

Assessment of Ethiopian Land Policymaking Practices

Website: www.lflethiopia.org

Center of Excellence International Consult (CEIC) PLC

Supported by



Published: 2021

Contents

List of figures	iv
List of Tables	iv
Abbreviations.....	v
<i>Executive Summary</i>	vi
1. Introduction and Background.....	1
1.1. Introduction	1
1.2. Objectives	2
1.3. Methods.....	2
1.4. Scope and limitations	3
2. Historical and Institutional Analysis	3
2.1. Theoretical Framework	3
2.2. Tenure type and institutional arrangement.....	5
2.3. Land and land-related policy documents	6
3. Land policymaking processes and practices in Ethiopia	12
3.1. Policy Making Cycle	12
a. Agenda setting.....	12
b. Policy formulation	14
c. Policy legitimating	15
d. Policy implementation.....	16
e. Policy evaluation and change	17
3.2. Actors and the power relations in the policymaking process	18
4. SWOT in in the Land Policy Making Process.....	19
4.1 Key deficiencies & impediments to effective land policymaking processes	19
5. The way forward (Recommendations)	31

References	32
Annexes	37
Annex 1: Further Readings	37
Annex 2: Summary of spatiotemporal land policymaking processes in Ethiopia (in view of Historical and sociological neo-institutionalism)	45
Annex 3: A brief summary of recent land laws (Ethiopia).....	48
Annex 4: Key Informant Interview Guide	49
Annex 5: Focus Group Discussion Guide	51
Annex 6: List of respondents	53
Annex 7: List of organization from which sample respondents were drawn	56
Annex 8: Risks and mitigation measures.....	57
Annex 9: Terms of Reference (ToR).....	58

List of figures

Figure 1: Policy making cycle	12
Figure 2: Alternatives and approaches for a participatory and transparent land policy-making process	24
Figure 3: Major sources of information/ideas in land policymaking	25

List of Tables

Table 1: Opportunities and threats in land policymaking practices in Ethiopia	25
Table 2: Assessment of land policymaking practices environment in Ethiopia: Strengths and weaknesses	28

Abbreviations

AACA:	Addis Ababa City Administration
ADLI:	Agricultural Development Led Industrialization
AfNRS:	Afar National Regional State
AmNRS:	Amhara National Regional State
BoUDHC:	Bureau of Urban Development, Housing, and Construction
CSO/s:	Civil Society Organization/s
EASPIF:	Ethiopia's Agricultural Sector Policy and Investment Framework
EPDRF:	Ethiopian People's Revolutionary Democratic Front
FDRE:	Federal Democratic Republic of Ethiopia
FGD/s:	Focus Group Discussion/s
FSS:	Forum for Social Studies
FTCs:	Farmer Training Centers
HoPRs:	House of Peoples' Representatives
KII:	Key Informant Interview
LFL:	'Land for Life' Initiative of the FSS
MoA:	Ministry of Agriculture
NGO/s:	Non-Governmental Organization/s
NPDC:	National Planning and Development Commission
OANRB:	Oromia Agricultural and Natural Resource Bureau
ONRS:	Oromia National Regional State
OILUP	Oromia Integrated Land Use Planning
ORLUA:	Oromia Rural Land Use and Administration
PASDEP:	Plan for Accelerated and Sustained Development to End Poverty
PMAC:	Provisional Military Administrative Council
PPP:	Public Private Partnership
SDPRP:	Sustainable Development and Poverty Reduction Program
SNNPRS:	Southern Nations Nationalities and People's Region
ULLHP:	Urban Lands Lease Holding Proclamation

Executive Summary

Land is the most essential resource for humankind. It is the home of human beings, and the primary source of livelihoods on which the vast majority of human activity is carried out. In general terms, it is the delineable area of the earth's surface, encompassing all attributes of the biosphere immediately above or below this surface. In economics terms, land is a fixed asset and factor of production, along with capital and labor. Therefore, access to land is the bedrock of economic and social life in both rural and urban areas. Access to land also has crucial importance in social and cultural values as a source of identity and status. Hence, the issue of land and land policy is always vital as governments are strongly concerned about how to make land-related policies and manage the peoples' legal rights and conditions of access to this inherent resource and regulate its distribution among multiple stakeholders.

Governments use different land policies and policymaking practices to determine the legal rights and requirements of access to land and control its distribution among multiple stakeholders. Ethiopia has no Comprehensive National Land Policy throughout its history through different land-related rules and regulations have been in place to address issues related to land in the country. In monarchical governments (pre-1975), the land tenure system in Ethiopia was varied and complex due to the country's spatial, historical, ethnic, and cultural diversity, hindering significant progress towards an advanced reform in land tenure in the country. Land policymaking practices were highly centralized (monarchical), and the land was owned in varied forms designated as 'rist' (kinship ownership), 'yewel meret' (communal land), 'gult,' 'rist-gult,' 'diessa' (village land). The land was exclusively owned by a small number of landlords, the state, and church, while the vast majority of stallholders were deprived of the level of tenancy that eventually resulted in the famous 'Land to the tiller' political struggle in the early 1970s.

With the Military (Derg) Government's coming to power in 1974, the land tenure system was radically transformed, and the tenant-landlord relationship was broken. With the provisions of Proclamation No 31/1975, the Derg enacted public ownership of both rural and urban lands and the distribution of rural land to the tiller/smallholders. The law prohibited the transfer of use-rights by sale, exchange, succession, mortgage, or lease. Policymaking practice was carried out exclusively in a top-down approach or centrally controlled by the military government. No or little voices of the smallholders, CSOs, development partners, professional associations, and other stakeholders were heard/incorporated in the issues of land and land policymaking practices.

The land policymaking practices seem somewhat participatory after the coming to power of the EPDRF Government in the early 1990s though no significant change has been made to the land ownership policy after 1975. According to the FDRE Constitution (enacted in 1995) 'the right to ownership of rural and urban land, as well as of all-

natural resources, is exclusively vested in the State and in the Peoples of Ethiopia.' Later on, series of federal and regional level proclamations attempted to provide several ways of land use rights, ownership and transfer to enhance land productivity, tenure security, and land protection. The land is also remained among the primary sources of grand corruption and bone of contention among politicians. Land Issues are still found scattered in several other national policies, development programs, agricultural development projects, plans, and proclamations.

Ethiopia's current land policymaking practices seem slightly aligned to the usual policy-making cycle: agenda setting, policy formulation, policy legitimating, implementation, evaluation, and change/revision. However, the process is characterized by inadequate stakeholder participation and the top-bottom approach in practice though the government claims bottom-up and side-in approaches area also in place. For example, in the agenda stage, no or little ideas from the stakeholders (such as the smallholders, investors, researchers, and CSOs) are taken into consideration. For instance, land-related agendas are mostly initiated by top government executive bodies and then enforced with little discussions and consent from the stakeholders. Notably, the attempt to incorporate smallholders/grassroots ideas and researchers at the land policymaking stage is at its embryonic stage.

Lack of compressive national land policy, together with low stakeholder engagement in land-related policymaking processes, has adversely affected the policy's implementation, which in turn, impacts the productivity and quality of lands in Ethiopia though the country is endowed with diverse and abundant land resources. The existing poor policymaking process has led to the situation in which ecosystems are under immense pressure and adverse severe impacts. Land degradation and the consequent loss of biodiversity is occurring at unprecedented rates in the country. The uncontrolled rapid population growth, over-exploitation of natural resources, and unplanned expansion of farmlands contribute to the contraction of land resources (such as wetlands, rangelands, quality of soil, and vegetation coverage) in Ethiopia. This contributed to the loss of valuable land resources and in the high sedimentation of dams designed for hydroelectric power generation and irrigation. The overall decline in agricultural productivity, in turn, aggravates the existing food insecurity and chronic poverty challenges in Ethiopia.

The following policy recommendations have been suggested for critical consideration in light of the extensive discussions, analysis, and findings reflected in this study. The recommendations are assumed to be used as a blueprint for future land policy formulation and as a point of departure for further investigations of the impacts of land policy in Ethiopia:

- (1) First and foremost, Ethiopia needs a well-thought-out National Land Policy, formulated to address the existing deficiencies and impediments in the land and land-related sectors in Ethiopia. This is because issues related to land and land policy have become the heart of Ethiopia's economic, social, and environmental priorities. It has become a reality that inequitable land distribution, tenure*

insecurity, and poor land administration is leading to severe injustice, conflict, further impoverishment, and degradation/pollution of the environment. Other countries' experiences show that properly formulated land policy is crucial for sustainable development, efficient land-use, and environmental sustainability.

- (2) Among the major deficiencies in Ethiopia's land policymaking is insufficient stakeholder involvement and/or poor civic engagement in the processes of land policymaking. This may be because of the absence of a national civic engagement policy though the draft document is recently tabled for approval. Therefore, stakeholders ranging from national to community level should adequately involve in the agenda-setting, policy formulation, legitimating, implementation, evaluation, and revision stages to produce effective land policy for Ethiopia. In addition to the information from the stakeholders, national-level reports, development directives, proclamations, guidelines, and strategic objectives, as well as Information from researchers and experts, should be intensively reviewed and incorporated.*
- (3) Land policymakers are recommended to critically consider the information coming from the top-level government bodies (top-down), the smallholders/grassroots (bottom-up), and professional researchers (side-in) while drafting land policy. Deficiency in using the information from all three vital sources may lead to an inapplicable and futile land policy.*
- (4) Existing evidence indicates that local contexts (values, norms, and biophysical conditions) are an essential set of factors affecting the effective implementation of land policy. These issues usually explain why policy does not lead to constructive changes in some areas while it works better in other contexts. Hence, land policymakers are recommended to look into various local contexts during all policy processes (such as agenda-setting, formulation, implementation, or monitoring and evaluation).*

1. Introduction and Background

1.1. Introduction

The Forum for Social Studies (FSS) established the '*Land for Life*' (LL) Initiative in 2018 intending to strengthen exciting multi-actor partnerships working on land governance in Ethiopia. LFL has strengthened its capacity to work at the national level though it was originally established to work for the Oromia region. It has currently conducted an assessment of Ethiopia's land policy-making practice, with the engagement of consultants.

Land was owned by the monarchy and the church in Ethiopia until the enactment of the radical public ownership of rural lands proclamation in 1975. The current Ethiopian Constitution (enacted in 1995) asserts state and public ownership of land. The federal government enacted the first land law in 1997 (FDRE Proc No 89/1997) followed by regional governments based on their respective regional constitutions. There are also efforts to improve land administration and tenure security through land certification (FDRE Proc No 456/2005).

Ethiopia has no compressive national land policy as a result of which land issues are found scattered and set in other policies, plans, and programs. Though the Ethiopian land policy-making practices haven't been well researched and documented, some research indicates the land policymaking practice is criticized for not adequately engaging the stakeholders ranging from the grassroots to top professionals and leaders (Nega *et al.* 2003; Samuel 2006). This has adversely affected the practicability of the policy, which in turn, has impacted the productivity and sustainability of land in Ethiopia. However, the country is endowed with diverse and abundant natural resources.

The inappropriate land policymaking approach have caused land-based conflicts and low productivity in Ethiopia (Lavers 2017; Temesgen *et al.* 2017), with rapid population increase, severe soil loss, deforestation, and decreasing vegetative cover, and unbalanced crop and livestock production. The inappropriate land-use systems and land tenure insecurity have enhanced desertification and loss of agro-biodiversity. This contributed to the loss of valuable land resources and to high sedimentation of dams designed for hydroelectric power generation and irrigation. The overall decline in agricultural productivity, in turn, has aggravated the existing food insecurity and chronic poverty challenges in Ethiopia (Samuel 2006; Temesgen *et al.* 2017).

Therefore, it is with this comprehension in mind that this research was undertaken during July to September 2020. The report has been organized into six major components. The first section introduces the overall issues, objectives, methods, scope, and limitation of the research, while the second section covers the historical and institutional analysis of land and land policy-making practices. The third section is devoted to policy-making practices, whereas the fourth section covers the SWOT analyses and results. The fifth and sixth sections cover recommendations and further readings, respectively.

1.2. Objectives

The overriding objective of this research is to assess Ethiopian land policy-making practices. More specifically, it is devoted to:

- ✓ Review land ownership-related literature and laws in Ethiopia.
- ✓ Assess the land policy-making process practiced in Ethiopia at each stage of the policy cycle, such as agenda-setting, policy formulation, policy legitimating, policy implementation, and policy evaluation and change.
- ✓ Identify the strength and limitations (*SWOT* analysis) of the land policy-making process practiced in Ethiopia.
- ✓ Assess actors and the power relations among actors in the policymaking process.
- ✓ Come up with an alternative for a participatory and transparent land policy-making process.
- ✓ Put in place a policy brief related to Ethiopian land policy practices and the way forward.

1.3. Methods

This policymaking analysis was carried out mainly based on the five main conventional policymaking cycles: agenda setting, policy formulation/drafting, policy legitimization, policy implementation, and monitoring and evaluation.

Primary data was collected through key informant interviews and focus group discussions held in/around the cities of Addis Ababa, Bahr Dar, and Samara/Logia. Land policymaking cannot engage the whole people (because of huge cost implications and other inconveniences). Hence, only selected persons who have ever engaged in such processes (like community leaders, experts, researchers, parliamentarians, and similar other influential persons) representing sector offices, NGOs/CSOs, research institutions, and Universities were selected as respondents using a purposive sampling technique. The respondents were selected from the offices of the federal government, Addis Ababa, AfNRS, AmNRS, and ONRS, keeping in mind '*the principle of saturation.*' Owing to the COVID-19 pandemic and the restrictions therein, the FGDs size was limited to only 6 participants, and most interviews were carried out through

telephone, Microsoft Meet and Cloud Zoom conversations. To serve such a purpose, FGD Guide and KII Guide were prepared and used. In addition to primary data collection, literature review of different laws, has been conducted to enrich findings of the research from secondary sources.

1.4. Scope and limitations

This research focused on AACA, AfNRS, AmNRS, and ONRS in view of primary data sources. This has limitation in representing the ten regions and the different socio-cultural and economic group in the country. To complement this gap, land use plans and studies for Benishangul-Gumuz and Gambella regions have been reviewed intensively, and the experts involved in the process were interviewed. With this in mind, the recently enacted Gambella and Benishangul-Gumuz regions Integrated Land Use & Development Master Plans (ILDMP) have been reviewed. In a temporal sense, the research focused on the last three governments of Ethiopia: The Imperial, Military, and EPRDF governments.

More emphasis was given to relevant federal and regional organizations though a few cases at the grassroots level were addressed. In the same way, the ongoing ORNS land use planning documents and the federal draft land use policy have been assessed and the involved experts were interviewed. As a major limitation, there is little research evidence with policymaking processes during the Imperial Government in Ethiopia. At the outset of the research work, pertinent policy documents of the three governments, programs, projects, and proclamation were reviewed.

2. Historical and Institutional Analysis

2.1. Theoretical Framework

Historical and sociological institutionalism are valid theoretical frameworks (approaches) to thoroughly comprehend policymaking practices, policy impacts, policy implementation, politics, and the changes therein. According to Steinmo (2008), Farrell (2018), Crossman (2020), and other several pieces of literature, institutions are either *structures* (forces which conduct actors to select one equilibrium or another) or *equilibria* (sets of strategies from which no actor has any incentive to defect if no other actor defect. Under both definitions, institutions may usually be thought of as rules and/or policies regardless of whether these rules are considered to be exogenous regularities that structure choices or enchain patterns of equilibrium behavior in which every actor continues to behave in specific ways provided others do the same (Farrell 2018).

Current rational choice institutionalism is the culmination of two distinct lines of inquiry, *i.e.*, *historical institutionalism* and *sociological institutionalism*. Both of them are a group of *new institutionalism* or *neo-institutionalism theories* designed to serve as general approaches to governance and social science, concentrating on institutions and studies them using inductive, historical, sociological, and comparative methods. Hence, it is valid to assess the Ethiopian land policymaking practices given historical institutionalism and sociological institutionalism to deeply comprehend the historical underpinnings of the policymaking and its socioeconomic impacts.

Historical institutionalism (coined in the early 1990s) is a new institutionalist social science approach that emphasizes how timing, sequences, and path dependence affect institutions and shape social, political, economic behavior and change. Unlike functionalist theories (which argue society is more than the sum of its parts; rather, each aspect of it works for the stability of the whole) and some rational choices approaches, historical Institutionalism tends to emphasize that many outcomes are possible, small events and flukes can have large consequences, actions are hard to reverse once they take place, and that outcomes may be inefficient.

The so-called '*critical juncture*' (for example, land policy reforms) may set in motion events that are hard to reverse because of issues related to path dependency. Historical institutionalists tend to focus on history (longer temporal horizons) to understand why specific events happen (Crossman 2020). This approach is distinguished from other social science approaches by its attention to real-world empirical questions, its historical orientation, and its attention to how institutions structure and shape behavior and outcomes. Although the term '*historical institutionalism*' was not coined until the early 1990s, the approach goes back to the distant past (Steinmo 2008).

