

CASE STUDY

Women's Land Rights in Ethiopia: Supporting Land Degradation Neutrality

Case Study authored by:

Landesa

Population, Health and Environment – Ethiopia Consortium (PHE-EC) Union of Ethiopian Women and Children Associations (UEWCA) Movement for Ecological Learning and Community Action (MELCA)



Purpose of this case study

Worldwide, human activities including agricultural expansion, deforestation, and livestock grazing are resulting in land degradation, affecting 3.2 billion people. These impacts in turn severely affect food security and livelihoods, drive and exacerbate conflict, and contribute to the loss of biodiversity and the impacts of the climate crisis.

However, these impacts can be addressed and reversed.² Strong and equitable rights to land—and in particular women's land rights (WLR)—are an essential foundation for efforts to address land degradation and to support sustainable land management. In 2022, the United Nations Convention to Combat Desertification (UNCCD) and the United Nations Food and Agriculture Organization (FAO) published a technical guide³ to support an integrated approach to securing land tenure rights, particularly for rural land users who serve as primary stewards of ecosystems most affected by or at risk of land degradation.⁴

Women and girls are disproportionately affected by land degradation, and frequently face barriers to having equitable rights to land and natural resources relative to men and boys. As a result, women are more likely to experience extreme poverty, and are at risk for a wide range of violations of their human rights, including gender-based violence (GBV), including in the context of increasingly scarce natural resources and increased conflict. The FAO technical guide on tenure and land degradation neutrality (LDN) includes a specific focus on gender equality and social inclusion (GESI) to support countries globally to strengthen and achieve equity at this crucial intersection.

This case study describes Ethiopia's acute situation regarding LDN and unique situation regarding WLR. Ethiopia faces dire land degradation. Eighty percent of Ethiopia's land surface is prone to moderate or severe soil degradation.⁵ The average soil loss in cultivated areas of the Ethiopian highlands is 42 metric tons per hectare (104 metric tons per acre) per year.⁶ The country's own National Report on Land Degradation Neutrality submitted to the UNCCD in 2021 states that "Ethiopia is one of the countries in Sub-Saharan Africa most seriously affected by land degradation...[which] is a major cause of the country's low and declining agricultural productivity, persistent food insecurity, rural poverty, and associated adverse economic and social consequences."

Ethiopia has set strong targets to address the country's serious land degradation. These targets include acknowledgement of land tenure as a key challenge for achieving LDN, given the reliance on agriculture for the majority of Ethiopia's rural population. Ethiopia is also a leading country in securing gender-equitable land rights documentation, in two major nationwide land certification programs conducted between 1998 and 2020.

This case study explores WLR as a foundational support for LDN in Ethiopia, in fulfillment of the Government of Ethiopia's commitments to LDN under the UNCCD. It also provides recommendations for next steps to strengthen LDN efforts in Ethiopia by integrating gender-transformative approaches to strengthening WLR, to accelerate and improve both equitable land tenure and LDN programming. The recommendations included in this case study are provided by Ethiopian civil society organizations that are members of the national Coalition for Stand for Her Land (S4HL), a global advocacy initiative that works to strengthen women's rights to land in practice. A story of a women-led sustainable-land management project is also included to highlight local-level efforts which can contribute to national LDN objectives.

Acronyms

FLLC First Level Land Certification
Land degradation neutrality
SLLC Second Level Land Certification
SLM Sustainable Land Management

WLR Women's land rights

UNCCD United Nations Convention to Combat Desertification

Women's land rights: a foundation for land degradation neutrality

Three broad actions are key to achieving LDN (1) <u>avoid</u> any additional land degradation by maintaining existing non-degraded land; (2) using sustainable land management practices to <u>reduce</u> existing degradation; and (3) increasing efforts to <u>reverse</u> land degradation and restore land to productivity. Pall three of these actions are strongly supported by secure rights to land. Secure land rights means that communities and individuals are assured that their rights to land are recognized, prioritized, and durable, granting them the confidence to invest in their land for the long term and embrace sustainable land management (SLM) practices to protect the health of their land.

"Solving gender inequalities is not just the right thing to do. If we ensure that women are fully able to use their abilities, knowledge, talents, and leadership potential, our societies are simply better off."

Tarja Halonen, Former
 President of Finland and
 UNCCD Land Ambassador

Gender equitable land tenure as a basis for action to achieve LDN in Ethiopia

Prior to Ethiopia's land certification programs, land tenure in Ethiopia was highly insecure. ¹¹ The country carried out a First Level Land Certification (FLLC) from 1998 to 2010 and a Second Level Land Certification (SLLC) from 2005 to 2020. Both certification programs significantly increased the country's land tenure security, which also led to increased adoption of good land management practices to combat land degradation. ¹² Evidence shows that increased land tenure security for Ethiopian farmers led them to invest more in various forms of soil and water conservation and climate-smart agriculture. ¹³ One study found that farmers who received a SLLC certificate were 13% more likely to invest in soil and water conservation and maintenance, while another study found that farmers who received a SLLC certificate were 15% more likely to plant more trees or long-term crops.

