



Research Report 4 Land Registration and Women's Land Rights in Amhara Region, Ethiopia

Askale Teklu

Securing Land Rights in Africa

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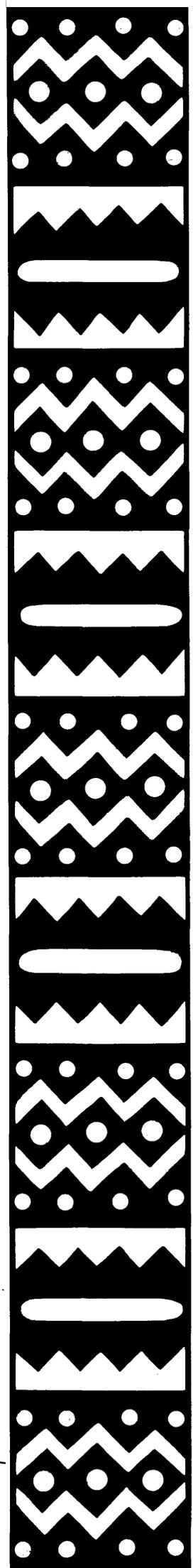




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RESEARCH REPORT 4 LAND REGISTRATION AND WOMEN'S LAND RIGHTS IN AMHARA REGION, ETHIOPIA

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LIST OF ACRONYMS & ABBREVIATIONS

LUAC	Land Use Administration Committee
LUAD	Land Use Administration Desk

PREFACE

This research examines the current processes of land rights registration in Ethiopia, Ghana, and Mozambique and assesses their outcomes for poor and vulnerable groups. Land is becoming increasingly scarce in many parts of Africa, and mounting competition for this valuable resource is driving conflict between and within groups. Many governments have initiated a review of land legislation and established new structures for land rights administration. At the same time, there is considerable informal documentation of ownership and transactions in land taking place in many areas, as people seek to strengthen their claims over land and natural resources. Informal processes include the increased use of written contracts, witnessing of agreements, the emergence of new forms of rental and sharecropping arrangements, and other kinds of local collective action, often around management of common property resources. However, such informal documents and processes are not usually legally binding.

While registration might, in theory, be expected to help poorer groups confirm their claims to land, in practice registration has often served to redistribute assets towards the wealthier and better informed. We are keen to ask the question - is this inevitable? Can provisions be made which explicitly address the need to level the playing field between poorer and better-off groups in relation to registering claims over land? In Ethiopia, land registration systems are being designed and pilot programmes carried out in several states. In Ghana, an ambitious Land Administration Programme has begun, which has chosen to do much of its work through Customary Land Secretariats. In Mozambique, the 1997 Land Law is being implemented, a law which has been recognised internationally as demonstrating a strong pro-poor approach. What lessons can be learnt, from these cases, to inform policy and practice for future interventions in the registration of land rights in Africa?

The study tests a set of interlinked hypotheses, which assert that:

- Land registration is not inherently anti-poor in its impacts;
- The distributional consequences of land registration will depend on the design of the process and governance of the institutions responsible for its management; and
- Land registration procedures can be elaborated to address systematically the risk of bias against poorer, more marginal groups by considering issues including location, registration fees, language used, and recognition of secondary rights.

While the hypotheses can be broadly accepted as valid, and the study did identify examples of “good practice”, there are also many lessons to be learnt about the design of registration systems if they are to protect effectively the rights of poorer groups. Work in all of the case study sites pointed to the critical role of institutional governance.

The results of this research project come at a particularly opportune time. In 2005, a “High Level Commission on Legal Empowerment of the Poor” is in the process of being set up with an independent secretariat jointly hosted by UNDP and the UN Economic Commission for Europe (UNECE). It seeks to make property rights accessible to all, especially the poor and marginalized, and by so doing, contribute to poverty reduction and achieving the Millennium Development Goals (MDGs). Evidence suggests that formalising property rights through individual title can have negative consequences for poor groups and in particular, for women and those relying on secondary rights to land. It is therefore important to base recommendations on empirical findings from diverse settings to avoid “one size fit all” solutions.

This research project was coordinated by the International Institute for Environment and Development (IIED) working with:

- Mekelle University, Mekelle, Tigray, Ethiopia
- SOS Sahel, Addis Ababa, Ethiopia
- Institute of African Studies, University of Ghana, Legon, Accra, Ghana
- Land Studies Unit, University of Eduardo Mondlane, Maputo, Mozambique
- Royal Tropical Institute (KIT), Amsterdam

The project adopted an iterative approach using reference groups at the national level to advise the researchers as work proceeded, and to disseminate findings. A proactive strategy was adopted to feed findings into relevant debates at local, national, and international levels. This included a major conference, which brought African policy makers, opinion leaders, and researchers together with international agencies and experts to discuss “Land in

Africa” in November 2004¹.

