

RESEARCH ARTICLE

Farmers' Perception on Development Induced Farmland Expropriation in Ethiopia: A Review

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ABSTRACT

Expropriation of farmland is one of the major options for many countries to meet the demands of emerging developments taking place in the urban-rural interface. This is commonly practiced without the consent of the farmers on a non-discriminatory basis in compliance with the law by compensation. In Ethiopia, the status of displaced farmers by expropriation of farmlands due to the expansion of towns and development projects, their perception on expropriation and compensation laws, participation in the valuation process and compensations are not clear and needs to be articulated. From this review, it is clear that none of the expropriate felt proud of the government's plan of farmland expropriation; but they supported the establishment of development-induced projects; and that they don't know about the laws and regulations of farmland expropriation and compensation in Ethiopia. Expropriates deeply felt bad that their farmland was expropriated without involving them in decision-making. Ten years annual income won't adequately compensate the loss of all the rights. Hence, open ventilation to understand the priority of the people and reviewing the prevailing expropriation and compensation laws will enable the government and to make a smooth environment for the project's undertaking. Farmers should have equal rights for participation within the expropriation process i.e. must be told, consulted, involved, and empowered to form such decisions.

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Introduction

Sustainable development means providing public facilities and infrastructure by the government for safety and security, health and welfare, social and economic improvement, and protection and restoration of the natural environment. Expropriation has been practiced for long periods to create private farmland for multiple uses of public interest (FAO, 2008, p.1). This was a common practice in the Greek and Roman empires (Reynolds, 2010, p.2).

It is commonly practiced without the consent of the farmers (FAO, 2008, p.5). It is also considered as the right action of the government sometimes it is not for public use (Lei, 2010, p.11). The expropriation is justified by international law as long as it follows the guidelines (UNCTAD, 2012, p.5): Farmlands are expropriated on a non-discriminatory basis in compliance with the law with compensation. Some countries defined the uses of farmland for a public purpose (Keith *et al.*, 2008, p.10). Most of the developing countries enacted expropriation laws to exercise their powers and gained more experience in the execution of those laws. The laws cover the situation in which the

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governments' power can be exercised, rights and role of the farmers, compensation details, and procedures (ADB, 2006 as cited in Melese, 2016, p.16).

The farmland expropriation in Ethiopia emerged through FDRE (Federal Democratic Republic of Ethiopia) constitution under article 40/8 and amended later through various legislations in accordance with the Federal Expropriation and Compensations Payment Proclamation (FECPP) No. 455/2005, Article (Art.) 7 which states that "the government may expropriate personal property for a public purpose where it believes that it should be used for a far better development project to be administered by public entities, private investors, cooperatives, societies or other organizations with payments of compensation." Only the regional state has the power to sell or transfer by any means of exchange. It is justified by the government that the land ownership rights are protected from any possible loss of this unique asset. Private ownership may result in disposing of the land at times of poverty and render them landless and poor (FDRE Constitution 1995 (Art.40/3), as cited in Assefa, 2012, p.49). The government has the right to expropriate the land for any development that benefits the public. Expropriation of land is grasping the agricultural land from the farmer for any public cause after due compensation by the relevant government bodies, private investors, cooperative societies, or other bodies (ANRS EPLAUO Proclamation No. 133/2006 Art.2 (18)).

Recent economic developments have promulgated unmatched demands of farmland for urban development, infrastructure, manufacturing, corporate farming, and mining development (Muradu Abdo, 2014, p.148). This growing demand is met through the expropriation and reallocation of peri-urban farmland by way of a lease contract. Thus, the entire process of expropriation is controlled by the government (FDRE, 1995). The rural tenure relation was ceased forcefully when the urban territory extends into the rural-urban interface areas adjacent to the municipal limits (Adam, 2014, p.17). Therefore, the expropriation of farmland involves three actors viz., the government providing the land, the person or company acquiring the land, and the holder of the periurban farmland who is the losers (Adam, 2014, p.17) having the landholding rights given by the constitution and using it for generations as a source of livelihood (Girma, 2011, p.13).

