

# Land Expropriation And Compensation Payment In Ethiopia

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Powers, Procedure and Compensation

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The Law of Land Acquisition and Compensation

Routledge Handbook of Contemporary Issues in Expropriation

The Agrarian Dispute

Real Property Acquisition Practices and Adequacy of Compensation in Federal and Federally Assisted Programs

Land Acquisition in Developing Countries

Law and Practice

Land Acquisition and Compensation in India

Real Property Acquisition Practices and Adequacy of Compensation in Federal and Federally Assisted Programs

Permanent Sovereignty over Natural Resources

How Governments Regulate, Freeze and Devalue Private Property - Without Compensation

*Land Expropriation And Compensation Payment In Ethiopia*

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## CLARA COLEMAN

**Land Compensation Reports** Routledge

This thesis provides a new approach to the Ethiopian Land Law debate. The basic argument made in this thesis is that even if the Ethiopian Constitution provides and guarantees common ownership of land (together with the state) to the people, this right has not been fully realized whether in terms of land accessibility, enjoyability, and payment of fair compensation in the event of expropriation. Expropriation is an inherent power of the state to acquire land for public purpose activities. It is an important development tool in a country such as Ethiopia where expropriation remains the only method to acquire land. Furthermore, the two preconditions of payment of fair compensation and existence of public purpose justifications are not strictly followed in Ethiopia. The state remains the sole beneficiary of the process by capturing the full profit of land value, while paying inadequate compensation to those who cede their land by expropriation. Secondly, the broader public purpose power of the state in expropriating the land for unlimited activities puts the property owners under imminent risk of expropriation.

*Land Compensation (Amendment). A Bill to Amend the Law Relating to Compensation Payable Upon Compulsory Acquisition of Land* Springer

In the mid-1930s the Mexican government expropriated millions of acres of land from hundreds of U.S. property owners as part of President Lázaro Cárdenas's land redistribution program. Because no compensation was provided to the Americans a serious crisis, which John J. Dwyer terms "the

agrarian dispute," ensued between the two countries. Dwyer's nuanced analysis of this conflict at the local, regional, national, and international levels combines social, economic, political, and cultural history. He argues that the agrarian dispute inaugurated a new and improved era in bilateral relations because Mexican officials were able to negotiate a favorable settlement, and the United States, constrained economically and politically by the Great Depression, reacted to the crisis with unaccustomed restraint. Dwyer challenges prevailing arguments that Mexico's nationalization of the oil industry in 1938 was the first test of Franklin Roosevelt's Good Neighbor policy by showing that the earlier conflict over land was the watershed event. Dwyer weaves together elite and subaltern history and highlights the intricate relationship between domestic and international affairs. Through detailed studies of land redistribution in Baja California and Sonora, he demonstrates that peasant agency influenced the local application of Cárdenas's agrarian reform program, his regional state-building projects, and his relations with the United States. Dwyer draws on a broad array of official, popular, and corporate sources to illuminate the motives of those who contributed to the agrarian dispute, including landless fieldworkers, indigenous groups, small landowners, multinational corporations, labor leaders, state-level officials, federal policymakers, and diplomats. Taking all of them into account, Dwyer explores the circumstances that spurred agrarista mobilization, the rationale behind Cárdenas's rural policies, the Roosevelt administration's reaction to the loss of American-owned land, and the diplomatic tactics employed by Mexican officials to resolve the international conflict.

**Functionings of Land** Open Dissertation Press

This dissertation, "The Compensation for Land Expropriation in Rural China Under the Constitution in People's Republic of China" by Wei, Xiao, 魏晓, was

