the landholders were not properly investigated. Furthermore, how titling and certification have enhanced land accessibility of landless and the young need to be investigated in depth.

Although the fact that land rentals (sharecropping and/ or fixed rent) enable landless people to access land and landlords to engage in more diversified income generating activities, their impact the on income of landlords and rents have to be investigated in more details.

Although the existing researches have acknowledged the factors such as market imperfections, restriction on alternative employment opportunities, lack of credit access, ceiling on duration of land rental contract etc that affect the productivity, and in turn the income of both landlords and renters, their impact on the welfare of landlords and renters were not studied a comprehensive manner at the national level. Furthermore, the impact of the land rental market efficiency on productivity has to be studied at the national level.

Cash Renting vs. Sharecropping

Fixed rental involves a cash payment to the landlord. The tenant pays for all inputs, reaps all of the benefits and bears all of the risk in the production process, whereas sharecropping agreements provide a share of the harvest to the landowner, usually one-half or one-third (Stiglitz 1974; cited in Holden and Sosina, 2015). In contracts in which the landowner receives a one-half share, the landowner often provides a share of the inputs in production and harvesting, including labour and purchased inputs such as fertilizers or pesticides, though the terms vary significantly across contracts. It is rare that a landowner provides oxen, however. Direct credit linkages between landlords and tenants are also relatively rare (ibid). Sharecropping contracts served several purposes in such a setting and were often combined with provision of credit and cost-sharing arrangements for input purchase as tenants were poor. Delay in payment of the land-rent was another form of implicit credit that was helpful for poor tenants who had difficulties obtaining the resources to pay both for the land rent and the inputs at the beginning of the planting season. Sharecropping also helped them to share the risk in production and provided them stronger incentives to work than a pure labour contract did. The trade-off between moral hazard and risk was therefore seen as the main explanation of sharecropping being such a dominant contract form in many places in Asia (ibid)

A study conducted by Belay and Maning (2004) showed that sharecropping transactions are made among people who know each other very well so as to minimize the risk. According to the same source, about 90% of the sample respondents reported that they rented land for sharecropping from their close relatives, friends and neighbours because they believed that they are relatively more secure to reap the share and the arrangements are easy and flexible (Belay and Maning, 2004). However, land rental transactions among kinship result in inefficient outcome. As Bezabih (2009) and Kassie and Holden (2007) have shown that land contracts among kind have resulted in inefficiency in production.

The other most commonly cited arguments for sharecropping to exist is the difficulty of monitoring labour force. If labour force is costly to monitor, sharecropping may dominate labour hiring because of its incentive advantages and dominate fixed rental because of its risk pooling advantages (Stiglitz, 1974). If transaction costs increase with increasing tenant's share (due to land monitoring costs), it leads to a lower equilibrium share and the possibility that a wage contract is optimal (Deininger et al., 2006). If transaction costs decrease with the tenant's share of output, then a fixed rental contract may be preferred to a sharecropping contract, and tenants' land and labour productivity are likely to be higher under fixed rental than sharecropping (and higher than the landlord's productivity under fixed rental) (ibid).

A study conducted by Deininger et.al (2006) in Oromia region showed that there are few clear differences between characteristics of tenants who have acquired land under fixed rental and those through sharecropping, except that sharecropping is not used by recent immigrants to the villages and that it is less common among ethnic Oromo people. This suggests that the choice between sharecropping and fixed rental depends on social relationships that may determine the transaction costs of screening and monitoring tenants.

The factor having the strongest influence on the choice of fixed rental or sharecropping is the length of time the farmer has been in the village; farmers who have immigrated to the village are much less likely to use sharecropping. This is consistent with the argument that transaction costs are critical in determining contract choice, and that social capital in the village helps to reduce these costs. The tenant's endowment of land does not have a statistically significant effect on the choice of sharecropping or fixed rental. This may be due to the offsetting effects of the tenant's endowment (Deininger et al., 2006).

Other variables that do have a significant impact on whether to choose sharecropping or fixed rental include, the gender of the household head (female-headed households more likely to sharecrop) and the primary source of income (non-farmers less likely to sharecrop). Both of these findings are consistent with a credit constraint explanation for sharecropping (assuming female-headed households have less access to credit where as non-farmers have more access to credit). On the other hand, if farmers have substantial non-farm income, it is likely that they face a lower risk which leads to greater likelihood of fixed rental. It is not clear how a risk-based explanation would explain the greater propensity of female-headed households to sharecrop (controlling for other factors), however, unless women happen to be more risk averse than men (Deininger, 2011).

To conclude, sharecropping is the dominant contract where transaction costs of monitoring the tenant's effort are not prohibitive. Risk pooling, together with the presence of non-tradable (or imperfectly tradable) production inputs such as oxen services and human capital, make sharecropping a superior alternative to fixed rental when transaction costs are low, even though the marginal products of land and labour may be lower under sharecropping. The question is thus not why some farmers use sharecropping, but rather, why some farmers

use fixed rental. Different theoretical and empirical results imply that transaction costs are an essential element of the explanation.

What are the Research Gaps?

Although fixed rent and share cropping are the means to transfer land from relatively old, resource poor farmers to young, healthier and/or relatively resource rich farmers, most of the transactions are informal. According to McClung (2012), about a quarter of all rural families in Ethiopia are engaged in land rental market transactions, the vast majority of which are informal sharecropping arrangements. Therefore, why farmers in Ethiopia prefer informal land rental practice, and why some use sharecropping while others prefer fixed rental could be taken as gaps that require further research.