In the same way, *sociological institutionalism* is a form of new institutionalism that concerns *the way in which institutions create meaning for an individual* (Steinmo 2008; Crossman 2020; Farell 2018). A case in point is the way in which land policymaking determines the situations of smallholders, agricultural investors, industries, and other land-sensitive businesses.

Related to the applications and understanding of institutions in view of different paradigms, Daniel Friel (2017) concludes:

The institutionalist approach across the disciplines in the social sciences has played an important role in drawing the attention of scholars to the important role played by institutions in coordinating activities between individuals as well

as those between groups. Although there are significant differences in the approaches outlined above in regards to the degree to which institutions determine the behavior of actors, all of them agree that they are critical to the functioning of any society. However, in order for progress to be made in this field, scholars have to be careful not only to properly understand the approach they are using but also the potential insights that could be derived from other theories addressing levels and types of institutions. Work of this kind would help stimulate better discussions that could eventually lead to more fruitful dialogs across approaches, thereby potentially advancing theory even further.

2.2. Tenure type and institutional arrangement

The spatiotemporal land policymaking processes in Ethiopia has been summarized in Annex 2 in view of historical and sociological neo-institutionalism. Nega et al. (2003) noted that the pre-1975 land tenure system in Ethiopia was characterized by high spatial variation, a monarchical approach, and intricacies. It was very varied owing to the country's spatial, historical, ethnic, and cultural diversity. This complex nature was one of the factors that hindered major progress towards an advanced reform in land tenure in the country. During monarchies, the land was owned in varied forms designated as '*rist*' (kinship ownership), '*yewel meret*' (communal land), '*gult*', '*rist-gult*', '*diessa*' (village land), private, state, and church land tenures across Ethiopia. The '*rist*' tenure system was most common in the northern part of the country, whereas private tenure predominated in most parts of the country. Communal lands predominated the lowland pastoralist areas.

The '*rist*' system was characterized by the principle of use and transfer rights by all descendants of people from a common ancestor (Bahru 2002). '*Gult*' system was not transferable and a right to tax the benefits from the land. In consequence of land granted by the crown to those members of the army who came from the north and those who were loyal to the regime, private land tenure was the most dominant system. This system encompasses some 60% of the peasants and 65% of the country's population in the 1950s and 1960s. Exploitative tenancy, underutilization of lands, tenure insecurity, and diminution and fragmentation of land were the major land-related problems in pre-1975 Ethiopia (Bahru 2002; Nega, et al., 2003). The land policymaking practice therefore was monarchical in the sense that it had directly emanated from the monarchical rule.

With the coming to power of the military Government; commonly known as *Dergue* (1974-1991), the land tenure system was radically transformed, and the tenant-landlord relationship was abolished. With provisions of Proclamation No 31/1975,

Dergue enacted public ownership and rural land distribution to the tiller. The *Dergue's* land law prohibited the transfer of use-rights by sale, exchange, succession, mortgage, or lease, except upon death only then to a wife, husband, or children of the deceased. In the case of communal lands, the law allowed possession rights over the land for those working on the land at the time of the reform. No farmer was allowed to use hired labor to cultivate his/her farmlands, and 10ha was allowed as a maximum a family can possess. According to Nega et al. (2002), peasant associations were established at grassroots levels to administer and manage the rural lands based on the guidelines coming from the Ministry of Land Reform and Administration (MoLRA). Various literature shows that the fact that the right to own land has been vested in the state since 1975 has resulted in diminishing farm size, mismanagement of land, and degradations. At the grassroots level, the Peasant Association is in charge of land. The Peasant Association at kebele level was responsible to implement the guidelines from national, provincial, *awraja*) and *woreda* levels of the *Derg's* structure. The policy was made centrally. Following the reform based on the slogan 'land to the tiller', in the North, there was land distribution and redistribution for equitable share of land among small holders. In the rest of the country (for example in the current Oromia and SNNPR), there has been no land distribution and unfair land distribution between smallholder farmers is observed to this day. The farmers remain with what they were tilling. It is unclear why this difference exists and what is the reason for this difference.

The downfall of the *Derg* and the coming to power of the EPDRF Government in 1991 hasn't resulted in any significant changes in Ethiopia's land tenure system. In the FDRE Constitution of the 1995, the issue of land was settled in favor of state and public ownership. Article 40 of the Constitution provides that the right to ownership of rural and urban land, as well as of the natural resources, is exclusively vested in the State and in the people of Ethiopia.

2.3. Land and land-related policy documents

Ethiopia has no comprehensive national land policy though national land use policy and national integrated land use plan are speculated to be underway. As a result of the absence of national land policy, land-related Issues are found scattered in several other policies, strategies, development programs, agricultural development projects, plans, and proclamations. These include, but not limited to:

- (1) Comprehensive and Minimum Packages Approaches (the 1960s & 1970s);
- (2) The Agricultural Development-Led Industrialization (ADLI) in 1994/5;
- (3) The Constitution of the FDRE (1995);
- (4) Sustainable Development and Poverty Reduction Programme (2002);
- (5) Rural Development Policy and Strategies (April 2003);
- (6) Plan for Accelerated and Sustained Development to End Poverty (2005-2010);
- (7) Agricultural Policies, Programs, and Targets for PASDEP (2005/6 - 2009/10/);
- (8) National Employment Policy and Strategy of Ethiopia (enacted in Nov 2009);

- (9) Growth and Transformation Plan I (2010/1 – 2014/5);
- (10) Ethiopia's Agricultural Sector Policy and Investment Framework (2010 – 2020);
- (11) Growth and Transformation Plan II (2014/5 – 2019/20);
- (12) Federal rural land administration proclamations (No. 89/1997 & 456/2005);
- (13) Integrated Land Use and Development Master Plan for Gambella NRS;
- (14) Integrated Land Use and Development Master Plan for Benishangul-Gumuz NRS
- (15) Benishangul Gumuz National Regional State Rural Land Management and Investment Office Annual Plan for the 2020/21 Fiscal Year
- (16) Benishangul Gumuz National Regional State Rural Land Management and Investment Office 5-year Development Plan (2020/21 – 2024/25)
- (17) Benishangul Gumuz National Regional State Rural Land Management and Investment Office 10-Year Leader Development Plan ((2020/21 – 2030/31)
- (18) Regional rural land administration and use proclamations.

With little or no engagement of the community and other relevant stakeholders, the Imperial Government of Ethiopia introduced the First Five-Year-Plan in 1958 that served from 1958 to 1963. Five-Year-Plan extended from 1963 to 1968 (<https://www.ukessays.com>; <https://www.ascleiden.nl>; Bahru 2002; Nega 2003). The first two favored large-scale farms specializing in the production of export crops (Kassahun and Poulton, 2014), and the smallholders were completely neglected until the Third Five-Year-Plan (1968 - 1974). Ethiopia gained remarkable experience in designing and carrying out rural development programs during the *Third Five-Year-Plan*.

The Third Five-Year-Plan focused its agricultural development efforts on smallholders, concentrating its activities on those areas that had the greatest potential for success (such as Arsi, East Shewa and Wolaita), using the Package Approach. The first three integrated package projects that were initiated in accordance with the Plan were the Chilalo Agricultural Development Unit (CADU), the Wolaita Agricultural Development Unit (WADU), and the Ada'a District Development Project (ADDP), which were launched in 1967, 1970 and 1972, respectively (ARERN, 1975; World Bank, 1980; Kassahun and Poulton, 2014).

ADDP, CADU, and WADU were the first comprehensive package project established to modernize traditional subsistence agriculture through major package programme including fertilizers, ameliorated seeds, farm credits, marketing facilities, improved tools, and implements, and enhanced storage facilities. Yet, still, the package approach was highly centralized, non-participatory, and was lacking contextualization to local peculiarities. They were what came to be known as the Comprehensive Package Approach (CPA) and the Minimum Package Approach (MPA). The projects

were not as successful as anticipated due to some adverse factors such as political systems change, limited funding, and absence of awareness at the grassroots level. Although the attention was to smallholders, only 13% of productive investment in agriculture was allocated for smallholders during the Imperial period. This was a disproportionate allocation of investment as over 92% of the total agricultural output was coming from smallholders, which constituted over 95% of the total number of farmers at the time (ARERN, 1975). All the programs were unsustainable owing to many adverse factors, among which insufficient stakeholders' involvement at each stage of policymaking was the major factor.

According to Kassahun and Poulton (2014), CPA and MPA's progress was bedeviled by structural/institutional and ideological constraints. The policymaking practices were not a participatory and exclusively top-down approach. Alike the sociological institutionalism framework's arguments, during the imperial period, the land tenure system was characterized by a high incidence of the tenancy and discouraged tenants from investing in land. With the coming to power of the Military Rule in 1974, agricultural development priorities anchored in the military government's ideological orientation, which accorded primacy to co-operatives and state farms, led to a situation in which individual peasant producers were primarily deprived of access to credit services and improved inputs. Hence, the efforts made during both the imperial and military regimes' reigns in expanding agricultural development proved unsuccessful.

Within four years after it came to power, the EPDRF Government introduced the Agricultural Development-Led Industrialization (ADLI) in 1994/5 (GRIPS 2009). Many respondents still argue that the policymaking practices followed more of a top-down approach, with little bottom-up and side-in involvements. ADLI focused on increasing the productivity of smallholder farmers through the diffusion of fertilizer and improved seeds, together with the establishment of credit schemes as well as the expansion of rural infrastructure. ADLI viewed agriculture and land as the engine of growth because of its potentially superior growth linkage, surplus generation, market creation, and raw materials and foreign exchange provision. According to Nega *et al.* (2003), ADLI had the unfounded assumptions that increased productivity. Thus the output will not affect prices adversely and thus lead to increased monarchy income of rural households and thereby to demand-driven industrialization.

The FDRE Ethiopia (enacted in 1995) settled in favour of public ownership. Article 40 sub-Article 3 of the FDRE Constitution states '*Land is a common property of the Nations, Nationalities, and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange*'. Sub-Article 4 also states '*Ethiopian peasants have the right*

to obtain land without payment and the protection against eviction from their possession. The implementation of this provision shall be specified by law.'

The Constitution also ensures Ethiopian pastoralists free land for grazing and cultivation. According to the Constitution, the government shall ensure the right of private investors to use land based on payment arrangements established by law. Above all, the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the property's value. It seems noteworthy that the existing land policy has resulted in small/fragmented landholdings, insecurity of tenure, poor farm management practices (Nega et al., 2003), which has highly contributed to pervasive rural poverty in almost all regions.

All the land-related policies enacted after 1995 give the impression that they are based on the Constitution of the FDRE Article 40 in which only usufruct rights are given to landholders. Directly or indirectly, the existing land tenure impacts all the above-mentioned strategies and has implications for poverty reduction, food/nutrition security, rural development, employment creation, economic growth, agricultural investment, and land administration and use. Access to land has considerable influence on household income and food security, to the extent that small farm sizes appear to be one of the major constraints for farm development and intensification efforts.

A study of farmers' perception by Nega *et al.* (2003) shows that the farmers feel largely insecure on their current holdings. These researchers state that ways must be sought to provide better land tenure security of land holdings for Ethiopian farmers for better productivity, production, and environmental protection. Given the growing population pressure, enhanced environmental degradation, increasing number of rural landless households, and limited access to farmland, encouraging the development of the non-agricultural employment sector is crucial.

Though the strategies and laws (such as land management, land use, agricultural development, and economic growth plans) appear to have been drawn from the Constitution of FDRE (1995), the chain strategies and laws little or no contribution to poverty reduction, environmental protection, and innovation in the agricultural sector in Ethiopia. Even if government reports are trying to convince the public as if poverty, food insecurity, and other socioeconomic ills are reducing over the last 3 decades (such as NPC, 2016), the reality is contrary to the reports.

The National Employment Policy and Strategy of Ethiopia /NEPS/ (enacted in November 2009) considers raising agricultural labour productivity as one of the key components to improve the employment level of the rural youth in Ethiopia. It states that rural poverty has remained high and persistent despite the good performance of the agricultural sector and the low unemployment rate. The policy direction for reducing rural poverty in Ethiopia focuses more on raising rural income and labour productivity than on employment creation. Raising agricultural productivity generally hinges upon a blend of technical issues, economic issues, infrastructure and institutional development, and land tenure security.

Replacing Growth and Transformation Plan II /GTP II/ (2014/15-2019/20, Ethiopia is currently completing the preparation of a ten-year plan (2020/21-2030/31) targeting to *'to bring quality based economic growth.'* The plan has been initiated by Planning and Development Commission (PDC) of Ethiopia. The PDC has pulled together professionals (researchers and academicians) to prepare the draft document for months. Each ministry has also come up with its ten-year plan based on the directives from the PDC. The plan aims to increase production and competitiveness; build a green and climate-resilient economy, and increase production and competitiveness; build a green and climate-resilient economy, and increase production and competitiveness; and bring about institutional transformation. In the process of developing the plan, several consultative meetings were held by the Government in which the issue of land and natural resources has been mentioned as one of the critical concerns and targets.

Regarding the current ongoing 10-years development plan, the key respondents for this specific assignment argue that *'it maybe for the first time in Ethiopian history that a large number of stakeholders, including experts from sector offices, CSOs, university-based researchers and other stakeholders have widely taken part in the discussions at least at federal and regional levels.'* However, there is no indication of major reform in land policy though agricultural development is one of the key pillars of the plan, succeeded by manufacturing industries, mining, tourism, urban development, innovation and technology, human resource development, infrastructure, and financial sector development. As unavailability of land and the soil's declining fertility are the most frequently cited reason (Nega, *et al.*, 2003), stemming from the existing fragmented and lacking land policy, the current 10-year plan could have given adequate emphasis to land tenure reforms. Generally, land tenure reform has not been vigorously incorporated in the current 10-year plan to solve the land-policy-driven challenges to enhance agricultural productivity/production and environmental protection.

As all land in Ethiopia is owned by the state or 'the people of Ethiopia,' the concept of property becomes somewhat complex and constitutes a bundle of rights where, for example, the right to sell, lease or to mortgage are understood differently to the rest of the world. Though ownership rights remain in the hands of the state, some more policy changes have also been introduced since 1991. The introduction of land lease system on urban Ethiopia was one of a paradigm shift land tenure system approach than before. In the countryside, farther land redistribution is ruled out before law which was caused tenure insecurity is another progress. Following the federal proclamation some regions adopted that they would not make any more administrative land redistribution while others shrink the scope for redistribution to irrigable land, and acceptable land consolidation programs. Other land policy improvements comprise land transfer through (with some restriction) rental arrangements were allowed and private commercial farms with possible mortgaging the use right as collateral services. Starting late 1990s, formidable policy initiatives are also made towards establishing sound land management and land administration system through rural land registration and certification in the highland regions of Oromia and Amhara and in Afar after a decade later. In most of the regional states, landholders need to comply with a number of user rules and management obligations to secure their usufruct and access rights such as being a residence in a kebele to access to land.

Despite the above policy measures, land related problems still prevail such as restrictive transfer of land use rights through rent hampers to have vibrant land transactions. Growing number of landlessness particularly young peasants/couples, land scarce peasants, pastoralists, women and other disadvantaged groups is other problem faced in contemporary Ethiopia. The rush to large scale agricultural investment land acquisitions following the 2007/8 sharp food price spike and biofuel demand, national mega projects development in the arid lowland parts of the country, the unprecedented urbanization process, and climatic changes are the major challenges ahead that could affect the land tenure regime of the country. In conclusion, access to land is an important issue for the majority of Ethiopian people who, one way or the other, depend on agricultural production for their means of livelihoods. Recognition of land tenure rights is therefore continuing to be of heart of the political economy public policy, as they have been at several junctures in Ethiopia's history.

Different studies show that the Amhara Regional State tends to be more progressive in terms secondary tenure rights such as in rental period (up to 30 years) and avoids restriction on size of landholdings to be rented out. The 252/2017 land proclamation in Amhara region suggests a promising avenue for increasing the collateral of landholders which is not a common practice across the country to pledge land rights as collateral before law.

3. Land policymaking processes and practices in Ethiopia

3.1. Policy Making Cycle

This section highlights Ethiopia's land policymaking practices *vis a vis* the conventional policymaking cycle (shown in Figure 1), which are agenda-setting, policy formulation, policy implementation, and policy evaluation and change.

a. Agenda setting

Agenda-setting in policymaking is the process of listing issues (problems) that warrant serious consideration for making or remaking a policy. This phase usually starts from problem identification.