obtained from The University of Hong Kong (Pokfulam, Hong Kong) and is being sold pursuant to Creative Commons: Attribution 3.0 Hong Kong License. The content of this dissertation has not been altered in any way. We have altered the formatting in order to facilitate the ease of printing and reading of the dissertation. All rights not granted by the above license are retained by the author. Abstract: Land has always been the focus of public debates among scholars, policy makers and local populations due to its scarcity in face of population explosion and rapid urban growth. This is particularly so in the case of China. In order to support an unprecedented rate of urbanization, the institutional mechanism of land expropriation has been widely adopted by the government of the People's Republic of China over the last three decades. However, the effect of this institutional mechanism in rural China has become increasingly controversial. On one side, it is one of the most powerful tools to assemble land for urban development. Moreover, by means of land expropriation and land conveyance, local governments are capable of collecting substantial revenues to fund urban development. On the other side, the exclusive power of local governments over land expropriation, which is derived from the land management system, makes it possible for local governments to manipulate the price at which land is taken from farmers. In practice, local governments expropriate suburban or rural land at a low price and then lease it at a much higher price in land market. Therefore, inequitable compensation for land expropriation has led to numerous conflicts and social tensions between local governments and land-loss farmers. The issue of land expropriation and compensation has been identified as one of most primary sources of social discontents and complaints. Even though a growing number of studies have been conducted on the urbanization and regional development in China, a thorough cause-effect elaboration of the issue of land expropriation and compensation in rural China has rarely been carried out within the political regime. This thesis analyzes the institutional framework of land expropriation and compensation in rural China from the perspectives of property rights and land management system. In addition, it discloses the opportunities for Chinese legal system to solve this issue by borrowing legal norms, wisdoms and experience from other jurisdiction, such as the United States and Germany. Furthermore, it aims to improve and reconstruct the legal framework of compensation by elaborating the concept of long-term reciprocity. Three primary questions would be elaborated in this thesis. Is the compensation for land expropriation in rural China equitable? If the compensation is not equitable, how has such an inequity been caused? And most importantly, how to improve the compensability of land expropriation? DOI: 10.5353/th\_b5435657 Subjects: Eminent domain - China Compensation (Law) - China  
[Stealth Confiscation](#) Duke University Press

Historically, Israel's Supreme Court has failed to limit the state's powers of expropriation and to protect private property. This book argues that the Court's land expropriation jurisprudence can only be understood against the political, cultural and institutional context in which it was shaped. Security and economic pressures, the precarious status of the Court in the early years, the pervading ethos of collectivism, the cultural symbolism of public land ownership and the perceived strategic and demographic risks posed by the Israeli Arab population - all contributed to the creation of a harsh and arguably undemocratic land expropriation legal philosophy. This philosophy, the book argues, was applied by the Supreme Court to Arabs and Jews alike from the creation of the state in 1948 and until the 1980s. The book concludes with an analysis of the constitutional change of 1992 and its impact on the legal treatment of property rights under Israeli law.

*The Constitutional Protection of Private Property in China* Springer

The Food and Agriculture Organization of the United Nations (FAO) has developed a series of Technical Guides to elaborate and provide more detailed guidance on thematic areas contained within the Guidelines. As part of this series, this Technical Guide covers the issues associated with the identification and valuation of tenure rights for different purposes, and provides guidance on how to ensure that valuations are undertaken in a fair, reliable and transparent manner that comply with international norms. It explains why valuations are important, where and when they should be used, and by whom. It is not intended to be a valuation textbook; instead it seeks to raise the level of awareness of valuation issues and procedures among those involved in land policy and administration and those affected by land tenure decisions. Though this Technical Guide focuses on land, it provides useful guidance that may be applied to fisheries, forests and other natural resources. It is directed primarily towards developing countries and countries in transition where there is less awareness of the valuation profession and institutions. Legitimate tenure rights involving customary or informal tenure systems may be less clear and not formalized by law or regulations.

*Hearings ... 88-1 ... July 29, August 1, 1963* Cambridge University Press

The Asia-Pacific region with its rapid urbanization has generated an immediate need for both land use control and compulsory purchase by national and local governments. This book takes a comparative look at land use laws in ten Asia-Pacific countries (Australia, China, Hong Kong, Japan, Korea, Malaysia, New Zealand, Singapore, Taiwan, Thailand) as well as in the United States. A land use scholar from each country describes and analyzes compulsory land acquisition and the means through which property owners can seek compensation when government regulations or policies become so burdensome that they approach the effect of compulsory purchase. The book's major themes are land use control and eminent domain (compulsory purchase). Contributors examine land use control by focusing on land ownership, statutory framework, land use plans and planning, zoning, building regulations, courts and common law, and regulatory taking among the eleven countries. Sections on eminent domain cover the right of government to take or reclaim private property. General topics discussed include the source of authority (often a country's constitution), the public purpose and the extent of power, compensation, due process, the importance of plans, the effect of a "colonial" legal system, and the accommodation of indigenous peoples' land rights. With the publication of this volume, legal scholars and practicing land use lawyers will be able to analyze and compare for the first time the individual legal approaches of developed and developing countries in the Asia-Pacific region. Contributors: David L. Callies, Li-Fu Chen, Anton Cooray, Glenys Godlovitch, Tsuyoshi Kotaka, Murray J. Raff, William J. M. Ricquier, Eathipol Srisawaluck, Won Woo Suh, Grace Xavier, Zhen Xian Bin.