Impact of the Land Rental Sector on Vulnerable Groups

Introduction

It is evident that land has been the major means of livelihood and the basic form of asset of the marginalized and vulnerable groups in rural Ethiopia and elsewhere in the world, particularly in many developing countries. The vulnerable segment of the society includes women, children, the elderly and the disabled. Scholars argue that access to and ownership and user rights to land likely determine land use efficiency, accessibility to capital market and the socio economic and social wellbeing of the lower income groups (Marawila and Samaratunga, 2006). It is vividly stated in the Ethiopian rural land law that one of the objectives of rural land certification is assuring land rights protection of the marginalized groups such as women, elders, the disabled and children (Federal Rural Land Administration and Use Proc No. 456/2006). This segment of the rural community benefit from their land holding rights either by cultivating the land by themselves or using the land market i.e. renting out the land for cash or practicing share cropping. Such land market arrangements would indeed benefit the vulnerable group and become fruitful when complemented by strong institutional arrangements that closely observe the practicality of the legal provisions (McClung, 2015). It is however argued that the vulnerable rural households in different parts of the country who are not able to cultivate their land by themselves often suffer from either losing their land or not securing adequate income from their land due to weak bargaining power and lack of institutional support. In some regional states such as the Oromia National Regional state, rural land holders are not allowed to rent out all their holdings while this is possible allowed in the Amhara region. The imposing of restriction on the rental practice has implication to the vulnerable groups, including the poor who are not able to cultivate their land (Holden and Tefera 2008). The occurrence of such incidences implies the need for establishing empirical evidences by thoroughly investigating how the land transaction is being handled and what provisions are made to ascertain that the land rights are protected in the land marketing arrangement. It is also essential to assess how the productivity of the land is maintained so that the vulnerable groups could gain adequate benefits from their land holdings. Likewise, investigations should be carried out to clearly map how benefits from land renting and share cropping should be decided so that a win-win situation could be established between the vulnerable groups and land renters and share croppers. These interventions are deemed to pave the avenue for ensuring secured land rights of vulnerable groups and strong bargaining power on land use decisions.

Land Rental Markets and the Benefit to the Vulnerable groups

Like most African countries, more than 80% of Ethiopia's population lives in rural areas (FAO, 2012) predominantly engaged based on rain fed subsistence farming (Deininger et al., 2008). The proportion of rural households engaged in non-farm employment or self-directed small enterprise is low. In this context, access to land is a key factor for food security and the economic well-being of rural households. Allocation of land is largely equitable in rural Ethiopia (Deininger et.al., 2008), though several regions of the country (particularly the highlands) are characterized by small and fragmented farms, high population density, and scarcity of available arable land (Gebreselassie, 2006). This is further compounded by market imperfections for agricultural production factors like oxen, labour and credit which often make it difficult for farmers to purchase or rent what they need to plant and harvest their crops (Teklu and Lemi 2004).

Although the policy elements for protecting the land rights of individual farmers, including the vulnerable are crafted, scholars argue that they can have negative implications for farmers who would like to rent out their land or share crop and look for other livelihood activities elsewhere to make additional means of income (Gebreselassie, 2006). In a situation where small farm land holding prevails, and off farm rural employment sectors are underdeveloped, restrictions on the amount of land that can be leased effectively tie farmers to small plots that may not be adequate for subsistence. Furthermore, current leasing policies may play a role in

impeding the formation of off-farm enterprises and employment opportunities, as well as urban migration, because farmers can't move from their plots without fear of losing their land (Ibid).

In order for women and other vulnerable groups to benefit from their land holdings, the land rental system has to be transparent and formal and has to be supported by opening land administration institutions at the Kebele level (grass root level). However, most land leasing or share cropping transactions are informal and seem to be influencing women land holders and other vulnerable groups to enter share cropping or land renting with relatives and neighbours (Holden and Bezabih (2009).

Field reports indicate that the rural land certification programme carried out in the country has increased the land tenure security feeling of farmers in general. In this regard it is also reported that women have developed confidence and better bargaining position in the land rental markets although there are erratic incidents affecting the sustenance of their tenure security. Households without adequate male labour or oxen often rent a portion of their land to households with more resources out of necessity (Teklu 2004). These resource-poor landlord households are often headed by women, comprising primarily of the elderly, or are too poor to access the resources needed to work on their land using family labour (Holden et al., 2009).

The land rental market in most parts of the country is currently vibrant and it seems that farmers having adequate farm resources, but lacking farm land are interested to rent in more land than is available in the market, indicating that the market may be constrained to some degree (Deininger, et al., 2009). This reality creates better opportunity for women and other vulnerable groups to get higher land rental price or better share cropping arrangements.

What are the Research Gaps?

The discussion so far indicates that the Ethiopian rural land law provides the vulnerable groups in the society an equitable access to land and protects their land rights. The studies have also indicated that these vulnerable groups have started benefiting from the land rental market as they are mostly incapable of cultivating their farm land due to lack of resources. Although access to land is a very important means of the income to the poor, including the vulnerable groups, what is evident on the ground in the Ethiopian context is that the amount of land owned by the vulnerable groups is very small, and its efficiency is contested by many authors. Land holders are required to live in their villages to retain their land holdings and this deters out-migration and off-farm employment opportunities in nearby urban settings. In addition, credit provisions that could enable vulnerable groups to start off-farm activities seem inadequate, and in some regions, there are restrictions on the amount of land that can be leased and the length of land rental periods. Despite the vibrant land market in the highlands of Ethiopia, there is no clear information as to what institutional arrangements are available at local and district levels to guide the market and ensure that women and other vulnerable groups benefit from them. The literature indicates irregularities in the way vulnerable groups entering share cropping fix the share and decide the price during renting out land. The influence of family members or friends on share cropping and land renting is rampant and tends to weaken the bargaining power of women and other vulnerable groups. On the other hand, government institutions claim that they are working hard to empower women in every aspect. The reality on the ground in general demands research intervention that explores what is really done by development institutions to enable women and other vulnerable groups become self-assertive and develop the confidence to administer their land on their own.

Land by nature differs in its soil fertility, and its suitability to plant different crops varies. This has implication on crop productivity and on the amount that has to be claimed by land renters or share croppers. Where vulnerable groups opt renting land for cash, there is no literature indicating what asset land renters have created or the kind of business they are engaged in to improve their livelihoods. The duration of land rental period that ranges from annual renting to a multiple of years may have implication on the benefits of one or the other party. However, there is no empirical evidence indicating which kind of arrangement leads to a win-win situation.