As noted by Africa Union (2009) and Santiago (2016), in several other African countries, such as Uganda, community leaders, and traditions play a great role in land policy agenda-setting. Santiago (2016:45) noted, '*Land access in the north [Uganda, for example] was based on needs: hunting, gathering, farming, pasture, settlement. Traditional laws governed access rights and reflected societal norms and spirituality. Customary land ownership in the North promotes unity and commitment to a traditional way of life.*'

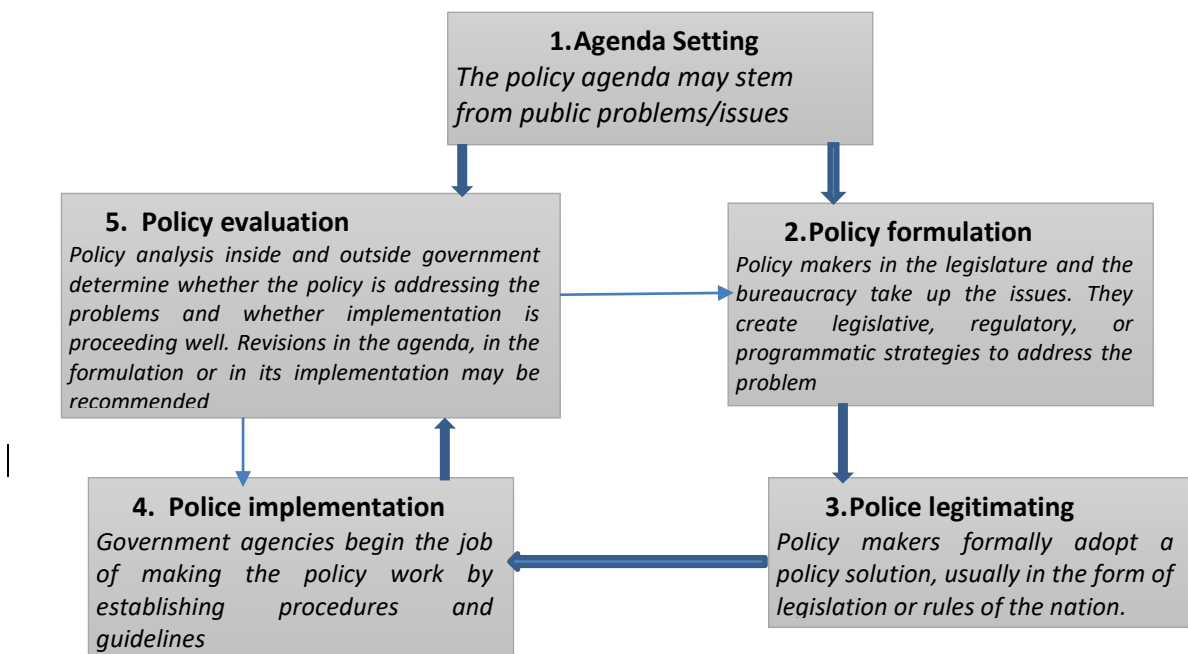


Figure 1: Policy making cycle

(Source: Adopted based on experiences and the reviewed literatures such as Framework and Guidelines on Land Policy in Africa: A Framework to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods /AUC-ECA-AfDB Consortium 2010)

In most cases in Ethiopia, the agenda is set by experts of sector offices and/or by the Standing Committee of the HoPRs or other top-level government bodies. No or little room exists for CSOs, development partners, independent researchers, and the public, whether or not as well as to what extent the stakeholders took part in problem identification for the land policy. Community leaders and investors, as KII and FGD respondents, for this research in the sample regions (Afar, Amhara, and Oromia) indicated that there was very little participation in land policy agenda setting and/or problem identification. This shows that the broad land policy's formulation still rests with the federal government while the government has decentralized land administration to the regional governments.

Relevant to this, the words of a key respondent (community leader) around Samara town is translated as follows:

... lack of local contexts in land policymaking is the one we [the local people] are always concerned about so far. One challenge in the policies is in consideration of the realities of the region. For example, the policy states that 18-year-olds will get land, but in Afar culture, the youth gets married when s/he turns 15 years. Look how the policy violates the culture and local contexts. Second, the federal government expects us to copy and implement everything in a impossible policy because of our local cultural and environmental conditions. Another challenge is that the community does not have a clear understanding of the policy's importance, as the region's current situation means that the cultural landscape is different from the highlanders ...

Some public servants and researchers' ideas corroborate the locales', indicating inadequate participation in problem identification and agenda-setting for the land policymaking. According to the informants, the perceived lack of participation of the farmers and investors has led to a lack of ownership and failure to use the local knowledge, all hampering the effective implementation of land policies. Most of them agree that the land registration and certification process is exceptional. It was a somewhat participatory process, generally leading to acceptance upon implementation. One should bear in mind that local stakeholders (such as community leaders, farmers, and agro/pastoralists) could precisely identify the impacts of land policies on land use, management, and protection in view of the existing local contexts.

According to the Land Use Department Team Leader at Agricultural and Natural Resource Development Bureau (ANRDB) of AfNRS, mostly the policy idea comes from

the federal offices as a result of which the farmers, agro-/pastoral community leaders, and investors have little role in agenda-setting in Afar region. Even though most regional level land-related policies and proclamations are copied from similar national policies with minor inputs, and modifications at the regional level. Participation of relevant community leaders and regional and/or local level experts is low and have little contributions to it. In most cases, the Land Use Department team's role has been organizing some discussion forums with concerned bodies on the drafts and the pre-designed agendas at the national level.

Similarly, an investor (interviewee) in Dubti district (Afar) indicated that he participated twice in land policy-related discussions, mainly related to natural resources conservation implementation approaches. *'The agendas for each discussion were sent from the federal government...'* said an interviewee, showing that he had no role in agenda-setting. Anyways, the policy document has been ratified and implemented in the region.

A senior expert interviewee working for Oromia Agricultural and Natural Resource Bureau (OANRB) stated his views as follows related to the overall land policy process in Ethiopia with specific reference to agenda-setting:

... What we observed in this country is really confusing because the government establishes a committee from both relevant and irrelevant offices to take part in agenda-setting and problem identification as a policymaking process. Often the policy implementors are neglected to participate in the process either intentionally or spontaneously, including our bureau. We really believe that it is the wrong way of agenda-setting as policymaking as the institutional set up for land policymaking exists in this country. This may be why our land policies are suffering from a lack of adequate policy alternatives...

Similarly, an interviewee from the AmNRS BoUDHC indicated that most land-related policy agendas are designed at the federal level with little regional involvement bureaus. Experts at regional offices usually take part in policy discussions and agenda setting forums specific to regional issues. The interviewee noted that various concerned professionals from related offices, members of the AmNRS councils, and community representatives from urban and rural areas participated in agenda-setting processes in the formulation of land administration and used directives though most of the contents are copied from the federal draft.

b. Policy formulation

According to the expert interviewees, policies are usually drafted by Committees, as policymakers, selected from different organizations (relevant governmental and non-governmental). The Committee is mandated to set policy objectives; generating and

identifying policy alternatives; identifying and evaluating the cost and benefit of each alternative, estimate the effect of each solution; choosing from a list of policy alternatives; and select policy instruments. The data obtained during agenda-setting discussions is vital to draft the necessary components of the policy and recommend multiple potential paths forward.

According to the interviewed experts and officials, the land policy formulation's common step has little space for grassroots/smallholders and researchers. These are:

- (1) Synthesis of the ideas raised during agenda-setting and consult with a few top-level key stakeholders that may have great roles in the implementation of the policy
- (2) Review procedures, verify if it meets the policy requirements and ensure that the policy and procedures are aligned, and
- (3) Validate the draft policy in discussions with top-level small or large groups as necessary.

According to the interviewees from different government ministries and offices, in the land policymaking process, the content of Ethiopia's policies is very sensitive and politically motivated. The contents are usually made up of non-professional and less educated politicians from the ruling party. Hence, the contribution of professionals and/or experts is very minimal. The role of more educated non-politician experts in the Committee remains only collecting ideas from the politician, write up and editorial works. The respondents regret that professionals' role could have been fully tapped throughout the Ethiopian development trajectory to formulate more rigorous, far-reaching, and knowledge-based land policy.

c. Policy legitimating

Most interviewed experts, both at federal and regional levels, and the reviewed literatures (such as Nega, *et al.*, 2003) argue that the land policy initiating and approving body is almost the same in the Ethiopian context (legislators and/or Council of Ministers). It seems as if only a few key government bodies initiate and push other middle and lower-level government bodies to approve and implement the policy. Only a few policy issues have been initiated by the public or research organizations or CSOs and put in place usually. '*Truly speaking, the land policymaking procedures in Ethiopia lack public and expert consultation,*' says one of the key respondents. The respondents (experts) argue that the failure to adopt and enforce procedural norms in land policymaking and the failure of legislatures and courts to require appropriate procedures before implementation in Ethiopia has undermined that policy's substantive validity.

Prominent research outputs in the area (such as Woo et al. 2015) argue that policy legitimation is a key element of the policymaking cycle. At this stage, it builds trust in the political, social, and economic spheres. Trust, on the other hand, ensures public support preventing policy ineffectiveness.

Regarding the process of land policy legitimating, a key respondent for this assignment, a former member of regional (Afar) HoPRs, said (translated): *'Land policymaking isn't properly following the standard procedure and framework, in most cases in Ethiopia. It usually comes to the 'policy legitimating' stage without proper discussions at prior stages. Most stakeholders are almost uninformed and/or ill-informed of most of the policies that the Government is attempting to enforce'*.

d. Policy implementation

This stage is where institutions that are responsible for implementation are informed or established or reorganized, making sure that adequate resources are earmarked and making sure that policy decisions are executed as planned. In the Ethiopian context, the government institutions implementing land policy at the federal level include, but not limited to, the Ministry of Agriculture (MoA), Ministry of Water, Irrigation and Energy (MoWIE), National Planning and Development Commission (PNPDC), Environment, Forest and Climate Change Commission (EFCCC), Ethiopian Wildlife Conservation Authority (EWCA) and Ethiopian Biodiversity Institute (EBI). At regional levels, bureaus like agriculture and natural resources, rural land development and management, urban development, housing, and construction are vital implementors of Ethiopia's land policy.

Yet, the interviewed experts and professionals indicated that; based on their several years of experiences working, reading, researching, and publishing in land-related issues; they are determined that land policies in Ethiopia lack contextualization and adequate participation, which at the end of the day leads to poor implementation and little return. They are formulated and implemented with inadequate discussions, poor understanding of the contexts, and insufficient resources, including human power. Policy-making and implementation practices are not taking into account local contexts and needs. Mostly it lacks the inclusion of proper stakeholders and experts as well as civic engagement.

With proper handling of land policy issues, most of the country's current socioeconomic and political challenges could have been mitigated. The land policy should not be a document that any top official can design and pass it on for approval. It should also not be a document that can be designed and approved at the federal level and dispatched to regional states for approval. It must be a document that all the

necessary stakeholders must adequately take part in all the policy formulation stages before implementation, unlike most cases in Ethiopia.

The respondents were asked to share their views and comment on whether or not the *land policies are poorly implemented in Ethiopia and why*. Most respondents agree that for proper implementation of the policy, all the key stakeholders could have participated in the development of the policy and be adequately aware of the prevailing policy issues in their areas. The local farmers and other bodies operating on the land should perceive the impacts of the policies appropriately. The perceived lack of participation may lead to a lack of sense of ownership and failure to manage the land properly, all hampering the policy's effective implementation. The respondents recommend that improvement in stakeholders' participation in land policymaking development can increase ownership and avoid social unrest, enhance productivity, and minimize/avoid natural resource depletion. Vibrant and accountable land policymaking and implementation practices could have contributed a lot to mitigate the existing grand land-related corruption in the country.

e. Policy evaluation and change

According to the interviewed experts, land policy evaluation is usually carried out in collaboration with related offices at federal, regional, and local levels. Since the broad land policy issues still rest with the federal government (though administration of land has been decentralized to the regional states), the major significant land policy evaluation works is vested in the federal offices.

A study report by USAID-Ethiopia and ARD, Inc (2004) shows that Ethiopia's '*regional governments have not adequately thought through monitoring and evaluation of the impacts of their reform efforts.*' Though this finding is about 16-years old, still the interviewed regional experts show that '*comprehensive*' land policy evaluation rests with the federal government; while regional and local offices mostly contribute in data collection and compilation.

At this juncture, one can raise a question of why the land policy evaluation results are unable to explain the existing challenges and bring the land sectors to the right trajectory. Why not is the policy evaluation unable to determine whether the policy addresses the problems and whether the implementation is proceeding well? In this regard, several scholars underline that the Ethiopian land sector isn't on the right track mainly because of the governments' reluctance to call for proper policy formulation with appropriate procedures in agenda setting, formulation, legitimating, and implementation modalities of the policy. A case in point is the continued debates on different ownership and tenure regimes for land in Ethiopia.

3.2. Actors and the power relations in the policymaking process

In Ethiopia, under the monarchy and socialist regimes in the past, the power of policymaking was exclusively vested only in the monarchical and the executives (Hassena, *et al.*, 2016). The coming to power of the EPDRF Government and the resultant major changes in the politico-economic system in the early 1990s has brought about new policy actors and new policy arenas in Ethiopia. The shift in Ethiopia's political and economic system has brought in several other policy actors. Currently, the actors include, but not limited to, the House of Peoples' Representatives (HoPRs), Council of Ministers (CoM), sector agencies/ministries, the private sector (investors), donor agencies, Civil Society Organizations (CSOs), research institutions, universities, and the community/public.

According to the FDRE Constitution (ratified in 1995), unlike the case during the *Imperial and Derg* governments, the state powers have separated between the legislature and the executive over the last three decades. In the same way, Ethiopia's economic system has been shifted from a command economy to a developmental state approach or state development capitalism. These changes set important clear ground for better policymaking processes in Ethiopia. However, as Hassena, *et al.* (2016) argued, the mere separation of power and emergence of new actors do not necessarily guarantee effectiveness in policy formulation and implementation. Hence, we questioned who the major actors are in Ethiopia's land policymaking and the power relationship among actors.

The HoPRs is the federal government's highest authority in Ethiopia, retaining the legislative power over all federal jurisdiction matters, while the executive body composed of the Prime Minister and CoM implement policies and laws (FDRE, 1995). Both the legislative and executive can draft policies or review those policies drafted by other government bodies for further scrutiny and political correctness. The Sectoral Standing Committees of the HoPRs and other experts of the House and the Council is mandated for the technical part of the job. The drafting of policies by the executive is mainly conducted by sectoral agencies/ministries.

The involvement and participation of the new actors in the land policymaking process have introduced a new environment (such as public hearings and discussions at various levels) and have changed the dynamics in existing arenas. According to the respondents (members of HoPRs and the experts) for this specific study, most explicit agencies (ministries and regional offices) often organize stakeholders' workshops to improve the content of the draft policy document. The sectoral Standing Committee of the HoPRs may also organize public hearings to get the public's views about draft

policy documents. However, according to the respondents at different levels, the hearings, discussions, and workshops are often futile, because, the stakeholders' comments aren't adequately considered in finalizing the policy draft.

By way of illustration, we refer to the case of an investor in the agricultural sector in Dubti *woreda* (Afar) who has taken part in several times in land and agricultural-related policymaking processes at different levels, such as discussions at agenda-setting, monitoring, and evaluation. The respondent explained that *'the existing policy arenas provided me the opportunities to place the preferred policy options and the community in/around Dubti on the agenda and to get them incorporated into land policy issues.'* However, according to the respondent investor in Dubti, the final decision-makers ultimately haven't noticed participants' ideas (including his own) raised at different forums.

4. SWOT in in the Land Policy Making Process

4.1 Key deficiencies & impediments to effective land policymaking processes

The Ethiopian land issue has been full of deficiencies and challenges. The data obtained through KIs, FGDs, and review of pieces of literature (such as Belachew 2012; Daniel 2013) indicate, among others, lack of national land and land use policies; unfair/unclear/ or impracticable compensation mechanism (Proc No 455/2005) in case of expropriation both in rural and urban areas; lack of clear government policy to regulate the land market; improper land valuation system; traditional, complex and cumbersome procedures in land acquisition for investors; lack of coordination between land administration organizations; poor land records and management; difficulties to retrieve land information; extensive misuse and corruption of public land; lack of mechanism to provide land to emerging rural households; absence of mechanism to protect the rights of the local people, are some of the deficiencies and impediments in

land sector and land policymaking processes in Ethiopia. In the same way, the top-down approach in policy formulation and inadequate stakeholders' participation (throughout the 1900s); lack of collaboration between policymakers and researchers/academia; failure to take notice of the ideas of the smallholders/grassroots and agricultural investors; and inadequate local context are mentioned as critical deficiencies in the land policymaking cycles.

In contrast to the widely lauded importance of stakeholder engagement to formulate a well-found policy (Lemke, et al. 2015), the centralized, top-down approach and inadequate stakeholder participation in land policymaking have resulted in major drawbacks in Ethiopia, particularly in the 1900s and thus far. Even today, while the government is arguing as if every policymaking process is public-centered and bottom-

up, we observed that there is still a broad divergence among the surveyed regions with respect to the stakeholder's involvement and the approach. Purposes and methods of engagements, as well as the outcomes, differ.

The respondents share the opinion that stakeholder engagement in land-related policymaking is still at an emerging stage and has almost all control at the federal level with several challenges for stakeholder engagement. A few key respondents, such as an OILUP physical land use planner in the project, argues that currently, the ongoing Oromia Integrated Land Use Planning Project is adequately engaging the stakeholders at all levels, including the grassroots and top officials though sometimes fail to take notice to the stakeholders' ideas is a reality.

