

**Strategy for Preventing and Mitigating Land Certification Related Violence against
Women and Vulnerable Groups**

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Land Investment for Transformation

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Abstract

The Land Investment for Transformation (LIFT) programme is being implemented by the Government of Ethiopia's Ministry of Agriculture's Rural Land Administration and Use Directorate (LAUD) and the UK Department for International Development (DFID). LIFT aims to improve the incomes of the rural poor (men and women) and to enhance economic growth through second level land certification (SLLC), improved rural land administration systems (RLAS) and Economic Empowerment Unit (EEU) interventions to ensure that the benefits of SLLC and RLAS are maximised through a Making Markets Work for the Poor (M4P) approach. It is expected that increased tenure security will maximise benefits to help economically empower smallholder farmers in the regions of Amhara, Oromia, Southern Nations, Nationalities, and Peoples' (SNNPR) and Tigray, Ethiopia.

This paper examines whether there is a relationship between the SLLC process and land related violence against women and vulnerable groups (VGs) and the necessary response to mitigate it. It is based on studies undertaken in the four regions covered by the LIFT programme. The studies primarily used methods to generate qualitative data. These include focus-group discussions (FGD), key informant interviews (KII) and individual in-depth interviews complemented by a secondary document review.

Findings reveal that the SLLC process brings into sharper focus issues around land access, land disputes, land rights violations and violence which existed prior to the SLLC. The SLLC has positively contributed to averting current and future violence against women and VGs. It encourages them to be active in claiming their land rights and provides them with an enabling and safe environment for registering land rights due to its public and participatory nature. There is a common perception that the possession of a land certificate safeguards the rights of women and VGs.

The study has also identified gaps in the SLLC process. These include a lack of access to and clarity of information, low capacity and time constraints on field staff to handle social issues, and the absence of full-time staff dedicated to women and VG land rights protection at the grassroots level. In addition, there are instances of unresolved competing claims prior to the commencement of the SLLC process and insufficient coordination between government and other institutional structures to respond to the problems. The LIFT programme has taken steps to address these gaps by assigning a social development officer (SDO) to provide additional expertise and support during the course of SLLC. The SDO support has improved participation and engagement of women and VGs in the SLLC process, providing them with increased confidence to report outstanding disputes leading to restitution of lost or compromised parcels, which is the first step to safeguard their land rights.

To capitalise on the SLLC's positive contribution during and beyond the implementation period of the LIFT programme, the study recommends a set of strategic priority pillars. These include:

- i. allocating sufficient time for rights clarification before the start of the SLLC process;
- ii. ensuring the participation of women and VGs through well-designed and targeted public awareness interventions which strengthen social protection;
- iii. including a gender and social inclusion expert in the land administration system from federal to woreda/district levels;
- iv. strengthening the capacity of field staff to respond to gender and social inclusion issues;
- v. strengthening functional coordination among stakeholders;
- vi. improve access to justice systems/ procedures
- vii. ensuring accountability within the land administration system; and
- viii. improving collaboration among donor-funded land projects.

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Acronyms and Abbreviations

A&D	Adjudication and Demarcation
DFID	Department for International Development
FGD	Focused Group Discussion
FHH	Female-Headed Household
FT	Field Team
FLLC	First Level Land Certification
GESI	Gender Equality and Social Inclusion
GoE	Government of Ethiopia
KII	Key Informant Interviews
KLAC	Kebele Land Administration Committee
LAUD	Land Administration and Use Directorate
LIFT	Land Investment for Transformation
LSA	Labour and Social Affairs
MHH	Male-Headed Household
RLAS	Rural Land Administration System
SDO	Social Development Officer
SLLC	Second Level Land Certification
SNNPR	Southern Nations Nationalities and Peoples' Region
VG	Vulnerable Group
WCA	Women and Children Affairs
WMHH	Women in Male-Headed Household

1. INTRODUCTION

Ethiopia's Land Investment for Transformation (LIFT) programme, is being implemented by the Government of Ethiopia's Ministry of Agriculture Rural Land Administration and Use Directorate (LAUD) and the UK Department for International Development (DFID). LIFT aims to improve the incomes of the rural poor (men and women) and to enhance economic growth through second level land certification (SLLC), improved rural land administration systems (RLAS) and Economic Empowerment Unit (EEU) interventions to ensure that the benefits of SLLC and RLAS are maximised through a Making Markets Work for the Poor (M4P) approach. It is expected that increased tenure security will maximise benefits to, and economically empower, smallholder farmers in the regions of Amhara, Oromia, Southern Nations, Nationalities, and Peoples' (SNNPR) and Tigray.

A core aim of the programme is to increase the tenure security of women and other vulnerable groups (VGs), who despite the existence of laws mandating equal land rights for women and men, are often systematically excluded from the benefits of land, due to social norms and traditional practices (Teshome 2015). Customs and traditions denying women's inheritance and transfer of exclusive use rights to land is common in rural agrarian Ethiopia and this determines one's economic position and social identity. Often this has led to disputes, conflicts and in some cases, these have escalated into violence, disadvantaging poor and vulnerable households and individuals.

This paper reports on the findings from studies commissioned by LIFT to examine whether there is a relationship between the SLLC process and land related violence against women and VGs, the services available to support these group of land holders and actions taken by LIFT to address existing gaps. The purpose of this paper is to improve the SLLC intervention by being more sensitive to the needs of women and VGs and to understand any potential implications – including whether it may threaten or put women and vulnerable groups at risk. In addition to identifying opportunities for improvement, the paper highlights the positive impacts of the SLLC, including how the process has contributed to the social and economic transformation of households and individuals, particularly women and VGs. The paper also attempts to examine services available for women and VGs when they face land rights violations and violence, as well as LIFT's experience of actions taken to prevent and mitigate these during the SLLC.

The SLLC in itself is not a direct cause of violence, however the processes undertaken (i.e. public awareness, field adjudication and demarcation, public display, objections and corrections) can bring issues around land access, land disputes, land rights violations and violence into sharper focus. This is beneficial as the process is designed to clarify and mitigate land issues. Women and VGs are vulnerable to violation of land rights and violence due to lack of awareness of the law and its enforcement as well as lack of capacity (informational, financial, motivational and mobility) to take the perpetrators to court.

This paper argues that although land certification, through its participatory and socially inclusive approach, can be instrumental in bringing to the fore existing land rights violations and in turn, can avert violence against women and VGs, it is still not enough and it is beyond the scope of programme-facilitated processes to address all such issues. This argument is built upon the findings obtained from the complementary studies conducted and will be discussed in this paper.

The paper is organised into nine sections. Continuing the introduction, Section 2 presents the background and context of the study, providing details of the LIFT programme. Section 3 discusses the purpose and guiding methodology. Section 4 discusses land rights violations and incidents of land disputes and violence. Section 5 discusses in detail the findings including the requirements for

improving the SLLC process. In Section 6, the positive implications of SLLC on mitigating violence and land rights violations are presented. Section 7 highlights services available for women and VGs when they are faced with land right violations and violence. Section 8 describes the interventions undertaken by LIFT to prevent and mitigate land rights violations and violence against women and VGs during SLLC. Finally, this is followed by a set of recommended strategic priority pillars to ensure that land rights violations and violence against women are prevented (Section 9).

2. BACKGROUND

The LIFT PROGRAMME

The Government of Ethiopia and DFID have been implementing the LIFT programme since 2014, across the four highland regions of Ethiopia, namely: Amhara, Oromia, Tigray and SNNPR. As outlined in the introduction, the programme seeks to: implement an SLLC process, aiming to certify 14 million parcels of rural land; set up a rural land administration system which can store, and update information generated from certification; and increase economic growth, as farmers can use SLLC-linked loans to access credit and services.