The effect of certification on female-headed households' investments in soil and water conservation was dramatic. ¹⁴ Prior to receiving certificates, female-headed households were far less likely than either male-headed or dual-headed households to make soil and water conservation investments. Eight years after receiving certificates, female-headed households were just as likely as male- or dual-headed households to make soil and water conservation investments—closing an approximate gap of 20 percentage points. Further, widows who received SLLC certificates had an increased probability of making soil and water investments of 46.8 percentage points. ¹⁵

We can summarize the findings presented above in a simple manner to understand more fully how securing gender-equitable land rights has provided a foundation for sustainable land management in Ethiopia¹⁶:

Formal certification of land rights through FLLC and espeically SLLC for women has led to

Increased land tenure security for all landholders, including especially women landholders, which has led to

Greater incentives for landholders, and especially femaled headed housholdes, to invest in land, including soil and water conservation

Which can help Ethiopia meet its LDN targets

Women's Land Rights and the Sustainable Land Management Project in Ethiopia

The studies cited above corroborate the findings of a 2020 report by the Independent Assessment Group of the World Bank, evaluating a two-phase Sustainable Land Management Project (SLMP) funded by the World Bank and the Global Environment Facility in Ethiopia, implemented between 2008 and 2018.¹⁷ The report acknowledged that land tenure insecurity was recognized from the design of the project as a driver of land degradation, ¹⁸ and committed significant funding to supporting land tenure, particularly for smallscale farmers, through Ethiopia's SLLC. The report notes that the SLLC provided equal land rights to married women, which benefitted them in the context of SLMP activities, and highlights strengthening women's land tenure as one of the more successful efforts at gender-inclusion applied by the SLMP.¹⁹

In summary, women are key users and stewards of land. When women have secure land tenure, they are particularly likely to invest in sustainable land management and soil conservation.²⁰ Interventions to secure land tenure for all—but especially for women—can lead to stronger outcomes for LDN. Any land tenure strengthening or LDN policies or programs that fail to meaningfully include women not only entrench existing gender inequalities but are also likely to be ineffective if they do not leverage women's skills and knowledge related to land.



Women's Land Rights in Ethiopia

Ethiopia has taken significant steps to recognize, protect, and promote WLR. Notably, core legal provisions recognize equality and women's property rights. Further, the country's SLLC included joint titling of land by married couples and supported the distribution of land certificates to women. The country has undertaken sustained and significant efforts to secure land rights for women. While these efforts have supported greater gender equality, LDN, and progress toward the achievement of many other important outcomes, more is needed to ensure consistent implementation and to promote understanding and social acceptance of WLR. Further, some legal gaps could still be bridged to fully secure WLR. The following sections provide an overview of key legal standards for WLR in Ethiopia, and key social norms and practices that still present a barrier for the realization of these rights.

As detailed above, where women's rights to land are weaker, their investment in SLM is limited due to a lack of security and therefore a lack of incentive to engage in SLM practices. Gaps in the realization of WLR from both a legal and social standpoint are presented in the following sections to support uptake of the recommendations included in this case study and other policy solutions for WLR. Implementation of stronger WLR will support realization of women's human rights and support the strong LDN programming crucially needed in Ethiopia.

Legal Standards for Women's Land Rights in Ethiopia

Ethiopia's national government has broadly defined the foundation for land rights²¹ through the Constitution (1995), related international and regional instruments, the Revised Family Code Proclamation (2000), and the Rural Land Administration and Land Use Proclamation (2005).²²

Article 35 of the **Constitution** is particularly relevant in the context of WLR, affirming the right of women to be free of harmful customs; to full consultation in the context of national policies and projects; and to equal rights to land, including inheritance rights.²³

These Constitutional provisions are further complemented and strengthened by several global and regional instruments which Ethiopia has ratified. This includes the Convention on the Elimination of all Forms of Discrimination Against Women (**CEDAW**), which mandates elimination of discrimination against women in rural areas and equality in property rights.²⁴ Regionally, Ethiopia has ratified the African Charter on Human and Peoples' Rights (**Banjul Charter**) and the Protocol to the African Chater on Human and Peoples' Rights on the Rights of Women (**Maputo Protocol**), both of which include important guarantees for women's rights and participation related to land and natural resources.²⁵

The **Revised Family Code Proclamation** (No. 213/2000) contains important provisions on property for married couples, including recognizing that property acquired during marriage is generally common property of the spouses.²⁶ The law includes a further presumption of common property ²⁷ and a requirement for joint management within marriage and equitable division upon divorce.²⁸ While these provisions appear to provide strong equity provisions for women, in practice because much land is acquired through patrilineal inheritance and inherited property is not common property, women have far fewer opportunities to gain land rights.²⁹

The **Rural Land Administration and Land Use Proclamation** (No. 456/2005) recognizes that "women who want to engage in agriculture shall have the right to get and use rural land." In terms of land holding registration and certification the law says, "Where land is jointly held by

husband and wife or by other persons, the holding certificate shall be prepared in the name of all the joint holders"³¹—a practice that was followed during SLLC.

Women's Land Rights in a Federal System: Example Provisions and Implications from Amhara for Integration with LDN Programming

This Federal legislation above sets the broad foundation for the country's rural land administration; the details are left to the states. The states have adopted their own, more detailed, land administration and land use proclamations. Because the actual details are worked out by the states and implementation by local bodies, these state laws and regulations are of high importance when considering WLR. Below we review the relevant law and implementing regulation for the state of Amhara: The Revised Amhara Rural Land Administration and Use Proclamation (No. 133/2006)³² and Amhara National Regional State Rural Land Administration and Use System Implementation, Council of Regional Government Regulation (Regulation No. 51/2007).