The research has addressed three sets of questions:

Firstly, questions on the design and process of registration:

- What land and what land rights are being registered?
- How is land registered and by what institutions based at what level?
- What is the basis of registration and whose rules and procedures are being followed?
- How are boundaries demarcated and recorded and with what forms of technology?
- Where are land registers stored? In what language are they recorded? How accessible are they to the public?
- Have precautions been taken to ensure equitable access to the registration process, such as cost, language used, and place of registration? Has this made a difference in practice, in terms of who can register their rights?
- What happens to secondary rights because of registration?

Secondly, questions on the governance of registration processes:

- Which state and non-state actors are involved in registration processes?
- What political and legislative framework governs the actions of the actors involved in land registration? How is accountability to a broad constituency assured?
- How do these institutions deal with disputes? How transparent are these conflict resolution processes?
- How well do the different institutions involved in land registration coordinate their activities?
- How do formal processes of rights registration interact with “informal” processes for securing rights?

Thirdly, questions related to equity of outcomes:

- Who is seeking to register land rights, and why? Who are the winners and losers in the process?
- What happens to the claims of weaker groups in society?
- What happens to unregistered rights in practice?
- How are land rights of smallholders affected by the policy thrust to attract large, sometimes foreign, investors?
- How are land rights of more disadvantaged groups changing in peri-urban contexts where competition for high value land is intense?

Seven research reports have been produced under the common title “Securing Land Rights in Africa”.

Research Report 1: Can Land Registration Serve Poor and Marginalised Groups? Summary Report

Research Report 2: Land Registration in Tigray, Northern Ethiopia

Research Report 3: Land Registration in Amhara Region, Ethiopia

Research Report 4: Land Registration and Women’s Land Rights in Amhara Region, Ethiopia

Research Report 5: Land Registration in Eastern and Western Regions, Ghana

Research Report 6: Land Registration in Nampula and Zambezia provinces, Mozambique

Research Report 7: Land Registration in Maputo and Matola cities, Mozambique

¹ See <http://www.iied.org/events/landinafrica.html> for further information.

1. INTRODUCTION

1.1 Background

The project brief was to examine land registration procedures in Ethiopia, Mozambique, and Ghana and assess the impacts on poorer and more vulnerable groups. Its aim was to investigate whether land rights registration tends to further impoverish marginal members of society, particularly women, recent settlers, and mobile people; to identify characteristics of the process; and to highlight features of institutional governance, which could account for such bias. The purpose of the project is to inform better policy design and practice for future interventions in the registration of land rights in Africa. This report presents the findings of research which examined women's land rights under the current process of land rights registration in the Amhara Region, and is part of a broader research agenda of land registration procedures in Ethiopia.

Women have great importance as agricultural producers in sub-Saharan Africa, and the Ethiopian government has, in recent years, made a commitment to gender equality in various laws and policies. In this research, we investigate how women's rights of access to, and control of, land are being addressed and the ways in which the registration procedures have benefited or disadvantaged women. The report provides a historical overview of land policies in the region and their impacts on women. It then explores the current policy and registration process and examines the participation of women in its implementation. Finally, the report assesses the outcomes of the policy goal of gender equity by looking at land use, marital property and inheritance rights, and the interface between customary and statutory laws. The report presents detailed accounts of how women's interests have been addressed by the land rights registration in the Amhara regional state of Ethiopia.

The research shows that the promotion of women's land rights, such as the joint titling provision in recent legislation and policy, is commendable and this has provided an improved context for women to secure greater land rights. The findings do not support the hypothesis that land rights registration further impoverishes women, however, those women who are socially and economically disadvantaged have more difficulty protecting their rights. Either they lack the resources to make full use of their land holdings, or are constrained by cultural norms. There are concerns over the effective supervision of the registration process at Woreda level² which can be detrimental to women as it leaves space for interpretation and manipulation at the local level. The absence of women's participation in the land rights registration process and in dispute mechanisms is also a serious constraint to ensuring that the intentions of the land laws and policies occur in practice.