Even if many relevant researchers (Williamson, *et al.* 2019) strongly recommend a strong partnership between researchers and policymakers to produce more relevant policy, the collaboration between the two parties in Ethiopia seems low even today. Interviewees at the Center for Rural Development Studies of Addis Ababa University and Institute of Land Administration at Bahir Dar University agree that the partnership between the academic Centres/Institutes and land policymakers is at its embryonic stage. The partnership (if any) is more personal, not strategic, nor institutional. Both interviewees emphasized the necessity of collaboration *'either through researcher-initiated and policy agency-initiated collaboration as both are working to better the country's land issues in Ethiopia.'* The two researchers were of the same opinion that *'sector-initiated collaboration is thought to be the most likely to be implemented, while researcher-initiated policies are considered important in advancing the science of land management, use, and administration in the country.'*

Another major deficiency and impediment to Ethiopia's effective land policymaking process is the insufficient incorporation of the grassroots or the smallholders' ideas. Though *'debates are still [globally] inconclusive on how best the grassroots can be included in policy formulation, and specifically supporting social development in the developing countries'* (Ali and Ariffin, 2017: 237), the grassroots engagement practices in land policymaking in Ethiopia isn't satisfactory.

An administrator of Beyahile kebele of Dubti woreda (a key informant) states that community engagement in land issues in the area is *'pseudo grassroots participation. For example, no community-level discussion was held when the federal and regional governments allocate lands in the kebele for sugar projects and large-scale wheat farms. The government simply lobbies the community leaders 'and decides whatever they like, without any discussion and consensus at the community level.'*

Many scholars (Adenew, *et al.* 2017; Salum *et al.* 2017) argue that in most developing countries in general and in Ethiopia in particular, the procedure for grassroots participation appeared to be hindered by the absence of appropriate techniques and platform for taking part on the one hand and the negative state of mind from the side of policymakers and/or government officials on the other side. Thus, the voices of the grassroots remain unheard-of policy details.

Another deficiency and impediment to Ethiopia's effective land policymaking process is inadequate analysis and inclusion of local contexts and priorities. Within the country's complex and dynamic systems, failure to painstakingly consider local contexts leads to a loss in the policy implementation. In this regard, an interviewee at the Land Use Department of the Afar Afar Agricultural and Natural Resource Bureau indicates that Ethiopian land-related policies are useful when seen from national perspectives. At the same time, most of them fail to address the agro-/pastoral community's contexts in AfNRS. The key informants raise identical concerns from the relevant offices of AmNRS and ONRS.

Land issues in Ethiopia are scattered sporadically in other policy documents due to the absence of a comprehensive and full-fledged national land policy. Though comprehensive land policy documents (such as land use policy and land use plan) are vital for various development and environment schemes (Needham and Verhange 1998; Thomas 2001), it is unfortunate that Ethiopia has none of them so far. However, two key respondents (*i.e.*, from OILUP and SEDA) indicated that National Land Use Policy and Integrated Land Use Plans for a few regional states are currently in progress. In the same way, a draft Roadmap for National Integrated Land Use Planning (RNILUP) was prepared by a private consultant in 2017. But none of them are ratified by the Government for use.

The land has long been a serious bone of contention among different groups of Ethiopians (politicians, academicians, investors, and the community), mainly due to the existing fragmented land policy. Similarly, the current land-related policies have failed to address the key socio-economic, political, and environmental impediments. The absence of proper national land-use policy, for example, resulted in the loss of much of the country's forest coverage through deforestation and land degradation. As noted by Badege (2001), overgrazing, expansion of uncontrolled smallholder agriculture, the haphazardly established large agricultural investments, uncontrolled timber extraction, growing demand for fuelwood, and forest by-products have driven the rapid deforestation and forest degradation challenges we see today.

The absence of comprehensive land policy has long resulted in poorly planned and unregulated urbanization schemes in Ethiopia. Rapid encroachment of urban areas into the agricultural, pastoral, forest, wetland, and protected areas pose a significant threat to the country's land use system (Azadi *et al.*, 2016). The respondents for this specific research are also of the same mind that the absence of proper urban land policy has exacerbated the growth of unplanned and uncoordinated use of urban land resources. On this subject, an interviewee's views from Policy Research and Advisory Bureau of the MoUDC and BoUDHC of AmNRS illustrate the haphazard expansion of industries and urban residential areas into agricultural prime lands and wetlands adversely affecting the livelihoods of the peri-urban communities and the ecosystem. The inappropriate establishment of waste disposal sites is common within metropolitan areas and their surroundings, mainly because of the nonexistence of a progressive National land policy's.

4.2. Opportunities and alternatives for a participatory and transparent land policy making process

The critical opportunity for Ethiopia's participatory and transparent land policy is the FDRE Constitution (1995). The Constitution's essential articles that ensure an opportunity for proper land-related policies are Articles 40, 89, and 92, among others. Article 40 (3) of the Constitution stipulates *'The right to ownership of rural and urban land, as well as of all-natural resources, is exclusively vested in the State and in the peoples of Ethiopia. The land is a common property of the Nations, Nationalities, and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange.'* Article 89 (1) underlines *'Government shall have the duty to formulate policies which ensure that all Ethiopians can benefit from the country's legacy of intellectual and material resources.'*

Likewise, Article 43 (2) states, *'Nationals have the right to participate in national development and, in particular, to be consulted with respect to policies and projects affecting their community.'* The synthesis of these three articles of the Constitution, among others, ensures an important opportunity for the Government to formulate land policy with proper public engagement at each stage of the policymaking cycle for national interest and sustainability.

Ethiopia is a democratic country led by elected leaders at all levels (Constitution FDRE, 1995) is a vital opportunity and a cornerstone to carry out a participatory and transparent land policy-making process. This enables Ethiopia people to have the right to contribute to their governing policies, as participation and transparency are core

issues in democratic theory and cornerstones such as freedom of assembly and speech, inclusiveness and equality, membership consent, voting, and minority rights.

To implement these constitutional provisions, a number of land-related sectorial policies, strategies, and legislative enactments are already in place incorporating the land issue in one way or another. Amongst others, Ethiopia has developed important working documents, such as GTP II (2014/16 - 2019/2020), Climate Resilient Green Economy Strategy (FDRE 2011), and a 10-Year Development Plan that guide the socio-economic development through a resilient and green growth path to become a middle-income country in the near future. As land-related practices affect these strategies' effectiveness, optimal land use and its management are placed at the center.

Thus, national growth and development ambitions and priorities should be closely aligned with proper land policy development and implementation. The efforts made thus far to curb land-related problems have, however, not been enough. As our most valuable public resource, it is vital to protect the land and the resources therein with proper land policy formulation to ensure the optimal use of Ethiopia's land for sustainable development. It is a good opportunity for those who are thinking to formulate land policy as the country is aggressively preparing the 10-Year Development Plan. Furthermore, the 10 Year plan in which agriculture, manufacturing industries, mining, tourism, urban development, innovation, and technology are the plan's key development sectors highly dependent on one way or another on land and land policy.

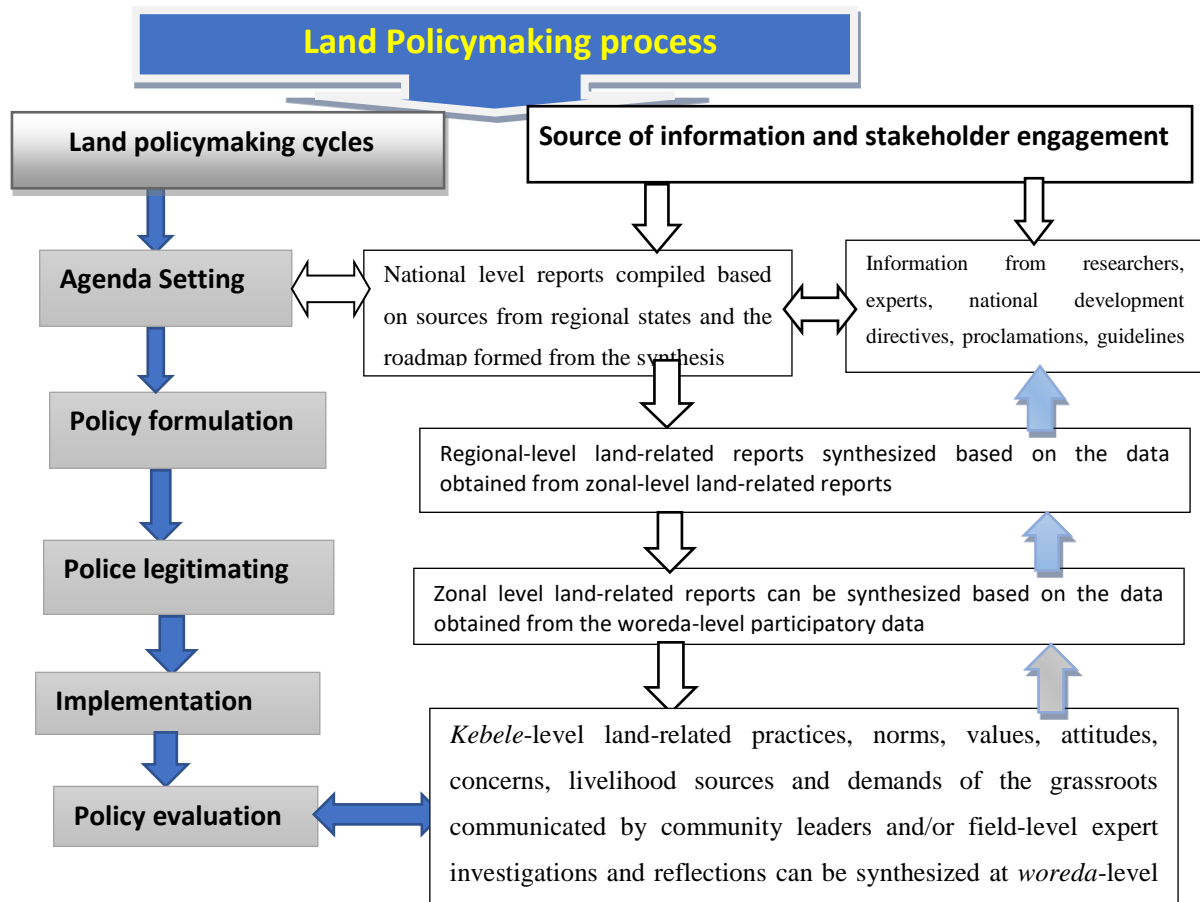


Figure 2: Alternatives and approaches for a participatory and transparent land policymaking process

(Source: Modified from the reviewed policy-making cycle, *Roadmap for National Integrated Land Use Planning in Ethiopia* (Azene, 2017), other primary sources, and respondents' opinions for this research)

Figure 3 is extracted from Figure 2 to emphasize the three major sources of information for land policymaking. These are information flowing top-down, bottom-up, and side-in and are assumed to be essential in producing effective land policy. The top-down information includes essential land-related information /data such as relevant Articles of the Constitution, national development plans, proclamations, and conventions. This information needs to be communicated by the staff of relevant top-level institutions and integrated into the policy properly. On the other hand, the land policy should contain the information and ideas of the grassroots beneficiaries/residents or users in a bottom-up approach. These are rural or urban residents making their livelihoods from land, including, but not limited to, cereal farmers, horticulture farmers, rangeland users, urban farms, industries, investment production, forest industries, and industrial plantations, residential locations, and their facilities.

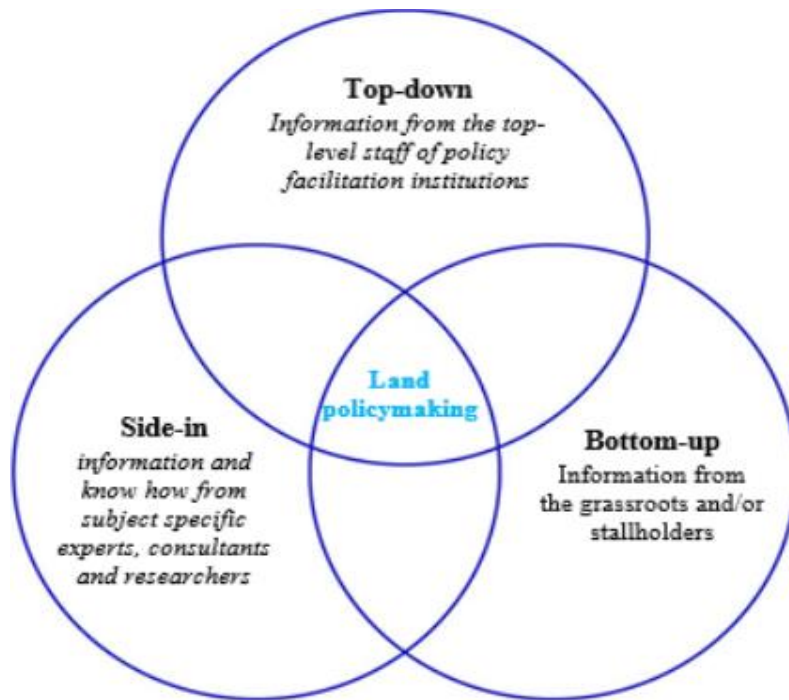


Figure 3: Major sources of information/ideas in land policymaking

The third decisive information sources (Side-in) are experts, researchers, and professionals in land policymaking. These are those who are temporarily coming and participating in land policymaking by lending their expertise and/or knowledge (at each stage of the policymaking cycle) in each of the land options and related political-economy, social, agroecological, climatic, and edaphic factors that influence the suitability of land resources.

The integration of the information from three sources (top-down, bottom-up, and side-in actors) should be taken care of at different policymaking cycles and administrative levels such as region, zone, *woreda*, and *kebele* so as to enable government institutions from federal to *kebele* levels to oversee the implementation of the land policy as planned by using their legal enforcement measures.

Table 1: Opportunities and threats in land policymaking practices in Ethiopia

No	Factor/s	Opportunities	Threats
1	Political situations	<ul style="list-style-type: none"> • Growing attention to improved land management and green economy (such as the Green-Print Campaign) by the government; • Conducive government policies, proclamations, and strategies for sustainable development; • Government readiness to accommodate ideas and institutions working on land management; • Formulation of the 10-year development plan (underway); • The government opened up space for CSOs to involve in all the sectors, including advocacy services through Proc No 1113/2019, and • Government commitment to widening the political space for opposition political parties. 	<ul style="list-style-type: none"> • The adverse impact of the FDRE Constitution that tightened the land tenure in favor of Government and public ownership • Tight government regulations and policies that may coerce institutional freedom in land policy formulation; • More preoccupation with quantity/number of projects than their quality (such as the case Extensions participants) • Risks and uncertainties being caused by the coronavirus disease (COVID-19) pandemic • The contemporary political and national insecurities and instabilities
2	Economic profiles	<ul style="list-style-type: none"> • Rising demand for problem-solving and innovative policies/strategies • The high demand for land policy reforms from the society, investors, and development partners • Increasing rural poverty, food insecurity, degradation, and inequality showing that the existing land policy is unable to enhance productivity, production, and environmental protection • Lack of standard compensation scheme for development-displaced farmers, and • Increased land-related disputes. 	<ul style="list-style-type: none"> • Shortage of land, particularly in highland areas of Ethiopia • Higher rate of population growth • Huge landless emerging households both in rural and urban areas • Lack of adequate research findings as to how the land policy is affecting the economy of the country • High demand for land by both domestic and foreign investors • An established public mindset that land belongs to the Government and the people of Ethiopia
3	Social	<ul style="list-style-type: none"> • Diversified needs among Ethiopian nations, nationalities, and peoples, calling for context-based land policy 	<ul style="list-style-type: none"> • Rising social conflicts based on political, ethnic & religion backgrounds, burdening the works of governmental and non-governmental organization

	circumstances	<ul style="list-style-type: none"> • The rise of positive social attitude towards land policy reforms in Ethiopia • Increasing societal demand for sustainable and equitable land use • High attachment of social values to land access, ownership status, and use in Ethiopia • Greater commitment to SDGs goals in Ethiopia (in aspects of environmental protection, proper land management, sustainable and equitable land access, etc.) 	<ul style="list-style-type: none"> • Decreasing and depriving understanding b/n some social groups • Increasing challenges and risks in the land sector owing to the existing grand corruption over the last 3 decades • Declining social norms and ethical values • The Deteriorating rule of law.
4	Technological status	<ul style="list-style-type: none"> • Availability of open and free computer applications for land-related meetings, conferences, awareness creation works, research, and land rights advocacy • Increasing availability for valuable online information such as satellite images, rich in data • The increasing availability of GIS and RS innovative technologies for land use/cover dynamics, resource location, cadastral works, and monitoring and evaluation • Emerging opportunity as a result of emerging technologies in data science and artificial intelligence, suitable for land use and management 	<ul style="list-style-type: none"> • The newness of the land analysis technologies in Ethiopia • Costly satellite image data and heavy dependence on foreign sources for the data • Lack of qualified and skilled human resource in cutting-edge technologies • Misuse and abuse of technology and technological products • Limited ICT infrastructure and network capacity in the country • Limited coverage and service quality