An important aim of the LIFT programme is to increase tenure security of vulnerable and disadvantaged groups, including women. It is believed that increasing women and vulnerable groups' access to and control over land, will have positive impacts on their ability to secure income and to help economically and socially empower them. LIFT's midterm review in October 2017 revealed that 84% of registered land holders are women (62% joint and 22% women only) which exceeds the 70% targeted in the programme's Business Case. In terms of the parcels having female holders' names, the 2019 Annual Review shows 71.77% in joint names, 19.27% female only holders and 8.96% by the name of male only holders. In effect, 91% of the certificates are held in the name of female holders either jointly or as an individual. As of December 2019, over 11,113 clients have accessed USD 13,937,735 through SLLC-linked individual loans, using their land use right certificates as collateral. Also, approximately USD 1,197,302 worth of savings were mobilized. Women, either from female-headed or male-headed households, comprised 35% of the clients.

The SLLC PROCESS

The Government of Ethiopia has initiated the SLLC process in the hope of improving land governance in Ethiopia. The SLLC process, builds on and improves a previous process of First Level Land Certification (FLLC). The SLLC process can be grouped broadly into four **steps**:

1. **Public Awareness:** before land registration begins, communities are informed about the land registration process- how it works, what it will entail and what their rights and obligations are. They will be informed about what events they need to attend, what documents they will be expected to have and who should participate at each stage of the process.
2. **Adjudication and Demarcation:** as part of this step, field teams will visit each site to register individual plots. This involves the claimant demonstrating their parcel boundary by walking around their plot in the presence of neighbours and local leaders. Using orthophotos to generate high-resolution maps, para-surveyors record the parcel boundaries on these maps and confirm with claimants and other interested parties.
3. **Public Display:** once boundaries and occupancy information has been collected, it is computerised. This is then printed and taken to the Kebele compound or appropriate communal centre, where anyone

can view the individual plots and either confirm or challenge the information. This provides an opportunity to record disputes or correct other information, for example the misspelling of names.

4. Certification: Once this computerised data is checked and verified by claimants, it is processed and included in a register of land rights. Land holders will then receive a printed certificate which includes details about their parcel boundaries, occupancy details and land rights.

3. PURPOSE of the STUDY and METHODOLOGY

3.1 PURPOSE

Supported by donor organisations, governments are implementing land certification projects and programmes including interventions to modernise land administration systems. Land certification is viewed as a critical step towards improving land security, by providing clarity over rights to land, be it use or ownership. Land certification - the ultimate output of which is a register of legal holding certificates - promises security of tenure which is perceived to bring social and economic benefits to women and VGs and the wider community. Secure land tenure can potentially decrease spousal and domestic abuse because of the increased status of women and VGs within the household and the community and improved claimants' knowledge of their land rights. Acquiring a land certificate and combined with access to resources can open up opportunities to improve livelihoods, bring about economic independence, make women and VGs visible and responsive to the needs of other women and VGs, and ultimately contribute to community resilience. Securing women's and VGs' land rights is paramount to stimulating social transformation and economic growth.

In Ethiopia, access to land and valuable resources is largely governed by patriarchal rules which dictate the transfer of property through the male line. Women have access rights to farm land without control and ownership rights. Customary rules regarding inheritance and transfer of property are aligned to ensure that land remains in the hands of male family members. Younger women and girls face dual loss of their entitlements to land due to marriage when they leave their family. When they join the family of their husband, wives are viewed as 'outsiders' and excluded again from ownership rights because they are considered as secondary rights holders or women hold rights through male household members. When a husband dies, or there is a divorce or separation, women do not have exclusive rights to the land. The status of women in polygamous marriages also leaves them in an ambiguous position as their right to exclusively hold land is influenced by complex and competing claims (LIFT 2017).

Age, disability, household status and other positions (orphans, migrant workers, minorities, prisoners and addicts) are other parameters that impact on access to land and property rights, despite explicit legal protections. During land redistribution in Ethiopia female-headed households (FHH) were generally found to be allocated smaller, less fertile plots and disposed community lands (Teshome 2015). The weak capacity of destitute male-headed households (DMHH) also exposes them to renting out their land although for less value in order to meet urgent financial needs.

Women and VGs who claim their land rights may be perceived as challenging existing customs and traditions. This may also represent a challenge to institutions, and social and power relations between women and men, and between the weak and the powerful. This challenge may be met with resistance from men and other powerful disputants, which could ultimately lead to exclusion and potential violence against women and VGs. Early impact assessments and field monitoring of LIFT confirmed the risk of potential and actual instances of violence faced by women and VGs. Such findings warranted an investigation as to what role the SLLC process may have played in potentially triggering violence as

well as availability of services to prevent and respond to lands right violations and violence against women and VGs. If women and VGs indeed face the risk of being exposed to existing or residual land-related violence, then strategies and procedures should be put in place within the SLLC process to minimise or avert violence. The purpose of this paper is to review the SLLC intervention and examine the SLLC's consequences, including whether it may have threatened or put women and VGs at risk. It also seeks to point out the positive impacts of the SLLC process, including how it can contribute to social and economic empowerment of women and VGs. To answer these questions, the study:

- Identified existing forms of disputes, violence and land right violations affecting women and VGs;
- Identified existing services to prevent and mitigate land right violations and violence against women and VGs;
- Identified gaps in the SLLC process and weaknesses in agreed procedures, which may perpetuate or contribute to violence against women and VGs;
- Identified the positive impacts which the SLLC process can have on protecting women and VGs, and help them overcome land rights violations;
- Identified the early impacts as a result of actions taken by LIFT to prevent and mitigate land right violations and violence against women and VGs;
- Provided recommendations strengthen the SLLC process to ensure that it does not cause or result in the exacerbation of violations or violence; and
- Developed a strategy and a set of procedures to mitigate any violence on women and VGs that may result from the implementation of the SLLC process.

3.2 METHODOLOGY

The study used a combination of primary and secondary data sources. Primary data was collected from LIFT operational areas to provide a first-hand account of women and VGs who experience land right violations and violence. A review of secondary documents including the different studies commissioned by LIFT was made to complement data generated from primary sources.

A) Primary Data Collection

Data Collection Method

Primary data was collected using focus-group discussions (FGDs), key informant interviews (KIIs) and individual in-depth interviews (IIDIs). A set of guide questions was drafted to keep the study focused and consistent. Participatory interviewing techniques were used to engage the interviewees, allowing them to voice their concerns and experiences while also ensuring confidentiality of information. The study yielded rich qualitative data, consisting mostly of personal stories of violation of land rights and forms of violence that women and VGs had experienced.

The KIIs were used to obtain information from woreda and kebele level actors. Employing KIIs enabled researchers to cross-check reports of violence coming from different sources, particularly from the individual in-depth interviews and FGDs. A SWOT analysis was conducted at the woreda level to identify the strengths, weaknesses, opportunities and threats related to the SLLC process and especially in the context of addressing land-related violence.

The LIFT Woreda Coordinators facilitated meetings with woreda and kebele key informants. At sites where SLLC activities had been completed, experts from the woreda land administration office supported the fieldwork.

STUDY SITES SELECTION and FIELD WORK

Two woredas from each region were selected based on their SLLC status: completed or ongoing. Woredas where SLLC was ongoing were either at adjudication and demarcation or public display stage. Woredas where SLLC was completed were at the stage of certification distribution.

SELECTION of WOMEN and VGs for the STUDY

A mix of sampling techniques (stratified, convenience and purposive) was used to identify women and VG respondents. Court compounds, police stations, woreda land administration offices and public display sites were important locations to meet with the respondents.

Identifying individuals detained in the police station for land related violence proved to be a challenging task. It demanded in-depth probing and discussion with police officers, as an alleged criminal offence only reports the “final effect”, not underlying causes so it was difficult to determine whether land disputes were involved. Woreda government offices, such as Justice, Court, Police, Land Administration, and Grievance Hearing Offices, also provided details of women and VGs who experienced land-related violence. The team arranged follow up meetings with some of these VGs through the kebele administration and kebele land administration experts. The study team visited them at their homes. FGDs were also organised for women in male-headed households. A total of 86 women and VGs participated in the study of which 33% were men (Table 1).