1.2 Research Methodology

A qualitative approach was used to gather data at the field level. Focus group discussions were held with women's groups and Land Use Administration Committees (LUAC) at Goat level³ to gather their views and experiences of the land registration process. Separate focus group discussions and individual interviews were also conducted with female-headed households to provide feedback on more sensitive issues. Interviews with the desk officers of the Natural Resource and Land Use Administration bureau at Woreda level were also conducted.

The field research was conducted in four selected Kebeles in four different Woredas in the Amhara region: Weramit in Bahir Dar Zuria Woreda (West Gojam Zone), Adisna Gulit in Gozamin Woreda (East Gojam Zone), Woreta Zuria in Fogera Woreda (South Gonder Zone), and Timtimat Debiko in Meket Woreda (North Wollo Zone).

The participants in the women's focus group discussions were selected randomly by the researcher; the information about the focus group meetings were disseminated in advance so that women from distant Goats within the Kebele could be included in the discussion. The discussions focused on how the 1991-1996 land redistribution and the current registration process handled the following issues:

- Women's rights to land;

² Amhara region is one of the nine administrative regions in Ethiopia which is sub-divided into 106 districts (Woredas). The Woreda are further divided into 2,927 Kebele. Kebele is a small administrative unit which is further sub-divided into Goat (sub-Kebeles).

³ A 'Goat' is the smallest administrative unit under the local government administrative structure (Kebele).

- Women's access and control over land, women's participation in the LUAC;
- The rights of inheritance and division of property;
- The legal service available to women; and
- Other important aspects related to women's land rights of women.

1.3 The Amhara Region

Geographically speaking, the Amhara region is the second largest in the country after the Oromiya region. Located in an area of 170,752 km, the region is divided into ten administrative zones, 106 rural and nine urban Woredas, and 2,927 rural Kebeles. The total population of the Amhara region is 14,127,540 of which 90.7 percent are residing in rural areas. The gender-disaggregated data for the rural area shows that the male population is 50.7 percent and female population 49.3 percent.

Only 3,373,225 hectares of land in the rural areas of the region are under private holding. This private ownership accounts for 9.3 percent of the total land holding in the region. Another 604,382 hectare is under gum and incense⁴ production, while forestland accounts for 193,820 hectares.⁵ The land topography of the region ranges from 600 meters to 4,620 meters above sea level. Erosion is a serious problem accounting for the loss of approximately 1.9 to 3.5 billion tons of soil annually, which leaves between 20,000 to 30,000 hectares of land unproductive.

Land degradation is an alarming challenge in the Amhara region. Natural factors coupled with the effects of a long history of settlement, prevailing farming methods and increasing population pressure which forces people to cultivate even steeper slopes have exacerbated the devastating land and resource degradation in the region. To a large extent, these problems are thought to be aggravated by inadequate property rights. It is believed that in the absence of secure property rights, land and natural resource degradation will accelerate (Berhanu and Fayera, 2005).

Understanding the seriousness of the stated problems, the regional government has put the land issue at the top of its agenda. Consequently the region has taken a step forward in developing a legal basis to improve the land use in the region:

- The regional Land Administration and Land Use Policy⁶
- The regional Land Administration Proclamation⁷
- The regional Environmental Protection, Land Administration and Use Authority Proclamation.⁸

Both the federal and regional constitutions, as well as the federal Rural Land Administration proclamation, form the legal framework to these regional policies and proclamations.⁹

⁴ A kind of forest product burned to produce a good aroma.

⁵ Data presented in this section are from Agriculture Bureau of Amhara Region.

⁶ 2000

⁷ No.46/96, 2000

⁸ No.46/96, 2000

⁹ The new land law developed in 1997 allocates legislative power to the Federal government and delegates the power of land administration defined as 'the assignment of holding rights and the execution of distribution of holdings' to the Regional States. In 2002, the government delegated greater legislative powers to the regional states in matters to do with land (Berhanu and Fayera, 2005).

2. LAND TENURE SYSTEM IN THE AMHARA REGION

2.1 Historic Background

Until the 1974 revolution, the Amhara region had a complex land tenure system. In Wollo Province, for example, there were an estimated 111 types of land tenure (U.S. library of Congress).¹⁰ It is worth reviewing the main tenure system that existed predominantly in the region to understand better the position of women with regard to access to land.

Before the land reform, the major form of ownership was a type of communal system known as Rist. According to this system, all descendants (both male and female) of an individual founder were entitled to a share of family land, with individuals having usufructuary rights. Rist was hereditary, inalienable, and inviolable. No user of any piece of land could sell his or her share outside the family, mortgage it, or bequeath his or her share as a gift, as the land belonged not to the individual but to the descent group. Most farmers in the northern highlands held at least some Rist land.