5	Legal environment	<ul style="list-style-type: none"> • Increasing demands for the revision of the FDRE Constitution which may give a chance for the land policy reform • A half-century-old experiences in public and government ownership of land, with its pros and cons • Current conducive legal environment to link the land policy to almost other development sectors (agricultural development, water management, sustainable land management, watershed development, investment...) • The current enabling federal system and Constitutional environment to contextualize land policy to regional and local peculiarities 	<ul style="list-style-type: none"> • Bad tenant-landlord relationship experiences of landownership preceding the 1975 land reforms in Ethiopia • The current restrictive Constitution in land tenure favoring the Government and public ownership of land, discouraging context-based ownership scheme for regions and local • Absence of rigorous and comprehensive research output in land laws in Ethiopia so as to convince the government evidently for alternative land policy
6	Environment and location	<ul style="list-style-type: none"> • Ethiopia's location is highly diverse in terrain, climate, soil, socio-cultural setup, and economic accumulation, as well as population distribution and density, demanding context-based land tenure systems. 	<ul style="list-style-type: none"> • The current restrictive Constitution to introduce context-based land tenure for regions and the locales, as the Constitution is favoring the Government and people ownership of land, discouraging context-based scheme for regions and locality

Table 2: Assessment of land policymaking practices environment in Ethiopia: Strengths and weaknesses

No	Issues	Strengths	Weaknesses
1	Tenure security	<ul style="list-style-type: none"> • In most cases, the pre-1975 land policy had encouraged full rights inland. • Protected smallholders not to sell out their lands for life and be uprooted 	<ul style="list-style-type: none"> • The tenant-landlord relationship in pre-1975 was exploitative and discouraging for the mass peasants • Post-1975 land policies restrict full rights in land, reduces incentives to invest in land productively, and limits transferability of land
2	Land ownership	<ul style="list-style-type: none"> • Pre-1975: varied land ownership approach such as 'rist' (kinship ownership), 'yewel meret' (communal land), 'gult', 'rist-gult', 'diessa' (village land) • In post-1975: <ul style="list-style-type: none"> ✓ <i>The land use-right-only protected the farmers not to sell out their land and uprooted</i> ✓ <i>Every Ethiopian has the right to use the land;</i> ✓ <i>Every smallholder the right to obtain land without payment and the protection against eviction from their possession;</i> ✓ <i>Pastoralists have the right to free land for grazing & cultivation as well as the right not to be displaced from their lands;</i> ✓ <i>The government shall ensure the right of private investors to the use of land based on payment arrangements</i> 	<ul style="list-style-type: none"> • In pre-1975: Exploitative tenant-landlord r/ship • Post-1975: <ul style="list-style-type: none"> ✓ <i>The right to ownership of land and natural resources is vested in the State and the peoples of Ethiopia throughout, giving no chance for context-based ownership</i> ✓ <i>The fact that smallholders cannot sale or exchange their lands has forced them to lose their lands in the name of development-induced resettlement, and further impoverished</i> ✓ <i>The government may expropriate private property for public purposes subject to payment in advance of compensation proportional to the value of the property</i> ✓ <i>Low compensation rate or lack of a standard for compensation for the development-induced displacees resulted in further impoverishment of smallholders, particularly those around urban areas</i>
3	Rural land protection	<ul style="list-style-type: none"> • In most cases, the pre-1975 land policy was encouraging for the landlords to take care of their land and the natural resources thereof • Comparatively, the elimination of the tenant-landlord relationship in post-1975 has somewhat encouraged smallholders 	<ul style="list-style-type: none"> • Pre-1975 land policies had discouraged the peasants from protecting the rural land • Post-1975 rural land policy poses significant constraints to natural resource management, protection of land degradation
4	Rural land	<ul style="list-style-type: none"> • Pre-1975 land policies were discouraging for the tenants to genuinely get down to the land owing to 	<ul style="list-style-type: none"> • Land policies during the <i>Derg</i> Government (1974 – 1991) were discouraging for the smallholders (including female-

	Productivity & economic profitability	<p>their inconsequential benefits from the land</p> <ul style="list-style-type: none"> • Post-1975: <ul style="list-style-type: none"> ✓ <i>Land policies encourage input supplies, mostly fertilizers, and agrichemicals</i> ✓ <i>Post-1991 land policies encourage female household heads to use hired labour</i> 	<p>headed households) to use hired labor</p> <ul style="list-style-type: none"> • Post-1975: <ul style="list-style-type: none"> ✓ Land policies pose significant constraints to agricultural growth owing to the existing limited land right (<i>i.e.</i>, use right only)
5	Urban land	<ul style="list-style-type: none"> • Pre-1975: <ul style="list-style-type: none"> ✓ Urban lands were the property of private landholder, and was transferable through sale, exchange, and bequeath; landholders had the right to bargain for their urban lands, and enhanced the origin and development of urban areas • Post-1975: <ul style="list-style-type: none"> ✓ <i>During Derg all urban lands were the property of the government, controlled urban land price rise</i> ✓ <i>After 1991, still, all urban lands belong to the government, but can be owned in different forms such as lease, rental</i> 	<ul style="list-style-type: none"> • Pre-1975: <ul style="list-style-type: none"> ✓ Limited the right to appeal to a presumably independent court of law with regard to the amount of compensation awarded for the loss of land rights through expropriation. • Post-1975: <ul style="list-style-type: none"> ✓ <i>During Derg no person, family or organization had the right to hold urban land; and no compensation was paid in respect of urban land; vague and broad understanding of 'public purpose' for expropriation; and bring the urban land case to legal action against the government was totally prohibited</i> ✓ <i>After 1991, though urban land belongs to the government, the informal land marketing practices, demand-supply imbalance, land-related corruptions, and lease bids inflated land prices</i>
6	Comprehensiveness	<ul style="list-style-type: none"> • Though not comprehensive, Ethiopia has land-related policies since the early 1900s • Pre-1975: Ethiopian had land policies targeting the benefits of landlords, particularly before the introduction of the 3rd Five-Five Year National Development Plan (1968-1973) • During <i>Derg</i> the land policies targeted peasants, '<i>land to the tiller</i>', no or little attention to private commercial producers and agro-pastoralists or pastoralists; and less importance to urban land 	<ul style="list-style-type: none"> • Throughout Ethiopian history, no comprehensive land-related policy, such as Land Policy, or Land Use Policy and/or Land Planning Strategy • Pre-1975: Ethiopian land policy was targeting the benefits of landlords, particularly before the introduction of the 3rd Five-Five Year National Development Plan; and no or little attention to peasants/smallholders, urban lands, and pastoral areas • During <i>Derg</i> the land policies targeted peasants, no or little attention to commercial largescale private producers and

		<ul style="list-style-type: none"> • The Derg land policy also somewhat encouraged state-owned large-scale farms • During EPDRF (1991-recent) the land policies seem more comprehensive in spatial terms 	<ul style="list-style-type: none"> • pastoral areas; and less attention to urban lands • During EPDRF (1991-recent) though the land policies seem comprehensive in spatial coverage, it is found anchored in other development policies/strategies
7	Public, private, NGO, and CSO sectors engagement	<ul style="list-style-type: none"> • Public, private, NGOs, and CSOs sectors engagement wasn't a point of discussion during Imperial and <i>Derg</i> governments • The current (EPDRF's) overall situations in the country encourage private sectors and NGOs/CSOs in land policymaking 	<ul style="list-style-type: none"> • No strong evidence for the public, private, NGOs, and CSOs partnership of land policy during the <i>Imperial</i> and <i>Derg</i> governments • No adequate and practical public, private, NGOs and CSOs partnership in the land policy-making process practiced in Ethiopia at each stage of the policy cycle (agenda setting, policy formulation, policy legitimating, policy implementation, and policy evaluation)
8	Research and publication in land policy	<ul style="list-style-type: none"> • A significant number of land-related research outputs and consultancy reports are there with immense role contributing to land policymaking in Ethiopia 	<ul style="list-style-type: none"> • Poor research agenda setting and prioritization in land policymaking issues in Ethiopia • Lack of rigorous/comprehensive research outputs for high-quality, evidence-based argumentations and discussions as to how, why, and when land policy should be made • Poor collaborative research and publications (such as University-industry linkage) inland policymaking in Ethiopia • Lack of and/or inaccessible land-related database/research outputs
9	Innovation and knowledge-sharing platform in land policymaking	<ul style="list-style-type: none"> • The research outputs and innovative ideas by governmental organizations, NGOs, CSOs, research centers, universities, etc. have contributed to the national strategies and programmes in the land sector 	<ul style="list-style-type: none"> • Lack of promotion platforms & database for the innovated technologies, research outputs, and good practices • Lack of integration among the research findings and innovative ideas by various organizations and individuals

5. The way forward (Recommendations)

The discussions and literature show that a proper land policy-making process, with adequate involvement of the stakeholders, including smallholders/grassroots, is important for Ethiopia for several reasons. The most notable ones are: (i) the future agricultural productivity of Ethiopia is at stake; (ii) the potential for conflict over land is high; (iii) misuse of land resources and corruption in the land sector is high; (iv) land/tenure security in Ethiopia is questionable, and (v) the land-insecurity-induced environmental degradation is high.

Particularly, Ethiopia has had about three decades of grand misuse of land and corruption, and the wounds of those decades remain and influence political and economic successes and failures unless managed through proper land policy. With the growing population combined with the land's low productivity, there is the potential for land conflicts to increase and turn violence increasingly. Without a rational land policy that the people can stand behind and believe in, there will continue to be contentious relations between the people and the government over land. The Ethiopian government has to grant the people much more participation in land policy-making processes in their own futures than it currently is.

References

1. Adenew, T., Jasper van Vliet and Peter H Verburg (2017). Farmers' Participation in the Development of Land Use Policies for the Central Rift Valley of Ethiopia, In the Journal of Land Use Policy 71
2. Afar National Regional State (2009). Afar National Regional State Rural Land Administration and Use Proclamation No. 49/2009, Samara
3. Africa Rural Employment Research Network /ARERN/ (1975). The Evolution of Alternative Rural Development Strategies in Ethiopia: Implications for Employment and Income Distribution Institute of Development Research, Addis Ababa University
4. Africa Union (2009). Land Policy in Africa: A Framework to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods, Framework and Guidelines on Land Policy in Africa, Revised Version, March 2009
5. Africa Union Commission, Economic Commission for Africa and Africa Development Bank Consortium (2010). Framework and Guidelines on Land Policy in Africa: A Framework to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods, Addis Ababa
6. Amhara National Regional State (2006). The Revised Amhara National Regional State Rural Land Administration and Use Proclamation No. 133/2006, Bahr Dar
7. Ali, S., and Aini Suzana Ariffin (2017). Grassroots Participation in Policy Formulation: Gaps and Challenges in the Developing Countries: Case of Malaysia and Zanzibar Grassroots, Mediterranean Journal of Social Sciences, Vol. 8 No. 2
8. Amanuel Kussia (2018). Rural Development Policy-Making Tools and Frameworks in Ethiopia, *A Term Paper*
9. Azene Bekele (2017). Roadmap for National Integrated Land Use Planning in Ethiopia, Addis Ababa
10. Badege Bishaw (2001). Deforestation and Land Degradation in the Ethiopian Highlands: A Strategy for Physical Recovery. In Northeast African Studies, 8 (1):7-25
11. Bahru Zewde (2002). A History of Modern Ethiopia, 1855 – 1991, 2nd Edition, Eastern African Studies
12. Belachew Yirsaw Alemu (2012). Expropriation, Valuation and Compensation Practice in Amhara National Regional State (ANRS): The Case of Two Cities (Bahir-Dar and Gonde, Nordic Journal of Surveying and Real Estate Research 9:1 (2012)
13. Brightman, Gebremichael (2017). Heartrending or Uplifting: The Ethiopian Urban Land Tenure System Reform and Its Reflection on Tenure Security of Permit Holders, Journal of Developing Societies 33 (3), pp: 291–310, SAGE Publications
14. Civil Code of Ethiopia Proclamation No 165/1990, *Negarit Gazeta*, Published during the 30th year of the reign of His Imperial Majesty Haile Selassie I, Emperor of Ethiopia

15. Crewett, W., and B. Korf (2008). Ethiopia: Reforming Land Tenure. In Review of African Political Economy No. 116, pp: 203-220
16. Crossman, Ashley (2020). Understanding Functionalist Theory: One of the Major Theoretical Perspectives in Sociology (<https://www.thoughtco.com/functionalist>)
17. Dalton, John. (, 1975). Report on Prospects of the Ethiopian Harvest of 1975/6. Prepared for the Relief and Rehabilitation Commission of the Government of Ethiopia and the United Nations Development Program. Addis Ababa, mimeo. Google Scholar
18. Daniel Weldegebriel Ambaye (2013). Land Rights and Expropriation in Ethiopia, Doctoral Thesis in Land Law Real Estate Planning and Land Law Department of Real Estate and Construction Management School of Architecture and the Built Environment Royal Institute of Technology (KTH), Stockholm
19. Davis, K. Burton Swanson, David Amudavi, Daniel Ayalew Mekonnen, Aaron Flohrs, Jens Riese, Chloe Lamb nad Elias Zerfu (2010). In-Depth Assessment of the Public Agricultural Extension System of Ethiopia and Recommendations for Improvement, IFPRI Discussion Paper 01041, Eastern and Southern African Regional Office
20. Dessalegn Rahmato (2001). Environmental Change and State Policy in Ethiopia: Lessons from Past Experience. FSS Monograph Series 2. Addis Ababa: Forum for Social Studies
21. Dessalegn Rahmato (2004b). Searching for Tenure Security? The Land System and New Policy Initiatives in Ethiopia. FSS Discussion Paper No. 12. Addis Ababa: Forum for Social Studies (FSS)
22. Dessalegn Rahmato (2007). Development Interventions in Wolaita, the 1960s-2000s: A Critical Review. Monograph N. 4. Addis Ababa: Forum for Social Studies
23. Dessalegn Rahmato (2009). The Peasant and the State: Studies in Agrarian Change in Ethiopia, the 1950s-2000s. Addis Ababa: AAU Press
24. Dunning, H. C. (1997). Rural Land in Socialist Ethiopia: The First Year. In Law and Politics in Africa, Asia, and Latin America, Vol. 10, No. 2, pp: 203 – 213
25. Ethiopian Constitution 1931, established in the reign of His Majesty Haile Sellassie I on 16th July 1931, Addis Ababa
26. Ethiopian Government Ownership of Urban Lands and Extra Houses Proclamation No. 47/1975, Addis Ababa
27. Ethiopia Proclamation to Provide for the Public Ownership of Rural Lands No. 31/975, Addis Ababa
28. Ethiopian Provisional Military Government /EPMG/ (1975). Public Ownership of Rural Lands Proclamation No. 31. Addis Ababa
29. Ethiopia Revised Constitution of The Empire of Ethiopia of 1955, As Promulgated by His Imperial Majesty Haile Selassie I, on 4th of November 1955) on the Occasion of the 25th Anniversary of His Coronation, Addis Ababa

30. Ethiopian Proclamation to Provide for Urban Lease Holding of Urban Lands, No 721/2011, Addis Ababa
31. European Union (2004). EU Land Policy Guidelines: Guidelines for Support to Land Policy Design and Land Policy Reform Processes in Developing Countries
32. Farrell, H. (2018). The Shared Challenges of Institutional Theories: Rational Choice, Historical Institutionalism, and Sociological Institutionalism. In: Glückler J., Suddaby R., Lenz R. (eds) Knowledge and Institutions. Knowledge and Space, vol 13. Springer
33. Federal Democratic Republic of Ethiopia /FDRE/ (1995). Constitution of the Federal Democratic Republic of Ethiopia, Addis Ababa
34. Federal Democratic Republic of Ethiopia /FDRE/ (1997). Federal Rural Land Administration Proclamation No. 89/1997, Addis Ababa
35. Federal Democratic Republic of Ethiopia /FDRE/ (2002). Ethiopia: Sustainable Development and Poverty Reduction Programme, Addis Ababa
36. Federal Democratic Republic of Ethiopia /FDRE/ (2005). Rural Land Administration and Land Use Proclamation No. 456/2005
37. Federal Democratic Republic of Ethiopia /FDRE/ (2011). Ethiopia's Climate-Resilient Green Economy Green economy strategy, Addis Ababa
38. Federal Democratic Republic of Ethiopia /FDRE/ (March 2020). Draft National Land Use Policy: National Integrated Land Use Planning and Policy Development Project Office, Addis Ababa
39. Food and Agricultural Organization of the United Nations /FAO/ (1993). Guidelines for Land-use Planning. FAO Development Series1, FAO, Rome
40. Fried, Daniel (2017). Understanding Institutions: Different Paradigms, Different Conclusions, In Faculdade de Economia, Administração e Contabilidade da Universidade de São Paulo - FEA/USP. Published by Elsevier Editora Ltd.
41. Greenwood, Justin (1997). The Succession of Policy Termination. In the International Journal of Public Administration, 20:12, 2121-2150
42. GRIPS Development Forum (GDF) (2009). Democratic Developmentalism and Agricultural Development Led Industrialization, A paper for the First Round of Policy Dialogue between Ethiopia and Japan in June 2009 (<https://www.grips.ac.jp/forum>)
43. Hassena, M., Otto Hospes, Bram De Jonge (2016). Reconstructing Policy Decision-Making in the Ethiopian Seed Sector: Actors and Arenas Influencing Policymaking Process, Public Policy, and Administration Research, Vol.6, No.2
44. Holmberg, Johan (1976). Pricing Strategies for Agricultural Produce in a Changing Society: Rural-Urban Contradictions in Ethiopia. Paper presented at the 19th Annual Meeting of the African Studies Association, Boston. [Google Scholar](#)
45. Hossein Azadi, Diriba Dadi , Hossein Azadi, and Feyera Senbeta (2016). Urban Sprawl and Its Impacts on Land Use Change in Central Ethiopia, Urban Forestry & Urban Greening