Table 1 Women and VGs interviewed disaggregated by sex and region

Vulnerable Groups	Oromia		SNNPR		Amhara		Tigray		Total		
	M	F	M	F	M	F	M	F	Male	Female	Total
Women in male headed households	-	11	-	2	-	1		1	-	15	15
Women in polygamous marriage	-	1	-	-	-	-	-	-	-	1	1
Female household heads	-	1	1	-		8	-	15	-	25	25
Orphaned children	-	-	-	-	1	3	-	1	1	4	5
Poor households headed by men	1	-	1	-	4	-	-	-	6	-	6
Person with disability	-	-	1	-	1		1	1	3	1	4
Elderly	1	1	1	2		3	1	1	10	4	14
Minorities (occupational)	-	-	5	8	-	-	-	-	5	8	13
Land related violence detainees (at police station)	1	-	1	-	1	-	-	-	3	-	3
Total	3	14	10	12	7	15	2	19	28	58	86

ETHICAL CONSIDERATION

Before starting each interview, the team explained the purpose of the study to interviewees and how the output will be used to improve the implementation of the SLLC process. To the extent possible, space to privately conduct the interview was created to enable the interviewees to freely express themselves. In some cases, this was not possible as there was a tendency for other community members to listen into the conversation. However, this did not seem to hinder the interviewees from participating in the interview. The case studies presented use fictitious names of perpetrators to protect participants' identity.

B) DOCUMENT REVIEW/ SECONDARY DATA COLLECTION

Different national and international research papers related to land registration and case files stored in the woreda court were reviewed to verify the primary data findings. A legal analysis of the federal and regional land proclamations, as well as related articles in different laws (civil law, family law, criminal law) was undertaken to identify gaps, complementarities, and challenges as regards to protecting the land rights of women and VGs. Most importantly, two LIFT studies were conducted after this study to provide a complete picture of the cause, effect and response to SLLC-linked violence. These are (a) *Strategy to Provide Effective Legal Services to Women and Vulnerable Groups* (ADVA Consult 2019), and (b) *Impact of Social Development Officers (SDOs) in Protecting Land Rights of Women and Vulnerable Groups* (Hailu et al. 2019).

SCOPE and LIMITATION of the STUDY

The study focused on the SLLC process and the potential role it may have in triggering violence towards women and VGs. In undertaking the study, the team recognised the following limitations:

- Due to sensitivity of the topic, a qualitative, one-shot interview conducted over a short time was insufficient to gather detailed information;
- Although the study covered four regions, fieldwork was undertaken in two woredas and at least one kebele in each woreda from each region due to time constraints;
- Locating women and VGs in kebeles where the SLLC process had been completed presented a challenge to the team;

- Language barriers may have affected the level of interaction and quality of information collected during the interviews;
- It was difficult to exclusively interview with VGs due to the presence of their caregivers/guardians and translators; and
- **This study does not aim to make a generalisation.** Instead it seeks to provide insights on how the SLLC processes could be improved to avoid causing negative outcomes on women and VGs. It also seeks to highlight the positive aspects of the SLLC process and the potential for scaling up.

4 INCIDENCE of DISPUTES, VIOLENCE and LAND RIGHTS VIOLATION

DEFINING VIOLENCE in the CONTEXT of LAND RIGHTS VIOLATIONS

Violence is highly complex and context-specific. To understand how the SLLC process may trigger violations or violence against women and VGs, we first need to understand the relationship between disputes, violence and violation of land rights. SLLC related violence on women and VGs exists along this continuum involving various actors besides those with conflicting land claims.

There is a growing body of literature which attempts to understand the link between violence and land rights violations (Fraser 2016; Hilliard et al. 2016; Nyukuri 2006; Grabe 2014). Violence is defined as covert or overt forms of aggression to deny access to and control of land and land-related rights. Violent acts can be a combination of different types of violence. In the context of the study, physical violence, emotional violence, psychological violence, cultural violence, verbal abuse, resource abuse, and neglect were commonly cited.

Violence is a continuum in which disputes over land can escalate into conflict, violence and produce (as well as reproduce) land rights violations. Land disputes include border encroachment, inheritance, transactional, and illegal occupation (Espinosa and Aberra 2016). Violence and violent acts are committed by perpetrators - family or non-family members, who have competing interests on the land. It is often inflicted on weaker groups within society such as women and the vulnerable. Perpetrators can act independently or are aided by actors from within the community who have the power to influence or decide who has the right to land.

Reports (Chowdhry undated; Fraser 2016) reveal that claimants who bring disputes to the attention of authorities face the risk of exposing themselves to varying degrees of violence. Development interventions such as those that seek to formalise land holdings can trigger violence or cause existing forms of violence to become more pronounced than they had been as claimants assert their claim.

Land rights may be defined as complete when the following three conditions are met: they are legally recognisable, socially recognisable, and enforceable by external authorities (Duncan and Ping 2001). If one of these three elements are missing, the rights are incomplete. For instance, a land right that is legally recognisable but not socially recognised or enforceable is an incomplete right. A socially recognised land right means that women's land rights remain unaffected by a change in status such as in the event of a divorce or death of a spouse.

LAND RIGHTS VIOLATIONS in ETHIOPIA

Secure land use rights can be considered as one of the most basic human rights, especially in the rural communities of Ethiopia, where land is a major source of livelihood and defines ones social and economic status in society. Land rights are protected under the federal and regional land laws. In

addition to both laws, customs and traditions exist which shape people's perception and relation to land. Although both federal and regional laws generally grant equal rights to women and men, in practice these are not always observed nor enforced. Customs and tradition favour male inheritance over female, thus systematically denying women and girls of their land rights. Where men are viewed as farmers and breadwinners and women as housewives, this reinforces the notion that women do not need land as much as men do.

Gender discrimination is not the only reason for competing claims over land. Others include: land conflicts arising from increases in rural populations; increasing demand for land for household production and large-scale investment; urban expansion; flaws associated with the first level land certification (FLLC); climate change; and weak land governance, all of which have resulted in disputes involving not only women but also vulnerable groups (Espinosa and Aberra 2016). The common types of disputes include (i) border encroachment, (ii) taking over or illegal occupation of land, (iii) inheritance, and (iv) transactional or unauthorised transfer of land rights through sale, gift or rent.

5. STUDY FINDINGS

5.1 TYPES of LAND RIGHTS VIOLATIONS EXPERIENCED by WOMEN and VGs

Below we provide further details on land rights violations encountered by women and VGs in Ethiopia.

BORDER ENCROACHMENT

Border encroachment has been in existence long before the SLLC began. It is one of the most common forms of land rights violations experienced by female-headed households as well as the elderly and persons with disabilities (Espinosa and Aberra 2016). Because of the encroachers' dominance, those affected have not had the courage to challenge them. It was through the SLLC that these violations were given attention. During the adjudication and demarcation, there were instances in which farmers in adjacent parcels also claimed parts of the land belonging to women or VGs which they encroached. These farmers claimed that they have been farming these areas for many years, showing evidence of standing crops.

Representatives of the kebele administration and the village land administration, who accompanied the SLLC field team, handled border disputes. Cases that were unresolved were categorised as disputed to be resolved by claimants through local mediation or court procedure.

Case Study 1: Border Encroachment

Abone is 28 years old. Negus - the landholder of the adjacent parcel- has been encroaching on her land for five years. She has reported this encroachment to the police but Negus continues using the land and has even planted trees. When she heard about the A&D, she told him to return her land. "You have used my land until now. Now that there is registration, I want the entire land back." Instead of returning the land he used, Negus tried to beat Abone and told her that she can sue him.

Abone reported the issue to the KLAC and the police. Although he was ordered to leave the land, he continues to farm it. Abone was not present during the A&D but verified the data during the public display. She found the information to be correct. She knows that she is on the right side of the law. The public display staff will register her claim and classify this parcel as disputed to clarify the boundaries.