Expropriation always generated controversies since the displaced farmers were not compensated fully for the loss of human costs in terms of disruption associated with disarranging togetherness and bonding of community members, their livelihood, and customary life (FAO, 2009, p.10). The compensations are sometimes compounded when it was exercised poorly or tenure insecurity is exacerbated. This induces agitations as farmland markets are eroded, investment incentives are subverted, and communities and livelihoods are affected. However, the government by-laws and powers expropriate the farmlands (FAO, 2009, p.10).

Expropriation of farmland is one of the major options for many countries to meet the demands of emerging developments taking place in the urban-rural interface areas. Replacing tiny agricultural holdings for housing,

industrial activities, and infrastructure development are predominantly practiced as it provides more employment in developing countries like Ethiopia (Yidnekachew, 2015, p.3).

In Ethiopia, the status of displaced farmers by expropriation of farmlands due to the expansion of towns and development projects is not clear. The perception of displaced farmers on expropriation, compensation laws, participation in the valuation process, and compensations needs to be articulated. Do the farmers perceive expropriation as an opportunity or threat? This review paper articulated comprehensive information about farmers' perception of development-induced farmland expropriation in Ethiopia. While expropriation and compensation for a public purpose are thoroughly discussed in Ethiopia (Persson, 2015, p.19), the status of displaced farmers' perception of development-induced farmland expropriation has received little research attention in Ethiopia. According to Gashaw (2015, p. 94) farmland expropriation may expose most of the displaced farming communities to varied economic and social problems that need to be explored. In light of the above information, this paper has assessed the status of displaced farmers' perception of development induced farmland expropriation in Ethiopia.

Methodology

This article is articulated by reviewing existing literature viz., published books, articles, and other scholarly materials to assess: displaced farmers' perception of development-induced farmland expropriation, effects of induced development projects brought by farmland expropriation and farmers' awareness on rural land expropriation and compensation laws.

Farmers' Perception on Development Induced Farmland Expropriation and Effects of Induced Development Projects Brought by Farmland expropriation.

Expropriation led to many criticisms and resulted in conflicts between farmers and expropriating authority (Persson, 2010, p.29). A study made by FAO (2008, p.32) in sub-Saharan countries revealed that financial compensation equivalent for the lost land alone did not achieve the rehabilitation of the affected farmers back to the same status before the acquisition. In some countries, there are additional compensations through legal provisions. The acquisition aims to facilitate development; hence, the affected should be compensated fairly.

Abebaw (2016, p.34) in the study on farmers perception on participation in the expropriation process and in determining compensation payments for displaced farmers in the fringe areas of Ethiopian capital city, Addis Ababa reported that farmers perceived that they are not empowered to make any decisions on expropriation as the decision of expropriation solely vests on the government body. Albeit they lacked the power to decide on expropriation, the landholders couldn't have the chance to participate in the ventilation forum. Even at the time of assessment of the inventory and property, the affected persons couldn't participate through representatives. FAO (2008, P.44) in a case study recommended that the authority

and the affected farmers should collect information and evidence to substantiate their arguments for equitable compensation. The expropriation work is triggered as soon as the notice of intention to expropriate the farmland was served. Farmers resist and protest when information on farmland expropriation was inadequate and lacks transparency and participation in decision making. To make the process smooth, it is mandatory to inform the farmland holders clearly as they don't have any other options for livelihood. They should know that the farmland is going to be taken for public cause and make them part of the project by involving in decision making in sensitive issues (FAO, 2008, p.45).