**Securing Property Rights in Transition: Lessons from Implementation of China's Rural Land Contracting Law** University of Hawaii Press  
 Economic development and mass urbanization have unleashed unprecedented levels of land disputes in East Asia. In China and Vietnam especially, courts and other legal institutions struggle to find lasting solutions. It is against this background of legal failure that this book brings together leading scholars to understand how state agencies, land users and land developers imaginatively engage with each other to resolve disputes. Drawing on empirically rich case studies, contributors explore the limits of law and legal institutions in resolving land disputes and reveal insights into how key

actors in East Asia understand land disputes. Their studies reveal promising dispute resolution practices and point to the likely ways that states will deal with land disputes in the future.

[Being the Land Acquisition Acts, I of 1894 and XVIII of 1885 as Amended by Acts IV and X of 1914, and Cognate Measures, with a Concise Commentary](#) Food & Agriculture Org.

First ed. published in 1881 under title : A treatise on the principles of the law of compensation in reference to the lands clauses consolidation acts.

**Toward a History of Expropriation of Land for the Common Good** Cambridge University Press

This book outlines the protection standards typically contained in international investment agreements as they are actually applied and interpreted by investment tribunals. It thus provides a basis for analysis, criticism, and stocktaking of the existing system of investment arbitration. It covers all main protection standards, such as expropriation, fair and equitable treatment, full protection and security, the non-discrimination standards of national treatment and MFN, the prohibition of unreasonable and discriminatory measures, umbrella clauses and transfer guarantees. These standards are covered in separate chapters providing an overview of textual variations, explaining the origin of the standards and analysing the main conceptual issues as developed by investment tribunals. Relevant cases with quotations that illustrate how tribunals have relied upon the standards are presented in depth. An extensive bibliography guides the reader to more specific aspects of each investment standard permitting the book's use as a commentary of the main investment protection standards.

[Real Property Acquisition Practices and Adequacy of Compensation in Federal and Federally Assisted Programs](#) Routledge

This book focuses on the 'functionings' and capabilities generated from land by their owners and the challenge in satisfactorily recreating these through the compensation paid in the case of compulsory acquisition of private land. These discussions initiate a new debate on the insufficiency of existing approaches to compensation that are ignorant of the losses of 'capabilities' and 'functionings'. The relationship between land, ownership and well-being of an individual is explained through the identification of various 'functionings' associated with the ownership of land in the context of Scotland. Contemporary approaches to compensation, founded on the utilitarian argument, have led to dissatisfactory outcomes for the affected landowners. Discussions in this book shift the focus to equalizing the share of burdens and benefits for each individual member of the society, through equalization of human capabilities. This book will be of value to development economists, researchers, policy makers and law makers concerned with compulsory acquisition of land.

*Cripps on Compulsory Acquisition of Land* World Bank Publications

The Routledge Handbook of Contemporary Issues in Expropriation reviews the contemporary major issues involving expropriation (eminent domain/compulsory purchase) in an international context. Expropriation is a right reserved to all governments, and, thus, it has an impact on all societies. This book, the first of its kind, considers the essential issues from the point of view of both developing and developed countries, and their needs for major infrastructure projects. The content covers major issues, principles and policies and includes the experiences of and examples from different countries and regions, including Australia, Asia, China, Europe, India and the USA. Rather than providing an in-depth examination of individual countries' legal systems, the book focuses on international issues, and also provides a reflection on how national experiences can be related to global needs. Key themes include: Nature and quantum of compensation • Land rights and the acquisition of traditional land rights • Issues surrounding 'public interest' • Alternatives to expropriation • The future: "good practice", debate and reform. This handbook is an essential resource for students and researchers in the areas of land policy, land law, property law and rights, and international development.