TAKING OVER of LAND

Some caretakers took advantage of the vulnerability of persons under their care, such as the elderly and female-headed households, by depriving them of their land holding rights. These actions became evident during the SLLC implementation when caretakers declared the land held by those under their care as their own, because they have been cultivating these parcels. They then registered their claim during the adjudication and demarcation. These claims were challenged by concerned landholders during adjudication and demarcation or at the public display.

MANIPULATION of LAND RENTAL and SHARE CROPPING AGREEMENTS

Vulnerable groups resort to renting out their land for various reasons, especially when there is a family crisis, such as a family member falling ill, and cash is needed for medical treatment or when there is no adult family member, usually male, who can cultivate the land.

The law requires formal registration of land rental agreements. However, in practice this rarely occurs. Arrangements for land rental or share cropping agreements are often done verbally. The agreement is based mostly on trust especially when both renter and rentee come from the same village and/ or are relatives. In cases in which a written contract was prepared, only the rentee had possession of the document.¹ This was found to be problematic, particularly when disagreements occur. For example, in Oromia, the Kersa Malima police and court reported that most rental agreements were done informally and evidence that an agreement had been made does not exist.

Increase in commercial farming and investments has led to a great demand for rental land with some resulting in land rights violations. Again, these were due to the informality of the agreements entered into by the renter and rentee. Informal rental agreements serve as entry points for rentees to gain access to and control over land. In dire need of cash and without proper advice on rental arrangements, renters end up renting out their land for a low rental fee. In some cases, the land rental could run for an indefinite period or until such time when renters are able to pay their debt. Even when the debt had been paid, rentees could refuse to return the land to the landholders and boldly claim the land as their own during the SLLC.

Due to their weak capacity to protect their rights, women and VGs are easy target for rentees (tenants). Women and VGs are unable to negotiate for a fair deal, and risk losing their land due to counter claims made by the rentee (Abate et al. 2017). To overcome this, LIFT's Economic Empowerment Unit promotes land rental formalisation, through the design of formal rental contracts and the use of Land Rental Service Providers (LRSPs)- individuals elected by communities and local administrations- who assist rentees by supplying transparent information about costs and terms, connect rentees and renters and help them register these transactions at local land offices which are recorded in the land administration system.

CULTURAL DISCRIMINATION

In many African countries, culture dictates that land use and ownership is largely controlled by men. This is no different in Ethiopia. Typically, land rights are held and inherited through the male line as this is considered a way to safeguard the family's land holding. Girls get married and will join their husbands' family. It is alleged that if they are given equal rights as their male siblings, the land would be lost or shared with the new family (Abate et al. 2017). This mindset, influenced by patriarchal systems, have discriminated against women from having equal rights to land. The study found that this

¹ Land Rental Assessments in Amhara, April 2016

was particularly prevalent in SNNPR, where land inheritance still follows the male line. This is contrary to the provisions of the Constitution of Ethiopia which give men and women equal rights to access and inherit land. This is not always put into practice nor enforced.

Case study 2: “A female child does not inherit land.”

Rahel lives in Langote Chefe Kebele in Kedida Gamela woreda, Kembata Tembaro zone, SNNPR. She is 24 years old, married and has a daughter. She was very young when her mother passed away. Her father remarried and had three male and one female children. When her father passed away, her half- brothers allowed her to use small part of land that belonged to her mother. When she heard about the SLLC she wanted to register her mother’s land under her name. But she was told by her brothers, “A female child does not inherit land.” The Kebele issued a letter supporting her claim to her mother’s land. The Woreda Justice Office assigned her a lawyer for free. She is still pursuing her case despite her brothers’ persistent opposition.

The case studies reveal instances of land rights violations and violence. The SLLC process gave women and VGs the opportunity to secure their land rights, which had been under threat by family members. Some kebele authorities supported women and VGs in making their claim, demonstrating how the SLLC process can be used as a tool to help them protect their land rights and give them access to services and support they require, which may not have been previously available.

The study revealed that several land rights violations have occurred affecting women and VGs. However, the link between the SLLC process and these violations differs depending on the specific violation.

Case Study 3: Denial of right due to migration and disability

Bahere Hagos in Adigidad kebele, Tahetay Koraro Wereda, Tigray region received land from the government in 1991 and used it until she immigrated to Saudi Arabia. After three years, she returned to her home village and found that her land had been reallocated to Adamu, who was litigating on behalf of his wife. It was found that Adamu illegally grabbed the land owned by Bahere’s sister under the pretext that this land also belongs to Bahere. Bahere’s sister is 45 years old, a female household head with physical disability and bedridden. During the SLLC, Bahere represented her sister and filed a case against Adamu at the Kebele land court. She used her sister’s FLLC as evidence. However, Adamu managed to get a counterfeit FLLC in his name. The Kebele land court decided that the land be used jointly by both Adamu and Bahere’s sister as they both have the FLLC. Bahere said she did not appeal to the Woreda court because she did not consider herself on equal footing with Adamu.

This specific case shows how the different factors such as migration and disability cause land rights violation and how the SLLC helped VGs to report their disputes (though based on the court’s decision the two sisters have yet to fully secure land rights).

Overall it can be said that the process of SLLC itself has not directly caused these violations, and instead it has provided a platform from which to highlight existing violations. A number of case studies provide evidence of situations in which SLLC helped to secure the land rights of women and VGs. This underscores the need for a robust SLLC process which can help protect against existing or new violations.

5.2 GAPS within the SLLC PROCESS or FAILURE to RESPECT PROCEDURES

As described in the previous sections, it has been found that the SLLC process itself did not directly cause violence or land rights violations, and instead provided a platform to highlight where these issues

already exist. Accordingly, the process must be robust and responsive in order to prevent or mitigate land rights violations. Below we outline some suggestions to help improve the SLLC process following the outcomes of the research.

ACCESS TO and CLARITY of SLLC INFORMATION

The study found that women and VGs cannot always be reached using conventional forms of communication. Social, physical and cultural factors restrict women and VGs access to information. Lack of a targeted approaches to help them understand the purpose and process of SLLC can result in low participation. Informant interviews found that some women and VGs were misinformed about the purpose of the SLLC process and that some information did not reach VGs, such as those with disabilities or orphans and minorities, etc. This highlights both the need for reliable information, and to ensure that information reaches all landholders- not just those that can readily attend public meetings.

A lack of both access to and clarity of information resulted in fewer than anticipated women and VGs participating in the SLLC process, which has led to subsequent problems including disputes over boundaries and disputes concerning access to land.

Women and VGs' absence from the SLLC process and resulting lack of knowledge about the procedures and claims made regarding land boundaries could be a source of future disputes, where owners of adjacent parcels or rentees may take advantage of their absence. The study also showed that some divorced women who failed to be present during the adjudication and demarcation of their land, ended up losing their share because their former husbands registered the whole parcel in their names. These findings highlight the need to strongly encourage women and VGs to be present during adjudication and demarcation. As discussed previously, a major part of the SLLC process is clarifying who has land rights and what these land rights actually entail. Therefore, it is critical that people understand their rights and obligations as soon as possible, to minimise disputes going forward.

LIFT has undertaken actions to address issues surrounding accessibility and clarity of SLLC information. These include enhancing its public awareness campaign by targeting messages to specific audiences and using different communication platforms, providing in-depth training to stakeholders and the field staff on gender equality and social inclusion issues including using actual case stories, and developing strategies to strengthen stakeholder collaboration. A follow up study will be designed to investigate the status of unresolved disputes during the SLLC and follow up transactions.

LOW CAPACITY of FIELD LEVEL SLLC STAFF/ NO FULL TIME GESI STAFF in FIELD at the START of SLLC

The success of the SLLC process depends on the work of the field staff. While sensitisation training had been provided for the field staff, their understanding of gender and social inclusion issues remains limited or can be overlooked due to other priorities. The staff met by the study team in Oromia reported that their training provided insufficient guidance regarding the social aspects of land registration, meaning they were not fully equipped to tackle the issues they faced in the field. This finding indicates the need to provide further training for these issues to receive due consideration and attention. To build the capacity of the field teams, LIFT conducts lesson learning meetings which gives emphasis in experience sharing and on the job training.

