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Waggaa 9ffaa .... Lak. 2
፱ኛ ዓመት .... ቁጥር ፪
9th year .... No. 2

Finfinnee, Fulbaana 27/1994
ፊንፊኔ መስከረም ፳፯ ቀን ፲፱፻፺፭
Finfine Octber 7th 2002

MAGALATA OROMIYAA
መ ገ ለ ተ ኦ ሮ ሚ ያ
MEGELETA OROMIC

Gatiin Tokkoo .... 3·85 ያንዱ ዋጋ .... '' Unit Price.. ''	Too'annaa Caffee Mootummaa Naannoo Oromiyaatiin Kan Bahe በኦሮሚያ ክልላዊ መንግሥት ም/ቤት ጠባቂነት የወጣ	Lakk. S. Poostaa ....101769 የፖ.ሣ.ቁጥር................................ '' P.O.Box .... ''

QABEENTAA
Labsii Lakk. 56/1994
''Labsii Bulchiinsaa fi Ittifayyadama Lafa Baadiyyaa Naannoo Oromiyaa
....fuula 1

ማውጫ
አዋጅ ቁጥር ፶፮/፲፱፻፺፭
"የኦሮሚያ የገጠር አስተዳደርና አጠቃቀም ለመወሰን የወጣ አዋጅ
.... ገጽ ፩

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''Oromia Rural Land Use and Administration Proclamation
.... Page 1

LABSII LAKKOOFSA 56/1994 LABSII BULCHIINSAA FI ITTIFAYYADAMA LAFA BAADIYYAA NAANNOO OROMIYAA

Qonni hundee jireenya ummata Oromiyaa waan ta'eef, ittifayyadamni lafaa carraa misooma dhaloota dhufu irratti dhiibbaa otuu hingeessisin akka raawwatamuuf lafaa fi qabeenya lafaa kunuunsa sirrii ta'ee fi beekumsaan gaggeessuun barbaachisa waan ta'eef.

Mirga, dirqamaa fi wabii ittifayyadama lafaa imaammata ittifayyadamaa fi bulchiinsa lafaatiin walsimsiisudhaan seeraan murteessanii hojii irra oolchun barbaachisaa waan ta'eef.

Akkaataa heera Mootummaa Naannoo Oromiyaa keewwata 49 (3) (a) tiin kan armaan gadii labsameera.

1. *Mata Duree Gabaabaa*

   Labsiin kun ''Labsii Bulchiinsaa fi Ittifayyadama Lafa Baadiyyaa Naannoo Oromiyaa Lakkoofsa 56/1994'' jedhamee waamamuu nidanda'a.

አዋጅ ቁጥር ፶፮/፲፱፻፺፭ የኦሮሚያ የገጠር መሬት አስተዳደርና አጠቃቀምን ለመወሰን የወጣ አዋጅ

የአብዛኛው የኦሮሚያ ሕዝብ የኑሮ ዋስትና በግብርና ላይ የተመሠረተና መሬትም ዋነኛ የምርት ግብዓት በመሆኑ አግባብ ያለው የመሬትና የመሬት ሀብት አያያዝና ብልሃታዊ አጠቃቀም ማስፈለጉና በአሁኑ ወቅት ያለው አጠቃቀም የመጪውን ትውልድ አኗኗር የሚጎዳ ሆኖ በመገኘቱ፤

በመሬት አጠቃቀምና አስተዳደር ፖሊሲ መሠረት በመሬት የመጠቀም መብት፣ የመጠቀም መብት ዋስትና እና ግዴታውን ጭምር በሕግ ወስኖ መተግበር አስፈላጊ ሆኖ በመገኘቱ፣

በኦሮሚያ ክልላዊ መንግሥት ሕገመንግሥት አንቀጽ ፵፱ ንዑስ አንቀጽ ፫ (ሀ) መሠረት የሚከተለው ታውጇል ።

፩· <u>አጭር ርዕስ</u>

   ይህ አዋጅ የኦሮሚያ የገጠር አስተዳደርና አጠቃቀም ለመወሰን የወጣ አዋጅ ቁጥር ፶፮/፲፱፻፺፭ ዓ·ም· ተብሎ ሊጠቀስ ይችላል።

PROCLAMATION No. 56/2002 OROMIA RURAL LAND USE AND ADMINISTRATION

WHEREAS, Agriculture is the main source of livelihood to the majority of the population of Oromia in which, land and land resources form an importantt inputs of production, proper management and wise utilization of land and land resources is required, in which, the present use doesn't compromise the development endeavors of the coming generation;

WHEREAS, it is found necessary to determine and implement the use right, security and obligation of the land users in accordance with the land use and administration policy,

NOW, THEREFORE, in accordance with Article 49(3)(a) of the Constitution of the Regional Council of Oromia, it is hereby proclaimed as follows:

1. *Short title*

   This Proclamation may be cited as ''Oromia Rural Land Use and Administration Proclamation Number 56/2002

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2) Akkaataa keewwata kana kew. xiqqaa (1) tti, iddoowwan daangeeffaman haala qabiyyee waliigalaa isaanii wajjiin misooma fulla'ina qabuun ni eegamu.

3) Daangeessuun, daangaa dhaabuun, misoomsuun, eeguun, deebisanii ijaaruu fi kunuunsuun lafa eeggamanii hirmaannaa ummata bakka sana jiraatanin raawwata.

4) ummanni naannoo iddoowwan eegaman jiraatu galii argamu irraa haalli itti fayyadamu ni mijeeffama, tarreeffamni isaa qaama ilaaluun murtaa'a.

21. *Lafa Haftee Bosonaa*

Lafti haftee bosona uumamaa darbee darbee jiran ummata iddoo kana jiraatuun addaan ba'ee ni daangeeffama, ni eegama, ni kunuunfama, akkasumas haala wal-irraa hincinneen faayidaarra ni oola. Haallittin hojii irra oolu qaama itti-gaafatamummaa qabuun gadi fageenyaan ni qopha'a.

22. *Mukoota Haadhoo Kunuunsuu*

Mukoota haadhoo qabiyyee lafa isaanii irratti argaman sirriittii kunuunsuun fi akka hin muramnes eeguu dirqama itti fayyadamtoota lafaa dha.

23. *Qabiinsaafi Ittifayyadama Iafaa sirrii Hintaane*

1) Qaamni lafatti fayyadamu kamiyyuu sanyii gosa mukaa kan akka "baargamoo" "abshookaa" fi kan kana fakkaatan lafa qonnaa yookiin naannoo madda bishaaniitti akka hin dhaabne; akkasumas aramaawwan faca'uudhaan biqilanii fi miidhaa qaqqabsiisan qabiyyee isaarraa balleessuuf dirqama qaba.

2) Qaamni hojii qonnaatiif lafatti fayyadamu kamiyyuu hojiiwwan eegumsa biyyoo fi bishaaniitiif hojjetaman eeguu, tursuu fi haaromsuuf dirqama qaba.

3) Qaamni yiikiin dhaabni kamiyyuu kan misooma albudaa fi oomisha albuudawwan ijaarsaa baasuu irratti boobba'an, bakka lafa oomisha isaani deebisanii ijaaruufi misoomsuuf ni dirqamu.

4) Lafa gaaraa hin qabaamin, lafa hubamanii fi oomisha hin laanne, lafa tabbummaa qabaatanii jijjiganii fi naannoo tulluuwwanii akka hojii irra oolaniif qaamnidhimmi ilaalu itti-fayyadamaa fi kunuunsa isaanii ilaalchisee qajeelfama ni baasa.

፪· በዚህ ንዑስ አንቀጽ /፩/ መሠረት የተከለሉት ቦታዎች ከአጠቃላይ ይዞታቸው ጋር ለዘላቂ ልማት እንዲውሉ ይጠበቃሉ።

፫· ጥብቅ መሬቶችን የመከለል፣ የመለየት ፣ የማልማት፣ የማስጠበቅ፣ መልሶ የማቋቋምና የመያዝ በአካ ባቢው ህብረተሰብ ተሳትፎ ይከና ወናል።

፬· የአካባቢው ኅብረተሰብ ከተከለሉና ከተጠበቁ ሥፍራዎች ከሚገኘው ጥቅም ተካፋይ የሚሆንበት ሁኔታ ይመቻቻል። ዝርዝር ሁኔታው በሚ መለከተው አካል ይወሰናል ።

፳፩· <u>የተበጣጠሱ ኪስ የደን መሬቶች</u>

የአካባቢው ሕብረተሰብ የተፈጥሮ ቅሪት የሆኑ ኪስ የደን መሬቶች በአካ ባቢው ከሚገኝ ህብረተሰብ ለይቶ በመከለል በመለየት ፣ ይጠበቃል፣ ይለማል፣ እንዲሁም ለዘለቄታዊ ጥቅም እንዲውል ያደርጋል። ዝርዝር አፈፃፀሙ በሚመለከተው አካል ይዘጋጃል።