In discussing about the efficiency of land rental markets and the situation of vulnerable groups, what is hardly addressed is the fact that the rural population is largely remaining attached to rural life and there is a growing farm land scarcity. The ever-increasing population pressure in rural areas is a big challenge and will indeed have an effect on the development of the land market. The opportunity this scenario could bring to women and other vulnerable groups seems to have been overlooked and signals the need for establishing strong institutions that could handle the land rental market so that the overall goal of ensuring food security across the society and sustainable development in the country at large could be assured.

Although the land rental or share cropping systems ought to be transparent and formal and get support from the land administration institutions at local level, the transactions in most parts of the country are largely informal. There is also a tendency to exert influence on women land holders and other vulnerable groups to enter share cropping or land renting with relatives and neighbours. The intent of such an influence might have been to ensure security of the land ownership of women and other vulnerable groups and enable them to get better benefit from their land holdings. However, such pressure on the vulnerable groups could also be out of a desire of renters who want to maximize productivity of the land. One cannot also be sure that the renters pay the market price for renting the land or for the share cropping arrangement. The literature does not give any information in this regard. The argument that farmers renting in land and practicing share cropping do not properly manage the land, the informal nature of the land market, the interference of relatives and friends in decisions that women make and the absence of information on how the society assists women and other vulnerable groups have to be thoroughly researched.

Impact of Land Certification on Income of Farmers

Overview of Land Certification in Ethiopia

Land certification is one of the key strategic interventions or reform measures of the Ethiopian government with the aim to bring tenure security as a means to enhance productivity of the land, and above all as a means to transform the national economy. Land certification from the Ethiopian context and as defined by Bezu and Holden (2014) is a process of providing a document which ensures proof of holding/use rights that is recorded in a publicly recognized central land registry. It is a process of locating, measuring, recording and documenting farm plots belonging to rural farm households with the purpose of certifying who possesses what, how much and where.

Ethiopia has been implementing both first and second level certification programmes simultaneously in different parts of the country, primarily as a means to reduce tenure insecurity. First level certification is mainly characterized by traditional low tech, low cost, and broad-based land certification while second level certification uses modern high-tech instruments which it incurs high cost. The first level rural landholding certification was first introduced in the Tigray region in 1997/98, followed by the Amhara regional state in 2002, and later by the Oromia and SNNP regional states to reassure rural land-holders of their use rights and promote tenure security. Since the introduction of first level land certification in 1997/98, over 20 million certificates have been issued in Ethiopia (Deininger et al., 2008) ;and Deininger et al., 2009). As the report from the FDRE, Ministry of Agriculture (2013) shows, the principal purpose of the first level stage certification is to provide simple, temporary landholding certificates to the landholders.

The broad-scale first-level land certification involved the registration and demarcation of land plots using simple local technologies that required little training and resources. The main sources for determining plot boundaries were field markings, in conjunction with the memories of the neighbours whose farm plots border those owned by the households in question. Measuring tapes and ropes were used to measure the farm plots. While the initial cost of this certification was extremely low (approximately 1 US\$ per farm plot or less), its impact in improving tenure security has been significant, as evidenced by increased investment, land productivity and land rental market activity (Bezabih et al., 2012; Deininger et al., 2011; Holden et al., 2009).

It was evident that the first-stage certification had limitations with respect to the maintenance and updating of land records. As a result, Ethiopia has begun to implement a second-level certification in selected districts of Oromia, Amhara, SNNRS and Tigray regional states. The second level land registration and certification system involve registering the precise geographical locations and sizes of individual farm plots using technologies such as GPS, satellite imagery or orthography. Farmers receive plot-level certificates with maps rather than a household-level certificate. It is very likely that the second-stage certification effort will enhance tenure security, the maintenance and updating of records, and land management (MOE, 2013).

Land certification vs. Income of Farmers

Land holding certification is one of the top priority agenda of the Ethiopian government as a tool to transform the national economy. First and second level landholding certification has been implemented in Ethiopia since 1997 in different regional states with different intensity and pace. Studies show that the coverage and pace of land certification in Ethiopia is one of the largest and fastest reform measures in Africa (Deininger et al., 2008). However, literature and studies on the impact of land rights certification, particularly on income level of rural farmers which is the end result of the process seems to be limited. Little emphasis was given by scholars in the area to investigate the impacts of land certification on the overall improvement of the society. Most of the

studies focused on investigating the process of first level land certification and its impact on tenure security. The existing literatures on the issue are reviewed below.

An investigation by Holden et al. (2009) on investment and land productivity effects of land registration and certification in the Tigray region reveals that there has been significant and positive investment impacts on tree planting and the maintenance of soil conservation structures and land productivity after land registration (Holden et al., 2009). Another study conducted in Tigray regional state by Holden et al., (2011) have also shown that land certification enhanced tenure security, the willingness to rent out land overall, and an increase in the amount of land rented out by landlord households in the Tigray region, especially by female-headed landlord households. Further investigation was also made by Holden and Ghebru (2013) and the findings of this study show that productivity on rented-out land has improved to a greater extent on plots rented out by female landlords than those owned by male landlords.

A similar study was also made in Amhara regional state to observe early impacts of land registration and certification on tenure security, land renting and investment (Deininger et al., 2011). But this study did not carefully investigate the gender dimensions (Bezu and Holden, 2014). Bezabih et al. (2012) employed the same data from the Amhara region and found a stronger productivity impact of certification on rented land, and this impact was the most substantial for female owners. A study conducted in Amhara region has also proved the role of land registration in ensuring a sense of security on farmers (Behaylu et al., 2015).

An assessment on early impacts of land certification on women land rights was also made by Holden and Tefera (2008). The assessment on the early impacts of joint first-stage land certification in southern Ethiopia (5 districts in the Oromia and SNNP regions) shows that there are two effects being identified: (a) a positive effect of registration and certification in the form of enhanced tenure security for the household and (b) a negative effect for the male head in the form of reduced intra-household control over the land if the joint certification enhances women's positions and land rights within households (Holden and Tefera, 2008). The study also reveals that the large majority of male heads of households perceived that there is a net positive effect from the process and therefore welcomed the joint land certification. The same research report by Holden and Tefera (2008) investigated the status of land dispute in Oromia and SNNP regions and it indicated that there is a significant reduction in disputes after certification in areas where such disputes were common earlier.