Finally, field level staff are exclusively assigned to the daily routine tasks of land registration. There was no fulltime or dedicated staff or staff who handled gender and social inclusion issues at the field level. LIFT has addressed this by assigning a social development officer (SDO) in each of the SLLC

woredas. SDO's work alongside field registration teams to ensure awareness raising is conducted properly, is fair and inclusive. The SDOs work with local institutions to help identify and include vulnerable groups, advise them of their rights and help them with the registration process and any issues thereafter, such as disputes.

UNRESOLVED COMPETING CLAIMS

After the FLLC, many land transactions took place and were not registered at the land registration office. Some individuals were able to obtain land. However, during the SLLC their claims were challenged by the original FLLC holders. Since the SLLC process recognises FLLC documentation, this is open to misuse and false claims by FLLC holders who had illegally transferred land use rights to other individuals. This requires allocation of sufficient time to clarify rights before the start of SLLC, beyond the one-month public awareness programme.

INSUFFICIENT GOVERNMENT and INSTITUTIONAL BARRIERS

One of the biggest challenges to overcome and resolve land rights violations, including those that affect women, VGs and others, is to ensure that sufficient institutional structures are in place which promote and enable fair treatment and provide accessible grievance mechanisms. The study found that some personnel in the land administration and registration offices were complicit in rights violations. It is therefore important that more attention is given to ensuring that processes are followed correctly, government structures create an enabling environment for people to raise disputes or air grievances and there is accountability of staff in the land administration offices at all levels.

Courts can help deter disputes and violations as they are able to clarify the law and procedures. It is important that court interventions and decisions do not lead to more disputes. Mechanisms need to be in place to ensure that women and VGs feel confident and able to raise any disputes, and that they will receive adequate support.

6. THE POSITIVE IMPLICATIONS of SLLC on VIOLENCE/ RIGHTS VIOLATIONS

While land rights violations (and in some instances, violence) do occur, this study has found that the SLLC process has not directly caused these. The SLLC process often acted as a catalyst in bringing these violations to the surface. However, as explained above, the SLLC process can do more to ensure that violations decrease, particularly when the reasons they occur might be due to misunderstandings of the law, or if due process is not followed. Despite some shortfalls, the study team identified several ways in which the SLLC process and SLLC certificate is inspiring social transformation and providing an opportunity for women and VGs to claim to their land rights. Some examples are identified below:

SLLC SAGEGUARDS WOMEN AND VGs as it PROVIDES EVIDENCE of RIGHTS

Perhaps most importantly, the SLLC process and certificate helps women and VGs to safeguard their land rights, as it provides them with evidence of their land right through their book of holding. If disputes do occur, women and VGs have evidence to support their claims. A concrete example of this is that of an elderly woman in Oromia who stubbornly and successfully pursued her case with the police and court, to challenge her abusive rentee, using her SLLC certificate as evidence.

The SLLC PROCESS ENCOURAGES WOMEN and VGs to be ACTIVE in CLAIMING THEIR LAND RIGHTS

Related to the case above, the SLLC process has been seen to help encourage women and VGs to pursue their rights. The SLLC process gives them the confidence, which perhaps was absent before, to submit

their claims and challenges, with the knowledge that having the SLLC certificate is recognised as credible evidence. Focus group discussions with women in Oromia and Tigray, found that women understood and confirmed the benefits of certification, as it provided proof of ownership, protection from border encroachment and discouraged illegal claims. This was further strengthened by testimonies given in individual interviews, which highlighted the ways in which the SLLC certificate had contributed to the protection of women and VGs experiencing violations or violence.

In another dimension, ownership of the certificate contributes to improving the bargaining position of women and VGs for negotiating better deals on land related contracts. Cases showed women and VGs who lived for most of their life on a low income obtained from share cropping, initiated change by choosing rentees who are able to give a fair rental arrangement. Through the SLLC and with facilitation from LIFT's economic empowerment unit, an increase in land rentals formally registered at the woreda land administration office has also increased. While there have been observed positive outcomes, these actions taken by women and VGs could have posed a new challenge with the former rentee threatening violence upon the renter and the potential rentee. A rentee, for example, forcefully ploughed an elderly woman's land, claiming the land belonged to him, even when she has the certificate and the backing of the woreda land administration office. Between September 2016 and December 2019, a total of 20,341 transactions were formally registered in 32 woredas. Of this total, 7,180 (35%) transactions were undertaken by female renters. Between January 2019 and December 2019, a total of 7,247 transactions were recorded: of which 62 (0.86 %) transactions were undertaken by persons with disability.

As mentioned in the previous sections, female inheritance has been a common problem in Ethiopia, with women and girls often losing out to male counterparts. As awareness is raised and the SLLC is progressing, the study witnessed a number of young girls challenging these cultural norms, and actively seeking to certify their rights through a peaceful division of land between their siblings.

PROVIDING an ENABLING and SAFE ENVIRONMENT for REGISTERING LAND RIGHTS

The SLLC process' emphasis on community participation and engagement has discouraged the escalation of violence and verbal abuse. A woman in Tigray explained that the presence of many people during adjudication and demarcation deterred perpetrators from using violence or threatening actions. A similar observation was made during the public display and after certificate distribution. In Dangila Woreda, Amhara region, where the SLLC process is completed, disputes were perceived to be diminishing. For example, in Quandisha Kebele, no new disputes had been reported since the SLLC activities were completed. Disputes could be resolved thereby protecting women and VGs from further violation. Used as credible evidence, the SLLC certificate is also perceived to speed up justice for the VGs (see box below).

Case Study 4: SLLC is key evidence to solve border conflicts

Yenealem Yitayew is 56 years old and lives in Yekegat Kebele in Debre Elias Woreda, Amhara. She holds an FLLC booklet and SLLC certificate. When the SLLC was undertaken at the kebele, she complained that Teka had taken over her land. The kebele heard her complaint. The court ordered Teka to return the land to Yenealem. Even after the Court's decision, Teka refused to give the land back to her. Yenealem complained to the Land Administration Office which then issued a letter ordering Teka to stop cultivating Yenealem's land immediately. Yenealem no longer complains of her land being taken over by Teka.

Below is a summary table highlighting some of the strengths of SLLC in helping to avert or discourage land rights violations. Recommendations are also provided to improve actions.

Table 2. SLLC Strengths and Areas for Improvement

No	Strength of SLLC vis-a-vis aversion of Violence on women and VGs	Rate of the Strength	Recommendations to strengthen SLLC process
1	The SLLC safeguards women and VGs as it is viewed as credible evidence of their land holding right.	High	While SLLC helps to protect women and VGs, disputes and violations may still occur. Therefore, the police and the land administration staff should immediately respond to reports of land rights violations/ violence. The criminal aspect of the land right violation should be enforced.
2	The SLLC has empowered women and VGs to be active in claiming their land rights	High	To continue to support women and VGs in claiming their land rights, dispute resolution mechanisms and institutions, which are tasked with dealing with disputes must be responsive and accountable, to ensure that disputes are dealt with swiftly and fairly. If a case must be presented in court, legal aid and representation should be made available and accessible to women and VGs. Currently there is no assigned body to deal with land registered as “in dispute” so provisions must be made for this. Conflict sensitivity training for kebele and woreda level field staff should be strengthened.
3	Women and VGs have become alert to land rights violations after SLLC	High	For women to assert their land rights, it is vital that they understand their rights correctly, and can challenge claims which jeopardise these rights. Continuous awareness raising targeted to women and VGs about their land rights and informing them about the mechanisms they can use should they wish to file a dispute are critical. Likewise, it is important to sensitise women and VGs to tactics used by perpetrators to deny them of their rights.
4	The SLLC has uncovered existing land rights violations, bringing them to the attention of the public and authorities	Very High	Continuous awareness raising should be provided to land administration staff to sensitise them on the challenges that women and VGs face and be responsive to their needs.
5	The SLLC has uncovered forms of land rights violation and mechanisms used by perpetrators	High	Use the findings of this study in future plans and strategies to secure the land rights of women and VGs.