፳፪· <u>እናት ዛፎችን ስለመንከባከብ</u>

ማናቸውም የመሬት ተጠቃሚ ባለይ ዞታዎች በይዞታዎች ላይ የሚገኙ እናት ዛፎችን በአግባቡ የመያዝና የመጠበቅ ግዴታ አለባቸው።

፳፫· <u>አግባብ የሌለው የመሬት አያያዝና አጠቃቀም</u>

፩· ማንኛውም የመሬት ተጠቃሚ እንደ ባሕርዛፍ እና ቁልቋል ያሉትን የእፅዋት ዝርያዎች እንዲሁም አደገኛና በቀላሉ ሊሰራጩ የሚችሉ የአረም ዘሮችን በእርሻ ማሣና በውሃ ምንጮች አካባቢ ያለመትከል ና እንዳይራቡ የማድረግ ግዴታ አለበት።

፪· ማንኛውም የመሬት ተጠቃሚና በግብርና ሥራ ላይ የተሠማራ ተሰርተው ያሉትን የአፈርና የውሃ ጥበቃ አውታሮች የመጠ በቅ የማቆየትና የመጠገን ግዴታ አለበት።

፫· በማዕድን ቁፋሮና በድንጋይ ማውጣት ሥራ ላይ የተሠማራ ማንኛውም ግለሰብ ወይም ድርጅት ቦታውን መልሶ የመገን ባትና የማልማት ግዴታ አለበት።

፬· ያልተያዙ ጉብታዎችን፣ የተራ ቆቱና ምርት የማይሰጡ መሬቶችን፣ ተዳፋትና ተራራማ ሆነው በቀላሉ ሊጎዱ የሚችሉ አካባቢዎችን ሥራ ላይ እንዲውሉ ስለአጠቃቀማቸውና እንክብካቤ ለሚደረግላቸው ሁኔታ በተመለከተ የሚመለ ከተው አካል መመሪያ ያዘጋጃል።

2) Areas dalinated as per this Sub-Article (1) are protected with all components of its resource for sustainable development.

3) Delineation, demarcation, development, protection, rehabilitation and management of protected areas shall be done with the participation of the local community.

4) The manner by which the local community may share the benefits obtained from protected areas, shall be facilitated; the detail of which will be prepared by the concerned organ.

21. *Patches of Forest Land*

Pockets of natural forestlands shall be identified, demarcated, protected, managed and sustainablly used by the local community. The details will be prepared by the responsible organ.

22. *Mother Trees Management.*

Land users are obliged to manage and protect, mother trees found on their holding.

23. *Land Mismanagement and Misutilization*

1) It is prohibited to plant tree species like eucalyptus and euphorbian on farmlands and around water sources and also, obliged to avoid from his farm plots hazardous weeds which can grow and disperse easily.

2) Any land user, who is engaged in agricultrual activities, shall be obliged to preserve and maintain conservation structures.

3) Any individual or organization, engaged in mining quarry development activities, shall be obliged to rehabilitate the sites.

4) For the proper usage of unoccupied hills, degraded and unproductive lands, unstable slopes and mountainous areas, the responsible organ shall draw directives on their utilization and management based upon studies with community participation.

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5) Lafti muummeewwan, tussii, mukaa daggala fi margi balaa abiddaa, ciramuuf fedhii babal'ifannaa lafa qonnaa seeraan alaa irraa ni eegamu.

6. Hormaanni beeyladaa dandeetti lafa margaa jiru wajjin walsimee akka deemu ni taasiifama.

7) Naannoowwan lafa ummatni jireenya qonnaa irratti gaggeessu irratti beeylada gadi lakkisanii dheechisuun dhorkaa dha.

24. *Waa'ee Hundeeffama Abbaa Tayitichaa*

Labsii kana hojii irra oolchuuf Abbaan Tayitaa Bulchiinsa Lafaa fi Qabeenya Uumamaa Mootummaa Naannoo Oromiyaa jalatti ni hundeefama.

25. *Waldiddaa fi Wal-Dhabinsa Hiikuu*

1) Waldiddaan yookiin wal-dhabiinsi daangaa lafa qonnaa irratti qabiyyee lafaa irratti ka'u kamiiyyuu haala armaan gaditti jiruun hiika argata.
   - (a) Mana murtii hawaasummaa gandaatti iyyata sadarkaa duraa dhiyeeffachuun,
   - (b) Murtii manni murtii hawaasummaa gandaa kenne irratti gareen komii qabu Mana Murtii Aanaatti ol-iyyata dhiyeefachuun.

2) Manni Murtii Aanaa ol-iyyaticha ilaalee murtii mana murtii hawaasummaa Gandaa kan raggaase yoo ta'e murtichi kan dhumaa ta'a.

3) Murtiiwwan mana murtii hawaasummaa Gandaa fi Aanaatiin kennaman garaagarummaa yoo qabaatan abbaan komee qabu Mana Murtii Olaanatti dhiyeeffachuuf mirga qaba; murtiin sadarkaa kanatti kennamus isa dhumaa ta'a.

4) Tumaaleen keewwata kanaa mirga gareen lamaanii waldiddaa isaanii walta'uu, jaarsoliin yookiin gaaffii ofii qaama bulchiinsaa dhimmi ilaalutti dhiyeeffatanii furmaata bulchiinsaa argachuu hin daangessu.

፭· የውሃ ምንጮች ቁጥቋጦዎች፣ የደን መሬቶች እና ሳቫና የሣር መሬቶች፣ ቁጥቋጦዎች፣ የግራርና የመሣሰሉት ከእርሻ ማሣዎች መስፋፋት ይጠበቃሉ።

፮· የእንስሳት እርባታ ከግጦሽ መሬት የመሸከም አቅም ጋር የተጣጣመ እንዲሆን ይደረጋል።

፯· በአርሶ አደር ኅብረተሰብ ክልል ውስጥ ልቅ የእንስሳት ግጦሽ ሥርዓት የተከለከለ ነው።

፳፬· <u>ባለሥልጣኑን ስለ ማቋቋም</u>

ይህንን አዋጅ በሥራ ላይ ለማዋል በኦሮሚያ ክልላዊ መንግሥት ሥር የመሬት አስተዳደርና የተፈጥሮ ሃብት ባለሥልጣን ይቋቋማል።

፳፭· <u>ግጭትና አለመግባባትን መፍታት</u>

፩· ማንኛውም በእርሻ መሬት ድንበርና ይዞታ ላይ የሚነሳው ግጭት ወይም አለመግባባት ከዚህ እንደሚከተለው መፍትሄ ያገኛል፣
   - ሀ) በመጀመሪያ ደረጃ ለቀበሌ የማኅበራዊ ጉዳይ ፍ/ቤት በማመልከት፣
   - ለ) የቀበሌው የማኅበራዊ ሸንጎ ፍ/ቤት በሚሰጠው ውሣኔ ላይ ቅሬታ ካለ ለወረዳው ፍ/ቤት ቅሬታን በማሰማት ይሆናል።

፪· የወረዳው ፍ/ቤት በቀበሌ የማኅበራዊ ፍ/ቤት የተሰጠውን ውሣኔ አይቶ ካፀደቀ ውሣኔው የመጨረሻ ይሆናል።

፫· የቀበሌው የማኅበራዊ ጉዳይ ፍ/ቤትና የወረዳው ፍ/ቤት የሚሰጡት ውሣኔዎች የተለያዩ ከሆነ ቅሬታ ያለው ወገን ለከፍተኛው ፍ/ቤት ቅሬታውን ለማሰማት መብት ይኖረዋል፣ በዚህ ደረጃ የሚሰጠው ውሣኔም የመጨረሻ ይሆናል።

፬· የዚህ አንቀጽ ድንጋጌዎች ሁለቱ ወገኖች አለመግባባታቸውን እርስ በርሳቸው በመስማማት ፣ በሽማግሌዎች ወይም ጥያቄያቸውን ራሳቸው ጉዳዩ ለሚመለከተው የመስተዳድር አካላት አቅርበው መፍትሄ የማግኘትን መብት አይገድብም።

5) All ravine lands, bushes, shrubs, woodland and grasslands shall be protected against fire, cutting for charcoal, and from illegal expansion of cultivation.

6) Endeavour shall be made to make livestock production on par with the carrying capacity of grazing land.

7) Free grazing shall be prohibited in sedentary farming areas.

24. *Establishment of the Authority*

To implement this Proclamation, land Administration and Natural Resource Authority will be established under the Regional Government of Oromia.

25. *Conflict and Dispute Resolution*

1) Any conflict or dispute that arose on farmland boundaries or land holding shall be resolved by;
   - (a) Appealing first to local (Gandaa) social court.
   - (b) Party who has complaint on the decision given by local social court can further appeal to the ordianry Aanaa court.

2) The decision is considered as final if the decision given by Aanaa court is similar to the social court.

3) If the decision given by Local Social Court and Aanaa ordinary Court are different, the complaint has the right to appeal to the Higher court, whose decision will be final.

4) The provisions of this Article will not affect the right of parties to resolve their conflicts by agreement through elders or by submiting application to the concerned Administrative bodies to resolve their disputes.

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5) Haala keewwata kana keewwata xiqqaa (4) keessatti xuqameen namni mirgi itti-fayyadama lafaa akka dhaabbatu jalaa taasifame, sababa kanaan qabeenya dhabe hundaaf beenyaa argachuuf mirga qaba; hanga danda' ameenis lafa walgitu akka argatu ni taasisama.