An attempt was also made to quantify the economic impacts of recent land certification programmes in Ethiopia, arguably the largest land administration programme in the last decade in Africa, and possibly in the world (Deininger et al., 2009). The study explored whether the land certification program in Amhara National Regional State in Ethiopia had positive economic impacts and could provide lessons for others. This study has revealed that the economic benefits of land certification programme significantly exceed the costs of certification. However, the study still could not show exactly how much the cost and the benefit is and what impact this difference had on the overall improvement of the rural community.

Another investigation on the need for a scaled-up second-stage land certification in Ethiopia based on evidence from household panel data was carried out by Bezu, and Holden, (2014). The findings of this study indicate that landholders/farmers do not believe that the second-stage certificate enhances tenure security in comparison to the first-stage certificate except in instances in which first-stage certification was poorly implemented. However, this finding shows that the demand for second stage certificates appears to come primarily from governmental authorities, on the premise that it can provide a better basis for land administration and could produce accessible public documentation of land related affairs (Bezu and Holden, 2014). This study, on the other hand also shows that the emphasis given to public awareness campaign on the importance of second level registration seems very low.

What are the Research gaps?

Studies on the impact of first level land certification in Ethiopia proved the attainment of some common and important benefits driven by certification, focusing on tenure security level and plot boundary conflict reduction. Even from the government side, the rationale to implement national and large-scale land registration and certification programmes in most regional states is enhancing tenure security. But, most of the existing studies did not explicitly focus on investigating the impact of certification on land value change, income level of the farmers and overall livelihood improvement of the rural community.

As it is evident in most literatures, land registration and certification are not an end by itself but a means for an end. The end results of certification programmes such as changes in the income level of farmers and the confidence level of the transacting parties after certification need to be well studied.

Land Rental Disputes

Introduction

Land registration in Ethiopia has enhanced the land market (Deininger et al., 2008b; Deininger et al., 2009; Deininger et al., 2011; Holden et al., 2011b; Holden et al., 2009; SARDP and BoEPLAU, 2010; USAID-ELTAP, 2012; Teklu, 2005; Adgo et al., 2014; Deininger et al., 2003b; Holden and Tewodros, 2008; Dagnew et al., 2009). Furthermore, land registration has enhanced tenure security of land users (Bezu and Holden, 2014). In spite of this, however, the study on land registration did not focus on issues related to land disputes, including land rental disputes in Ethiopia. Land has been the subject of numerous disputes and endless litigation, and it is estimated that land disputes constitute between one-third and one-half of all cases within the formal justice system (Rahmato 2003; Adgo et al., 2014). Civil disputes over land included cases such as failure of the tenant to pay rent, mismanagement of farms, collection of crops before assessment, eviction, claims of inheritance, trespassing, boundaries and ownership (Adgo et al., 2014). This implies that there is a need for further study on these and other related themes. This is more so in the case of disputes relating to land rental transactions.

Land Rental Dispute in Ethiopia

The Extent of Land Rental Dispute

A study by USAID-ELAP (2012) investigated the types of land disputes in four regions of Ethiopia: ANRS, Tigray, Oromia and SNNPR. The empirical study essentially used a qualitative method (desktop review, in-depth interviews, key informants interview, FGD and case histories), and identified the most important sources of land disputes in twelve sample woredas of the four regions. The study revealed that three factors stand out as the most important sources of land dispute namely, claims to land inheritance, land encroachment/border trespasses, and breach of land transaction/exchange agreements. It could be observed that land rental dispute is the third most frequent type of land dispute. It was also shown that the majority of the cases, women, the elderly and people with disability, mainly for lack of capacity and resource to use their land on their own, are compelled to temporarily transfer their holdings to others through different forms of land rental transactions, including sale under the guise of lease. The transactions have largely proved to be dispute prone. The causes related to rental disputes include: lessees claiming to be the actual and rightful holders of the land, landlords selling the rented land, landlords alleging they rented out the land while they actually sold it, etc. The study covered the legal regimes and the dispute resolution mechanisms in the four major regions, but it seems to lack some level of criticality. More importantly, it does not deal with land rental disputes in sufficient detail.

In another empirical study conducted in Tahtay Qoraro woreda of Tigray region, Asgele Siyum et al. (2015) revealed that farm household respondents did not see rental land as a major source of farm land conflict. The research did not deal with land rental disputes exclusively but with farm land conflict in general. Since the study was delimited to one woreda, the findings may not represent or correspond to other areas/woredas of the region. The study employed both qualitative and quantitative methods of analysis.

Holden et al (2011) undertook a similar study about the types of land disputes in Tigray, Northern Ethiopia. They applied structured interviews with more than 400 conflict mediators in close to 100 villages (kushets) found in 27 communities (tabias) of 9 districts (woredas) covering the 5 zones of the Tigray Region. In this study too, land rental dispute found to be one of the least types of land disputes. In terms of difficulty of conflicts, land rental contract conflict appeared the least difficult. This study covers many woredas of the Tigray region and hence may represent the situation in the region. But the focus of the study was border conflict, and not land rental conflict.

In an empirical study undertaken in Amhara region, Assefa (2010) indicated that land rental dispute is the second most frequent dispute after border dispute followed by divorce, inheritance dispute, encroachment, compensation claim and land grabbing in descending order of frequency. This was based on qualitative data gathered from the Woreda court and the judges thereof. However, the study was based on one Woreda of Fagetalekoma in Awi Administrative Zone and as such it cannot represent the whole of Amhara region. Furthermore, the study focused on the role of the ongoing land certification on tenure security in the region, implying that the study is not a comprehensive study of land dispute in general, and land rental dispute in particular. In another study made in Amhara region in Tebasit and Gerado Kebeles of the same region by USAID (2012), informants mentioned various incidences of disputes including sharecropping related disputes in the specific study sites. Analysis of the data indicated that the land disputes are mainly associated with breaking of agreements of land transaction and the use of communal irrigation water; conflicts over land boundaries and inheritances are not common. This study had a general focus on the impact of land certification

on land tenure security, land related disputes, land market, land investment, and food security in the two areas; thus, it falls under the common limitation of not being particular to land disputes, including rental disputes.