The other major form of tenure was *Gult*, an ownership right acquired from the monarch or provincial rulers who were empowered to make land grants. *Gult* owners collected tribute from the peasantry and, until 1974 (when *Gult* rights were abolished) they exacted labour service as payment in kind from the peasants. Until the government instituted salaries in the twentieth century, *gult* rights were the typical form of compensation for an official.

Other forms of tenure included Samon, Mengist, and Maderia land. Samon land was land the government had granted to the Ethiopian Orthodox Church in perpetuity. Mengist land was land registered as government property and Maderia land was land granted for life mainly to government officials, war veterans, and other patriots in lieu of a pension or salary, but the state possessed a reversionary right over these land grants.¹¹

Following the fall of monarchy rule in 1975, the Derg¹² announced its land reform program. The Proclamation of 1975 abolished the concept of private ownership and declared land to be the collective property of the Ethiopian people and that any head of a household, irrespective of sex, and willing to cultivate would be allocated sufficient land. The Derg embarked on a program to redistribute land to farming households through peasant associations. These households had only usufructuary rights over the land they cultivated and this right could not be transferred by sale, lease, or mortgage.

Although the proclamation provided for land to be given to the head of the household irrespective of gender, in practice the land would be given to the husband, when present, because he was by law the head of the household.¹³ Thus, the traditional or customary systems that protected women's access to land were broken down. Hence, women's rights to land in the Amhara Region have become secondary rights, derived through their membership of households and attained primarily through marriage.

The Derg regime fell in 1991, and although the new government adopted a free market economy, land remained public property and was enshrined as such in the constitution adopted in 1995. Land redistribution remained a policy provision but the regions determined their own implementation processes.

2.2 The 1991-1996 Land Redistribution Process

As the 1991-1996 land redistribution is the basis of the current land rights registration process, this section will review how gender aspects were addressed in the process of land redistribution and what impact it had on women.

Although there is no clear policy guideline as to how the redistribution took place, the basic concept of the redistribution, as perceived by the community, was to convey a fair land holding system by more or less balancing the land size holdings of the farmers and allocating land to the landless.

¹⁰ The US library of congress, federal research division, country studies-ethiopia. Web site www.loc.gov/rr/frd/

¹¹ The government has the right to take back the land for any purpose, without compensation.

¹² The socialist military dictatorship known as the Derg overthrew the feudal regime of Haile Selassie in 1974.

¹³ Implementing the Ethiopian National policy for Women; Institutional and Regulatory issues; the Women's Affairs Office Federal Democratic Republic of Ethiopia, the World Bank, 1998.

In the Amhara region, land redistribution started in 1991 in Wollo, even before the development of the constitution. In the other parts of the region, it was implemented in 1996, one year after the adoption of the constitution. The responsibility of allocating land was given to the local Kebele administration. During the focus group discussions with the LUAC it was stated that the land distribution program was carried out without proper guidelines or training given to the local administration. The Kebele administration was given the responsibility of surveying the land. Land was categorized into three different grades: the first grade was considered fertile land; the second grade was medium, and the third grade was poor soil located in the low lands. Different plot sizes were set for the three types of soil. The first grade land was distributed in parcels of 25m x 50m (0.125 hectare), the second grade 50m x 75m (0.375 hectare) and the third grade at 75m x 100m (0.75 hectare). Depending on the availability of land, the size of land holding varied from Woreda to Woreda. The average land size distributed per person was 0.75 hectares in North Wollo, while in South Gonder and East Gojam it is relatively higher and varied from 1 hectare to 4 hectares.

The main criteria for land allocation in Amhara region was age and sex. Any individual woman over 18 years old or man over 24 years old was entitled to an allocation.¹⁴ Whether political allegiance was taken into consideration or not varied from place to place. For example, in North Wollo the distribution did not take into account the political position of the holder; whereas in West and East Gojam and South Gonder it was an issue. Farmers who had political allegiance to the present government were given three hectares of land while those considered hostile (served in the past government structure) to the government were restricted to one hectare irrespective of their family size and their ability to develop the land. In West Gojam (Woramit Kebele), no land redistribution was done and holdings were registered just as they were, because this Woremat was included under the city boundary. Farmers holding land in this area were entitled to compensation if the land was taken over by another party for investment or any other development activities.