6) Labsi kana keessatti haalli keewwata (8) jalatti xuqame akkuma eegametti ta'ee baayyinni ijoollee gargaarsa isaanitiin guddataanii ilaalcha keessa galee dhirsaa fi niitiin yeroo wal-hiikan qabiyyee lafaa kan maqaa isaaniitiin galmaayee waliin qaban addaan hirachuuf mirga wal qixxee ta'e ni qabaatu.

7) Dubartoonni, ijoolleen abbaa fi haadha hinqabne, qaamaan dadhaboo kan ta'an, kan dulloomanii fi kan kana fakkaatan qab iyyee lafa isaanii irratti humna namaa qacaruudh aan yookiin waliigaltee kan bira uumuudhaan hojjec hiifachuu ni danda'u.

8) Waliigalteen keewwata kana keewwata xiqqaa (7) irratti xuqame yeroo ji'a sadi caaluuf kan wali igalame yoo ta'e barreeffamaan ta'ee qaama sirnummaa qabu biratti beekamuu qaba.

7. *Bal'ina Qabiyyee Qubattoota Haarawaa*

Bal'inni lafaa qubataa haarawaaf kennamu lafa hawaasni naannoo sanatti argamu qabu tilmaama keessa galchuudhaan qaama ilaallatuun kan murtaa'u ta'a.

8. *Bal'ina Ooyiruu Tokkoo Murteessuu*

Jechi walii galaa labsii kana keewwata (7) yoo jiraatellee bal'inni ooyiruu tokkoo kan kanaan duraa akkuma jirutti ta'ee qabiyyee gara fuulduraatti uumamuun bal'ini ooyiruu haarawaa tokkoon inni xiqqaan midhaan nyaataatiif hektaara 0.5 fi biqiltuu dhaabbataaf hektaara 0.25 gadi ta'uu hin qabu.

9. *Ooyiruu Walitti Fiduu*

Fedhii fi hayyama abbaa qabiyyee irratti hunda'uudhaan ooyiruu qonnaa walittiaansuun ni danda'ama.

፭· በዚህ አንቀጽ በንዑስ አንቀጽ ፬ መሠረት ባለይዞታነት ሲቀየር የይዞታ መብቱን ያጣው ግለሰብ በቋሚነት የተሠሩ ንብረቶችን ፣ የተተከሉትን ቋሚ የዛፍ ፣ የአትክልትና ፍራፍሬ፣ ተክሎችን የማንሳት ወይም ካሣ የመጠየቅ፣ በማሣው ላይ የተተከለው ተክል ደርሶ ምርቱን እስኪያነሣ የመቆየት ወይም ለተወሰደበት መሬትም ተመሣሣይ የመሬት ካሣ የማግኘት መብቱ የተጠበቀ ይሆናል።

፮· በዚህ አዋጅ ውስጥ በአንቀጽ "፰" የአንድ የእርሻ ማሣ ዝቅተኛ የስፋት መጠንን ለመወሰን የተደነገገው እንደተጠበቀ ሆኖ ባልና ሚስት በሚፋቱበት ጊዜ በስማቸው የተመዘገ በውን መሬት ከሁለት አንዳቸው የሚያሳድጉትን የልጆች ቁጥር ግንዛቤ ውስጥ በማስገባት የመካፈል እኩል መብታቸው የተጠበቀ ነው።

፯· ሴቶች ፣ ወላጅ አልባ ልጆች አረጋውያንና አቅመ ደካማ ቤተሰቦች እንዲሁም ሌሎች በተመሣሣይ ሁኔታ ውስጥ ያሉ ይዞታቸውን የሰው ኃይል በመቅጠር አልያም በሌላ ስምምነት ሊጠቀሙ ይችላሉ ።

፰· በዚህ አንቀጽ ንዑስ አንቀጽ ፯ ላይ የተመለከተው ስምምነት ከሦስት ወር በላይ ከሆነ ስምምነቱ በጽሑፍ ሆኖ ሕጋዊነት ባለው አካል መጽደቅ አለበት ።

፯· ለአዲስ ሰፋሪዎች የይዞታ መጠን ስለመወሰን

አንድን አርሶ አደር ቤተሰብ ለማኖር የሚያስችል የመሬት መጠን ለመሬት አጦችና መሬት ላነሳቸው አርሶ አደሮች ወደፊት ለሚደረገው ያልተያዘ መሬት ለማከፋፈል ይረዳ ዘንድ ይወሰናል። ዝርዝሩም ወደፊት በሚመለከተው አካል የሚሠራ ይሆናል።

፰· የእርሻ ማሳን መጠን ስለመወሰን

በአንቀጽ ፯ ላይ የተጠቀሰው አጠቃላይ ሃሣብ ቢኖርም ቀደም ሲል የነበረው የአንድ ማሣ ስፋት እንዳለ ሆኖ ለወደፊት የሚወሰነው ይዞታ ለምግብ እህል ዝቅተኛው ከ፩ ሁለተኛ ሄክታር ለቋሚ ተክል ሩብ ሄክታር በታች መሆን የለበትም።

፱· የእርሻ ማሣን ኩታ ገጠም ስለማድረግ

አርሶ አደሮች በመሃከላቸው በሚኖረው ፍላጎትና ፈቃደኝነት ላይ በተመሠረተ ስምምነት የይዞታ ማሣቸውን ኩታ ገጠም ሊያደርጉ ወይም ሊያዋህዱ ይችላሉ።

5. When use right changes hands under condition in Sub-Article (4) of this Article, an individual Land holder, whose use right is terminated shall be guaranteed with the right to re move permanent work builts or tree crops cultivated on land or to claim payment of compensation there on or collection of fruits there of, or compensation of similar land.

6. Upon divorce, husband and wife shall have equal right to share their land holding, that was registered by their name, maintaining the condition under Article (8) of this Proclamation considering the number of children, whom either of them to take care of after divorce.

7. Women, orphans, physically weak or agend and to similar others, shall use hired labour on their holdings, or to, otherwise, make agreements thereto.

8. If the agreement made according to this Article Sub-Article (7) is for more than three months, the agreements shall be in a written form and be recongnized by legal body.

7. *Determination of holding size for the new settlers*

The land holding size that can sustain a peasant family shall be determined for the forthcoming distribution of unoccupied land to landless and land deficit family. The detail shall be work ed out by the responsible organ.

8. *Farm Plot Size Determination*

Notwithstanding the generality of the statement under Article (7) of this Proclamation, excluding the existing farm plot size, for the forth coming new land distribution the minimum plot size should not be less than 0.5 hectares for cereals and 0.25 hectares for perennials.

9. *Consolidation of Farm Plots*

Consolidation of farm plots may be made based on the consensus of, willingness and voluntary agreement of the peasants.

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10. *Dhaalmaa Qabiyyee Lafaa*
    1. Qonnaan bulaan yookiin horatee bulaan tokko, mirga qabiyyee lafa isaarraa qabu maatii isaatiif dhaalaan dabarsuuf mirga qaba.
    2) Dhaalmaan lafaa haala keewwata (8) jalatti xuqame kan faalleessu yoo ta'e, dhaaltoonni qabiyyicha otoo hin hiratin lafa waliin yookiin bifa biraatiin waliigaltee uumanii itti-fayyadamuu nidanda'u.
    3) Lafti nama dhaalu hin qabne namoota lafa hin qabneef yookiin hanqina lafaa qabaniif ni hirama.

11. *Lafa Qabiyyee Ofii Kireessuu*
    1) Qonnaan bulaan yookiin horatee bulaan kamiyyuu qabiyyee lafa harka isaa jiru keessaa hanga walakkaa isaa kireessuu ni danda'a.
    2) Waligaltichi raawwatame qonnaan bultoota yookiin horatee bultoota aadaan hojjatan gidduutti yoo ta'e dheerinni yeroo waliigaltichaa waggaa sadii yemmuu ta'u kan kireeffate qonnaa ammayyaatti fayyadamaa yoo ta'e hanga waggaa kudhashanii ta'uu ni danda'a.
    3) Akkaataa keewwata kana keewwata xiqqaa (2) tiin ''qonna ammayyaa'' jechuun xaa'oo, sanyii filatamaa, farra aramaa fi iblisaa, kan kana fakkaatani tti fayyadamaa irra caalaa makaanaayzeeshiniitti fayyadamuudhaan callaa qonna aadaatiin argamu caalaa callessuu dha.
    4. Kireessuun lafaa, seera duratti fudhatama kan qabaatu lafa baadiyyaa bulchuuf qaama itti-gaafatmummaa qabuun yoo mirkanaa'e qofadha. Walii galteen kanaan dura godhamanis akkaataa labsii kanaatiin kan raawwatamu ta'a. Akkaataan waligalteen kiraa lafaa itti raawwatu qaama ittigafatamummaa qabuun qophaawa.
    5. Gatiin lafti ittiin kireeffamu yoo xiqqaate bu'aa xiqqaa lafa san irraa argamuu dandaa'a jedhamee qaama itti-gaafatamummaa qabuun tilmaamamu gadi ta'uu hin qabu.
    6. Qaamni lafa kireeffatu kam iiyyuu waggoota waliigalteen taasifame keessatti eegumsaa fi kunuunsa lafaa sirrii ta'e raawwachuuf ni dirqama.