McPeak et al (2015) made an impact evaluation of USAID/Ethiopia's Land Administration to Nurture Development (LAND) project, which is being implemented in Ethiopia's Oromia Region in the Guji and Borana pastoral zones. The data collection was based on 'population-based household survey data collected from 3,838 households in 200 communities' and other by qualitative and quantitative methods. Data obtained through qualitative methods using interviews, FGDs and key informants was converted to quantitative presentation using tables and figures. The study presents a series of baseline indicators on land rights, land use, environmental quality, incomes, investments, conflict and conflict resolution, and external transfers of food aid and other assistance. With regard to conflict, the data collecting instruments asked about any land and resource-related conflicts that may have occurred over the past year, the nature of the conflict, the impact of the conflict, and if it was resolved and—if so—how it was resolved. The researchers discovered that boundary disputes are the most common while all other types of conflict are relatively small in terms of incidence. The types of disputes compared were: boundary, water, grazing, forest, privatizing, crop, salt and raid disputes. So, rental dispute was not an issue.

What are the Research gaps on Land Rental Disputes?

As shown in the survey above, in Ethiopia, some researches on land disputes exist. However, none of them deal exclusively with land rental disputes. The main gaps of existing research with regard to land rental dispute can be divided into two major categories. These relate to the nature, causes and scope of land rental disputes, and the consequences of the ongoing land certification and registration system on land rental conflicts. Although there exists a fair deal of research on the causes and consequences of other land conflict types (Hundie 2006; Michael et al 2005; Rahmato 2005; Teklu, 2005; USAID, 2012), there is no research on related themes with regard to land rental disputes in particular.

The second major gap relates to the impact of land certification and registration on land rental disputes. In Ethiopia, the land certification and registration system enhances and formalises transactions including land rentals and thereby has helped reduce land disputes (Deininger et al, 2011; SARDP and BoEPLAU, 2010; USAID, 2012; Teklu, 2005; Adgo et al, 2014; Holden and Tewodros, 2008; Dagnew et al, 2009; Palm, 2010; Stebek and Abdo 2013; Getahun, 2008; Hibret, 2008; Holden and Tewodros, 2008; Getnet, 2009; Sabita, 2010; AyeleBehaylu and Tahir Hussain, 2015; Assefa, 2010; SARDP and BoEPLAU, 2010; USAID-ELTAP, 2012; Ayalew et al, 2008; Adgo et al, 2014; Holden et al, 2011; Holden and Tewodros, 2008; Sabita, 2010). However, as has been discussed in the preceding section, research on the impact of the system of formalisation of property rights on land rental dispute is particularly limited. Teklu (2005) actually noted that because operation in land markets is still informal and technically illegal (despite the ongoing formalisation process), there is not much evidence on the extent to which disputes arise from breaching land rental contracts. Such contracts are often arranged between close community members and are subject to societal norms and values, and hence customary institutions play important role. Available research considers land disputes only in terms of their type and their frequency. Accordingly, some researches showed that land rental dispute is one of the most frequent (USAID-ELAP, 2012; Assefa (2010)), whereas other research shows it is one of the least frequent, especially in Tigray Region (Asgele Siyum et al, 2015; Holden et al, 2011).

Social Equity and Access to Land

Access to Land by the Rural Youth

For the purpose of this study, social equity shall be understood as fair access to livelihood and natural resources. It specifically deals with equity in accessing land by women, the youth and other vulnerable groups, and the protection accorded to the land right of these groups. The existing laws provide for free access to rural land by all those who are willing to engage in agriculture. However, studies show that scarcity of arable land makes it impracticable. According to Belay and Manig (2002), shortage of land exists in highland Ethiopia, and as if that were not enough, the source of land for the younger generation is land received through gift or inheritance from parents. The researchers also reported that there is "latent landlessness" in Eastern Harerge Zone of the Oromia Region, and of those who have land, 50% of the land holders have less than 0.87 hectare each. This shows the high level of fragmentation of the landholding. The other means of land acquisition for the landless is land rental and sharecropping. An empirical study by Gelan and Tuse (2014) showed that in Arusi Negele part of the Oromia Region, the level of rural landlessness is severe, and of the youth who were the subjects of the study, 71 percent claimed that land rental is the source of land for them and stated that land inheritance and donation from family were less important because small land size has to be divided among big number of family members. In Oromia region, land distribution is prohibited, in which case, and unlike in the

Amhara region, distribution has not taken place since the end of the Derg regime in 1991 and this has largely left the youth to get land through other means including rental arrangements.

In a comparative study of youth access to land in Oromia region and the SNNPR, Bezu and Holden (2014) observed a worse condition in the latter. According to this study, irrespective of the constitutional right to get land, youth in the rural south have limited potential to obtain agricultural land that can be a basis for viable livelihood. The law prohibits the purchase and sale as well as distribution of land in the South, and hence land access through allocation from authorities is virtually non-existent while land that can be obtained from parents through inheritance or gift is too small to establish a meaningful livelihood. The study also indicated that parents do not at all transfer their land to female children through inheritance as the latter are expected to get land through their husbands. Further, it was mentioned that the land rental market has certain restrictions, including on the number of years land can be rented out. This forces the youth to engage in non-farming activities or migrate to urban areas. A study conducted in Amhara Region by the Instituted of Land Administration of Bahir Dar University for LAND project of the USAID showed that there are, on average, two young people within a sample household (whose family size is estimated to be between 4-6) who have no land of their own but are looking for one (LAND, 2015). Most of these people rely on family bequeath and land rental from other fellow farmers. The study covered 6 zones, 15 woredas and 30 kebeles and utilized both qualitative and quantitative data.