Under Amhara law, both women and men have equal right to receive land holdings³³ and in some instances, where land is scarce, the law gives priority to women, disabled people, and orphans. The law specifies two ways for persons to obtain land holdings, either as distributed from the kebele (local government unit) that administers the land or by bequest or gift.³⁴

While both women and men have equal rights to receive land holdings, the proclamation's provisions on inheritance are troubling when it comes to the rights for spouses to maintain land rights. First, spouses can be disinherited by will and in such cases, only have the right to remain on the household land for two consecutive harvesting years, but otherwise have no land rights. Second, there is no right for a spouse to inherit land in case her/his spouse dies intestate (without a will); such spouses have the right to remain on the land until remarriage or for life, but otherwise have no land rights. The land will in the land until remarriage or for life, but otherwise have no land rights.

Presumably these provisions only apply in cases where the land holding is not common property, but that is not clearly stated; this is an oversight especially since the Federal Family Code makes common property the presumption. Further, because much land remains held by men due to patrilineal inheritance, these provisions--though they may appear gender neutral as they apply to "spouses" and not just "wives"--function to exclude women from inheriting their husband's land, foreclosing what could be a significant source of land holdings for women.

The Amhara law includes several provisions on land surveying, registration, and the issuance of land holding certificates that touch on WLR. It calls for common spousal property landholdings to be certified in the names of both spouses³⁸ and also allows couples to decide to convert individual land into common land.³⁹ These are positive provisions, so long as the public and implementors are aware of them and they are well implemented.

In terms of land administration, the law calls for balanced membership of women and men on elected land administration and use committees (LAUC).⁴⁰ LAUC have important responsibility including recording land holders, monitoring land use, administering the development of communal holdings, and educating area residents on "land related rights and obligations of the kebele resident people."⁴¹ Again, the provisions of gender representation are a positive legal step. Further insights into how well women are represented in practice in terms of being present, listened to, and being actively involved in agenda setting and decision making would be useful.

In terms of dispute resolution, "Any civil dispute that may arise in connection to land holding or using right shall priorly be seen and resolved in arbitration."⁴² The arbitrators and arbitration process is to be done based on customary procedures in the area. A separate article of the regulation states that, "if customary rules come into conflict with the proper laws of the Region and Federal [sic], they shall not be applicable."⁴⁴ However, no process is provided for reviewing customary practices to determine whether there is conflict, or a procedure for a person to follow if they would like to challenge a local customary practice. So while the provision is positive, it may be difficult for local people to actualize any benefits from this provision, especially women whose interests may be more likely to be harmed by customary practice.

Social Norms and Practices Limiting Realization of WLR in Ethiopia

The above review of Ethiopian law shows that there are many laws that establish the equality of women generally and WLR specifically, even while some conflicts and gaps remain in legal standards. However, social norms and traditional practices still present a serious barrier to women's ability to realize their rights to land in Ethiopia. Laws are often in conflict with these norms and customs of Ethiopia, which often prevail rather than the law. Without shifts in these norms and practices, law is insufficient to guarantee women their rights to own, control, and inherit land.⁴⁵ Several key examples of norms and practices include:

- Social norms support male control over land within households and communities. While the laws often declare gender equality and grant women equitable land rights, customary practices often provide men greater privileges and power. Women's property and inheritance rights are frequently violated during marriage and divorce. Women are often considered 'secondary' rights holders, who broadly depend on their male partners or relatives to use land. Even when women own land, they may lack effective power to influence land-related decisions because of men's dominance over land. 46
- Lack of representation of women and male allies for gender equality in woreda and kebele level decision-making institutions related to land. A current lack of gender equity within these institutions reinforces bias against women that significantly impacts the handling of land disputes. 47 Addressing this gender disparity becomes crucial in promoting fairness and impartiality in resolving land-related disputes. By actively involving women in these kebele-level entities, a more inclusive and diverse perspective can be integrated into the decision-making process, fostering a more equitable approach to land administration, land management, and dispute resolution.
- Threat of (and experience of) gender-based violence related to WLR, and lack of enforcement of WLR. Gender-based violence is prevalent in Ethiopia, 48 and economic gender-based violence related to land can manifest in several ways: These include border encroachment, 49 dispossession of land holdings, denial of inheritance rights, manipulation of loans/usury (including loss of land if a loan is unpaid), manipulation of land rental price or sharecropping agreement, use of false evidence (forgery and perjury), exertion of undue influence, denial of joint holding rights, and exclusion from decision-making on joint holdings. 50 Further, when women experience these violations, the criminal and justice systems do not adequately uphold their claims. There is a gap in the enforcement of certain criminal law provisions related to land rights, which deeply undercut women's tenure security.
- Men's greater access to information about household land rights and legal processes, and greater mobility and access to government offices. Women's lack of

knowledge hampers their ability to understand and claim their rights. Gender equitable land literacy education would be highly beneficial. One of the roles of the LUAPs is to provide education. This mandate could be leveraged to promote women's land literacy education.

• The absence of a legal framework applicable to polygamous marriages harms tenure security for a significant number of Ethiopian women. Polygamous marriages are observed across all regions in Ethiopia, displaying varying degrees of prevalence by region. Overall, approximately 14% of married women in the country are reported to be in polygamous marriages. ⁵¹ Legal frameworks lack specific provisions addressing the land rights of individuals in polygamous relationships. Consequently, there are no legal principles and procedures supporting the registration of land rights for women in polygamous marriages, which leaves them in an uncertain and vulnerable position. ⁵²

Ethiopia's LDN goals can be furthered through additional measures to strengthen WLR

This case study highlights the role of the Stand for Her Land (S4HL) campaign in Ethiopia in accelerating LDN and stronger tenure rights for women. S4HL is a global advocacy initiative working to close the implementation gap for women's rights to land, housing, property, and territory (WLR). S4HL is designed to accomplish lasting change on the ground through collective actions at grassroots, national, and global levels towards securing WLR and stronger land governance across the rural-to-urban continuum.