፲· <u>መሬት ስለማውረስ</u>
፩· ማንኛውም አርሶ አደር ወይም አርብቶ አደር ይዞታውን ወይም መሬቱን በውርስ ለቤተሰቡ አባል ወይም አባላት የማስተላለፍ መብቱ የተጠበቀ ነው ።
፪· የሚደረገው የመሬት ውርስ የእርሻ ማሣን መበጣጠስ የሚያስከትልና በዚህ አዋጅ አንቀጽ ፰ መሠረት ከተወሰነው የማሣ መጠን በታች ከሆነ ወራሾች መሬቱን በጋራ ወይም ከመከፋፈል ውጪ በሌላ በተስማሙበት አማራጭ ሊጠቀሙበት ይችላሉ ።
፫· ወራሽ ያልተገኘለት መሬት ለመሬት አጦች ወይም መሬት ላነሳቸው አርሶ አደሮች ይከፋፈላል ።

፲፩· <u>አርሶ አደሮች መሬታቸውን ስለማከራየት</u>
፩· ማንኛውም አርሶ አደር ወይም አርብቶ አደር በይዞታቸው ሥር ያለውን መሬት እስከ ግማሽ ድረስ የማከራየት መብት አለው።
፪· የኪራይ ዘመንን በተመለከተ በባሕላዊ አስተራረስ ዘዴ በሚጠቀሙ አርሶ አደሮችና አርብቶ አደሮች መካከል የሚደረገው የኪራይ ዘመን እስከ ፫ ዓመት ሲሆን የኪራዩ ዘመን ለዘመናዊ የግብርና ቴክኖሎጂ ተጠቃሚዎች እስከ 15 ዓመት ይሆናል።
፫· በዚህ አንቀጽ ንዑስ አንቀጽ (፪) መሠረት "ዘመናዊ እርሻ" ማለት በማዳበሪያ፣ ምርጥ ዘር፣ የአረምና የተባይ ማጥፊያ ወዘተ… በይበልጥ በሜከናይዜሽን በመጠቀም በባህላዊ መንገድ ከሚመረተው በላይ ምርትን ማሳደግ ነው።
፬· የመሬት ኪራዩ ተቀባይነት የሚኖረው በአካባቢው የገጠር መሬትን ጉዳይ በሚያስተዳድረው ሕጋዊ አካል ሲረጋገጥ ብቻ ነው። መሬት ለማከራየት ሊደረጉ የሚገቡ ውሎች ዝርዝር አፈጻጸማቸው በሚመለከተው አካል ይዘጋጃል።
፭· አርሶ አደሩ ወይም አርብቶ አደሩ መሬቱን የሚያከራይበት የኪራይ ዋጋ ቢያንስ ሕጋዊ አካሉ ወደፊት በሚያወጣው ከመሬቱ ሊገኝ ከሚችለው አነስተኛ ጥቅም ጋር ቢያንስ እኩል ሊሆን ይገባዋል።
፮· መሬትን የሚከራይ ማንኛውም ግለሰብ ወይም ድርጅት በተከራየው መሬት ላይ አግባብ ያለው የመሬት አያያዝ ሥራዎችን ለተከራየባቸው የኪራይ ዘመናት ተግባራዊ የማድረግ ኃላፊነት አለበት።

10. Inheritance of Land
    1. A peasant or pastoralist Land holder has a right to transfer his land holding to his family member through inheritance.
    2. Whenever inheritance may causes parcellization of farm plots beyond the determined minimum specified under Article (8), of this Proclamation, the inheritors shall either jointly use the land or by what ever other means other than spliting the plot.
    3. A land for which heir is not found, shall be distributed to the landless or to land deficit peasants.

11. *Land Lease by Peasants*
    1) Any peasant or pastoralist has the right to lease out up to half of the land under his holding.
    2) Duration of land lease agreement between the peasant or pastoralist, and the lease shall be; up to three years for those who apply traditional farming and fifteen years for users of modern farming technology.
    3. According to this Article, Sub-Article (2) ''modern farming'' means use of fertilizer, improved seeds, herbicides and pesticides etc ... and mainly usage of mechanization to boost production than traditional farming.
    4) The leasing agreement shall be valid, if and only if it is approved by local responsible organ that administers rural land issues. The details as to how the agreement is made shall be prescribed by the responsible organ.
    5) The minimum rent at which a peasant or pastoralists lease their holding shall take at least to be equivalent with the minimum potential value of land set by the responsible organ.
    6) The lessee is responsible to carry out proper land management activities upon the land rented in, through out the agreement period.

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12. *Haala Mootummaan Lafa Ittiin Kireessuu*
   1. Mootummaan lafa qonnaan bulaan yookiin horatee bulaan hin qabaamiin kireessuu ni danda'a.
   2. Waliigalteen haala keewwata kanaa keewwata xiqqaa (1)n raawwatamu faayyidaa qonnaan bulaas ta'e kan horatee bulaa kan miidhu ta'uu hin qabu.
   3. Gatiin kiraa lafa baadiyyaa mootummaan ittiin kireessu yeroodhuma yeroon ilaalamee kan murtaa'u ta'a.

13. Lafa Invastimantii
   1. Akkaata seerota invastimantii naannichaa hojiirra jiraniitiin lafa baadiyyaa abbootiin qabeenya dhuunfaa argachuu fi itti fayyadamuu ni danda'u; lafa argatanis kunuunsuuf dirqama qabu.
   2. Invastaroonni lafa argatan keessaa yoo xiqqaate % 1 muka naannoon walfudhatuun uwwisuu qabu.

14. *Lafa Hiruu fi Deebisanii Qooduu*
   1) Lafa jallisiidhaan misoomu irraa kan hafe, qonnaan bulaa fi horatee bulaan lafti qabamee jiru deebi'ee hin qoodamu.
   2) Lafti misooma qonnaatiif utuu ooluu danda'uu darbe darbee hin qabamin jiru namoota lafa hin qabnee fi hanqina lafaa qabaniif ni hirama.
   3) Lafti qonna mootummaa kan hojiirra utuu hin ooliin jiru haala faayidaa isaa waliin madaluudhaan qonnaan bultootaaf ni hirama; abbootii qabenya dhuunfaatiif ni kireeffama.
   4) Qabeenya lafaa fi bishaan jiru sirriitti hojii irra oolchuuf lafa jallisii hiruu fi deebisanii qooduun haala armaan gaditti jiruun raawwatama;
      (a) Qabeenya ballina lafa jallisii qonnaan bulaa abbaa-warraa takkoo yoo baayyate hekataara 0.5 kan hin caalle ta'a.
      (b) Hiruu fi deebisanii qooduun lafa jallisii kan aadaas ta'e ammayyaan misoomu irratti raawwatiinsa ni qabaata.

፲፪· <u>መንግሥት መሬትን የሚያከራይበት ሁኔታ</u>

፩· መንግሥት በአርሦአደሩና ወይም በአርብቶ አደሩ ያልተያዘውን መሬት ሊያከራየው ይችላል።

፪· በዚህ አንቀጽ በንዑስ አንቀጽ ፩ መሠረት የሚደረገው ስምምነት የአካባቢውን አርሶ አደር ወይም አርብቶአደር ጥቅም የሚነካ መሆን የለበትም።

፫· መንግሥት የገጠርን መሬት የሚያከራይበት የመሬት ዋጋ ከጊዜው ሁኔታ ጋር እየታየ የሚታደስ ይሆናል።

፲፫· <u>የኢንቨስትመንት መሬት</u>

፩· ተግባራዊ እየሆነ ባለው የክልሉ የኢንቬስትመንት ሕግ መሠረት ማንኛውም የግል ባለሃብቶች የገጠር መሬት ማግኘት ይችላሉ፤ ያገኙትንም መሬት በአግባቡ የመንከባከብና የመጠበቅ ኃላፊነት አለባቸው።

፪· የግል ባለሃብቶች የተሰጣቸውን መሬት ቢያንስ ፩ መቶኛውን በአካባቢው ተስማሚ በሆነ የዛፍ ዝሪያ መሸፈን አለባቸው።

፲፬· <u>ስለመሬት ክፍፍልና ሽግሽግ</u>

፩· በክልሉ ውስጥ በመስኖ የሚለማ መሬት ካልሆነ በስተቀር የአርሶ አደሩንና የአርብቶ አደሩን አያሸጋሽግም።

፪· ለግብርና ሥራ ሊውሉ የሚችሉ ያልተያዙ ኪስ መሬቶች በአካባቢው ለሚገኙ መሬት አልባና መሬት ላነሳቸው አርሶአደሮች ይከፋፈላል።

፫· ያልተያዙ የመንግሥት እርሻዎች ለክልሉ በሚሰጠው አስተዋጽኦ አንጻር እየታየ ለአርሶአደሮች ይከፋፈላል፤ ለግል ባለሃብቶች ይከራያል።

፬· የመስኖ መሬትንና ውሃ ሃብትን በአግባቡ ለመጠቀም የመስኖ መሬትን ማከፋፈልና ማሽጋሽግ በሚከተለው አኳሃን ይከናወናል።

ሀ) የአንድ አባወራ ከፍተኛው የመሬት ይዞታ መጠን ከ0·5 ሄክታር መብለጥ አይኖርበትም።

ለ) የመስኖ መሬት ማከፋፈልና ማሽጋሽግ በባሕላዊም ሆነ በዘመናዊ በሚለሙት ላይ ተፈፃሚነት ይኖረዋል።

12. *Land lease by the Government*
   1. The government can lease the land not held by the peasants or pastoralists.
   2. The agreement made under Sub-Article (1) of this Articlell shall not adversely affect the benefit of the pastoralists or peasants.
   3. The rent of rural land charged by the government shall be revised based on dynamic situation.