7. AVAILABLE SERVICES to RESPOND to WOMEN and VGs’ LAND RIGHTS VIOLATION and VIOLENCE

Women and VGs’ experiences of land rights violations and violence poses the question: how can these be prevented and how can the justice system assist in redressing these grievances? There are encouraging efforts by different government offices and community structures, such as justice offices (office of the prosecutors), courts, women and children affairs, police, land administration and use offices, grievance hearing offices, and women associations, in raising the public’s awareness of their land rights. However, these interventions are uncoordinated and inaccessible especially among marginalised groups such as women and other vulnerable land holders. Moreover, communication materials and approaches used for public awareness are not tailored to the special needs of these groups.

When they are faced with land rights violation or violence, women and VGs need urgent support to redress the problem. Their access to the services provided by professionals trained in law is important to enable them to successfully navigate through the justice system. Seeking remedy from justice

institutions is a technical and bureaucratic process. The legal terminologies are difficult to understand even for educated persons, let alone for women or VGs from rural areas who may be illiterate. Besides, women and VGs do not have the financial resources and face difficulty in representing and expressing themselves before the court. Lawyers are available to clients who can afford to pay and mostly in urban areas. This situation causes women and VGs to abandon their claim.

The effectiveness of grievance redress mechanisms for land right violations and violence encountered by women and VGs depends on the accessibility and availability of free legal service. Providing free and accessible legal services can be empowering for women and VGs to claim and protect their land rights. This calls for an examination of existing legal service provision initiatives, identifying gaps and putting in place intervention measures to ensure that free legal service provision is available, accessible and responsive to the needs of women and VGs.

Various governmental and non-governmental actors are implementing legal aid programmes to make free legal services available to women and VGs. The Federal Attorney General and Office of the Prosecutors in some regional states provide free legal service for indigent populations. As a matter of professional responsibility, lawyers have a duty to provide 50 hours of *pro bono* service for indigent community members. Law departments in some public universities also have offices providing free legal services. Some professional associations and NGOs also provide legal aid activities. However, these services are mostly concentrated in major cities and are not accessible to women and VGs living in remote rural areas. Besides the demand for legal support is far beyond the available service.

At the woreda/district level, the office of the Prosecutors (Amhara), Courts (SNNPR), Women and Children Affairs (Oromia) and Women Association (Tigray) are the leading legal service providers to women and VGs. Stakeholders other than the leading institutions also strive to provide legal service (with differing degrees of engagement). However, there is a lack of robust, formal and systematised coordination and collaboration among legal service providers and with the wider stakeholders working on women and VGs land rights. Moreover, whatever service is available, it is limited to woreda centres. Hence, actions to address women and VGs grievances are not uniform and responsive to their needs. Although some offices directly advise individuals to seek assistance from institutions considered relevant to address land related grievances, a lot still remains to respond to the plight of women and VGs land rights violation and violence.

Moreover, the qualifications and experience of legal services varies from region to region. They also do not have specialised training in rural land administration and use regulations and the rights and special needs of women and VGs. None of the legal service providers have standardised guidelines to ensure professional delivery of services. Therefore, free legal service is provided in a haphazard manner with no internal working rules guiding its administration. These gaps make legal services inaccessible to woman and VGs.

Interventions need to be undertaken to improve availability, accessibility, quality and coordination of legal service especially in rural areas and to women and VGs (ADVA Consult 2019). These include but are not limited to scaling up of the Amhara region prosecutors office experience, strengthening the mobile court approach, establishing systems and procedures for engaging *pro bono* service providers, updating judges and prosecutors on the land law, regulations and guidelines, the use of local structures for accessing information, engagement of civic organisations, philanthropic individuals and trust funds (for financial accessibility), coordinated awareness and referral system.

8. LIFT INTERVENTION to RESPOND to EXISTING GAPS and the CHALLENGE for SUSTAINABILITY

Many land registration programmes have the objective of ensuring land rights security to improve the livelihoods of the poor and reduce their vulnerability (USAID 2010). However, there is the risk that the land rights of specific segments of the population, in particular women and VGs, could be negatively impacted if they are not properly identified and supported during the process. Attention to gender equality and social inclusion in land programmes is therefore important because when it is done correctly, it can achieve impacts beyond the life of a programme and help reduce the gender gap and vulnerability across different social and economic groups. However, the necessary staffing to achieve this objective, is often undermined in most programme designs.

When LIFT commenced SLLC in 2015, the programme was aware of the challenges women and vulnerable landholders could face in securing their land rights during certification. As a result, regular field monitoring was conducted to assess the extent of the engagement of women and VGs during adjudication/demarcation and public display. Key issues reported from these monitoring exercises included: (1) despite the fact that SLLC heavily relies on landholders' participation, there was low participation of landholders in general and the participation of women and VGs was very marginal, (2) the public awareness stage of SLLC was not conducted to the desired level (3) there was a lack of timely and systematic communications targeted at women and VGs. The underlying cause for these shortcomings was that there was a lack of staff dedicated to public awareness and communication activities sensitised to women and VGs' land right issues. As a result, the field staff were unable to balance the competing workloads of public awareness and field demarcation impacting their ability to reach and adequately support women and VGs.

LIFT's study on SLLC related violence (Abate et al. 2017) reported several barriers to effective participation. Among these are (1) messages did not reach women and VGs in time; (2) messages failed to communicate the sense of urgency and obligation to participate in the SLLC process; (3) a fear of stigma for violating the cultural norm of women being responsible for domestic duties and not public ones; (4) the perception that land is men's business; (5) women feeling that they did not know the parcel boundaries as well as their husbands; (6) women being unaware of the implications of their holding rights in the event of a divorce or death of a spouse; (7) some women perceived it is sufficient that only their husbands are engaged in the SLLC process due to their perceived greater knowledge of their land holding as well as trust bestowed on their husbands and therefore women considered their participation as unnecessary and a waste of time; and (8) threats and intimidation from their husbands or other counter claimants and falling prey to false information and deception. In addition to these barriers, mobility restriction such as age, health, disability or residential factor hindered them from participating in the SLLC activities.

In response to the problems identified above, LIFT piloted the deployment of social development officers (SDOs) in six woredas in May 2017 to improve the inclusivity of the SLLC process. Following a successful pilot, this intervention was scaled-up in August 2018. In addition to improving the delivery of public awareness activities, the SDOs are also responsible for identifying VGs, facilitating their participation during SLLC, and especially assisting those with problems in securing their land use rights. During field review meetings, they provide training to field staff on problems women and VGs face and how they should support them. Once VGs are identified, the data is passed on to the Field Teams (FTs). The FTs are then made aware of the landholders requiring attention during adjudication

and demarcation and public display. Disputes that are not resolved by the field staff are reported back to the SDO for follow up with the woreda land administration office and the woreda stakeholders.

The deployment of SDOs have had a positive impact on securing the land rights of VGs. Qualitative data shows multiple benefits of this intervention:

- landholders being more aware of the SLLC process and its benefits;
- enhanced participation of landholders (particularly women and VGs);
- improved dispute reporting capacity of women and VGs;
- improved dispute resolution; and
- reduced violence towards vulnerable landholders.

The SDO intervention covered 79 (45%) woredas out of the 174 woredas covered by LIFT as of January 2020. From these 79 woredas, SDOs helped the restitution of 3216 parcels to 1797 VGs, which was taken by illegal claimants. Of these parcels 66% (2124) belongs to female VGs who represent 64% (1146) of all the vulnerable landholders benefited from this intervention. The number of parcels was nearly twice the number of VGs showing a loss of more than one parcel by vulnerable landholders. These women and VGs could have lost their land rights for good had it not been for work of the SDOs.