**Hearings Before the Select Subcommittee on Real Property Acquisition of the Committee on Public Works, House of Representatives, Eighty-eighth Congress, Second Session, Boston, Mass., February 27, 1964; Providence, R.I., February 28, 1964** Univ of North Carolina Press

Fifty years after the adoption of the Declaration on Permanent Sovereignty over Natural Resources by the General Assembly of the United Nations in December 1962, this volume assesses the evolution of the principle of permanent sovereignty over natural resources into a principle of customary international law as well as related developments. International environmental and human rights law leave unresolved questions regarding the limitations of this principle, e.g. extraterritorial and international influences such as the applicable criminal and tort law, as well as the extraterritorial and international promotion of good governance, including transparency obligations.

*The Law of Expropriation and Compensation in Canada* The Compensation for Land Expropriation in Rural China Under the Constitution in People's Republic of China

One of the most pressing issues in contemporary China is the massive rural land takings that have taken place at a scale unprecedented in human history. Expropriation of land has dispossessed and displaced millions for several decades, despite the protection of property rights in the Chinese constitution. Combining meticulous doctrinal analysis with in-depth historical investigation, Chun Peng tracks the origin and evolution of China's rural land takings law over the twentieth century and demonstrates an enduring tradition of land takings for state-led social transformation, under which the takings law is designed to be power-confirming. With changed socio-political circumstances and a new rights-respecting constitutional agenda, a rebalance of the law is now underway, but only within existing parameters. Peng provides a piercing analysis of how land has been used by the largest developing country in the world to develop itself, at what costs and where the future might be.

**Policies and Procedures of the Public Sector ; with Surveys and Case Studies from Korea, India, Thailand, and Ecuador** Cambridge University Press

In Canada, the principle of compensation for expropriation of property is well-established. Tradition, well-established common law principles, laws (including much provincial legislation that requires compensation for expropriation) and court rulings that reinforce the same are available to property owners who face a threat of unusable (and therefore devalued) property. However, unlike expropriation, regulatory changes that restrict the use of property (and can affect its value) rarely result in compensation in Canada, in contrast to other developed countries. In Canada, governments can and do restrict the use of property to such an extent that the action is akin to expropriation.

[The Compensation for Land Expropriation in Rural China Under the Constitution in People's Republic of China](#) Lucknow : Eastern Book Company

The Compensation for Land Expropriation in Rural China Under the Constitution in People's Republic of China Open Dissertation Press

**Rural Land Takings Law in Modern China** Springer Nature

This book discusses development and land acquisitions in India and analyzes a conceptual framework based on "paradox of values" and "plural value of land." The research links the issue of valuation to its roots in classic economic theory and to its individual perception. The project offers an insightful perspective on current challenges of urbanization and development in the Global South, where land use regimes are in a highly dynamic transition to allow for urban amenities, housing and industrial land. The author concludes with a derived scheme or framework that addresses various potentials to better address values of land during land acquisition. It is an ideal book for anyone interested in land markets, land appraisal and land economics and land acquisition in the Global South.

*Compensation for Compulsory Acquisition of Land* Cambridge University Press

This timely book reviews the changes in legal reform around the constitutional protection of private property in China since 1949. Using a

comparative approach, it analyses the development of property theories and the various constitutionalisation models and practices of private property in representative countries including the United States, Canada, Germany, India and China. It also explores the interwoven social forces that have been driving the evolution of the constitutional protection of private property in China. By comparing China with the United States, Germany and India, the author reveals the unfairness, unjustness and insufficiency in China's application of three constitutional doctrines - public use, just compensation and due process or procedure. The book concludes by predicting future progress and suggests feasible measures for gradual reform that will be compatible with China's existing political system.

**Taking Land** Springer

In this concise history of expropriation of land for the common good in Europe and North America from medieval times to 1800, Susan Reynolds contextualizes the history of an important legal doctrine regarding the relationship between government and the in

*Origin and Evolution*

*The Substantive Standards*