13. *Investment Land*
   1) Based on the existing investment law of the Region; private investors have access to get and use rural land; hence, they are obliged to use land by proper management.
   2) private investors have to plant at least 1% of their holding with indigenous trees.

14. *Distribution and Redistribution of Land*
   1) Except an irrigation land, redistribution of peasant and pastoralist land holding shall not be carried out in the Region.
   2) Unoccupied pockets of agricultural potential lands shall be distributed to the landless and land deficit peasants.
   3) Unoccupied state farm shall be distributed by the virtue of their comparative advantage for the peasants and be rented out for investors.
   4) In order to properly use irrigation land and water resource potentials, irrigation land shall be distributed and redistributed as follows;
      (a) a maximum irrigation land holding size of a peasant household shall not exceed 0.5 hectare.
      (b) the distribution and redistribution of irrigation land applies for both traditional and modern schemes.

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(c) Hiruu fi deebisanii qooduun lafa jallisii hirmaannaa fi murtii ummata ittifayyadamuutiin kan raawwatamu ta'a.

(d) Namoonni qabiyyeen isaanii naannoo misooma jallisii jalatti kufeef dursa keennuudhaan qooda isa ol'aanaa heektaara 0.5 abbaa qabiyyee tokkoof erga keennameen booda inni hafe qotee bultoota dhiyeenya sanatii argamaniif kan qoodamu ta'a.

(e) Qonaan bulaan kamiyyuu kan qabiyyeen isaa lafa jallisii jala oolee namoota biraatiif jalaa hirame, lafti roobaan misoomu kan lafa isaa waliin wal-gitu jijjirraadhaan ni kennamaaf.

(f) Qotee bulaan kamiiyyuu qabiyyeen isaa ijaarsa jallisii jala kan oolee fi teessumni haala lafichaa kan dirqisiise yoo ta'e beenyaa tokko malee qabiyicha hayyamuuf dirqama qaba. Ta'us qabeenya maasii isaa irra jiraniif hawaasni itti fayyadamu akka bakka buusuuf beenyaan akka kanfalamuuf gaafachuuf mirga qaba.

(g) Abbaan qaabiyyee lafti isaa kuufama bishaanii jala ooluudhaan jalaa fudhatame itti fayyadamtoota bishaan sanaa irraa lafa walfakkaataa bakka bu'iinsaan, qabeenya isaatiif ammoo beenyaa argachuuf mirga qaba.

(h) Namni qabiyyee lafa jallisii qabu kamiyyuu, sirrii fi guutummaa guutuutti ittifayyadamuuf dirqama qaba.

(i) Misooma jallisiin wal-qabatee miidhaa naannoorratti ga'uu danda'u xiqqessuu fi salphisuuf qaamni jallisiitti fayyadamu hundu dirqama qaba.

ሐ) የመስኖ መሬት የማከፋፈልና የማሸጋሸግ ተግባር የሚከናወነው በተጠቃሚው ማህበረሰብ ተሳትፎ ነው።

መ) የመሬት ይዞታቸው በመስኖ ሊለማ በሚችልበት መሬት ሥር ለወደቀ ባለይዞታዎች ቅድሚያ በመስጠት የተጠቀሰው ከፍተኛ የይዞታ ጣሪያ 0·5 ሄክታር ተሰጥቶ ቀሪውን የመስኖ መሬት በቅርብ ርቀት ለሚኖሩ አርሶአደሮች የሚከፋፈል ይሆናል።

ሠ) ይዞታው በመስኖ ሊለማ በሚችል መሬት ሥር ውሎ ይዞታው ለሌሎች የተከፋፈለበት ማንኛውም አርሶ አደር በዝናብ ሊለማ የሚችል ተመጣጣኝ መሬት በለውጥ ይሰጠዋል።

ረ) በመሬቱ ፊዚካላዊ አቀማመጥ አስገዳጅነት ይዞታው በመስኖ ግንባታ ሥር የዋለበት ማንኛውም አርሶ አደር ያለ አንዳች ካሣ ክፍያ ይዞታውን የመፍቀድ ግዴታ አለበት። ሆኖም በይዞታው ላይ ለሚገኝ ንብረቱ ተጠቃሚው ማህበረሰብ ካሣ እንዲከፍለው የመጠየቅ መብት አለው።

ሰ) ይዞታው በውሃ ግድብ በመውደቁ ይዞታውን ያጣ ሰው በውሃው ተጠቃሚው ከሆነው ማህበረሰብ ተመሳሳይ መሬት በምትክነት ለመጠየቅና ለንብረቱም ካሣ የማግኘት መብት አለው።

ሸ) ማንኛውም የመስኖ መሬት ተጠቃሚ በአግባቡና ሙሉ በሙሉ መሬትን ጥቅም ላይ የማዋል ግዴታ አለበት።

ቀ) ማንኛውም የመስኖ መሬት ተጠቃሚ ከመስኖ ልማት ጋር የተያያዙና አካባቢን ሊጐዱ የሚችሉ ክስተቶችን የመቀነስና የመቆጣጠር ኃላፊነት አለበት።

(c) distribution and redistribution of irrgation land shall be carried out with the participation and consus of the user community.

(d) by giving priority of retaining the maximum holding size of 0.5 hectare to the former holders, peasants with a closest proximity to the irrigation land shall be allowed to use the remaining land.

(e) Any peasant, whose irrigation land holding is redistributed to others, shall be compensated with a reasonable rain fed land based on study.

(f) Any peasant whose holding falls under infrastructures of irrigation such as: diversion, main canal, and secondary canals shall allowe same with out compensation for the land, but shall be compensated for perennial crops such as coffee, fruit trees and house by the user community.

(g) Land holdings, which fall under reservoir areas, shall be compensated for the individual landholder by the user community or organization.

(h) Any irrigation land user shall be obliged to use the land properly to avoid misuse and underuse of the resources.

(i) Any irrigation land user shall be responsible to minimize and mitigate the negative environmental impacts associated with irrigation development.

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15. *Wabii Mirga Itti-fayyadama Lafaa*

1) Namni qabiyyee lafa baadiyyaa qabu kamiyyuu bara jireenya isaa guutuu kan turu waraqaan ragaa qabiyyee lafaa qaama itti-gaafatamummaa qabuun ni kennamaaf.

2) Dhirsaa fi Niitiin qabiyyee lafaa waliin qabaniif waraqaan ragaa qabiyyee lafaa maqaan lamaan isaaniitiin qophaa'e ni kennamaaf.

3) Dhaabbileen mootummaa, mit-mootummaa, abbootiin qabeenyaa fi dhaabbileen hawaasaas qabiyyee lafaa isaanii-tiif waraqaa ragaa ni argatu.

4) Namni niitii tokkoo ol qabu niitii ishee tokko qofaa wajjin waraqaa ragaa qabiyyee lafaa kan argatu yemmuu ta'u kan hafan of danda'anii maqaa ofiitiin ni argatu.

5) Dhirsi yookiin Niitiin yookiin lachuu iddoo jireenya isaanii jijjiiruun mirga itti fayyadama lafaa maatiichaa hin xuqu.

6) Qonnaan bulaan kamiyyuu mirga qabiyyee lafa isaa yoo dhiise waraqaa ragaa qabiyyee lafa sanaaf kennameef qaama itti-gaafatamummaa qabuuf deebisuuf dirqama qaba.

7) Lafti qaama itti-gaafatamummaa qabuuf deebi'e namoota lafa hin qabnee yookiin hanqina lafaa qabaniif ni qoodama.

8) Yeroo mirgi qabiyyee lafaa jijjiramu kamiyyu haaluma saniin waraqaan ragaa qabiyyee lafaa haaromsamuu qaba.

9) Akkaataa labsii kana keewwata 11 (2) tti, qabiyyeen dhuunfaa yemmuu kireeffamu waraqaan ragaa abbaa qabiyyuummaa namicha kireesse harka tura.

10) Namni kamiyyuu, kan waraqaa ragaa qabiyyee lafaa osoo hin qabaatiin lafatti ittti fayyadamee argame haal duree tokko malee, lafa sana akka gadhiisu ni taasifama, badii dalageefis seeraan ni gaafatama.

16. *Karoora itti-fayyadama Lafaa Baasuu*

Karoorri itti-fayyadama lafaa walii-gala naannichaa Mootummaan baasee hojii irra akka oolu ta'a.