Women's Land Right

Women's land right has been ensured in practice in regional states during accessing and registration stages. In Ethiopia, regions follow joint titling in registration of rural land. Joint titling, which was introduced in 2003 enabled to register large number of landholdings within a short period of time (Holden and Tefera, 2008; Deininger et al. 2007). Beginning on March 2010, the joint certification programme had registered a majority of the rural land in the densely populated regions of Amhara (87%), Oromia (85%), SNNP (84%) and Tigray (97%) (Abza, 2011). Joint titling which enables women to have their names and photos included in the certificates issued to the family enhances women's expectations in equal sharing of land during divorce or death of husband (Girma and Giovarelli 2013). On the other hand, it is widely believed that single women, the elderly and other vulnerable groups are the main social groups who prefer to rent out their land, because they cannot manage to cultivate the land by themselves (Gebru & Holden 2008). Women are the big beneficiaries of rental market, but it is not clear which rental modality they usually prefer whether rental or sharecropping and why. But they also face difficulties. The LAND study conducted in Amhara (2015) and Oromia (2013) identified that women are victims of violation of their right during rental agreements. In Amhara region, there is significant number of women whose land was forcefully taken by men (relatives, brothers, in-laws and others) upon rental of the land. The men, in connivance with kebele officials' manage to receive new certificates for the land they rented from women and the latter are usually unable to claim the land in court, for the men are more powerful and well connected. The implication of this claim is that whether the rental agreement made by women even with those whom they trust most is questionable at best.

What are the Research Gaps?

The studies mentioned in this subsection do not show whether rental market has any contribution in alleviating the joblessness that exists in the rural areas and in ensuring access to land and social equity. It is important to know the contribution of land rental in accessing land and supporting the system, and how this could be assisted through legislative measures. Furthermore, there are mixed results on the impact of joint titling on women's status; while some studies show increased women assertiveness and influence in household management, others do not, as this depends on social awareness and on how much progressive the society is (Teklu, 2005). Hence, additional study is required to verify whether the joint titling process in Ethiopia has actually enabled women to obtain an equal decision-making power as their husbands in rental agreements.

Research on-going or planned to be undertaken by Other Programmes

Currently, there are programmes that are being run together with the Ethiopian government in the area of land administration. One of these is the Land Administration to Nurture Development (LAND) project which is under USAID and the other is called Responsible and Innovative Land Administration (REILA), which is financed by the Finish government both of which work with Land Administration and Utilization Directorate of the Ministry of Agriculture. REILA is not conducting research on land tenure issues in Ethiopia, but LAND project has a Competitive Research and Development Scheme Grant which is established to promote research excellence and to nurture and develop a research network and peer cooperation in the land sector among universities

and research organizations. There are five studies being undertaken under this scheme. These study topics are:

1. Assessing Sustainability of Watersheds Developed through Community Mobilization in Ethiopian Highlands: Does Land Tenure Play a role? By Water and Land Resource Institute
2. Land Scarcity, Fragmentation and Landlessness and Implications for Rural Household Food Security in Ethiopia: Case Studies in Selected Woredas in Amhara, Oromia, and SNNPR, by Addis Ababa University.
3. The Dynamics of Land Transactions in Selected Agricultural and Agro-pastoral Communities of Afar, Oromia and SNNPR, by Addis Ababa University
4. Impacts of Urbanization on Natural Resources and Livelihoods of Rural –Urban Fringes of ‘Mega Cities’ of Ethiopia, By Bahir Dar University
5. Land Governance with Particular Emphasis on the Linkages with Broader Development Goals, especially Poverty Reduction, and Livelihood Security, and Natural Resource Management: A project of research and policy analysis in Amhara, Oromia, SNNPR and Tigray regions, by Forum for Social Studies(FSS).

But the research group has noticed that there are important areas of research which have not yet been addressed but which need immediate attention of policy makers. These priority areas and gaps are identified and presented in section 6, hereunder. They are discussed below as potential areas of research, and they may not be the same with what has been discussed under the desk review so far.

Description of Further Actionable Research Studies

Despite the fact that land holding rights in Ethiopia are protected by rural land law, there are indications from literature and field observations that there are a number of issues have to be systematically investigated and empirically established so that rural landholders could secure better income from land rental markets and share cropping transactions. Available literature and consultations with stakeholders have been used to identify gaps that generate researchable issues. Policy makers and development professionals working on rural poverty reduction or livelihood development in Ethiopia should keep in mind that there are limitations on existing research outcomes. The researchable issues which are deemed vital to generate knowledge that could better inform policy making and /or revision on the land rental sector are described as follows:

Title: Enhancing Competition and Formalisation of Rural Land Rental in Ethiopia: Challenges to the Vulnerable

According to McClung (2012), about a quarter of all rural families in Ethiopia are engaged in land rental market transactions, and of which the vast majority are informal sharecropping arrangement. Studies also show that the majority of renters either for fixed period or by sharecropping are women and other vulnerable groups. Mostly the rental transactions are made with neighbours, relatives, or in-laws and hence there is absence of competition in the market because of undue influence perpetuated by tradition or religion. Women and other vulnerable groups, renting out land or practicing sharecropping are claim that some share croppers are not properly ploughing the land and do not effectively carry out timely sowing and post planting care such as weeding, pest control and harvesting. Particularly those farmers who have their own farm plots and also practicing share cropping tend to carry out cultivation of the land once they complete their own farm land first. Such practices are likely to affect crop yields and make women and other vulnerable groups disadvantaged. Failure to make land market transactions legally recorded at local land administration office and not keeping copies of the agreement papers by the right holders may lead to disputes on land holding and share cropping benefits. Failure to register such transactions has at times led to loss of land especially by women and other vulnerable groups. Even if such claims are made sporadically or from women in courts, there is no comprehensive study at national level that shows the effect of rental on the income and livelihood of women and the vulnerable group. In this regard, the questions which need to be dealt with include:

- Why do rural land holders prefer informal land rental?
- Why is the land rental undertaken among relatives, neighbours and friends?
- What can be the possible impacts of such deals on the rural poor, particularly in terms of income, tenure security and access to land?
- What institutional and regulatory arrangements (formal/informal) are established at the local community level to facilitate the land rental market transactions and also to protect the interest of women and other vulnerable groups?