Generally, development-induced projects contribute by bringing capital; and know-how, creating job opportunities and infrastructural development in the project implementation area (Yidnekachew 2015, p.85). In his study about the consequences of displacement caused by development-induced projects in Addis Ababa, Ethiopia, he reported that the project created employment for the displaced people at the bottom level. Further, the local women got the opportunity to run own business at construction sites by selling foods and beverages for the workers. This helped several women to earn a good income.

The negative impact was reported by Melese (2016, p.46) in the study on urban expansion related to expropriation and compensation practice in Woldia town, Ethiopia as farmers lost livestock assets as a result of the expropriation of farmlands. The benefits are the overall development of the town and the generation of additional employment opportunities at the time of construction. The residents are deprived of their homes or business as the lands are cleared for development purposes (Yidnekachew, 2015, p.4). The adverse impacts of expropriation include loss of employment and revenue from farm and non-farm, loss of livelihood assets like farmland and livestock, and disruption of social networks. Farmland expropriation indirectly creates effects associated with wealth redistribution; as farmers receive different levels of compensation leading to arousal of conflicts between government and farmers that hampers the implementation of land policy and planning (Ndrangu, 2014, p.13).

Expropriation of farmland in peripheral areas of the cities has everlasting effects on the lives of the initial holders since their livelihood depends on the farmland. In peripheral areas of African cities, farmland expropriation generates reluctance and hostility as the land occupies a pivotal position within the social organization of the community (Ndrangu, 2014, p.14). Any plan to change the prevailing land relations of the people benefits the strongest opposition albeit the development projects were executed by the government itself. Many problems are similar in all countries except a few that are peculiar to the region and the country. Problems usually surface during their implementation of the expropriation, valuation, and compensation procedures are often categorized into legal, technical, institutional, and financial (ibid).

The involuntary resettlement plan should state how the displaced persons will be assisted to enhance their livelihood

and standard of living to that of the pre-displacement level before the start of the project implementation. When displacement is mandatory, a resettlement plan must address minimized social risks and shocks, damage, and suffering, the protection of resettled people's well-being and rights, facilitation of their rehabilitation in a new environment with new hosts, and support for development and improvement of their livelihoods at the destination. Well-planned resettlement with adequate resources is pivotal to avoid impoverishment (Ndrangu, 2014, p.15).

Farmers Awareness on Farmland Expropriation and Compensation Laws

The importance attached by farmers towards farmland was explained by various researchers. Farmers equate the loss of farmland with the loss of life as farmland has economic, social, and cultural attachment. Generally, farmers believe that land belongs to those who work on it, consider it as part of nature and heritage to benefit the entire mankind. Therefore, they do not adhere to the principles of market laws (Nardi, 2011, p.124). Therefore, improper planning and execution of the expropriation process have much impact on the social and economic activities of farmers and deprive them of their rights to property, housing, food, and a basic standard of living (Wanyoike, 2014, p.18).

A study made by Bellachew (2013, p.123) on Expropriation, Valuation, and Compensation in Bahir Dar City and surrounding areas in Ethiopia revealed that a massive majority of those affected people, 97 per cent, didn't know anything about the expropriation and payment of compensation laws that defined basic property rights and expropriation powers. Even after careful explanation, they did not understand the terms adequately. Responsibility for the valuation of land varies from one country to other. In some countries, the work is completed by the acquiring agency while in other countries the valuations are the responsibility of independent commissions (FAO, 2008, p.24). In Ethiopia, the valuation system suffers from a lack of qualified experts and consultants. All valuations within the country are done by unskilled local elders and representatives of various government offices. There are no private valuation consultation companies within the country that would function as alternative valuers (Daniel Weldegebriel, 2013, p.177). Accurate valuation becomes cumbersome as it is time-consuming and expensive. Each land has to be inspected and assessed based on the fertility status of the soil. It will be further aggravated by the shortage of skilled evaluators. Reliable indicators for assessment are needed. Also, it is difficult to financially quantify non-economic losses like religious, historical, or cultural claims to the land (Larbi, 2008, p.37).