፲፭· በመሬት የመጠቀም መብት ዋስትና

፩· የገጠር መሬት ባለይዞታነት መብት ያለው ማንኛውም ሰው ዕድሜ ልክ የሚቆይ የይዞታ ማረጋገጫ ሰርተፍኬት በሚመለከተው አካል ይሰጠዋል።

፪· ባልና ሚስት ለጋራ ይዞታቸው የይዞታ ማረጋገጫ ሠርቲፊኬት በሁለቱም ስም ተዘጋጅቶ ይሰጣቸዋል።

፫· መንግሥታዊና መንግሥታዊ ያልሆኑ ድርጅቶች፣ የግል ባለሀብቶችና ማኅበራዊ ተቋማት ለመሬት ይዞታቸው የይዞታ ባለቤትነት ማረጋገጫ ሠርተፍኬት ያገኛሉ።

፬· ከአንድ በላይ ሚስት ያለው ሰው ከአንዷ ሚስት ጋር ብቻ የይዞታ ባለቤትነት ሰርቲፊኬት የሚያገኝ ሲሆን የቀሩት በየስማቸው የባለ ይዞታነት ሰርቲፊኬት ያገኛሉ።

፭· የባል፣ ወይም የሚስት ወይም የሁለቱ የመኖሪያ ስፍራቸውን መቀየር የቤተሰቡን በይዞታው የመጠቀም መብትን አያሳጣም።

፮· ማንኛውም የይዞታ መብቱን የተወ አርሶአደር ተሰጥቶት የነበረውን የይዞታ ማረጋገጫ ሰርተፍኬት ለሚመለከተው ሕጋዊ አካል የመመለስ ግዴታ አለበት።

፯· ለሚመለከተው አካል የተመለሰው መሬት የመሬት ይዞታ ለሌላቸው ወይም ላነሳቸው አርሶ አደሮች ይከፋፈላል።

፰· የመሬት ይዞታ መብት ለውጥ በሚደረግበት ማናቸውም ጊዜ የይዞታ ማረጋገጫ ሰርተፍኬት እድሳትም ይደረጋል።

፱· በዚህ አዋጅ አንቀጽ ፲፩/፪/ መሠረት የግል ይዞታ በሚከራይበት ጊዜ የይዞታ ማረጋገጫ የምስክር ወረቀት በአከራዩ እጅ ይቆያል።

፲· ማንኛውም ሰው በሕግ ያልተሰጠውን መሬት ሲጠቀም ከተገኘ ያለምንም ቅድመ ሁኔታ የያዘውን መሬት እንዲለቅ ይገደዳል። ለፈፀመውም ጥፋት በሕግ ይጠየቃል።

፲፮· የመሬት አጠቃቀም ዕቅድ ማውጣት

የክልሉ የመሬት አጠቃቀም መሪ ዕቅድ በመንግሥቱ ወጥቶ ሥራ ላይ ይውላል።

15. *Land User Right Security*

1) Any peasant or pastoralist, with a holding right of land, shall be provided with a life long certificate of holding right by the responsible organ.

2) Husband and wife shall be jointly certified to their common land holding.

3) Governmental and non-governmental organizations, private investors and social organization shall also be issued with land holding certificate.

4) In the case of a polygamous marriage, a husband is allowed to get a holding right certificate with only one of his wives, and the other shall get severally.

5) The use right of a family shall not be affected, if either of the husband or wife or both leave the area where the land is situate.

6) Any peasant who terminates his holding right, shall be obliged to return the certificate to the responsible organ.

7) The land returned to the responsible organ shall be allocated to the landless or land deficit peasants.

8. Whenever, there is change of holding right, there shall also be renewal of holding certificate accordingly.

9. According to Article 11(2) of this proclamation, when individual holding is rent out, the land holding certificate shall remain with holder.

10. Any person or organization who is found using the land without being certified shall be obliged to leave the holding(s) with out any precondition and be subject to penalty upon conviction in accordance with the law.

16. *Land Use Planning*

Regional master land use plan shall be prepared and made ready for use by the Regional Government.

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17. *Lafa Qotamu Kunuunsuu*

1) Fayyadamaan lafaa mirga qabu kamiyyuu, ollaa isaatiin wal ta'ee akkaataa itti fayyadamaafi qabiinsa gaarii lafaa irratti hojjechuuf dirqama ni qabaata.
2) Qonnaan bulaan ykn abbaan qabeenyaa ykn dhaabni kamiyyuu kan mirga lafatti fayyadamuu qabu daangaa lafa qonnaa kunuunsuu fi eeguuf dirqama qaba.
3) Qaamni lafatti fayyadamu kamiyyuu hojiiwwan dhiqama biyyoo babal'iisan kan akka boosona ciruu, irraan oleefi irraan gadee qotuu fi karaa lolaa akeeka sirrii hin taaneen baasuu irraa of qusachuuf dirqama qaba.
4) Ejjina lafaa murta'een olitti lafa qotuun dhorkaadha. Qaamni itti-gaafatamaa ta'e ejjina dhorkamuu qabu ni murteessa.
5) Qaamni lafatti fayyadamu kamiyyuu hammeenya badiisa lafaa fi ejjina lafaa irratti hundaa'uudhan, lafa bowwaa, muummee fi lagaa irraa fageenya murtaa'e akka hin qotnee fi naannoo daangaa sanaas deebisee misoomsuuf eeguuf dirqama qaba.

18. *Lafa Caffaa (Caffee) Kunuunsuu*

1) Fayadamtoonni, lafa caffaa madda bishaanii irraa hojiiwwan adda addaa kan burqaa madda bishaanii balleessan irraa eeguuf dirqama qabu.
2) Lafa caffaa kunuunsuu dhiisuu fi haala sirrii hin taaneen itti fayyadamuun dhorkaa dha.

19. Bakka Ittisaa fi Kuufama Bishaanii

Qaamni lafatti fayyadamu kamiyyuu teessuma lafa yaa'a bishaanii bakka ittisa fi kuufama bishaanii irratti hojiiwwan deebisanii ijaaruu fi hojii egumsaa gaggeessu dirqama qaba.

20. *Lafa Eegamuuf Daangeffamu*

1) Mootummaan da'oo bineensotaa, paarkota, bosona eegaman, iddoowwan albuudaa, haroowanii fi teessumaa fi haala isaanitiin ittifufiinsa lubbuu qabeeyyii hedduutiif barbaachisaa kan ta'an iddoowwan kana fakkaatan daangeessee qabachuu ni danda'a.

፲፯· የእርሻ መሬት አያያዝ

፩· ማንኛውም በመሬት የመጠቀም መብት ያለው ሰው የመሬት መልካም አያያዝን በተመለከተ ከኩታገጠም ጐረቤቱ ጋር ተባብሮ የመስራት ግዴታ አለበት።
፪· ማንኛውም በመሬት የመጠቀም መብት ያለው አርሶአደር፣ ባለሃብት ወይም ድርጅት በሕግ የተሰጠውን የእርሻ መሬት ዙሪያ ውንና ድንበሩን የመንከባከብና የመጠበቅ ግዴታ አለበት።
፫· ማንኛውም የመሬት ተጠቃሚ የአፈር መከላትን ከሚያባብሱ እንደ ደን መመንጠር ፣ ሽቅብና ቁልቁል ማረስ፤ በዘፈቀደ የሚቀደዱ የውሃ ማስወገጃ ባሕላዊ ቦዮችን እንዳይከውን ግዴታ አለበት።
፬· ከተወሰነው ተዳፋት በላይ ማረስ በሕግ የተከለከለ ነው። የተዳፋቱም መጠን በሚመለከተው አካል የሚወሰን ይሆናል።
፭· ማንኛውም የመሬት ተጠቃሚ በመሬት ላይ በደረሰው የተፈጥሮ ጉዳትና በመሬቱ ተዳፋትነት ላይ በመመስረት ተበልተው ወደ ቦረቦርነት ከተለወጡ፣ ከምንጮችና ከወንዞች ከተወሰነ ርቀት አልፎ እንዳ ይደርስና ከእነዚህም ጋር የሚዋሰኑትን ቦታዎች የመጠበቅና መልሶ የማልማት ግዴታ አለበት።

፲፰· ጨፌያማና ረግራጋማ መሬቶችን ስለ መንከባከብ

፩· ተጠቃሚዎች ውሃ የሚያ መነጩ ጨፌያማና ረግረጋማ ሥፍራዎችን ፣ አደጋ ላይ ከሚጥሉዋቸው የመሬት አጠቃቀምና ድርጊቶች የመቆጠብ ግዴታ አለባቸው።
፪· ጨፌያማና ረግረጋማ መሬቶችን ያለመንከባከብና አግባብ ባልሆነ መንገድ መጠቀም የተከለከለ ነው።

፲፱· ግድብና የውሃ ማጠራቀሚያ ሥፍራዎች

ማንኛውም የመሬት ተጠቃሚ በግድብ፣ ውሃ ማጠራቀሚያ ሥፍራዎችና ተፋሰሶች ላይ መልሶ የማልማትና የመጠበቅ ሥራዎችን የ ማከናወን ግዴታ አለበት።

፳· የተከለከሉ ሥፍራዎች

፩· መንግስት የዱር አራዊት መጠለያዎችን፣ ፓርኮችን ፣ ጥብቅ ደኖችን፣ የማዕድን ስፍራዎችን፣ ሐይቆችንና በአቀማመጣቸውና ሁኔታቸው ለብዝሃ ሕይወት ቀጣይነት አስፈላጊ የሆኑ ቦታዎ ችንና የመሳሰሉትን ከልሎ መያዝ ይችላል።

17. *Cultivated Land Management*

1) Any land user, who has got a use right on land, shall be obliged to co-operate with his neighbors, on proper management of land.
2) Any peasant or investor or organization, who has got a use right on land, shall be obliged to maintain and preserve farmland boundaries.
3) Any land user shall be obliged not to perform activities that exacerbate soil erosion like forest clearing, up and down ploughing and unplanned design of traditional drainage ditches.
4) Cultivation above a recommended slope is prohibited. The responsible organ shall determine the recommended slope.
5) Any land user be obliged to limit cultivation from gullies, ravines and river boundaries and slope of the land and shall be obliged to rehabilitate the boundaries.