S4HL received financial support from the Federal Ministry of Economic Cooperation and Development (BMZ) in December 2021 to establish S4HL Coalitions of civil society and grassroots actors in Ethiopia, Senegal, and Uganda. The goal of S4HL Coalitions is to unify WLR advocacy under a common strategy, to build the political will needed to close the implementation gap for WLR in each country.

In Ethiopia, S4HL is facilitated by Habitat for Humanity Ethiopia (HfHE). Three members of the S4HL Ethiopia Coalition focus at the intersection of land restoration activities and WLR, and are also engaged in policy processes related to land restoration and natural resource management: Population, Health and Environment – Ethiopia Consortium (PHE), Union of Ethiopian Women and Children Associations (UEWCA), and Movement for Ecological Learning and Community Action (MELCA).⁵³ Recommendations specific to the Ethiopian context below are provided by these three organizations.

Two key documents can help to guide Ethiopian policymakers and civil society representatives as they seek to address LDN through securing women's land rights. First, the UNCCD and the Food and Agriculture Organization of the United Nations (FAO) Technical Guide on integrating the FAO's Voluntary Guidelines on the Responsible Governance of Land, Fisheries and Forests and UNCCD LDN commitments.⁵⁴ Second, the UNCCD has produced a Policy Brief highlighting the role of gender equitable land rights in bolstering efforts to restore land and build resilience.⁵⁵

Both documents provide overlapping best practice guidance on addressing LDN through securing women's land rights and recommend broad actions for consideration, adoption, and implementation by policymakers. We have synthesized and summarized these guidelines below. For each guideline, we also include related recommendations provided by the S4HL Ethiopia Coalition members named above.

GUIDELINE

1

Reduce or eliminate discrimination and other barriers that inhibit women's meaningful participation in planning and decision-making processes related to land rights and governance.

S4HL Ethiopia Recommendation:

Address legal gaps and social barriers to WLR: As noted, each of the legal gaps and barriers described above will limit effective and equitable SLM and the achievement of LDN goals, as well as limiting women's rights to participation and equal representation. Several key and connected initiatives in Ethiopia are working to strengthen and promote WLR. The Stand for Her Land (S4HL) campaign is one such initiative, and its members are working in collaboration with the Ethiopia Women's Land Rights Task Force, comprised of both government and civil society actors. Support to these initiatives will accelerate effective implementation of WLR. Importantly, S4HL is working to elevate and resource the leadership of grassroots organizations and grassroots women activists in Ethiopia, which can support gender-transformative approaches to securing WLR in challenging local contexts.

GUIDELINE

2

Support gender-responsive and gender-equitable reforms of legal, justice, and administrative systems at both the national and local levels. Ensure that women have equal access to dispute resolution systems and grievance bodies and that they are awarded equitable compensation.

S4HL Ethiopia Recommendations:

Finalize and promote key SLM-related policies: In addition to implementing needed reforms and enforcement for WLR (see recommendations #1, #4, and #5), key policy advocacy priorities related to LDN and other Rio Convention commitments include: the Draft Agroecology Policy, Draft Biosphere Policy, and Food System Policy. Public consultations, media engagement, and legislative deliberations could all support moving toward finalization for these policies.

Ensure that large-scale investments are responsible and contribute to LDN:

Support responsible, equitable investments in land that protect rural land tenure rights (with specific resources and focus dedicated to WLR) and prioritize LDN outcomes. In Gambella and Benishangul Gumuz, agricultural investments, including tea plantations, and infrastructure such as the Grand Renaissance Dam construction are contributing to deforestation; while these projects have highly important development and food security aims, balance with LDN goals and human rights is also crucial.

GUIDELINE

3

Engage men and women through awareness-raising campaigns to shift gender norms and strengthen women's land rights.

S4HL Ethiopia Recommendation:

Invest in and collaborate with existing efforts in Ethiopia: The Stand for Her Land (S4HL) campaign in Ethiopia (established in 2022) is focused on strengthening and accelerating implementation of WLR. S4HL is raising awareness with government, civil society, and development partner actors as well as the broader public on the need to strengthen WLR as a basis for gender equality, food security, and climate action, including LDN programming. S4HL Ethiopia is raising capacity for national and local civil society organizations working on women's human rights, agriculture, and environmental issues to facilitate collective and effective advocate for stronger WLR; hosting experience-sharing and public awareness events; engaging in policy advocacy to strengthen WLR; organizing trainings for civil society on WLR; and publishing materials on WLR to support more effective awareness-raising and an expanded movement on WLR.

GUIDELINE



Ensure that land allocation and registration processes consider intrafamily and intra-community issues that impact women's land rights.

S4HL Ethiopia Recommendations:

Invest in enforcement of WLR: As detailed above, WLR are widely documented in Ethiopia. Enforcement is now needed to support effective equality for women regarding control over land. Gaps in legal recognition for women and girls with marginalized identities also remains a matter for attention. The section above on social barriers to WLR identifies numerous ways in which both stronger enforcement mechanisms and social norms change are needed to realize WLR in practice.

Address gender-based violence: Given the widespread nature of GBV and its relationship to WLR, instituting or strengthening efforts that focus on the social norms that undergird GBV and connect women's empowerment to control over land and natural resources could support reductions in GBV.⁵⁶ Implementation and enforcement of laws can help to modify customs over time, so that practice mirrors the laws more closely.

GUIDELINE



Conduct gender assessments and close the gender data gap, including through establishing special mechanisms with women's organizations to engage with women themselves in documenting their tenure rights and understanding their engagement with administrative processes.