- What challenges do women and other vulnerable groups encounter in the current land market practice and what benefits do they get?
- Is updating of land transactions efficiently undertaken by land registration institutions?
- Do share cropping and renting out of land lead to good agricultural land management and an increase in crop productivity compared to land cultivated by owners of the land?
- How concerned are farmers renting in land or practicing share cropping in properly managing the farm land?
- What are the responsibilities of the land renter or share cropper and that of the land lord in managing the farm land?

Title: Assessments of Rural Land Rental determinations in Ethiopia

There is no institutional support for the rural farmers to determine the price for land rent or the proportions for share cropping. Farmers do not have adequate information about land market and the prices of goods to reach better judgment about the land rental price. It seems that the prevailing land value is assessed based not on its productivity, and there is high probability that especially women and other vulnerable groups fail to secure what they deserve. Hence a detailed study needs to be carried out as this intervention could lead to a win-win situation on the parties involved in rental dealings which ultimately helps boost food security. The research questions for this study could be:

- How do farmers actually determine land rents?
- What are the bases for land rent determinations?
- Does land rent consider future market information/inflation, particularly in case of long-term leases?
- Is there any support from land administration institutions to enable farmers to decide the right land rent?
- How do land rents differ in various areas?
- What are the main determinants of land rent?

Title: Second Level Land Registration and Certification in Ethiopia: demands, perceptions, organizations and feasibility.

In most of the regions in Ethiopia, first level land registrations and certifications have already been undertaken, with their limitations. Second level land registration and certification has also started in some parts of the country. The idea is to scale up the practice all over the country. Therefore, a study on quantifying the possible benefits and costs of second level land registration and certification, the procedures and preconditions for second-level land registration and certification process; the technical aspects of land information management system including its role for prudent land transactions should be undertaken. In line with this, the following questions will be addressed:

- What is the level of demand towards second level land registration and certification by the community?
- How are the second level land registration and certification interventions organized and being implemented?
- What preparations are made to enhance the Land Information system and its sustainability?
- What are the financial and technical capacities required for second level certification implementation?
- What are the procedures followed for second level certification?

Title: A Comprehensive Assessment of the Benefits of Joint Titling in Ethiopia

Although it is true that women receive equal recognition as joint holders of land through joint titling and entry of names and photos with their husbands, whether this measure brings actual change in common decision making during land management activities, on use of farm inputs, on type of crop to be produced, on land transaction measure including land rental arrangements and agreements is worth investigating. The following questions will be addressed:

- Does joint titling enhance decision making power of housewives?
- Does joint titling enhance the social and economic status of housewives?
- Are there any barriers weakening women's decision-making power at household level?

- What are the problems surfaced during implementation which are related to custom, tradition or religion and that hampers women from enjoying their legal rights fully?

Title: Land Disputes in Ethiopia: Nature, Causes and the Need for Efficient Resolution Mechanisms

Existing court cases and preliminary discussions made with judges and land administration experts as well as some studies show that land dispute constitutes more than 50% of all civil cases in the courts. The characteristic features of such land disputes including their incidence or extent is not researched. The causes and scope of land dispute in general and that related to rental in particular including the deeper roots of land rental conflicts has not been documented in research. It is believed that land dispute disturbs the peaceful co-existence of local community and there by affecting land rental transactions and reduce the income of the household. From experience, such may, for instance, include sale of land under the guise of lease or rent, issues of agreed use and sustainable management of rented land, failure to pay rent, improper assessment of harvest to be shared, failure to return rented land to the lesser upon the extinction of the contract, failure to cause the documentation of contracts on land rental, and compensation in case of eviction (See also Teklu, 2005). Furthermore, case related to inheritance, donation, marital dispute, boundary conflict and the like are the main sources of dispute in rural areas. However, there is no evidence to what extent those disputes affect the land transaction as wells as the income/costs of land holders. Therefore, it is essential to carry out research on how disputes affect land rental markets in Ethiopia. With regard to these matters, research needs to answer the following main questions:

- Why is land dispute still a dominant problem before the courts in Ethiopia?
- What are the most frequent types of rural land disputes in Ethiopia?
- What are the main causes of these disputes?
- Are there adequate laws and procedures in place to resolve land disputes in general and land rental disputes in particular?
- Are there efficient and accessible land dispute settlement institutions?
- How knowledgeable are judges and other mediators about land dispute settlement laws and procedures?
- How and to what extent does land dispute affect the income of farmers?

Title: Assessing the possibility of harmonizing rural-urban land administration systems in Ethiopia.

Laws at the Federal and regional levels govern land administration in Ethiopia. While land administration is still the mandate of regional states, overarching laws at the Federal level provide guiding principles for regions to follow in the administration of their urban and rural land resources. Ethiopia follows a duality in land administration systems of its rural and urban land where both the urban and rural land is administered by two separate entities. For this reason, urban land administration (access, registration and transfer) is governed by a separate legal framework and institutional set up from that of the rural land. This however believed to be causing several problems starting from the administration of peri-urban land to lack of harmonization in land information systems. Peri-urban farmers live in perpetual insecurity because of fear of land expropriation by the nearby urban administration without proper safety and protection for their right. Further, both the urban and rural land administration institutions are engaged in land registration and certification activities, but their land information system is neither harmonized nor put in one national data system. This warrants for a detail study on the advantages and disadvantages of the dual system in land administration and the possible alternative institutional framework that would solve the problem. This study will, therefore, answer the following research questions:

- What are the problems associated with having dual land administration system in Ethiopia?
- Is integration feasible and acceptable at reasonable expense?
- What other institutional models could be developed that can serve both rural and urban land owners?