18. Wet Land Management

1) Users are obliged to protect, water sources of wetlands from activities that can damage the roots of the water source or springs.
2) Mismanagement and miss utilization of wetland is prohibited.

19. *Dam Sites and Reservoir Areas*

Any land user is obliged to rehabilitate and carry out conservation activities on the atchments areas of dam sites and reservoir lands.

20. *Protected Areas*

1) Government can demarket priority forest areas, wildlife parks and sanctuaries to protect with all the components of its natural ecosystem, for sustainable use.

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2. *Hiika*

Akkaataan seensa jechichaa hiika biraa kan kennisiisuuf yoo ta'e malee, labsii kana keessatti.

1) ''Deebisani qooduu'' jechuun lafa jallisii qofa irratti kan hojii irra oolu ta'ee, lafa qabiyyee qonnaan bulaa ta'e deebisanii qooduu jechuu dha.
2) ''Horatee bulaa'' jechuun nama kamiyyuu kan lafa margaa qabaachuudhaan yookiin bakkaa bakkatti socho'uudhaan beeylada kan horsiisuu fi jireenyi isaa fi maatii isaa irra caalaan beeyladaa fi bu'aa beeyladaa irratti nama hundaa'ee dha.
3) ''Ittifayyadamtoota Lafaa-'Jechuun nama yookiin qaama seeraan qabiyyee lafaa argatee fi mirga itti fayyadamuus qabu kamiyyuu dha.
4) ''Lafa Baadiyyaa'' jechuun daangaa bulchiinsa magaalaa yookiin magaalaa jedhamee moggaafameen ala lafa jiru hundaa dha.
5) ''Lafa Jallisii'' jechuun lafa jallisiif oolee jiru yookiin ooluu danda'u jechuu dha.
6) ''Naannoo'' Jechuun, Naannoo Oromiyaati.
7) ''Qaama Ittigaafatamummaa qabu'' jechuun qaama Mootummaa Naannoo Oromi-yaatin seeraan dhaabbatu ta'ee ittifayyadamaa fi bulchiinsa lafa baadiyyaa kan geggeessuufi mirgaa fi dirqama ittifayyadamtoota lafaa kan bulchuu jechuu dha.
8) ''Qooduu'' jechuun lafa baadiyyaa hin qabamin namoota lafa hin qabnee fi hanqina lafaa qabaniif hiruu jechuu dha.
9) ''Qonnaan bulaa'' jechuun, nama kamiyyuu mirga ittifayyadama lafa baadiyyaa qabaatee galiidhuma laficharraa argamuun ofii fi maatii isaas kan bulchuu dha.
10) ''Yaa'a Bishaanii'' jechuun ol ka'umsa lafaa irratti kan hundaa'e ta'ee lolaa, dolooloo fi laggeen walitti deebi'anii gara fuula tokkootti lafa iramatti dhangala'anii dha.

3. *Akkaataa Ibsa Saalaa*

Labsii kana keessatti saala dhiiraatiin kan tumame saala dubartiis ni dabalata.

፪· <u>ትርጓሜ</u>

የቃሉ አገባብ ሌላ ትርጉም የሚያ ሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ ፤

፩· በመስኖ መሬት ብቻ ላይ ተፈጻሚነት የሚኖረው ሆኖ በግለሰብ/ግለሰቦች የተያዘ የመሬት ይዞታን የሚመለከት የመሬት ሽግሽግ ማለት ነው ።

፪· "አርብቶ አደር" ማለት … በቆላው ክፍል የግጦሽ መሬትን በመያዝ በዋነኛነት ከከብት ጋር ከቦታ ቦታ በመንቀሳቀስ ኑሮው ከከብት ሃብት በሚገኘው ምርት ላይ የተመሠረተ የገጠሩ ኅብረተሰብ ክፍል ነው ።

፫· "የመሬት ተጠቃሚ" መሬትን ለመጠቀም መብት ያለው የገጠር መሬትን የሚጠቀም ግለሰብ፣ ቡድን ወይም ድርጅት ማለት ነው ።

፬· "የገጠር መሬት" ማለት … ከማዘጋጃ ቤት ክልል ውጭ ወይም የኦሮሚያ ክልላዊ መንግሥት አግባብ ካለው አካል ጋር በመመካከር ከተማ ብሎ ከሚሰይመው አካባቢ ውጪ ያለ ማንኛውም መሬት ማለት ነው ።

፭· "የመስኖ መሬት" ማለት … በአሁኑ ጊዜ በመስኖ እየለማ ያለውና ለወደፊቱም በመስኖ ሊለማ የሚችል መሬት ማለት ነው ።

፮· "ክልል" ማለት የኦሮሚያ ክልል ማለት ነው።

፯· ሕጋዊ አካል ማለት … በክልል ውስጥ የማንኛውም የመሬት ተጠቃሚ የገጠር መሬትን ለመጠቀም የተሰጠውን መብትና ግዴታውን ጨምሮ ፤ የገጠር መሬትን ጉዳዮች ለማቀድና ለማስተዳደር በኦሮሚያ ክልላዊ መንግሥት ምክር ቤት የተቋቋመ ሕጋዊ አካል ማለት ነው ።

፰· "ክፍፍል" ማለት … በማንም ያልተያዘ መሬት ፤ መሬት ለሌላቸውና መሬት ላነሳቸው አርሶ አደር/ አርሶ አደሮች ማከፋፈል ማለት ነው።

፱· "አርሶ አደር" ማለት … የገጠር መሬት የይዞታ መብት የተሰጠውና፣ ከመሬቱም በሚያገኘው ገቢ እራሱን እና/ወይም ቤተሰቡን የሚያስተዳድር አንድ አባወራ ማለት ነው።

፲· "ተፋሰስ" ማለት … የአንድ ማፋሰሻ ክልል ፤ የተቀራረበና የሚወራረስ የጋራ የአየር ንብረት ያለው ጐርፍ ፤ ጅረቶችና ወንዞች ተሰባሰበው በአንድ በር የሚወጡበት ቅርጽና ስፋት ያለው መሬት ማለት ነው ።

፫· <u>የፆታ አገላለጽ</u>

በዚህ አዋጅ ውስጥ ለወንድ ፆታ የተደነገገው ለሴት ፆታም ተፈጻሚነት አለው ።

2. *Definition*

Unless and other wise the context requires, in this Proclamation;

1. ''Redistribution'' refers to the reallocation of land that targets the holding /s/ of individual/land holder /s/ which is applicable only to irrigation land.
2. ''Pastoralists'' refers to rural people who are predominantly nomads occupy lowland range lands and engaged in livestock rearing and whose live is mainly depend on livestock products.
3. ''Land User'' an individual or groups of individuals or organizations who use rural land, with a right to use.
4. Rural Land'' refers to all land out side the boundary of a municipality or out side an area which the regional state of Oromia in consultation with an appropriate body designates as a town.
5. ''Irrigation Land'' refers to lands already irrigated and potentially irrigable land.
6. ''Region'' refers to the regional state of oromia
7. ''Responsible Organ'' refers to a legal organ established by the Council of the Regional State of Oromia to plan and administer issues of rural land, including the rights and responsibilities of any land user in the region.
8. ''Distribution'' refers to the allocation of unoccupied land to individual landless and land deficit peasant /s/.
9. ''A peasant'' any household to whom the right to use rural land is provided to earn the livelihood for him and/or his family.
10. ''Watershed'' refers to a catchement area or drainage basin from which the waters of a stream or stream systems are drawn through one outlet.

3. *Gender Expression*

The provision on this Proclamation set out for masculine gender shall also apply to the feminine gender.

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4. *Bu'uura*

1) Lafti Qabeenya waliinii Mootummaa fi ummataa yoo ta'u bifa kaminiyyuu gurguruu fi jijjiiruun hin danda'amu.

2) Dubartoonni hojiiwwaan itt-fayyadamaa fi bulchiinsa lafa baadiyyaa irratti dhiira wajjin mirga wal-qixxee ta'e ni qabaatu.

5. *Mirga Argannaa Lafa Baadiyyaa*

1) Jirataan Naannoo Oromiyaa kan uumuriin isaa waggaa 18 fi isaa ol ta'e, qonnaan ykn horatee buluudhaan kan jiraatu ykn jiraachuu kan barbaadu kamiyyuu lafa baadiyyaa argachuuf mirga qaba.

2) Dhaabbileen mootummaa, mit-mootummaa, abbootiin qabeenya dhuunfaa fi dhaabbileen hawasaa waan seeraan irraa eegamu guutan mirga lafa baadiyyaa argachuu ni qabaatu.