In most countries, the compensation disputes are settled by courts whereas in Ethiopia the land administration body is authorized for settling the compensation. After the valuation committee assessment, the information is reported to the district authority. The district authority communicates to the affected people and the implementing

agency. The information is conveyed through displaying on bulletin boards in urban areas and persons in rural areas. In case of grievances on compensation by the holder of the land, the same may be petitioned to the executive in charge of the compensation grievance hearing committee at the district level. The compensation grievance hearing committee may either accept the grievances by affirming the compensation requested or order for a re-evaluation of assets. If the holder is not satisfied with the compensation announced by the grievance committee he may appeal to "regular appeals court or municipal appeals court within 30 days from the date of the choice" (Daniel, 2013, p.178).

The notice of intention to expropriate should set a deadline by which each displaced farmer submits a compensation claim. The notification may help the landholders to understand their eviction and should also help them to maneuver the properties they need on the land (Abebaw, 2016, p.34). On notice, the project's evaluators enter the land for assessment. The legislation should define the date at which the land should be valued. The date of valuation is important in the valuation as it is linked to the worth of the land. The acquiring agency should specify the dates if the legislation didn't specify the date of valuation (FAO, 2008, p.28). Meaningful public participation is achieved through providing the required information as it promotes the debate and influences the opinion otherwise compromised by mistrust and bias (Wanyoike, 2014, p.13). Access to information on the expropriation plan including justifications for expropriation promotes a meaningful consultation process and helps to voice the concern about the proposed expropriation (Tagliarino, 2016, p.57). The involvement of farmland owners and their consciousness of expropriation and compensation are systematic to make them feel they are part of the dealings. Good governance is essential for rapid expropriation as well as to protect the rights of the farmers (FAO, 2009, p.23). Clear policies outlining the exact purpose of the government for which the land is acquired, transparent and fair procedures of acquisition by providing equitable compensation reduces conflicts. Public meetings at the initial stages were useful and effective as it provided answers to their questions on the procedures of expropriation and to voice their concerns (Bruce, 2009, p.12). Public meetings exhibit accountability and transparency in the justification by the government to expropriate the farmland.

Public discussion may be a procedure practiced by all regions although it's not mentioned within the Federal Expropriation Proclamation of Ethiopia. Ventilation is additionally a proposed and truly practiced procedure in many countries. Open ventilation enables the government to understand the priority of the people and to make the smooth environment for the project's undertaking. If the general public isn't clear about the benefit and compensation packages before the commencement of the project, conflict may arise. Hence, the Ethiopian government gives more focus to it (Daniel, 2013, p.174).

In general, public participation during the land expropriation process is vital because it's the precondition for farmers to collectively voice their rights and protect

their benefits. Firstly, through public participation, the farmers can understand the aim, compensation, and other related information. Secondly, it helps to speak with the Government. Additionally, public participation helps the farmers to urge proper compensation (Lei, 2010, p.34).

Farmland expropriation is an inevitable thing whenever there are development interventions like urban expansion and infrastructure developments (Yidnekachew, 2015, p.88). The policies and regulations associated with the induced development land expropriation play a crucial role in influencing the farmer's livelihoods. Particularly, the compensation could directly determine the farmer's livelihood for a short time.

For some, the livelihood after displacement may worsen and for others may improve, it all depends on the compensation amount (Melese, 2016, p.21). The sustainable livelihood improvement depends on effective planning on the usage of compensation. Inadequate employment training and an imperfect welfare system make it difficult for the farmers who lost their assets to get a stable job in the new environment. Added to this, the shortage of social resources and the discrimination of urban residents also affected the long-term livelihood of farmers. Therefore, training on employment opportunities, follow-up and guidance may serve as vital mechanisms to sustain the livelihood of displaced farmers. The Ethiopian government's compensation package is extremely general and didn't include different components (Melese, 2016, p.41). The amount of compensation is extremely low; district administration didn't provide alternate job training and entrepreneurship development for the displaced farmers. Bellachew (2015, p.152) reported that displaced farmers found it very difficult to engage as labor, less strength to seek the help of courts and other grievances redressal mechanisms in compensation matters. Therefore, generally displaced farmers are unhappy and dissatisfied with the expropriation procedures of district administration.