S4HL Ethiopia Recommendation:

<u>Support ongoing initiatives and build on existing assessments:</u> S4HL Ethiopia is currently conducting a baseline survey on the status of WLR in Ethiopia. This baseline, and its corresponding endline (to be conducted in 2025) will contributed to greater understanding of gender-equitable tenure rights in Ethiopia and needed next steps. This

study also engages the S4HL Ethiopia Coalition in the process of design, collection, reporting, and action on the findings of the baseline, supporting more capacity for civil society to engage with government processes related to land tenure. Previous assessments (in Ethiopia and more generally) can also be leveraged to identify strategic priorities. A Landesa analysis of the SLLC conducted in 2022 provides numerous findings and recommendations to further strengthen WLR⁵⁷ Landesa also recently conducted an evidence review to explore WLR as a basis for climate mitigation and adaptation, the findings of which can be applied to LDN programming.⁵⁸

GUIDELINE

6

Strengthen the capacities of land governance bodies to plan, implement, and monitor gender responsive LDN initiatives.

S4HL Ethiopia Recommendations:

Organize a workshop on integrated implementation of LDN and WLR with Federal institutions (e.g., Ministry of Agriculture, Ministry of Women and Social Affairs, Rural Land Administration and Use Directorate, and the Environmental Protection Authority), including regional counterparts from each institution. Provide resources for adequate advance planning and consultations with local communities and with civil society, and include civil society organizations working at this intersection in the workshop. Support follow-up action on the recommendations that result from the workshop.

Establish a national multi-stakeholder platform for the Rio Conventions that can bring civil society and government actors together for sessions in advance of and following each Rio Convention COP, to support more integrated implementation. This platform could also support coordination between civil society efforts and government institutions relevant to LDN and WLR.

GUIDELINE

7

Ensure sustained financial and technical support for gender-responsive projects and programs and include women in the technical aspects of program design, implementation, and monitoring.

S4HL Ethiopia Recommendation:

Replicate and build on past successes: The Government of Ethiopia has invested significant resources in strengthening WLR and engaging women in national SLM efforts. Reviewing the successes of past gender-transformative approaches can bolster a commitment to additional effective action at the intersection of LDN and WLR, including investing in local civil society efforts at this intersection (see "Introducing Gudifecha" story below). Integrating civil society and grassroots efforts into national-level LDN programs can help achieve both realization of human rights (particularly in rural areas) and make LDN efforts more effective.

GUIDELINE

8

Ensure that agricultural education and training efforts are equitably dedicated to women. There is a need to establish and/or improve the education and training dedicated to women in relation to skills, use of technologies, and resources to support their adoption of best agricultural practices, including practices to halt land degradation and support soil and water conservation.

S4HL Ethiopia Recommendation:

Continue and expand local government-supported programming that empowers women to improve homestead plot or "backyard" agricultural production, by providing training on agroecology and inputs (e.g., seeds and seedlings). This can improve their food security and over time can improve their access and control over household land. Eventually, this can support increased leadership for women in other agricultural land decision-making.

Introducing Gudifecha: A Fresh Approach to Environmental Stewardship

Supported by the Movement for Ecological Learning and Community Action (MELCA), a member of the Stand for Her Land Ethiopia Coalition

The concept of Gudifecha, rooted in the Oromo language and traditionally associated with the care and custody of children, has taken on a new meaning in the realm of environmental conservation. This innovative approach, integrated into a project aimed at safeguarding rainforests, seeks to instill a sense of love and responsibility toward



plants akin to the care provided to human offspring. The vision behind Gudifecha's inclusion in MELCA's environmental governance program is simple yet profound – encouraging individuals to treat plants with the same attentive nurturing as they would their own children. By inviting people to adopt tree seedlings from nurseries, plant and raise them with care, project planners at MELCA aim to convey a powerful message of environmental stewardship and sustainable living.

Werko Roba, a dedicated member of the Munamuno Sacred Natural Site women's group in Dinsho Woreda, embraced the Gudifecha initiative from its inception. Engaging in both economic and environmental endeavors, Werko has witnessed the growth and impact of her planted seedlings over the years. Reflecting on her journey, she shares her pride in nurturing the trees and expanding her agricultural ventures beyond sheep breeding to include bee farming. With a keen awareness of the benefits of diversification, Werko's commitment to Gudifecha has yielded tangible results. The matured trees now provide a supportive environment for her flourishing beekeeping enterprise, showcasing the interconnectedness of sustainable practices.

The strategic implementation of Tree Gudifecha has proven instrumental in advancing environmental causes within the Bale Zone in Ethiopia's Oromia Region. Through the distribution of thousands of tree seedlings (including junipers, hagenia, olea, and ficus trees), the project has empowered households, bio reserves, and schools to actively participate in tree planting initiatives. By fostering a culture of responsible stewardship and environmental consciousness, Gudifecha stands as a beacon of innovation in promoting sustainable practices and nurturing a harmonious relationship between communities and nature.