3) Ummanni aadaadhaan waliin lafa dheedichaa, burqaa bishaanii, baka amantii, lafa awwaalchaa fi tajaajila kana fakkaataniif mirgi lafa argachuu fi itti fayyadamuu ni eegamaaf.

6. *Mirga Itti-fayyadama Lafaa*

1) Qonnaan bulaan yookiin horatee bulaan kan mirga qabiyyee lafaa qabu kamiyyuu umurii isaa guutuu qabiyyee isaatti mirga fayyadamuu, akkasuumas kireessuu kan qabu ta'ee, maatii isaafis dhaalchisuu, laficha gubbaatti qabeenya horate gurguruu, jijjiiruu fi dabarsuu ni dabalata.

2) Mirgi qabeenya ofii gurgurachuu, jijjiiruufi dabarsuu keewwata kana keewwata xiqqaa (1) irratti caqasame haaluma kamiiniyyuu lafa qabeenyichi irratti qubate hin dabalatu.

3) Itti-fayyadamaan lafaa kamiyyuu lafa qabiyyee isaatti fayyadamuu yammuu dhiisu qaama ittigaafatamummaa qabuu fi naannoo isaatti argamutti beeksisuu qaba.

4) Mirgi itti-fayyadamiinsa lafaa nama kam-iyyu kan hafuu danda'u lafti sun yoo faayidaa ol'anaa dhimma ummataaf barbaadamee fi hirmaannaa ummataatin yoo murtaa'e qofadha.

፬· <u>*መሠረተ ሃሳብ*</u>

፩· መሬት የመንግሥትና የሕዝብ የጋራ ሀብት ሲሆን መሸጥም ሆነ በማንኛውም መንገድ መለወጥ አይቻልም ።

፪· ሴቶች ከወንዶች እኩል በሁሉም የመሬት አጠቃቀም አስተዳደር ሥራዎች መብት ይኖራቸዋል ።

፭· <u>የገጠርን መሬትን ስለማግኘት</u>

፩· ማንኛውም የክልሉ ነዋሪ የሆነ፣ ዕድሜው 18 ዓመትና ከዚያ በላይ፣ በግብርና የሚተዳደርና ለወደፊቱም በዚሁ ሊኖር የሚፈልግ የገጠር መሬትን በነፃ ያለክፍያ የማግኘት መብት አለው።

፪· መንግሥታዊና መንግሥታዊ ያልሆኑ ድርጅቶች ፣ የግል ባለሃብቶችና ማኅበራዊ ተቋማት በሚያቀርቡት የልማት ዓላማዎች ወይም ውጥኖች መሠረት አስፈላጊውን ሲያሟሉ የገጠር መሬትን የመጠቀም መብት አላቸው ።

፫· በተለምዶአዊ መሬትን በጋራ የሚጠቀም ኅብረተሰብ መሬቱን ለጋራ ጉዳዮች ጠቀሜታ እንደ ግጦሽ ፣ ማኅበራዊ ባሕላዊና እምነታዊ ጉዳዮች የማዋል መብቱ እንደተጠበቀ ይቆያል ።

፮· <u>*መሬትን የመጠቀም መብት፡–*</u>

፩· ማንኛውም አርሶ አደር ወይም አርብቶ አደር ፣ የመሬት ይዞታ መብት ያለው ፣ ይዞታውን እስከ ዕድሜ ልክ ለግብርና አገልግሎት የመጠቀም እንዲሁም የማከራየት መብቱ የተጠበቀ ሆኖ ለቤተሰቡ አባል ወይም ባላት የማስተላለፍና በጉልበቱና በንብረቱ ወይምገንዘቡ መሬቱ ላይ ያፈራውን ንብረት የመሸጥ ፣ የመለወጥና የማስተላለፍ መብቱም የተጠበቀ ነው ።

፪· በዚህ አንቀጽ ንዑስ አንቀጽ ፩ ውስጥ የተጠቀሰው ንብረትን የመሸጥም ሆነ ለሌላ ሰው የማስተላለፍ መብት ንብረቱ ያረፈበትን መሬት አይጨምርም ።

፫· ማንኛውም የመሬት ተጠቃሚ ወይምቃሚዎች በክልሉ ውስጥ ኃላፊነት ለአለው አካል በመማልከት የመጠቀም መብቱን የማቋረጥ ወይምየመተው መብት አለው።

፬· የማንኛውም ግለሰብ የመሬት ተጠቃሚ የመጠቀም መብቱ የሚያበቃው መሬቱ ለበለጠ የሕዝብ ጥቅም ሲፈለግና በኅብረተሰቡ ተሳትፎ ሲወሰን ብቻ ነው።

4. *Principle*

1. Land is the common property of the state and people, and shall not be subject to sale or other means of exchange.

2. Women shall have equal right with men in all activities of rural land use and administration.

5. *Access to rural land*

1) Any resident of the Region, aged eighteen year and above, whose livelyhood depends on agriculture and wants to live on same have the right to get rural land free of payment.

2) Government and non governmental organizations, private investors and social organizations have the right to use rural land through legal process.

3) The customary right of access to land in using communally like for grazing, ritual ceremonies and public uses shall be maintained both for peasants and pastoralists,

6. *Land Use Rights*

1) Any peasant or pastoralist, with a holding right of land, has a life long right to use land for agricultural purpose as well as to lease and while the right remains in effect, bequeath it to his family member /s/ and includes the right to acquire property produced there on by his labor or capital, and to sell, exchange and bequeath the same.

2) The right to sell, exchange and transfer own properties on land provided under Sub Art 1 of this Article does not include the land on which that properties are found.

3) This Proclamation provides any land user with the right that he may terminate the use right of his holding by applying to the responsible organ in the region.

4. The use right of an individual land user shall be subject to termination, only if that land is required for more important public uses and decided with the participation of the community.

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26. *Tumaalee Adda Addaa*

1) Itti-fayyadamaan lafaa tumaalee labsii kana keessatti ibsaman yookiin labsii kana hojii irra oolchuuf seeroota bahan cabsee argame kam iyyuu akkaataa seera sirummaa qabuutiin ni gaafatama.
2) Dhimmoota labsii kana keessatti caqasaman ilaalchisee seerri labsii kanaan wal-faalleessu hunduu fudhatama hin qabaatu.
3) Labsii kana hojii irra oolchuudhaaf Manni Marii Bulchiinsa Mootummaa Naannoo Oromiyaa aangoo Danbii baasuu ni qabaata.
4) Abbaan Taayitaa Bulchiinsa Lafaa fi Qabeenyaa uumamaa Labsii kana hojiirra oolchuudhaaf qajeelfama barbaachisu ni baasa.

27. *Guyyaa Labsaiin Kun Hojiirra Itti Oolu*

Labsiin kun Hagayya Guyyaa 10 Bara 1994 irraa eegalee kan hojiirra oolu ta'a.

Adaamaa, Hagayya 10 Bara 1994

Juneeydii Saaddoo
Prezidaantii Bulchiinsa Mootummaa Naannoo Oromiyaa

፳፮· ልዩ ልዩ ድንጋጌዎች

፩· ማንኛውም የመሬት ተጠቃሚ በዚህ አዋጅ ውስጥ የተደነገጉትን ወይም ይህንን አዋጅ ሥራ ላይ ለማዋል የወጡትን ሕጎች ያደናቀፈ ማንኛውም አካል በሕግ ይጠየቃል።

፪· በዚህ አዋጅ ውስጥ የተጠቀሱትን ጉዳዮች አስመልክቶ ማንኛውም ከዚህ አዋጅ ጋር የሚቃረን ሁሉ በሕግ ተቀባይነት አይኖረውም።

፫· የኦሮሚያ ክልላዊ መንግሥት ምክር ቤት ይህንን አዋጅ በሥራ ላይ ለማዋል ደንብ የማውጣት ስልጣን ይኖረዋል።

፬· የገጠር መሬትና የተፈጥሮ ሐብት አስተዳደር ባለሥልጣን ይህንን አዋጅ ሥራ ላይ ለማዋል አስፈላጊ መመሪያዎችን ያወጣል።

፳፯· አዋጁ የሚፀናበት ቀን

ይህ አዋጅ ከነሐሴ ፲ ቀን ፲፱፻፺፬ ዓ·ም· ጀምሮ የፀና ይሆናል።

አዳማ ነሐሴ ፲ ቀን ፲፱፻፺፬

ጁኔይዲ ሣዶ
የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ፕሬዚዳንት

26. *Miscellaneous Provisions*

1) Any land user, who impedes the proper implementation of this Proclamation or other Directives or guidelines issued for the implementation of the Proclamation, shall be liable upon conviction under the law.
2) Any law inconsistent with this Proclamation shall not be applicable with respect to matters provided in this Proclamation.
3) For the proper implementation of this Proclamation, the Oromian Regional State Council is authorzied to issue Directives.
4) The Land Administration and Natural Resource Authority will provide guidelines for the implementation of the Proclamation.

27. *Effective Date of the Proclamation*

This Proclamation shall enter into as of August 10/2002.

Finfinnee, August 16, 2002

Juneydi Sado
President of the Regional Government of Oromia