46. Kassahun, Berhanu, and Colin Poulton (2014). The Political Economy of Agricultural Extension Policy in Ethiopia: Economic Growth and Political Control, Development Policy Review, Overseas Development Institute, 32 (S2)
47. Lavers, T. (2018). Responding to Land-based Conflict in Ethiopia: The land Rights of Ethnic Minorities Under Federalism, Published in African Affairs, Volume 117, Issue 468, July 2018, pp. 462–484
48. Legesse Tigabu Mengie (2017). Urban land acquisition and social justice in Ethiopia, Haramaya Law Review, Ethiopia
49. Lemke, A.; Lemke, Julie N. Harris-Wai (2015). Stakeholder Engagement in Policy Development: Challenges and Opportunities for Human Genomics, Genet Med. 17(12): 949–957.
50. Knill, Christoph, and Jale Tosun (2008). Policy-Making. In Daniele Caramani (ed.), Comparative Politics. Oxford: Oxford University Press, 2008, pp. 495-519.
51. Marzukhi, M., Dasimah Omar, Oliver Ling Hoon Leh (2012). Re-appraising the Framework of Planning and Land Law as an Instrument for Sustainable Land Development in Malaysia, AicE-Bs 2012 Cairo ASIA Pacific International Conference on Environment-Behaviour Studies Mercure Le Sphinx Cairo Hotel, Giza, Egypt, 31 October 2 November 2012
52. Messay Mulugeta (2020). The Impact of the COVID-19 Pandemic on Food Security in Ethiopia, CACS Policy Brief, University of Johannesburg, Centre for Africa-China Studies
53. Messay Mulugeta and Teferi Mekonnen (2016). Missing Elements in Agricultural Technical and Vocational Education and Training Policy Implementation in Ethiopia: Empirical Evidences from Angolela and Kuyu Districts, Journal of Sustainable Development in Africa (Volume 18, No.5, 2016)
54. Ministry of Agriculture and Rural Development (2010). Ethiopia's Agricultural Sector Policy and Investment Framework (PIF) 2010-2020, Addis Ababa
55. Ministry of Finance and Economic Development (MoFED) (2006). Plan for Accelerated and Sustained Development to End Poverty (PASDEP), FDRE, Addis Ababa
56. MoFED (2010). Growth and Transformation Plan I (2010/11-2015/16), Addis Ababa
57. MoFED (2016). Growth and Transformation Plan II (2015/16-2020/21), Addis Ababa
58. National Disaster Risk Management Commission /NDRMC/ (Sept. 2020). Integrated Food Security Phase Classification /IPC/, Acute Food Insecurity Analysis Report, Issued September 2020
59. National Planning Commission /NPC/ (2016). Growth and Transformation Plan II (GTP II) (2015/16-2019/20), Addis Ababa

60. Needham, B.; Roelof Verhange (1998). The Effects of Land Policy: Quantity, as well as Quality, is Important, in *Journal of Urban Studies*, SAGE Journals
61. Nega, B., B. Adenew, S. Gebre Sellassie (2003). *Current Land Policy in Ethiopia*, Ethiopian Economic Policy Research Institute, Addis Ababa
62. Nichols, Philip M. (1998). Historical Institutionalism and Sociological Institutionalism and Analysis of the World Trade Organization, In *Legal Studies and Ethics papers*, University of Pennsylvania
63. Office of the Prime Minister (March 2020). *National Civic Engagement Policy (draft document)*, Addis Ababa
64. Oromia National Regional State (2007). *Proclamation to Amend the Proclamation Nos. 56/2002, 70/2003 and 103/2005 of the Oromia Rural Land Use and Administration*, Finfinne
65. Temesgne Gashaw, Amare Bantider, and Hagos G/Silassie (2017). Land Degradation in Ethiopia: Causes, Impacts and Rehabilitation Techniques, *Journal of Environment and Earth Science*, 2224-3216, Vol.4, No.9, 2014
66. Santiago, Anne (2016). *Agenda Setting in Uganda: Influencing Attitudes on Land through Policy and Persuasion*, University of Portland
67. Samuel Gebreselassie (2006). *Land, Land Policy and Smallholder Agriculture in Ethiopia: Options and Scenarios*, Future Agriculture, Discussion Paper
68. Steinmo, Sven (2008). *Approaches and Methodologies in the Social Sciences: A Pluralist Perspective* (DOI: <https://doi.org/10.1017/CBO9780511801938.008>), Cambridge University Press
69. Thomas, Deborah (2001). *The Importance of Development Plans/Land Use Policy for Development Control*, Prepared for the USAID/OAS Post-Georges Disaster Mitigation Project, Workshop for Building Inspectors, January 15 - 26, 2001
70. USAID-Ethiopia and ARD, Inc (2004). *Ethiopia Land Policy and Administration Assessment, Final Report*, Burlington and Addis Ababa
71. Williamson, A., Tait, H., El Jardali, F. *et al.* (2019). How are Evidence Generation Partnerships between Researchers and Policymakers Enacted in Practice? A Qualitative Interview Study. *Health Res Policy Sys* 17, 41 (2019).
72. Woo, J., M. Ramesh & M. Howlett (2015) Legitimation capacity: System-level resources and political skills in public policy, *Policy, and Society*, 34:3-4, 271-283,
73. World Bank (1980). *Ethiopia: First Agricultural Minimum Package Project (CREDIT 416-ET)*, Project Performance Audit Report, Washington, D.C.
74. World Health Organization Regional Office for Africa /WHOROA/ (May 2020). *The Coronavirus Diseases 2019 (COVID-10): Strategic Response Plan for the World Health Organization African Region*, February-December, 2020

Annexes

Annex 1: Further Readings

Description of policymaking cycles

According to (Knill and Tosun 2008) and other relevant pieces of literature, the process of policymaking basically involves five main steps. Though these steps do not follow a rigid chronological order, however, they are very rational and can be easily followed in this order. The first step is agenda setting stemming from problems/issues related to socioeconomic, political, environmental, and other public problems. The next step is policy formulation/drafting in which the policymakers in the legislature and the bureaucracy take up the issues. At this stage, the policymakers create legislative, regulatory, or programmatic strategies to address the problem. Policy legitimization takes place at the third stage, where the policymakers formally adopt a policy solution, usually in the form of legislation or rules of the nation. Policy implementation comes at the fourth stage of the process, where government agencies begin the job of making the policy work by establishing procedures and guidelines. The final stage is policy evaluation, where the policy is assessed whether it is addressing the problems and whether the implementation is proceeding well. The evaluation result may call for revisions in the agenda, in the formulation, or in its implementation, may be recommended.

Agenda setting: This is the process of listing issues (problems) that warrant serious consideration for the making or remaking of a policy (Knill and Tosun 2008). This phase usually starts from problem identification that demands government consideration, deciding on which issues (problems) require the most attention, and understanding and analyzing the problem's nature. The problem's placement on the agenda can be influenced by the extremity of the effects of a problem, a concentration of unfortunate results in a given environment (area); the range of persons affected by a problem, the intensity of effects, and the visibility of a problem.

Policy formulation: This phase includes: setting policy objectives, generating and identifying policy alternatives, identifying and evaluating the cost and benefit of each alternative, and estimating the effect of each solution, choosing from a list of policy alternatives, and selecting *policy instruments* (Knill and Tosun 2008).

Legitimation: This phase focuses on ensuring that the chosen policy instruments have support. Policy legitimization can entail one or a mixture of legislative approval, executive approval, looking for approval via public consultation (Knill and Tosun 2008).

Implementation: This is the action stage of policymaking where institutions or organizations responsible for implementation are established or reorganized, making

sure that adequate resources are earmarked and making sure that policy decisions are executed as planned.

Monitoring and Evaluation: According to Knill and Tosun (2008), the monitoring and evaluation phase focuses on ensuring whether policy objectives are achieved or not (mainly in terms of quantity, quality, cost, and time), monitoring and evaluating the outcome (effect) of the policy on the citizens' living conditions. In general, it focuses on assessing the extent to which the policy was successful, or the policy decision was the correct one.

Policy maintenance, revision, succession, or termination: This is the final stage where concerned bodies consider whether the policy is to be continued, revised, modified, or discontinued based on the results of monitoring and evaluation (Greenwood, 1997).

Historical overview of urban land tenure in Ethiopia

This section briefly presents major issues of the historical urban land tenure system in Ethiopia in view of historical and sociological institutionalism frameworks. The analysis is carried out categorizing into three different political regimes, *i.e.*, *Imperial Government (the early 1990s – 1974)*, *Derg Government (1975 – 1991)*, and *EPDRF Government (1991 – recent)*.

Major urban land issues of the country came along with the birth of Addis Ababa as a capital city of Ethiopia in the year 1886 by Emperor Menelik II (Bahru, 2002). According to Brightman (1907), particularly, the 1907 decree's promulgation had paramount importance to urban land set-ups in Ethiopia. The 1907 decree had duly recognized private ownership of land that allowed wider right in the use, inheritance, and sale of urban lands. The law was mainly declared to give land rights security and authorize and enable Ethiopians and foreigners to buy land and use it in Addis Ababa. It was articulated in this law that both government and individual landholders could sell urban land under their own right.

It is also of paramount importance to note that this law empowered the government to dispossess an individual of his holding whenever doing so was essential for the city's orderly development and with giving compensation that had to be determined by the experts. The decree had provided urban landholders with wider land rights, *i.e.* (1) it had limited the loss of the land right only for a public purpose with payment of compensation; (2) and it empowered the landholders to enforce their land rights through judges (Brightman, 2017).

The 1931's first historical Constitution of Emperor Haile Selassie, I endorsed private land ownership rights of individuals that guaranteed landholders not be deprived by

any one of the movable or landed property they hold unless it is of for public purposes (Ethiopian Constitution, 1931). Regarding the responsibilities that landowners assume, those landowners who built a house and rented it should pay annual income tax, those landowners who built a house and who never rented it for others were only required to pay annual land tax. Besides, for those whose land right is affected by the government, expropriation of privately owned land for different public purposes (such as market, religious organizations, military operations, transport service, or other similar purposes) was also a specifically articulated Constitution. At this juncture, too, one should bear in mind that the land policymaking practice indicated in the Constitution (1931) was exclusively monarchical.

Similarly, two main legal instruments adopted during the *Imperial Government* recognized private ownership of urban land. Especially, the 1955 Revised Constitution of the Empire of Ethiopia (1955) had allowed every citizen to own and dispose of private property, which mainly included land. Likewise, the 1960 Civil Code of the Empire of Ethiopia also had duly recognized individuals' private land ownership rights. Generally, the urban land tenure system of Ethiopia during the Imperial regime may be concluded that it had ensured the tenure security of landholders. Though it had neglected the majority of the landless, the Constitution enabled the landholders to have clearly defined all bundles of land rights: full property rights, which includes (i) the right to use the asset in any manner that the user wishes; (ii) the right to exclude others from the use of the asset; (iii) the right to derive income from the asset; (iv) the right to sell the asset; and (v) the right to bequeath the asset to someone of your choice.

The problem with the *Imperial regime's* urban land tenure system was related to land access like the rural land cases. The wide-ranging granting of land was made to the nobility, chiefs, and other followers of the then rulers. The situation led to a high concentration of urban land in a few landlords' hands, neglecting the majority. According to Brightman (2017), this is evidenced by a survey made in Addis Ababa in 1966. It was found out that 1,768 large proprietors owned 58% of the total area, an average of 71,000 square meters per owner, whereas 24,590 small proprietors were found out to own less than 10,000 square meters of land, accounting for only 7.4% of land belonged to the government and foreign embassies or legation.

Following the overthrow of the Imperial regime in 1974, the Provisional Military Administrative Council /PMAC/ (commonly known as *Derg* Government) took different actions that drastically altered the country's social, political, and economic structure. The slogan '*land to the tiller*' which brought the *Derg* to political power, required the

regime to abolish the Imperial regime's rural land tenure system and to come up with a tenure system that grants land rights to peasants.

The *Derg* regime introduced a change in the urban land tenure system as well. The change with regard to the urban land tenure system was made on 26 July 1975 with the issuance of Proclamation No 47/1975, the '*Government Ownership of Urban Lands and Extra Urban Houses*.' At the heart of the proclamation was the nationalization of all urban land without compensation and promulgating public land ownership, including urban land. Brightman (2017) noted that the *Derg* tenure system outlawed private ownership of land and in place; urban landholders were granted perpetual possessory rights with the duty of paying annual land rent. It had expressly prohibited the transfer of urban land through sale, antichrists, mortgage, lease, donation, or through any other means. It even restricted the transfer of urban land rights in the form of inheritance to only spouses or children upon death.

After the *Derg* Government's downfall in 1991, the EPDRF Government has enacted the Constitution (1995) favoring the public ownership of land, not as such different from the *Derg's* case. It has introduced an urban land tenure system that requires lease as a cardinal means of acquiring urban land by enacting the first ULLHP No 80/1993. This proclamation was later repealed and replaced Lease Proclamation No 272/02, which itself was repealed again in 2011 by the current prevailing lease proclamation No 721/2011. The first proclamation that defined the current urban land tenure system provided several reasons for replacing the *Derg* regime's urban land tenure system. This includes the proper utilization of urban land, the rectification of the inherent problem urban land tenure system, corruption and discriminatory treatment, provision of the value of land in terms of money, proper collection of urban revenues, provision for the planned and economic development of urban centers.

The EPDRF Government made some adjustments to the urban land tenure system via the re-enacted Proclamation No 272/2002. Among the major new modifications made under this urban land tenure system was the extension of the application lease landholding system for all those urban lands held by the previous permit holders. However, it has to be noted that the application of the leasehold system on permit holders was suspended until the then regional and city governments decided the time and conditions under which permit holders could be converted into leasehold system.

However, again after 9 years, certain modifications have been introduced to the urban land tenure system via currently prevailing ULLHP No 721/2011. The justification for the modification is twofold: meeting the rapid and exponential increase in demand for urban land due to rapid economic increase registered across the country; and ensuring

good governance so as to achieve efficient, effective, equitable, transparent, accountable, and well-functioning land administration system. However, the targets weren't successful.

Nonetheless, ever since its enactment in 2011, the Proclamation that defined the urban land tenure system puzzled Ethiopians throughout the country's urban areas. According to Brightman (2017), the major criticism of the proclamation began on its enactment procedure. The bill for the law did not go through the proper lawmaking procedures. Some respondents argue that the law has been a major source of mismanagement and grand corruption in urban land sectors.

Major federal and regional rural/urban land administration and use proclamations

The Proclamations to Provide the Public Ownership of Rural Land (Proc No 31/1975) and a Proclamation to Provide for the Government Ownership of Urban Lands and Extra Urban Houses (Proc No 47/1975) are the most breakthrough land-related proclamations in Ethiopian history. In March 1975, the Ethiopian ruling military council (commonly known as *Derg*), proclaimed an all-encompassing rural land reform, which aimed at bringing about a complete transformation in the country's complex land tenure system and in its social and political structures.

Article, No 3 sub-article 1 of this proclamation (Proc No 31/1975), states that '*As of the effective date of this Proclamation all rural lands shall be the collective property of the Ethiopian people.*' In the same way, sub-article 3 reads, '*No person or business organization or any other organization shall hold rural land in private ownership.*' The law allowed the peasants to take over the land and encouraged them to organize into the '*peasant association.*' In the same way, in Article No 3 sub-article 1 & 2 of the Proc No 47/1975, all urban lands were expropriated by the government, and no person, family or organization was allowed the right to hold urban land.

The 1975 Ethiopian land proclamations drastically impacted the socioeconomic and land ownership status of the Ethiopian people. Economic consequences of the land reform were some increase in production, due mostly to good weather conditions, and a tangible improvement in the peasants' living conditions as compared to the previous tenancy status. The urban population suffered because of the sharp price increases that resulted from the disruption of the marketing system and an increase in on-farm consumption. Social turmoil was indeed part of the land reform process, and thousands of people lost their lives (Dalton 1975; Holmberg 1976).

Another important land-related proclamation was enacted on 7 July 1997, known as the Federal Rural Land Administration Proclamation No 89/1997. As stated in the

Constitution, the major principle of the Proclamation, as stated in the Constitution the major principle of the Proclamation is that Land is a common property of the Nations, Nationalities, and Peoples of Ethiopia, not subject to sale or to other means of exchange. Conditions of land administration give the regions the power to administer rural lands and each *Regional Council* to enact a law on the administration of land in their region in conformity with the provisions of laws on environmental protection and the Federal land utilization policies.