There were few other criteria for land distribution other than age and sex. Failure to provide clear guidelines during the land redistribution of 1991-1996 had a negative impact on the poor. It has been alleged that land was allocated based on favouritism. Social and economic resources were also important in influencing the pattern of land distribution. Due to their poor physical condition, a number of youth from poor families who were over 18 years old (for girls) and 24 (boys) were excluded from being allocated land, while under-aged youth from the rich families were allocated land because of physical well being. As there is no proper recording of age in rural areas, age is determined by physical characteristics. The physical condition of a person is an indicator of nutritional status, so youth from poorer families were presumed to be younger than they actually were.

Although there is no clear evidence of the impact of such practices, particularly on women, it is reasonable to deduce that women could easily fall victim to them, especially vulnerable women such as widows, divorcees and female-heads of households, who had the least capacity to influence the decision-makers.

The general land redistribution of 1991-1996 is said to have changed the land rights of women from being secondary rights-holders to being on an equal footing with men. This study showed that there were no differences in the size and type of land redistributed according to gender. However, there was little accuracy in terms of the size, as individuals measuring the land may at times have sabotaged the process depending on their closeness or personal conflict with the person whose land was being measured.

2.3 Conclusion

The change in the land tenure system in the past three decades has affected women differently from men. First, although the 1974 revolution had empowered women in many different ways, after the land reform women could only access land through their husbands. This policy weakened women's land rights, because the majority of women are married. Consequently, women's control extended only over the product from the land allocated to them but not over the land, (i.e. if a woman got divorced she could share the product from the land equally with her husband, however she could not claim the land as it belongs to her husband). In contrast to this, the land redistribution of 1991-96, despite its weak implementation, has provided equal access to women. Women's access to and control of land in the region has improved considerably.

¹⁴ Due to the practice of early marriage in Amhara region, it is assumed that an 18 year old woman could already be divorced, or widowed so she needs to be able to access land independently as she is no longer in her parental home. A man is older when he marries and so remains in his parental home longer.

3. THE LAND RIGHTS REGISTRATION PROCESS

3.1 Current Land Policy

Given that the land policy is the basis for women's rights to land, this section will briefly review how gender aspects were addressed in the land policy. There is a particular focus on the policy implementation strategy guideline developed by the Natural Resource and Land Use Administration Authority.¹⁵

In 2000, the Amhara regional government presented the Land Use and Administration Proclamation.¹⁶ The proclamation defined the right of possession as well as the right to use, rent, or inherit. The policy's stated objectives are to ensure the long term land use rights of the landholders and to encourage productivity and sustainable development. It also aims to initiate a sense of security of rights among land users to encourage them to safeguard the soil and thereby sustain its productivity.

Further to this proclamation, an implementation policy strategy was developed by the Natural Resource and Land Use Bureau of the region. This guideline described in detail the responsibilities and accountability of the actors during the process of land rights registration. Also, conditions for the rights of land-use, inheritance rights, and land division in the case of divorce, were spelled out. This policy does not allow for redistributing land; instead, land under private cultivation will be registered with its actual size and the identification of the individual who has been cultivating it since the 1991-1996 land redistribution.

The responsibility of undertaking the land registration is vested in elected community representatives at the Goat level. A committee was also established at the Kebele level. The Goat was given full rights and responsibilities to elect its representatives. Each community is supposed to elect seven members. The chairperson and the secretary of this group are the representatives on the Kebele level committee. The number of members at the Kebele level thus depends on the number of Goats in any given Kebele. The Kebele committee certifies the registration carried out by the Goat committee and settles boundary disputes between bordering Kebeles and other land-holding disputes which the Goat committee is not able to resolve. The guideline determines that this happens after the registration by these committees takes place, but before certification by the Kebele committee. The certification document, which is a map showing the holdings of each household, is presented to the public to allow for rectification of any anomalies. This document is then passed to the Woreda Land Use Administration Desk (LUAD), established under the auspices of the Natural Resource and Land Use Administration Bureau. The Woreda LUAD provides each landholder with legal certificates of their land rights.

This policy has a flexible eligibility provision, which seems to have benefited women. For example, if a marriage breaks up, the man and woman are provided with an equal share of the land they were holding jointly.¹⁷ The transfer of land through inheritance is only legal when the wife countersigns the testament. In case of joint titling, it is obligatory that both the wife's and husband's names are on the registration form, with their photographs attached to the certificate. Such certificates can only be given to the household when both the wife and husband acknowledge the receipt of the certificate with their signatures.

3.2 Current Land Registration Process and Women's Participation

Although equal rights are enshrined in the regional land policy, it is important to review implementation, and in particular, how it affected women. The land use administration implementation guideline determines the roles and responsibilities of the different actors in the registration process. Training involving community representatives at the grass-roots level was conducted before the registration process commenced.