Supported seedling for tree gudifecha

Organizational Profiles and Acknowledgements

This case study was collaboratively compiled and authored by the following organizations:

Landesa is an international non-profit organization dedicated to improving the lives of millions of those living in poverty worldwide, mostly rural women and men, by securing land rights, enabling economic opportunities, advocating for gender equity, and advancing climate justice. Fundamentally, Landesa envisions a world free of poverty, in which all women, men, and youth who depend on land for their livelihoods have secure legal land rights; a vision that can and will be achieved through systemic change. Since becoming an independent nonprofit organization in 1981, Landesa has grown over the past five decades in its reach and impact, partnering with governments and stakeholders to secure land rights for more than 180 million rural families in over 55 countries, advancing land rights reforms to support rural land users using law and policy tools. Today, Landesa employs 116 staff members and has ongoing programming focused on 33 countries in sub-Saharan Africa, Asia, and Latin America. Our diverse global staff include land tenure specialists with collective experience in over fifty nations throughout the world, with sector-specific knowledge in legal, economic, gender, agricultural, and other key development areas. Landesa also employs a team of legal and social science individuals who provide research and writing support to program teams.

International Senior Lawyers Project (ISLP) provides pro bono legal assistance to governments and civil society organizations in the Global South and in countries transitioning to democracy and market-based economies, leveraging global legal resources in alignment with client needs to support just, accountable and inclusive development. ISLP supported research for this publication via its partnership with Landesa, linking Landesa staff with the law firm Blake, Cassels & Graydon LLP, who provided invaluable pro bono research on Ethiopian law governing women's land rights, which is incorporated in this publication.

Population, Health and Environment Consortium-Ethiopia (PHE) works in four regions: Amhara, Oromia, Gambella and Beneshangul Gumuz. PHE employs two basic interventions: 1) policy advocacy with the national government, and 2) capacity sharing with regional and local governments. At the federal level PHE works with the Environmental Protection Authority (EPA), Ethiopian Wildlife Conservation Authority (EWCA), and the Ministry of Women and Social Affairs. PHE co-chairs Ethiopia's Environment Right Forum alongside the EPA, which engages

in policy analysis and advocacy to narrow enforcement and implementation gaps, including for gender-sensitive climate change adaptation options. PHE also co-chairs a civil society Climate Taskforce and has been representing Ethiopian civil society in UNFCCC forums since COP15. It is a member of CAN (Climate Action Network) and it has an accredited observer seat at the UNFCCC. It is a member of many regional and international networks such as PHE Network Africa and IUCN. At the regional level in Ethiopia, PHE engages respective structures of the federal institutions; at the woreda level, many sectors are involved as diverse activities are implemented. PHE's projects are agriculture, livelihood, and conservation-based projects. Specific activities conducted by PHE include: livelihood trainings, youth employment creation, women's empowerment, and supports for gender-inclusive agriculture activities such as homestead gardening, fruit and vegetable production, soil fertility improvement through conservation, vermi-composting, and growing vetiver and desho grasses. These agriculture activities are linked to strengthening women's access to and control over land and natural resources to empower women and ensure sustainability.

Movement for Ecological Learning and Community Action (MELCA) works in four regions: Amhara, Oromia, Gambella and Southwest Ethiopia (SWE). At the federal level MELCA works with the Ministry of Agriculture, Environmental Protection Authority, Ethiopia Biodiversity Institute, Ministry of Women and Social Affairs, and Ministry of Education. At the regional level, in addition to the respective structures of these ministries, it works with the Land Administration bureau, Labour and Skills bureau, Office of Attorney General, courts, law enforcement, and on Finance and Economic Development. MELCA's major interventions are (1) Land restoration, via: Participatory Forest Management (PFM), supporting enrichment plantations in forest areas, Tree Gudifecha (tree adoption – see "Introducing Gudifecha" story above), support for school environmental clubs, and gully treatments of catchments. 2) Policy advocacy on (a) Biosphere Reserves, and (b) Agroecology using a landscape approach to maintain and restore soil health. With MELCA leads in Gambella and SWE to register forest areas with UNESCO as biosphere reserves. MELCA is conscious of the challenges women face and they ensure their participation and benefit sharing from every activity they implement. For example, in their Participatory Forest Management Association, there are a significant number of women members, including those from male headed households. Also, selected women produce vegetable and fruits on restored areas and they are provided with the necessary supports (e.g., seeds).

Union of Ethiopian Women and Children Association (UEWCA) works in four regions: Amhara, Tigray, Afar and Beneshangul Gumuz (BG). At the federal level, the Environmental Protection Authority is a primary partner for UEWCA. They also worked with the Ministry of Agriculture and Rural Land Administration and Use Directorate. Their intervention areas are (1) Livelihood improvement, including: income generating activities, climate smart agriculture, clean energy (provision of bio-gas and fuel saving stoves), irrigation and agroforestry, watershed management, poultry, sheep and goat rearing, and 2) Climate Justice: Women are disproportionately impacted by climate change; these impacts are made worse by women's limited access to and control over economic resources, especially land. UEWCA considers women's land rights and decision-making over natural resources as critical for climate change adaptation. UEWCA advocates for women's land rights through mobilization of the grassroots movement for WLR, training, dialogue, media engagement, digital advocacy, demonstrations, and several other means.

References

¹ FAO and UNCCD. (2022). Technical Guide on the Integration of the Voluntary Guidelines of the Responsible Governance of Tenure of Land. Fisheries. and Forests in the Context of National Food Security into the Implementation of the United Nations Convention to Combat Desertification and Land Degradation Neutrality. FAO, Rome and UNCCD, Bonn. https://www.fao.org/3/cb9656en/cb9656en.pdf

² *Id*.

³ *Id*.

⁴ Global Environment Facility (GEF) website. "Land Degradation." https://www.thegef.org/what-wedo/topics/land-degradation. Accessed 26 March 2024.