The FDRE Rural Land Administration and Land Use Proclamation were enacted on 15 July 2005. Similar to Proc No.721/2011, this law (Proc No 456/2005), ensures the farmers/pastoralists and/or any citizens of the country who is 18 years of age wants to engage in agriculture for a living rural land free of charge. According to this law, private investors who engage in agricultural development activities shall have the right to use rural land according to the investment policies and laws at federal and regional levels. Land registration, certification, compensation, conservation, and minimum land holding land size are important pillars of this law.

More importantly, the law requires any holder of rural landholding certificate to be prepared by the competent authority, which indicates the size of the land, land use type and cover, and fertility level as the obligation and right of the holder. Holder of rural land who is evicted for the purpose of public use shall be given compensation proportional to the development s/he, has made on the land and the property acquired or shall be given substitute land thereon. According to this law, a holder of rural land shall be obliged to use and protect his land; if not s/he may lose his/her use rights.

Another breakthrough land-related proclamation was enacted in 2011, known as '*Urban Lands Lease Holding Proclamation No.721/2011*'. This and all other proclamations after the Constitution of 1995 were provided based on Article 40 of the FDRE Constitution that states land is the property of the State and the people of Ethiopia and that its use shall be subject to specific regulation by law. Article 4 sub-article 1 of the *Urban Lands Lease Holding Proclamation* states that '*...no person may acquire urban land other than in accordance with the leasehold system stipulated under this Proclamation.*' The law ensures free assignment of holding rights sufficient for subsistence to farmers and pastoral community, without differentiation of the sexes, as well as secure against eviction and displacement from holdings on any grounds other than total or partial distribution of holdings effected pursuant to a decision by the Regional Council. It allows women to use hired labour on their holdings or to, otherwise, make agreements thereto.

Based on the FDRE Rural Land Administration (Proc No 89/1997) and Rural Land Administration and land Use (Proc No 721/2011), Ethiopia's regional states enacted their own proclamations. ONRS was the first of the regions to enact Oromia Rural Land Use and Administration in 2002 (Proc No 56/2002), revised in 2003, 2005, and 2007. AfNRS and AmNRS enacted their Rural Land Administration and Use Proclamation in 2006 and 2009, respectively. The content of the proclamations is essentially similar except for more detailed approaches in the regional proclamation cases. A case in point is the determination of land plot size in the case of Oromia in which Article No 7 of the Proc No 130/2007 states '*Maintaining the existing farm plot size as it is, the holding size for future shall not be less than 0.05 hectares for annual crops and 0.25 hectares for perennial crop*'.

Agricultural extension policy under the EPDRF

Kassahun and Poulton (2014) noted that smallholder agricultural extension has been at the center of policies pertaining to the sector during the EPDRF government, which the regime initial support from smallholders. The pilot agricultural extension system supported by Sasakawa Global 2000 was introduced in 1993, involving 160 farmers in demonstration exercises focusing on maize and wheat production. In 1995, the number of participating farmers grew to more than 32,000 stallholders with the establishment of additional demonstration sites engaged in sorghum and teff production. The SG-2000 scheme's success and a booming harvest in 1995 prompted the government to adopt agricultural extension as a significant ADLI component. Participatory Demonstration and Training Extension System (PADETES) introduced to lead the overall process of the extension services, targeting national food self-sufficiency, increasing the volume and variety of industrial raw materials (primary products), and producing for the export market.

The number of smallholder farmers participating in the scheme increased to more than 4 million in 2002. In 2004 Agricultural Technical and Vocational Education and Training colleges (ATVETs) were established to train extension workers. Similarly, farmer training centers (FTCs) were established to become the focal point of extension support in every *kebele* in the country. In 2008, the number of smallholder farmers participating in the scheme increased to more than 9 million (Davis et al. 2010; Kassahun and Poulton 2014).

In the course of time, extension packages have been developed to suit different agro-ecological zones, including the dry-land areas. These include packages for high-value crops (spices, oilseeds, vegetables), livestock (dairy, poultry, beekeeping, fattening), and natural resources (forestry and soil and water conservation). However, empirical studies (Messay and Teferi, 2016) show that despite the emerging opportunities, the

agricultural extension system is constrained by multiple challenges and often perceived as an extended arm of the state and less as a useful service provider. Its implementation lacks uniformity across the country. Training gaps, high input, and low output prices are other major limitations on technology adoption and scaling-up.

Specific to ATVET, though the idea is impressive, its realization, as noted by Messay and Teferi (2016), has been constrained by several adverse factors such as graduates' lack of practical skills and the stamina to work in rural areas, farmers' attitude towards rural development agents (DAs), weak industry-ATVET college linkage, poor administrative support to DAs, and wrong intention to use the extension as a means of political control. Generally, the overall agriculture and land-related strategies and plans have brought about futile results, no change in the lives and livelihoods of the smallholders. Just as a simple example, according to relevant respondents, around Addis Ababa alone, over 67,000 smallholder households (estimated to be about half a million people) have been uprooted from their lands and driven down to extreme poverty during EPDRF Government.

Annex 2: Summary of spatiotemporal land policymaking processes in Ethiopia (in view of Historical and sociological neo-institutionalism)

Pre-1975	The <i>derg</i> period	EPDF period
<ul style="list-style-type: none"> ✓ The land holding system was generally a customary one ✓ In the northern parts of Ethiopia, land was predominantly owned or possessed by a few landlords, the Church, and sometimes individuals, especially in the north. Hence, the ordinary people had no right to involve in land policymaking processes ✓ In the north, from time immemorial land had been owned based on a lineage system. This land once entered in to the hand of individuals by way of grant, or inheritance etc continues to remain within the family. This was called <i>rist</i>. It signified the usufructuary rights enjoyed under the kinship system. a peasant could claim a plot of land as long as he could trace his descent. ✓ there was also a gult system in which lands were lands derived by imperial grants and unlike <i>rist</i> lands, which were not subject to sale and exchange, <i>gult</i> lands were sold and donated freely. But still the ordinary people 	<ul style="list-style-type: none"> ✓the Derg had undertaken fundamental changes to the Ethiopian socioeconomic and political arrangements. Among the many radical measures, the land reform proclamation of February 1975 was said to be the predominant one. Cited as Proclamation No. 31 of 1975, it was a proclamation providing for the public ownership of rural lands and generated a great deal of support for the regime, especially from the peasantry population. ✓This is because the land had in essence been given to the tiller. All tenants or hired laborer had acquired possessory rights over the land they tilled. At one stroke, the law abolished all forms of landlordism and tenant-ship, and thereby liberated tenants from any kind of serfdom or payments of rent or debt to the previous land owner (Article 6/3/). ✓The law also denied any form of compensation for the land and any forests and tree-crops thereon, while providing that fair compensation should be paid for movable properties and permanent works 	<ul style="list-style-type: none"> ✓When the present constitution came into the picture in 1995, it was confirmed that no major changes were to be made to the previous land tenure system. There are no fundamental differences between the legal framework of the <i>Derg</i> and the present government on rural land issues. There are more similarities in land administration between the two regimes than differences. ✓According to the 1995 Federal Democratic Republic of Ethiopia (FDRE) Constitution, all urban and rural land is the property of the state and the Ethiopian people. Article 40 of the Federal Constitution, which relates to “Right to Property,” provides: The right to ownership of rural and urban land, as well as of all-natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange. (Article 40 /3/). ✓farmers would not sell their land wholly or

<p>had no role in land policymaking processes.</p> <ul style="list-style-type: none"> ✓ The land grant condition reached its apex during the 20th century when Menelik had given a vast amount of <i>gult</i> land to the ruling elite as a reward for loyal service, and to religious institutions as endowments. The individual or institution that held such land had the right to collect taxes from those who farmed it, and also exercised judicial and administrative authority over those who lived on it. ✓ In Southern Ethiopia the <i>gult system</i> was introduced in the southern part of the country in the 19th century, following Menelik's expansion to the region. From the 1870's under Menelik to the 1970's under Haileselassie, the crown alienated land which was occupied by local tribes in common. It was distributed to members of the imperial family, the clergy, members of the nobility, Menelik's generals, soldiers, and local agents of the state. Unlike the condition in the north, here most of the land was occupied not by peasants, but by the people of the upper ruling class. These people, by means of land grants, became absolute land owners. This kind of land 	<p>on the land (Article 3) It should be noted that peasants had only usufruct rights over the land. The law specifically prohibited transfer of land by way of sale, exchange, succession, mortgage, lease or otherwise, except that inheritance was possible for one's spouse, minor children and sometimes children who had attained majority (Article 5).</p> <ul style="list-style-type: none"> ✓ In June, of the same year, the government enacted a new law for the nationalization of urban land and extra rentable houses (proclamation No. 41/75). Accordingly, all urban lands and extra houses of the wealthy urban dwellers were confiscated without any compensation. By extra houses are meant all those dwelling units on which an owner had drawn some amount of rental income prior to the date on which the proclamation was issued regardless of size or amount of monthly rent. ✓ Concerning urban land, as stated above, the proclamation put all land in the hand of the state. No urban land was to be transferred by sale, mortgage, succession, or otherwise (Article 4 /1/) ✓ The general picture was that the previous landlord was replaced by the state, the latter with even much power to intervene. In urban areas the law prohibited further 	<p>partially if given the right to own their plots though in reality the farmers are selling or renting their lands particularly during stressful periods</p> <ul style="list-style-type: none"> ✓ Government critics on land policy argue that absence of tenure security for land users provides little or no incentive to improve land productivity through investment in long-term land improvement measures. It may aggravate land degradation through soil mining and problems of common resource use. ✓ The government tries to provides more security as is now taken by regional governments. A good example is the land registration and certification processes which are being conducted in Tigray, Amhara, Oromia, and the Southern regions which enable farmers to have a land certificate for their holdings. This gives protection and security to the holder. ✓ The FDRE Proclamation No 456/2005, replaced its predecessor Proclamation No. 89/1997. The scope of application of this law is throughout the country. In this law regional governments are given the power to enact rural land administration and land use laws, which consists of the detailed provisions necessary to implement this proclamation. (Article 17/). This ensures more participator level of land
---	--	--

<p>ownership system was called gult. Peasants on such land became tenants (gabar) of the grantee and paid rent in addition to the usual taxes and fees.</p> <ul style="list-style-type: none"> ✓ In the southern part, especially, in the twentieth century, the steady process of privatization set in, with its implication of sale and mortgage. ✓ In case of urban land, the land mark legislation that recognizes private ownership of urban land was decreed in 1907 with 32 articles. The decree allowed Ethiopians and foreigners to purchase and own private land. However, government was allowed to take back the land holding for public interest purpose against payment of compensation. ✓ By and large, the traditional tenures remained the core of land tenure and land policymaking practice in pre-1975 in Ethiopia. As a result, the vast majority of the people continued to rely on traditional land laws and denied of the rights to involve in land policymaking processes. 	<p>private investments in housing investments which resulted in acute shortage of houses in urban areas. Concerning rural land, even though at first the land reform was successful, series land distributions and erroneous state policies led to the insecurity of holdings, and thereby gave little incentive for the peasant to invest in his holdings. Some argue that the redistribution of land was neither remarkable compared to the land distribution in Latin America, nor was it equitable. As a result, the history of Ethiopia during the <i>Derg</i> regime has been partly recorded as a history of growing rural poverty, food shortages, famine, and escalated rural insurgency and civil war.</p> <ul style="list-style-type: none"> ✓ The land policymaking process was entirely controlled by the Military Government and there was no space for the mass (the people) to involve in policy making processes. The Military Council had absolute power policy formulation and/or reform. The respondents (academicians and researchers) for this specific research indicated that <i>Derg</i> wasn't in a position to involve the public in its policymaking processes, and even those who had tried to recommend the Government had been considered to be anti-revolution/anti-people and may be 	<p>policymaking processes, at least at regional level. The law permits holders to use, lease, and bequeath (transfer to family members by way of inheritance or donation) their holding rights. The rural land use right of peasant farmers, semi-pastoralists and pastoralists shall have no time limit</p> <ul style="list-style-type: none"> ✓ The other kind of land holding system, which prevails in urban areas of the country, is the lease system (Proc No 272/2002). For the last 19 years, leases have been in place as the cardinal landholding system for the transfer of urban land to users, to the extent possible and in accordance with Master Plans. ✓ Though the FDRE constitution and following land laws broaden the use right and allowed those rights of inheritance, lease, and donation (which were prohibited by the <i>Derg</i> proclamation), but still there is framework as to how the public takes part in land policymaking processes in Ethiopia. The Government (may be supported by a few professionals and advisers) has exclusive power in land policymaking. According to the interviewees, the voices of the mass is least heard, the policy is more of top-down approach, compensation mechanisms are non-participatory and insufficient.
--	--	--

	executed/imprisoned.	
--	----------------------	--

Annex 3: A brief summary of recent land laws (Ethiopia)

Jurisdictions	Laws Governing Land Tenure and property rights	Holding Type				Continuum of rights										Restrictions
		p r i v a t e	C o m m o n	C o m m u n a l	S t a t e	H o l d	u s e	Inheritance	Donation/gift	rent among small holder farmers and semi pastoralists	farmers or semi pastoralists lease out their holdings to investors	Barter/land to land exchange	Mortgage small holder farmers'/ agro-pastoralists' use rights	Mortgage investors' use rights	Right to be compensated during compulsory expropriation	
Federal Government	455/2005 Expropriation															
	456/2005	x	X	X	x	A l l o w e d	a l l o w e d	Allowed for family members, Article 5(2)	Article 5(2)	Can lease to other farmers or investors with restriction on holding size to avoid landholder's displacement, lease duration to be determined by regional laws, Article 8(1)	Article 8(3) A landholder may, using his land use right, undertake development activity jointly with an investor in accordance with the contract he concludes.	only in case of expropriation, Article 7(3)	Not mentioned	Article 8(4) An investor who has leased rural land may present his use right as collateral.	Article 7(3) Holder of rural land expropriated due to public purpose shall be compensated based on either Federal or regional compensation law	

Jurisdictions	Laws Governing Land Tenure and property rights	Holding Type				Continuum of rights										Restrictions
		private	Common	Communal	State	Hold	use	Inheritance	Donation/gift	rent among small holder farmers and semi pastoralists	farmers or semi pastoralists lease out their holdings to investors	Barter/land to land exchange	Mortgage small holder farmers'/ agro-pastoralists' use rights	Mortgage investors' use rights	Right to be compensated during compulsory expropriation	
Afar	49/2009	x	X	x	x	Allowed	allowed	Allowed to pastoralists and semi pastoralists family members or other lawful heirs, Article 5(4) and 9(13) respectively	Article 5(4) and 9(13)	Semi pastoralist landholders can rent out up to half their holdings to 5 years & without causing any displacement (Article 11(2a))	Semi pastoralist landholders can rent out up to half their holdings to 10 years & without causing any displacement (Article 11(2b))	For the purpose of better investment and development semi-pastoralist allowed to consolidate their small landholdings, Article 13 (4 to 5)	Not mentioned	Allowed to transfer their leased use rights via mortgage, Article 16(3)	Semi pastoralist have the right to get fair and equitable compensation to the investments and improvements that they made on land where their communal or individual land holdings expropriated for public purpose, and entitled to get replacement land Article 9 (17 a & b)	
Amhara	252/2017	x	X	x	x	Allowed	allowed	Allowed: any person who is the rural holder land may transfer his holding as well as use right to any person engaged in agricultural activity or to any other person who wants to engage in this activity through will., Article 17 (1-11)	Allowed Article 16 (1-10) Any rural landholder can transfer the landholding as well as his use right to any person residing in the Region and for whom fulfills at least one of the criterions through donation of article 16.1	Allowed, any rural landholder can transfer his land using right to any person through rent contract upto 30 years for permanent fruits and up to 10 years for crops as far as it does not displace himself from his holding. Article 15(1-12)	Allowed, article 18 (1 & 2): Any rural landholder has the right to develop his landholding jointly with a private investor making contract in written. Details will be determined by a regulation (Sub artc.1)					

Juris dicti ons	Laws Governing Land Tenure and property rights	Holding Type				Continuum of rights										Restrictions
		p r i v a t e	C o m m o n	C o m m u n a l	S t a t e	H o l d	u s e	Inheritance	Donation/gift	rent among small holder farmers and semi pastoralists	farmers or semi pastoralists lease out their holdings to investors	Barter/land to land exchange	Mortgage small holder farmers'/ agro-pastoralists' use rights	Mortgage investors' use rights	Right to be compensated during compulsory expropriation	
Oro miya	130/2007	x	x	x	x	a l l	a l l	Article 5(5) & 9(1) of same Any peasant, pastoralist or semi pastoralist having the right to use rural land may get rural land from his family by donation, inheritance or from government.	Article 5(5) and 9(1) of same	Article 10 (1 & 2) states landholders can rent out up to half of their holding not more than three years for those who apply traditional farming, and fifteen years for mechanized farming.					Article 6.11 grants the right to compensation for those who lose their properties and benefits lost beforehand; as much as possible, gets equivalent land individually or in group. 12) If not possible to replace in accordance with Sub-Article (11) of this Article, compensation for rehabilitation shall be paid.	Rights holders are allowed to rent out up to only half of their land holding for up to 3 years for traditional and 15 years for modern Article 6.16, the land use rights can be terminated after a period of 3 years without cultivation, and 2 years in the case of irrigated land, Article 7.1 maintaining the existing parcel of land holdings size as it is, the holding size for the future shall not be less than 0.5 ha for annual crops, & 0.25 ha for perennial crops. Article 14.1 Redistribution of lawful landholders' landholding shall not be carried out in the region, except irrigation land. Article 18 restrictive land use of gully and