Recognising the impact made by SDOs in protecting women and VGs from land rights violation and violence, LIFT introduced another pilot SDO intervention in November 2019 to woredas that have implemented SLLC but without SDO support. Early findings from this intervention justifies that SDO support is critical in protecting women and VGs from land right violation and violence. Also, follow up monitoring made to selected woredas after the SDO left their area of assignment shows deficiency of local support to women and VGs in resolving disputes (pending or emerging) as well as ensuring the use of their land after having the land certificate in their name. Illegal claimants continue to use their power and connection to deny women and VGs to use their land and often times this involves intimidation.

The situation described above indicates the need to provide sustained support for women and VGs, requiring the institutionalisation of the LIFT SDO approach. The SDO intervention by LIFT is a time-bound measure to assist women and VGs during SLLC. Following up on disputes involving VGs needs to be carried out by concerned stakeholders. For this to happen this study recommends embedding an expert with a background in law within the woreda administration. Moreover, there is a need to strengthen the synergy among institutions; and advocate for institutionalising the SDO role through preparation of communication materials, lobbying at the regional land administration office and grievance office and at woreda level.

LIFT has developed two important documents to guide the day-to-day activities of SDOs as well as to build the capacity of field staff. These are the 'SDO Guide' and 'Procedure to Build Capacity of Field Teams on Social Issues'. Both documents clearly outline the work of the SDO and what is expected from the field teams to ensure that SLLC process is inclusive. Additionally, there are different communication materials to support public awareness efforts of the SDOs. All of these provide a strong foundation for the task to provide women and VGs with adequate support through a full-time staff dedicated to women and VGs at the woreda level. These materials provide the basis in defining the work.

9. CONCLUSION and RECOMMENDATIONS (STRATEGY)

The SLLC process does not directly cause violence or violations; what it does is recognise their existence and facilitates actions to act upon them. It may have a link to violence and violations if by asserting their rights women and VGs are challenging the status quo, causing perpetrators to use violence. Therefore, it is essential that processes and systems are in place to prevent and mitigate violence against women and VGs. These are described below as strategic priorities.

STRATEGIC PRIORITY PILLAR 1: ALLOCATE SUFFICIENT TIME for RIGHTS CLARIFICATION BEFORE THE START of the SLLC PROCESS

The SLLC process starts with a one-month public awareness activity prior to the adjudication and demarcation. One month is sufficient for information dissemination only. Most women and VGs enter into the SLLC process with unresolved cases, which require clarifying their rights. Unresolved land issues could escalate into violence during the SLLC process. Rights clarification requires time. A period for rights clarification should be put in place before the start of the SLLC process, in addition to the one-month public awareness activity, which is intended to disseminate SLLC information and not for rights clarification, though some disputes can be resolved within this time.

LIFT has deployed SDOs to assist women and VGs in claiming their land use rights. This has been found to be effective. This good practice could be scaled up to other regions or woredas beyond the geographic coverage of LIFT.

STRATEGIC PRIORITY PILLAR 2: ENSURE PARTICIPATION of WOMEN and VGS through a WELL-DESIGNED and TARGETED PUBLIC AWARENESS INTERVENTIONS

SLLC awareness-raising activities should be planned to reach different social groups, including women and VGs, to ensure their active participation throughout the SLLC process. Women and VG's access to and clarity of information on the SLLC process is a big challenge.

Perpetrators, however, were found to possess adequate information and resources to engage false witness in the community and have the ability to take advantage of the loopholes in the land administration system by manipulating government staff. Moreover, VGs are not a homogenous group and their needs and capacity to access information differs widely. Priority Pillar 2 focuses on (i) ensuring sufficient time is allocated for public awareness and (ii) consciously recognising VGs' information needs. The latter entails identification of appropriate media channels and platforms and developing tailor-made communication materials to reach different sub groups of VGs. Content of SLLC public awareness interventions should include land rights violation issues supported by concrete case stories. Besides a well-designed and targeted public awareness activity, it is equally important that the field staff are equipped with skills to facilitate women and VGs' participation (Strategic Priority Pillar 5).

LIFT implements a series of public awareness raising activities before the start of the SLLC up to its completion. As part of pre-SLLC stakeholder engagement, the SDOs organise sensitisation training for field teams and the kebele and woreda leadership, to effectively work with them and make them aware of the additional support and needs that vulnerable groups require during the demarcation process. Also prior to starting field activities, the SDOs organise sub-kebele level public awareness meetings and facilitate focused group dialogues with women to ensure information reaches them and that their concerns are heard. Targeted messages are communicated in all public awareness events.

STRATEGIC PRIORITY PILLAR 3: STRENGTHEN SOCIAL PROTECTION

Social and economic dependency hinder women in male-headed households, the elderly, persons with disabilities, and orphans from reporting cases of land related violation and violence to the authorities. Their lives can be endangered when they claim their land rights. Social protection measures need to be put in place to protect women and VGs from land-related violence. Social protection mechanisms can serve to prevent land-related violence, facilitate transformation within the community, and improve the delivery of public services to rural areas.

Early warning interventions could be made to prevent land rights violations as well as land-related violence from taking place. This includes mapping vulnerable groups before the start of the SLLC process. This is being undertaken by LIFT's SDOs and has shown positive outcomes in ensuring that information reaches these groups and that they are given ample assistance during the SLLC process.

Women and VGs report and seek support from local elders on land related issues. The KLACs, Kebele Administration, and Kebele Land Courts (Tigray) comprise key local institutions for land dispute mediation and in some cases arbitration. Building the capacity of village level institutions to mediate in a fair, transparent, reliable, and non-discriminatory process of resolving land disputes and prevent them from escalating into violent situations is vital. Through training on the land and civil laws with concrete examples of cases of land rights violation, violence, and abuse of power they would be sensitised on their role and responsibility in providing social protection for women and VGs.

The SLLC public awareness activities could be strengthened to facilitate transformation towards a socially inclusive rural land sector. Public awareness activities could serve as a platform for dialogue among community members on the cultural biases that hinder women and girls from obtaining their land rights and supported by real cases of land rights violations. These events could also educate especially women and VGs on dispute resolution mechanisms and appeal rights (Espinosa and Aberra 2016).

LIFT has taken the initiative to revitalise the good governance taskforce to facilitate stakeholder participation, especially with the women and children affairs and social affairs offices and local leadership, to ensure that social protection is provided to VGs.

STRATEGIC PRIORITY PILLAR 4: PUT IN PLACE GENDER and SOCIAL INCLUSION EXPERT in the LAND ADMINISTRATION SYSTEM at the FEDERAL, REGIONAL and WOREDA LEVELS

In accordance with the SLLC manual, issues involving gender equality and social inclusion should be given attention by all levels of the land administration system through internal meetings, training activities and workshops. Awareness raising should be coupled with improving existing working procedures to be sensitive and responsive to the needs of women and VGs.

Given that not all land holders have the capacity to defend their land use rights, staff that look closely into the challenges of these particular groups are required to help them understand their rights and obligations and provide support in times of need, for example when land rights are under threat. This necessitates the creation of a gender and social inclusion expert at different programme levels. This expert will be responsible for dealing with the social aspects of land, will coordinate with actors as well as support in developing strategies to activate grassroots structures (development groups, networks and community care coalition) to address land rights violation and land related violence.

Emerging positive outcomes of the deployment of SDOs to support LIFT's SLLC process shows the importance of having a dedicated gender equality and social inclusion expert at the woreda level. It is recommended that this expert will be employed under the woreda land administration office. Her /his tasks will include, but will not be limited to, collecting data on women and VGs, and using it responsibly to mitigate land rights violations against women and VGs during and after the SLLC. This will entail working together with other government offices such as the WCA, LSA, court, justice etc. to ensure that the wheels of justice do actually turn. S/he would also be responsible for facilitating the representation of women in the KLACs, engagement of women elders in resolving rural land disputes as well as strengthening the role of women as service providers in local land dispute resolution (Espinosa and Abera 2016).