⁵ Gina Alvarado et al. (2022). Ethiopia Strengthening Land Tenure and Administration Program Follow-On Report: an Impact Evaluation of Long-Term Effects of Second-Level Land Certification, p 21. ELTAP-ELAP-2021-Evaluation-Final 9.23.22.pdf (landesa.org)

⁶ Befikadu A. Legesse, Kentert Jefferson-Moore, and Terrance Thomas. (2018). Impacts of land tenure and property rights on reforestation intervention in Ethiopia. Land Use Policy. Vol. 70, pp 494-499.

⁷ "[A]Ithough agriculture is declining as a share of gross domestic product, its dominance in the livelihoods of poor people means that improvements in input markets, mechanization and land tenure will be needed to drive poverty reduction for at least the next decades." Government of Ethiopia. (2023). Report from Ethiopia to the UNCCD, p 18. https://www.unccd.int/our-work-impact/countryprofiles/ethiopia/country-report/2022

⁸ Stand for Her Land Campaign website: https://stand4herland.org/

⁹ UNCCD and Landesa. (2022). Land Right Matter for People and the Planet: An options paper for raising awareness for responsible land governance for combatting desertification, land degradation, and drought. https://www.unccd.int/resources/publications/land-rights-matter-people-and-planet

¹⁰ Telahun Habtamu Adere et al. (2022). The impact of land certification and risk preferences on investment in soil and water conservation: Evidence form southern Ethiopia. Land Use Policy, Vol 123; Agnes Quisumbing and Neha Kumar. (2014) Land Rights Knowledge and Conservation in Rural Ethiopia: Mind the Gender Gap. IFPRI Discussion Paper 1386. Washington D.C.: International Food Policy Research Institute (IFPRI), p 3; Berhanu Gebrehedhin and Scott Swinton. (2003). Investment in soil conservation in northern Ethiopia: the role of land tenure security and public programs. Agricultural Economics, Vol 29, Issue 1, pp 69-84.

¹¹ Ethiopia started a First Level Land Certification (FLLC) program in 1998 and a Second Level Land Certification (SLLC) in 2005. Telahun Habtamu Adere et al. (2022). The impact of land certification and risk preferences on investment in soil and water conservation: Evidence form southern Ethiopia. Land Use Policy, Vol 123.

¹² Telahun Habtamu Adere et al. (2022). The impact of land certification and risk preferences on investment in soil and water conservation: Evidence form southern Ethiopia, Land Use Policy, Vol 123; Gina Alvarado et al. (2022). Ethiopia Strengthening Land Tenure and Administration Program Follow-On Report: an Impact Evaluation of Long-Term Effects of Second-Level Land Certification, p 31; Berhanu Gebrehedhin and Scott Swinton. (2003). Investment in soil conservation in northern Ethiopia: the role of land tenure security and public programs. Agricultural Economics, Vol 29, Issue 1, pp 82-83; World Bank website. "Climate-Smart Agriculture." Climate-Smart Agriculture (worldbank.org). Accessed 26 March 2024.

¹³ Adere et al. (2022), Abstract; Quisimbing et al. (2014), p 3; Gebremedhin et al. (2003), pp. 80-83; UNCCD and Landesa. (2022), pp. 6-7.

¹⁴ Before SLLC, Ethiopian women were much less likely to have a landholding interest. But women who went through the SLLC process became much more likely to possess land and also greatly increased their tenure security as it became less likely that they would lose their land to land grabbers, renters, or through other disputes. Abebaw Abate and Ian Rose. (2019). Strategy to Address Legal Constraints of Women and Vulnerable Groups to Secure Their Land Rights. Prepared for the Land Investment for Transformation (LIFT) Programme.

https://ieg.worldbankgroup.org/sites/default/files/Data/reports/ppar ethiopiasustainableland.pdf

¹⁵ Alvarado et al. (2022).

¹⁶ See Hanna Abate et al. (2017). Land Investment for Transformation (LIFT) Program: Strategy for Preventing and Mitigating Land Certification Related Violence Against Women and Vulnerable Groups, pp 1, 8; Lisa Murken and Christoph Gornott. (2022). The importance of different land tenure systems for farmers' response to climate change: a systematic review, Section 2; Ruth Meinzen-Dick et al. (2019). Women's land rights as a pathway to poverty reduction: Framework and review of available evidence. IFPRI, Section 6, Table 2; Alvarado et al. (2022). pp 21, 33.

¹⁷ World Bank, 2020. Project Performance Assessment Report: Ethiopia Sustainable Land Management Project I and II, available at:

¹⁸ Id, at *vii*.

¹⁹ Id at 12.

²⁰ UNCCD website. "Land Tenure." Accessed 26 March 2024.

²¹ Two background notes on Ethiopian land law that are important to understand (1) land is owned by the State and individuals or groups hold use rights that are term-limited or perpetual; and (2) the details of the implementation of broad federal legislation is left to the country's regional states.

²² 1995 Constitution of the Federal Democratic Republic of Ethiopia; Revised Family Code Proclamation No. 213/2000, Rural Land Administration and Land Use Proclamation No. 456/2005.

²³ Article 35, Provision 4: "The State shall enforce the right of women to eliminate the influences of harmful customs. ..." Provision 5; "Women have the right to full consultation in the formulation of national development policies, the designing and execution of projects, and particularly in case of projects affecting the interests of women."; Provision 6: "Women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. They shall also enjoy equal treatment in the inheritance of property."

²⁴ UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, United Nations, Treaty Series, vol. 1249.

²⁵ Landesa. (2023). Legal Analysis Report on Women's Land Rights in Ethiopia. Internal Landesa memo. It should be noted that Ethiopia has also made several reservations to the Maputo Protocol meant to preserve customary practices that are at odds with women's equality

²⁶ Revised Family Code (federal), art. 62.