Juris dicti ons	Laws Governing Land Tenure and property rights	Holding Type				Continuum of rights										Restrictions
		p r i v a t e	C o m m o n	C o m m u n a l	S t a t e	H o l d	u s e	Inheritance	Donation/gift	rent among small holder farmers and semi pastoralists	farmers or semi pastoralists lease out their holdings to investors	Barter/land to land exchange	Mortgage small holder farmers'/ agro-pastoralis ts' use rights	Mortgage investors' use rights	Right to be compensated during compulsory expropriation	
																sloppy landscapes

Annex 4: Key Informant Interview Guide

Dear respondent,

The main objective of this KII is to assess the land policymaking practices in Ethiopia to come up with an alternative for a participatory and transparent land policy-making process. *Your ideas are valuable for the study and will be held in utmost confidentiality to be used only for the analysis of this research. If you accept participating in this interview, you will be doing so voluntarily, and there will not be any monetary returns. You are also free to refuse to give ideas in case you do not feel comfortable and free to withdraw from the interview anytime you want. This interview will take about an hour of your time.*

Thank you in advance for your cooperation

1. Name of the organization: _____
2. Type of your organization
 - (a) Governmental
 - (b) Non-governmental
 - (c) Federal office
 - (d) Regional office
 - (e) Woreda office
 - (f) AA City administration office
 - (g) Other (please specify): _____
3. Sex of the respondent: _____
4. Responsibility of the respondent in the organization? _____
5. In which region (in Ethiopia) your organization is located? _____
6. Have you ever participated in land policymaking in Ethiopia?
7. Would you mention the land policy (laws) making in which you participated?
8. At what stage you participated in land policymaking in Ethiopia?
 - (a) agenda setting
 - (b) policy formulation
 - (c) policy legitimating
 - (d) policy implementation
 - (e) policy evaluation and change
 - (f) SWOT analysis
9. How were you selected to take part in the land policymaking?
10. What was your role in land policymaking?
11. What did the overall land policy-making practices look like in Ethiopia?
12. What were the challenges you came across as a participant in the land policymaking?
13. What lessons did you learn in participating in land policymaking in Ethiopia?
14. Would explain something unique inland policymaking practices in Ethiopia (if any), as compared to the case in other countries?
15. Would you mention the other individuals/organizations taking part in the land policy-making in which you participated?
16. Who are the actors of land policymaking in Ethiopia?

17. What does the power relations look like among actors in the land policymaking process in Ethiopia?
18. Do you think land policymaking practices in Ethiopia is participatory and transparent?
19. If 'Yes', would you, please explain why participatory and transparent it is?
20. If 'No' would you please describe why not participatory and transparent it is?
21. If do you think that the land policy-making practices are inappropriate, what alternative do you recommend for a participatory and transparent land policy-making process?
22. What do you recommend should be undertaken at each stage of land policymaking in Ethiopia?
 - (a) Agenda setting?
 - (b) Policy formulation?
 - (c) Policy legitimating?
 - (d) Policy implementation? and
 - (e) Policy evaluation and change?
 - (f) SWOT analysis?
23. Would you please mention the sectors/institution should take part in land policymaking in Ethiopia?
24. What major gaps did you observe in land policymaking in Ethiopia in Ethiopia?
25. What national/local contexts/circumstances you recommend land policymaking in Ethiopia?
26. What logical steps, you recommend to make land policy in Ethiopia?

Organizational contact

No	Name of the organization	Name of the interviewee	Position of the interviewee	The email account of the interviewee	Telephone number of the interviewee
1					

Annex 5: Focus Group Discussion Guide

Dear respondent,

The main objective of this FGD is to assess the land policymaking practices in Ethiopia to come up with an alternative for a participatory and transparent land policy-making process. Your ideas are valuable and will be held in utmost confidentiality to be used only for the analysis of this research. If you accept to participate in this discussion, you will be doing so voluntarily, and there will not be any monetary returns. You are also free to refuse to give ideas in case you do not feel comfortable and free to withdraw from the discussion anytime you want. This discussion will take about an hour of your time.

Thank you in advance for your cooperation

Organizational contact

No	Name of the organization	Name of the respondent	Sex	Position of the respondent	Email account of the respondent	Telephone number of the respondents
1						
2						
3						
4						
5						
6						
7						
8						

Discussion points

- ✓ Whether or not you ever participated in land policymaking in Ethiopia?
- ✓ The land policy (laws) making in which you participated?
- ✓ Let's discuss at what stage you participated in land policymaking in Ethiopia?
 - (a) agenda setting
 - (b) policy formulation
 - (c) policy legitimating
 - (d) policy implementation
 - (e) policy evaluation and change
 - (f) SWOT analysis
- ✓ How were you selected to take part in the land policymaking?
- ✓ Your role in land policymaking?
- ✓ The overall land policy-making practice in Ethiopia?
- ✓ The challenges you came across as a participant in the land policymaking?
- ✓ Lessons you learnt in participating in land policymaking in Ethiopia?
- ✓ Something unique inland policymaking practices in Ethiopia (if any), as compared to the case in other countries
- ✓ Other individuals/organizations who were taking part in the land policy-making in which you participated

- ✓ The actors of land policymaking in Ethiopia?
- ✓ Power relations among actors in the land policymaking process in Ethiopia?
- ✓ Whether or not land policymaking practices in Ethiopia is participatory and transparent?
- ✓ Why the land policymaking practices in Ethiopia is/isn't participatory/transparent?
- ✓ Alternative you recommend for a participatory and transparent land policymaking process in Ethiopia?
- ✓ Recommendations should be undertaken at each stage of land policymaking in Ethiopia:
 - (a) Agenda setting?
 - (b) Policy formulation?
 - (g) Policy legitimating?
 - (h) Policy implementation?
 - (i) Policy evaluation and change? and
 - (j) SWOT analysis?
- ✓ Sectors/institutions should take part in land policymaking in Ethiopia?
- ✓ Major gaps you observed in land policymaking in Ethiopia in Ethiopia?
- ✓ The logical steps you recommend making land policy in Ethiopia?

Annex 6: List of respondents

FGD members (AfNRS)					
No	Name of the Organization	Name of Interviewee	Sex	Position of the interviewee	Email
1	Afar Agricultural and Natural Resource Bureau	Tesfaye Degu	M	Agricultural Extension Director	tsiontesfu2019@gmail.com
2	Afar Environmental Protection and Rural Land Administration	Hussien Ahmed	M	Soil Survey	
3	Vital registration	Ahmed Mohammed	M	Former Regional Council member	
4	-	Sheik Hussien	M	Clan leader	
Key informant interviewees (AfNRS)					
No	Name of the Organization	Name of Interviewee		Position of the interviewee	Email
1	Afar Agricultural and Natural Resource Bureau	Mohammed Mahmud		Land Use Department Team Leader	nrm7360@gmail.com
2	Rural Land and Environmental Protection Bureau	Abdu Seid		GIS and Cartography Expert	abdu2015seid@gmail.com
3	Sedik Mahe Farm	Sedik Mahe		Owner	-
4	Dubti <i>Woreda</i> Beyahile <i>Kebele</i>	Ali Meyebahe Humed		Kebele administrator	-
5	Afar Clan Leadership	Burha Mohammed		Clan leader	-
6	Afar Regional Council	Ali Yusuf Ahaw		Member of Parliament	-

FGD members (AmNRS)					
No	Name of the Organization	Name of Interviewee	Sex	Position of the interviewee	Email
1	Bureau of Rural Land Administration and Use	Meles Damtie	M	V/Manager of BoRLAU	
2	Bureau of Rural Land Administration and Use	Misiganaw Abate	M	Director, Rural Land Administration	
3	Bureau of Rural Land Administration and	Berunew		Land Use Forestry Expert	Berunewm@yahoo.com

	Use	Maru	M		
4	Bureau of Rural Land Administration and Use	Bantider Temach	M	Land Administration expert	Bantidert@yahoo.com
5	Bureau of Rural Land Administration and Use	Gedamu Mersha	M	Land Resource Valuation & Rehabilitation, expert	Gedamumersha27@gmail.com
6	Bureau of Rural Land Administration and Use	Aschalew Amanu	M	Land Resource Valuation & Rehabilitation expert	Amanuaschalew12@gmail.com
7	Bureau of Rural Land Administration and Use	Worku Kassie	M	Rural Land Investment Monitoring expert	Kassieworku3@gmail.com

Key informant interviewees (AmNRS)

No	Name of the Organization	Name of Interviewee	Sex	Position of the interviewee	Email
1	Bahr Dar University, Institute of Land Administration	Dr. Gebeyehu Belay	M	ILA Research & Community Service V/Dean	Gebeyehu.belay@gmail.com
2	AmNRS Bureau of Agriculture (BoA)	Dr. Meles Mekonen	M	Head, BoA	
3	Bureau of Urban Development, Housing and Construction	Beneberu Tesfu	M	Urban Land Devt & Administration Director	Dadtesfu21@gmail.com
4	Bureau of Urban Development, Housing and Construction	Adugna Kassa	M	Urban Landholding Administration Team Leader	
5	Bureau of Industry and Investment	Yibrahim Dawud	M	Director, Investment Project Support & Follow up Directorate	ybrodad@gmail.com
6	Bureau of Urban Landholding Registration and Information	Shibie Kindie	M	Director-General, BoULRI	

Key informant interviewees (Federal-level offices)

No	Name of the Organization	Name of Interviewee	Sex	Position of the interviewee	Email
1	FDRE Ministry of Urban Development and	Abuye Aneley	M	Head, Policy Research and Advisory Bureau	Abuye2013@yahoo.com

	Construction				
2	Ministry of Agriculture	Tigistu G/Meskel	M	MoA Rural Land Administration and Use Directorate Director	tigistugab@gmail.com

Key informant interviewees (Addis Ababa City Administration)

No	Name of the Organization	Name of Interviewee	Sex	Position of the interviewee	Email
1	Addis Ababa City Land Development and Management Bureau	Zabider Yifru	F	Head, Advisory Bureau	
2	Addis Ababa City Administration Bureau of Investment	Biruk Estaziya Selamawit Getaw	FS	Investment Project Promotion, Director	sola0571@gmail.com

Key informant interviewees (ONRS)

No	Name of the Organization	Name of Interviewee	Sex	Position of the interviewee	Email
1	Oromia Land Development and Management Bureau	Mitiku Bekele	M	Director, Land Use	Bekelemitiku2008@yahoo.com
2	Oromia Agriculture and Natural Resource Bureau	Sileshu Lemmi Ayana Gebisa	M	Delegate of Director, Natural Resource Head, Legal Office	Sileshi1.lemma@gmail.com
3	Oromia Investment Bureau	Kuma Daba	M	Investment Potential Research, Promotion, Director	Kuma_2019@yahoo.com
4	Oromia House of Peoples Representative (Caffee Oromia)	Abdi Kedir	M	Higher Law and Policy Adviser of Caffee Oromia	

Individual key informants

- (1) Dr. Hurgessa Hundera, Physical Land Use Planner in the ongoing Oromia Integrated Land Use Planning (OILUP) project (hurgesa@gmail.com)
- (2) Dr. Meskerem Abi, Center for Food Security Studies (CFSS), Addis Ababa University (meskeremabi@gmail.com)
- (3) Dr. Solomon Tsehay, Assistant professor at AAU and economic planner in the Ethiopian 10-Year Development Plan (tsehaysol2015@gmail.com)
- (4) Hussein Bekele, senior expert and researcher, Sustainable Environment and Development Action (SEDA) (huseinseda1992@gmail.com)
- (5) Dr. Worku Tuffa, Assistant professor and Researcher, Center for Rural Development Studies, Addis Ababa University (worksha2010@gmail.com)

Annex 7: List of organization from which sample respondents were drawn

- 1) FDRE Ministry of Agriculture;
- 2) Rural Land and Environmental Protection Bureaus of AfNRS, AmNARS, and ORNR;
- 3) Agriculture and Natural Resources Bureaus of AfNRS, AmNARS, and ORNR;
- 4) NGOs/CSOs such as SEDA and HUNDEE
- 5) AfNRS, AmNARS, and ORNR Standing Committees of the HoPRs (such as Agricultural, Pastoralist and Environmental Protection, Natural Resource, Irrigation, and Energy)
- 6) Land Development and Urban Renewal Agency of AACA, AfNRS, AmNARS, and ORNR
- 7) Ethiopian Investment Commission (EIC) and regional investment bureaus
- 8) Addis Ababa University, Center for Rural Development;
- 9) Center for Food Security Studies, Addis Ababa University;
- 10) Institute of Land Administration (ILA), Bahr Dar University.

Annex 8: Risks and mitigation measures

Identified risks	Degree of risk	Probability of risk	Risk mitigation measures
COVID-19 pandemic	Medium	High	The needed measures following FDRE MoE, Africa CDC and WHO guidelines as well as SoE directives such as social distancing, wearing masks, hand wash, and etc. Furthermore, electronic media channels were used, such as phone calls, arranging meetings through <i>Zoom Cloud Meet</i> , and other electronic connections.
COVID-19 and security challenges may affect the data collection and field visit regions	Medium	Low	Security precautions and COVID-19 precautions were taken in consultation with FSS & the team leader
Relevant experts may not be available for interviews and during the field visit	High	Medium	Pre-arrangement and schedule with key resource persons were made & virtual meeting platforms like Zoom Meet, & other proper electronic connections were used.
COVID-19 was a problem to move from place to place for discussion with the stakeholders	Medium	Low	Precaution measures were taken to move from place to place whenever the need arises in all the study areas (AACA, AfNRS, AmNRS, and ONRS).
Delay in producing the research report	Medium	Medium	Make a frequent discussion with FSS's focal person in order to address bottlenecks and navigate successfully & to come up with innovative solutions to operate above excuses.

Annex 9: Terms of Reference (ToR)

Forum for social studies would like to recruit a consultant on an assessment of Ethiopia Land policy-making practice

1. Background

A “land for Life”- initiative (LFL) has been established since 2018 with the objective of strengthening existing multi-actor partnership working on land governance. While the initiative was originally established to work for the Oromia region, it has now the potential to be a national network. The initiative has a steering committee (SC) and three technical working groups working on three priority thematic areas. The land for life initiative identified the activities that need to be undertaken by and what it demands. This has required the engagement of a consultant.

2. Objectives of the task

- ✓ Assess the land policy-making process practiced in Ethiopia at each stage of the policy cycle (agenda setting, policy formulation, policy legitimating, policy implementation, and policy evaluation and change, identify its strength and limitations (SWOT analysis)
- ✓ Assess actors and the power relations among actors in the policymaking process
- ✓ Come up with an alternative for a participatory and transparent land policy-making process.

Scope

- ✓ Develop inception report including methodology of the study including data sources and instruments (interview and focus group instruments)
- ✓ Agree on methodology and data sources and instruments with the Policy Process Thematic Working Group (PPTWG)
- ✓ Use historical and sociological institutionalists perspective as a theoretical framework
- ✓ Desk review of selected land-related policy documents, development plans and strategies and identify continuities and changes in time and space
- ✓ Consultation of stakeholders involved in land policymaking, including farmers, investors, public servants (experts and politicians), and key institutions at each stage of policy cycle field visit to regions (Afar, Amhara, Oromia).
- ✓ Make an analysis of the key deficiencies and impediments to effective land policymaking process in Ethiopia
- ✓ Present draft report to PPTWGs and get input.

- ✓ Present to LFL Steering Committee to review and input to the consultants work before present to the larger workshop (this can be merged with other TWGs or SC meeting).
- ✓ Present to large stakeholder workshop to validate the findings.
- ✓ Collect inputs from the workshop and produce a final report and present it to PPTWGS
- ✓ Prepare Policy Brief (extracted from the study)
- ✓ Participate in land for life events

Data Collection Method

- ✓ The data collection will rely on desk research and Key In-depth Interviews (KII), Focus Group Discussion (FGDs) from Oromia, Amhara, and Afar regions and with some key stakeholders based in Addis Ababa that are familiar with the issues, Experts based in different NGOs, Etc.

Presentation

- ✓ Will make a presentation of the first draft report for FSS or workshop organized by FSS.

Deliverables

The assignment will have the following deliverables:

- ✓ An inception report setting out the consultant's overall approach to the assignment, methodology, and timelines
- ✓ Draft Report following completion of field engagements
- ✓ Full Report, including recommendations (50-70 pages)
- ✓ Presentation of findings
- ✓ Final report after integrating comments
- ✓ Policy brief (not more than four pages) based on the guideline (for each areas of assessment)

Duration of the Assignment

The Duration of the study is from 11 August 2020 to 20 September 2020. The draft report must be submitted on or before 10 September 2020.