The income of the households decreased after expropriation. Even though it had been claimed that the event induced projects benefit the displaced persons, it had affected the livelihoods of displaced persons. Farmland is an important fixed asset through that the households can maximize the income/production by intensively cultivating the land (Mi Zhou, 2012, p.33). After expropriation farmers have to search for non-agricultural employment which is very difficult as their capabilities are associated with agricultural production. Except for children and educated people who got jobs in non-agricultural sectors, most developments induced displaced farmers are self-employed or settled with the low salary in temporary jobs. Displaced farmers perceived farmland expropriation as bad and are not consulted at the beginning. As the majority of farmers in Ethiopia are illiterates and didn't know the issuance and implementation of expropriation and compensation laws, proclamations, decrees, regulations, and rules.

For better management of the expropriation of farmland, the realization of advance payment and compensation should commensurate following the law. Awareness creation and provision of data on the legal

framework to all or any concerned parties like implementing institutions, project owners and affected segment of the society is extremely essential (Abebaw, 2016).

Conclusion and Recommendations

Farmers prefer compensation in money. Generally, there was unfairness in the compensation amount given to the displaced farmers. The displaced farmers are using the compensated money for consumption, not for saving within the bank, using it during some harsh times when shortage happens because the vast majorities of the farmers are uneducated and didn't have anybody to guide and help them to reconstruct their lost livelihood by engaging in other income-generating activities.

The farmers have the proper rights to use the land indefinitely, lease it out temporarily to other farmers and transfer it to their children but cannot sell it permanently or mortgage it. But farmers are compensated just for 10 years is unfair for farmers to enhance their living conditions, and it contradicted with unlimited holding/usage rights. The bulk of the people obtained their farmland through redistribution following the 1991 and 1992 land distribution. But land contribution for absorbing the unemployed generation through land market systems i.e. either through inheritance or permit (gift) system is low in Ethiopia.

Farmers perceived that implementing the development-induced project's costs in terms of disruption to community cohesion, livelihood patterns, and way of life. Non-formal education isn't used as a vital tool for equipping farmland holders' to create the required awareness creation about the issuance and implementation of expropriation and compensation laws, proclamations, decrees, regulations, and rules. The education level of displaced farmers isn't matching the core employment generation sector, therefore they cannot have different job opportunities and these people need further assistance from the government and different bodies in training different skills and knowledge to unravel their livelihood inconsistency and to cope up their problems by having their alternative job opportunities within their locality.

The government's Bureau of Land Administration and Use with the collaboration of other stakeholders should create awareness and educate the farmers about the issuance and implementation of expropriation and compensation laws, proclamations, decrees, regulations, and rules. There must be a pre-assessment of farmers' attitudes and perceptions before implementing development projects. The induced developments must primarily benefit the local people and job creation in their vicinity. The regional governments need to strengthen the prevailing government sectors and institutions to undertake researches on the status/importance of the induced development projects to the beneficiary/implementation area and to identify the expropriation-administration/governance issues. Revising the prevailing compensation and expropriation laws, proclamations, decrees, regulations, and rules is vital. Farmland kept under land banks should be given/distributed as land to land compensation for those farmers' who are

displaced from their farmlands. Article 43 sub Art.2 of the FDRE constitution stipulates that each Ethiopian national shouldn't only have access to the policies and laws of the country, but also should get a consultation. A crucial component within the expropriation is valuation and compensation. Therefore, everyone should have equal rights; the farmland holders, other stakeholders, and actors should be consulted, involved, and empowered while taking expropriation decisions.

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