²⁷ Revised Family Code (federal), art. 63.

²⁸ Revised Family Code (federal), arts. 66, 67, and 90.

²⁹ Ziade Hailu et al. (2019). Protecting Land Tenure Security of Women in Ethiopia: Evidence for the Land Investment for Transformation Programme, p 12.

³⁰ Rural Land Administration and Land Use Proclamation (federal), art. 5.1.c.

³¹ Rural Land Administration and Land Use Proclamation (federal), art. 6.4.

³² Amhara Rural Land Administration and Use Proclamation (resourceequity.org)

³³ Amhara Rural Land Administration and Use Proclamation, art. 5.2.

³⁴ Amhara Rural Land Administration and Use Proclamation, art. 7.1.

³⁵ See Amhara Rural Land Administration and Use Proclamation, art 16.3 and Amhara National Regional State Rural Land Administration and Use System Implementation, Council of Regional Government Regulation, art. 11.3.

³⁶ Amhara Rural Land Administration and Use Proclamation, art 13.5.

³⁷ Amhara Rural Land Administration and Use Proclamation, art. 16.7.

³⁸ Amhara Rural Land Administration and Use Proclamation, art 24.2.

³⁹ Amhara Rural Land Administration and Use Proclamation, art. 24.3.

⁴⁰ Amhara Rural Land Administration and Use Proclamation, art. 26.

⁴¹ Amhara National Regional State Rural Land Administration and Use System Implementation, Council of Regional Government Regulation, art. 27.

- ⁴² Amhara Rural Land Administration and Use Proclamation, art. 29.1.
- ⁴³ Amhara Rural Land Administration and Use Proclamation, art. 29.2.
- ⁴⁴ Amhara National Regional State Rural Land Administration and Use System Implementation, Council of Regional Government Regulation, art. 37.
- 45 Alvarado et al. (2022). pp 97-98, 104; Hailu et al. (2019). pp 11-12; Abebe and Rose (2019), Executive Summary p 6, Report p 2.
- ⁴⁶ Econ Management Consultants for Habitat for Humanity Ethiopia. (2022). *Background analysis and a mapping study of existing policies, legal instruments, and customary practices in Ethiopia pertaining to women's land rights*. p 2.
- ⁴⁷ Econ Management Consultants for Habitat for Humanity Ethiopia. (2022). *Background analysis and a mapping study of existing policies, legal instruments, and customary practices in Ethiopia pertaining to women's land rights*. p 11.
- ⁴⁸ "Among ever-married women in Ethiopia, more than a third reported experiencing physical, emotional, or sexual violence from an intimate partner, with higher rates among older women and women in rural areas at some point in their lives (USAID 2019)." Tetra Tech. (2023). Gender-Based Violence Prevention and Response Protocol: Urban Land Rights Adjudication and Registration Pilot. Prepared for USAID through the USAID/Ethiopia Feed the Future Ethiopia Land Governance Activity. Citing USAID. (2019). Gender-Based Violence Landscape Analysis, USAID/Ethiopia Transform: Primary Health Care Project.
- ⁴⁹ Econ Management Consultants for Habitat for Humanity Ethiopia. (2022). *Background analysis and a mapping study of existing policies, legal instruments, and customary practices in Ethiopia pertaining to women's land rights*. p 11.
- ⁵⁰ *Id.* Citing Hailu et al. (2019).
- ⁵¹ Econ Management Consultants for Habitat for Humanity Ethiopia. (2022). *Background analysis and a mapping study of existing policies, legal instruments, and customary practices in Ethiopia pertaining to women's land rights*, p 9.
- ⁵² Workwoha Mekonon et al. (2019). Protecting Land Tenure Security of Women in Ethiopia: Evidence from the Land Investment for Transformation Program. Prepared for the Land Investment for Transformation Programme (LIFT) (DAI Global), p 20.
- ⁵³ Organizational profiles of the three S4HL Ethiopia member organizations and Landesa are included at the end of the case study.
- ⁵⁴ Id at 3. FAO and UNCCD. (2022). Technical Guide on the Integration of the Voluntary Guidelines of the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security into the Implementation of the United Nations Convention to Combat Desertification and Land Degradation Neutrality. FAO, Rome and UNCCD, Bonn. See "Pathway 3," p 35. https://www.fao.org/3/cb9656en/cb9656en.pdf
- ⁵⁵ UNCCD. (2023). Her Land. Her Rights. Advancing gender equality to restore land and build resilience. UNCCD Policy Brief. <u>Her Land. Her Rights. Policy brief June 2023 (unccd.int)</u>
- ⁵⁶ See USAID (2023). "Gender-Based Violence Prevention and Response Protocol: Urban Land Rights Adjudication and Registration Pilot," Feed the Future Ethiopia, on file with Landesa. See also: USAID (2018), Intimate Partner Violence and Land Tenure, available at: https://www.land-links.org/research-publication/intimate-partner-violence-land-tenure/
- ⁵⁷ USAID, 2022. Ethiopia Strengthening Land Tenure and Administration Program Follow-On Report: An Impact Evaluation of Long-Term Effects of Second-level Land Certification: https://www.landesa.org/resources/ethiopia-strengthening-land-tenure-and-administration-program-follow-on-report/
- ⁵⁸ Landesa, 2023. Women's Land Tenure Security as a Pathway to Climate Change Mitigation and Adaptation: https://www.landesa.org/wp-content/uploads/WomensTenure ClimateChange EvidenceScan 2024.pdf