Assessment of the Livelihood of Farmers after Expropriation in Ethiopia

A lot of farmers who have lost their land to urban expansion are affected by expropriation measures, and several studies have shown that the amount of compensation paid has not been enough. Furthermore, compensation is paid much later than the time of taking the land. However, the state of condition of the farmers after displacement and payment of compensation is not known, indicating knowledge gap in this regard. The hypothesis is that since from the outset compensation was not enough and there are no initiatives to

rehabilitate farmers after losing their land, their livelihood must be precarious, and they might end up as daily labourers or engaged in other economic activities. This research will answer the following questions:

- Has the compensation paid to displaced framers enabled them to pursue better livelihoods?
- Has any rehabilitation activity in the form of showing alternative livelihood and basic skills to investment been given to farmers?
- What does the present economic condition of the expropriated farmers look like?

Title: Assessment of farmers' perception on fragmentation and consolidation with respect to productivity and other related issues.

Ethiopia is a land of small scale landholder farmers. Because of population pressure, there is still increasing fragmentation of land in high land Ethiopia and there are many studies conducted on the advantages and disadvantages of land fragmentations. Irrespective of the merits of fragmented plots held by farmers, the level of such fragmentation in some areas such as eastern Amhara region is severe in that the average number of farm plots per farmer reaches about 20. These areas have suffered from acute shortage of rain and mass migration of youth to urban areas and to Arab countries. This leaves the area with elderly people who are unable to cultivate all the plots, and whether the people of this area favour consolidation of land is worth investigating. Even if in other areas there is no problem of labour shortage, significant land fragmentation usually undermines food security system, specifically smallholder production. Fertilizer programmes, crop-yield strategies, and large-scale foreign investments are not suitable on all smallholder contexts. Participatory and inclusive forms of land consolidation potentially provide another longer-term solution. In Ethiopia, the approach is recognized as requiring exploration, however, land consolidation developed elsewhere and its applicability in the highlands of Ethiopia remains quite unclear. Any adaption needs to ensure local environmental and social conditions are incorporated.

This research will answer the following questions:

- What is the level and scope of fragmentation in the study area/average plots per farmer?
- How does affect fragmentation the productivity and income of small holder farmers?
- What is the perception of community in land consolidation programmes?
- What legislative and other measures could be introduced to support compulsory land/plot consolidation?

Title: The possible effects of rural land rental arrangements in Ethiopia.

Some argued that evidence on the functioning of rental markets in Ethiopia is mixed, and different assessments have drawn divergent conclusions about the effects of land rental arrangements on efficiency as well as equity in land holdings (Segers et al., 2010). Most of the research into land rental markets that forms the basis of recommendations to liberalize has been limited primarily to the economic behaviour of farmers (Ibid). Most of the surveys at the base of this research focus on highland areas and agricultural populations, while very little is known about pastoral areas (Bevan and Pankhurst 2008). In addition, there is no strong evidence yet available to indicate that the rural economy could offer sufficient wage labour opportunities to those transitioning out of agriculture (World Bank, 2009), or that urban areas could absorb a large migration of unskilled labour without increasing urban poverty (Bevan and Pankhurst, 2008). Furthermore, in rural areas, there are a huge number of young people without land. At the same time, there is scarcity of land in Ethiopia and in most cases inheritance and land rental are the most usual ways to get land by the landless, mainly the youth. However, the level of the rental agreements and its contribution in creating land access to the landless has never been a subject of reflection. Investigation from this angle will help policy makers to appreciate the role and contribution of the rental market in solving land shortage problem and joblessness, and the income it generates to different groups. Thus, this proposed research can answer the following questions:

- What is the productivity and equity effect of land rental arrangements in Ethiopia including the pastoral community?
- To what extent does land rental enhance land access to the rural landless in Ethiopia?
- What is the effect of land rental as a driving force for women and other renters to look for additional income generating activities?
- Can the rural economy offer sufficient wage labour opportunities to those who want to rent-out or share-out?
- Can the urban areas absorb a large migration of unskilled labour without increasing urban poverty?

- To what extent land rental contributes to rural social stability and employment opportunity?
- What are the livelihood options that should be practiced by women renting out land or practicing share cropping?
- What proportion of the annual food need of women headed households is covered by the income from land renting or share cropping?

Title: Assessing Institutional Set-up of Land Administration in Ethiopia: The Quest for Uniform Standards

Rural land laws become operational and largely effective when complemented, among other things, by strong institutional arrangements that extend from Federal down to Regions, Zones, Woredas and Kebeles (the smallest political administrative unit) staffed with competent experts and are provided with adequate financial and physical resources. Such interventions will indeed help to realize the objectives stated in the rural land law. The current organizational set up across the Regional States however indicates dissimilarities and it is not clearly known why this is happening and how it is affecting implementation of the rural land law. It may be argued that the difference in socioeconomic set up and land use systems, geographical area, etc may affect the kind of organizational set up to address land administration issues. In principle, however, all kinds of organizational setups are meant to enhance land tenure security, land management and food security.

The current scenario indicates that there is no systematic research done to evaluate the performances of land administration institutions against *their objectives*. *That is the efficiency and clarity of organizational arrangements, institutional objectives and strategies, status on accomplishments on the core land administration functions, customer satisfaction; human resource development, allocation of financial and other physical resources* seems to have been overlooked. Based on the research questions stated below it seems logical to evaluate the performance of land administration institutions set up in each Regional state against the objectives they have set to achieve rural land administration values contained in the rural land law.

The following research questions are worth considering:

- What are the triggering factors that have led to regional states to establish different organizational arrangements to handle the land administration activities?
- What should be the minimum set up to carry out land administration tasks and to what extent do the Region's organizational arrangement fulfil the requirements?
- How efficient are regional land administration institutions in their service delivery as perceived by customers and land experts?
- How do the land administration institutions across the country evaluate their performance against the objectives and strategies they have set? Is there a match or mismatch between institutional objectives and Institutional efficiency?

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