STRATEGIC PRIORITY PILLAR 5: STRENGTHEN the CAPACITY OF FIELD STAFF on GESI

Land administration and governance systems that effectively detect and prevent violence against women and VGs are the cornerstone for the enforcement of all strategic pillars. The study noted the urgent need for accountability of LIFT field staff in the performance of their work which will include monitoring of community (in particular women and VG) participation during the SLLC and providing feedback on how community public meetings and local dispute resolution mechanisms affect the SLLC process specifically in ensuring that women and VGs land rights are protected.

Capacity building of field staff is imperative. Being at the frontline, they must listen to the voices of women and VGs and must ensure that their rights are respected. This requires allocation of sufficient time during the training of field staff for discussion on the land law, social issues in the SLLC, land disputes, and land rights violation on women and VGs.

In LIFT, the SDOs organise sub-kebele level public awareness meetings and facilitate focused group dialogues with women to ensure information on the SLLC and the land law reaches them. The FGDs provide a secure platform for women to express their concerns and to be aware that land rights violations do exist and how they could obtain assistance.

STRATEGIC PRIORITY PILLAR 6: STRENGTHEN FUNCTIONAL COORDINATION AMONG STAKEHOLDERS

The main stakeholders involved in the SLLC include the Federal Land Administration and Use Directorate of the Ministry of Agriculture (LAUD); Bureau of Rural Land Administration & Use at the regional, zonal and Woreda level; Woreda and Kebele Administrations; Kebele Land Administration Committees; village elders; rural land-holders and projects mainly working on land administrations (LIFT 2016). Functional coordination among key stakeholders is essential for efficient implementation of the SLLC process. It can also contribute to providing social protection to women and VGs and address embedded cultural biases that hinder them from fully enjoying their land rights. It promotes accountability of public offices (Strategic Priority Pillar 8) in the delivery of services to rural areas especially those that affect the land rights of women and VGs. It involves vertical (from the federal down to the kebele level) and horizontal (within levels of governance) information sharing and synchronisation of actions.

To facilitate stakeholder coordination, each woreda has established a Steering Committee chaired by the Woreda Administration and represented by leaders from different sector offices. Within the Steering Committee, the Good Governance task force/forum/ core group, is particularly important in responding to land rights violation of women and VG. However, it is less functional despite a well-established

structure at the woreda level. Assignment of staff at the land administration office dedicated for women and VG land rights (Strategic Priority Pillar 4) can greatly contribute to making this arrangement functional. This has to be implemented by the government.

A woreda stakeholder sensitisation workshop is conducted before commencing the SLLC process. This includes identifying actions to mobilise actors, facilitate information sharing, systematically obtain data on women and VGs, and evaluate progress in addressing land-related violence. Despite these interventions and due to various, coordination among stakeholders let alone among staff from the same office, is found to be weak.

While efforts could still be made to encourage the Steering Committee to take a proactive role, other opportunities could also be exploited to actively engage local stakeholders through LIFT's SDOs.

The Women, Children Affairs offices in Oromia and SNNPR, for example, have employed legal officers who also deal with land related cases. These officers can be an asset to LIFT in its efforts to protect the land rights of women and VGs. Additionally, the Labour and Social Affairs office in Kindo Koysa Woreda, SNNPR maintains a detailed record of different VGs and their location. This data could be made available to the woreda land administration office and assist the staff in tracking down and helping VGs prior to the start of and during the SLLC process.

Steering Committee meetings should include field reports of land rights violations and land-related violence to sensitise members to existing issues and enable them to work together in finding solutions and monitoring actions. This contributes to promoting accountability of public offices (Strategic Priority Pillar 8) in the delivery of services that affect the land rights of women and VGs.

Coordination should not only be among woreda level stakeholders. Attention should be given to those working closest to the community. These include the KLACs, Kebele Administration, Community Care Coalition, and traditional leaders or elders. These local actors in collaboration with woreda level stakeholders play a key role in providing social protection to women and VGs (Strategic Pillar 3) and importantly in addressing cultural norms and practices that are biased against recognising the land rights of women girls. This calls for increased capacity building targeted to local actors on the human rights-based approach which could be delivered by civil society organisations and other service providers.²

Part of stakeholder coordination includes strengthening collaboration between LIFT and the land administration offices in field activities as well as in joint capacity building activities – lessons learning, experience sharing, and action planning.

STRATEGIC PRIORITY PILLAR 7: ADVOCATE for MAKING JUSTICE ACCESSIBLE to WOMEN AND VGS

The legal system holds the primary responsibility of safeguarding the land rights of women and VGs. Women and VGs are vulnerable to violation of land rights and violence due to lack of proper enforcement of the law. Among those who have managed to file a case, they failed to raise relevant legal arguments or provide sufficient evidence due to poor understanding of the law. It is also due to cultural factors that are biased towards men as farmers and thus favour land inheritance to male members of the household which affect the execution of the law and contributes to weak administrative governance. Cultural biases hinder women and girls from claiming their land rights through litigation.

² One may look into various types of social protection measures that could be directed to women and VGs. For example, Devereux and Sabates-Wheelers (2006) has developed categories of interventions which can be protective, preventive, promotive and transformative.

Protecting the land rights of women and VGs necessitates that legal aid be accessible and understandable to women and VGs. Women and VGs also experience information overload when exposed to complicated legal terminologies or when abstract laws are not simplified. Economic poverty and dependency of their caretakers constrain them from bringing their cases to the courts. Assigning public prosecutors at the kebele level to make justice accessible to women and VGs is a crucial step that the justice system could take. Positive outcomes exist on assigning kebele level prosecutors (Amhara) and legal expert within the Women and Children Affairs (SNNPR and Oromia). These good practices could be adapted in the other regions.

Awareness raising should also be given to government staff to actively report to the justice office whenever they encounter instances involving land rights violation or violence. Attention by the justice system is vital to bring perpetrators to justice.

STRATEGIC PRIORITY PILLAR 8: ENSURE ACCOUNTABILITY within the LAND ADMINISTRATION SYSTEM

While accountability rests with all public officials, emphasis is given to those within the land administration system from the regional down to the kebele level. Being able to effectively detect and prevent land rights violations and violence inflicted on women and VGs is the cornerstone for the enforcement of the strategic pillars. There are signs of weak administration and governance across the study regions requiring urgent action. Cases of production of counterfeit FLLC books of holding and accommodation of false witness and illegal transactions which passed through the land administration offices especially at the woreda level had been reported. The occurrence of such malpractices calls for an effective strategy for reporting violations and protecting whistle blowers. Community level decision making processes (public hearing day) need to be improved that these are undertaken in a transparent and fair manner. Actions could be initiated to establish links with projects and civil society organisations that work in the area of promoting good governance. LAUD has the strategic position to establish this linkage.

STRATEGIC PRIORITY PILLAR 9: IMPROVE COLLABORATION AMONG DONOR-FUNDED LAND PROJECTS

There are several land-related projects being implemented in Ethiopia. Projects can learn from each other and contribute to institutional development in the land sector.

There are also numerous pathways for collaboration which can have positive impacts in efforts to protect the land rights of women and VGs not only during and beyond systematic registration. First is data computerisation which will ensure reliability and protect data from being tampered. Data computerisation through NRLAIS simplifies information management and updating of land transactions. Making computerised data available to local customers should, however, consider the fact that many rural inhabitants, especially women are illiterate. Support should be provided at the woreda level (even better at kebele level) to interpret information provided to the customers. In addition, including the photograph of the landholders should be made mandatory to facilitate verification especially among non-readers.

Second, projects can support joint capacity building which could include sharing experiences, lessons in reaching women and VGs and strengthening the Women's Land Rights Task Force which will be one of the key responsibilities of the gender and social inclusion expert of LAUD.

Third, LAUD could activate a newsletter published semi-annually in which all projects could contribute news articles and take turns for editorial responsibility. A special section will be allocated on gender and social inclusion. This calls for proactive mainstreaming of gender issues within the land administration with the federal level or LAUD taking the leadership in coordinating actions including facilitating information exchange and experience sharing among land related projects.

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