Among these actors is the Kebele LUAC whose members comprise two of the representatives elected by the community at each Goat level. Surprisingly, in all the Kebeles where the field research was conducted, with the exception of one where only two female members were present, the Goat LUACs are composed entirely of men. Only Fogera Woreda tried to incorporate women representatives on the committee. Women who participated in the focus

¹⁵ No. 46/96, 2003

¹⁶ No. 46/96, 2000

¹⁷ Article 9:1, 2003

groups revealed that they never participated in the meetings conducted to elect the committees. Some of the reasons cited by the women during the discussion were:

- They were not informed of the dates or locations of the meetings;
- It is a task for men to attend such meetings; and
- Women do not go to meetings.

This clearly indicates that there is a big gap between commitment at the policy level and practical implementation of gender issues. To begin with, the policy outlining the implementation strategy did not adequately consider the role and participation of women in the land registration process. Lately, the desk officers have realised the impact of the lack of women's participation and have instructed the community to include at least two women in the Kebele LUAC. This has not been realised in all Woredas, except Fogera where six women have been elected in three different Kebeles out of the 13 Kebeles where the land registration process has been undertaken.

Although the government has established an organ responsible for the implementation of land rights registration, the LUACs, there is not adequate staffing at the Woreda level to supervise the process; nor does the government have a gender focal point. The inadequacy of human resources at the Woreda level has a direct impact on the proper implementation of the policy at the community level. Lack of uniformity of the level of understanding and interpretation of the law by the committees - though primarily attributed to their level of education - are the consequences of a lack of intensive training and follow-up by the Woreda desk officers. This is evident, for example, in Fogera Woreda where there are six officers administering the land registration process. There is greater efficiency and participation by women in the Goat LUAC because there are women on the committee. The capacity of the responsible office can constrain the fair implementation of the law.

Although the issue of involving women in the process of registration is raised more and more, government officials still tend to believe that women cannot handle such a difficult task as it is time consuming and requires moving from field to field. In addition, there is the challenge of convincing the local community about the importance of involving women in the process. Although the procedures of the current land rights registration are orderly and community based, the lack of attention for involving women in the process can be a serious drawback in fulfilling the policy commitment on gender equity.

Women's low participation in the land titling process and other socio-political activities is linked primarily with their low position in society. Women are not empowered to claim leadership positions. The traditionalists say, "A women's place is in the kitchen" and this seems to be applicable in the arena of land registration particularly. The majority of women themselves believe strongly that getting involved in land registration is the task of men; they even believe that it makes no difference to their rights whether women participate or not in the registration exercise. Contrary to this, those women who have faced a problem in relation to their land rights because of divorce, inheritance, or boundary conflict are hindered by the lack of women involved in the process. This is demonstrated by the number of women who prefer to go to the women's desk instead of the Woreda LUAD when facing problems in relation to their land rights registration.¹⁸ Another example given during field interviews in Woreta Zuria was a number of women who requested clarification of their individual cases at the women's desk because they did not feel comfortable requesting assistance from the LUAC.

One of women on the Goat LUAC was explicit about the importance of having a female member on the committee. She is 34 years old, married, and educated to grade seven. The work was challenging for her in the beginning given the general perception of women not being able to handle such tasks. However, she has proved herself competent and even better than some men on the committee, as witnessed by other male committee members and the Woreda LUAD officer. In her experience, women tend to feel freer telling their problems to other women rather than to a man. She also remarked that women tend to be more neutral and abide by the law in implementing such sensitive policies. She further lamented that a considerable number of men had tried to exclude their wives' names from the registration. In several cases, some of the LUAC members colluded with these husbands, whereas she believed that any women on the committee would stand up for women's rights.

It can be concluded that women's socio-political position is very low compared with men. Land ownership is not

¹⁸ Information gathered during the discussion with the Woreda LUAD.

only an economic issue, but is closely correlated with social and political power. Empowerment of women is essential for them to access land rights. For this to occur, there needs to be greater reinforcement of gender policy at Woreda and Goat levels so that women are better represented on the LUAC. At the community level, women need greater encouragement and support to participate fully in the land registration process.

The table below illustrates an analysis of women’s socio-cultural and political position in the region.

Table 1: Women’s socio-cultural and political profile

Issues	Women’s socio-cultural and political status as compared with men
Participation in decision making Household level Community level	Women participate in decision-making on common household issues. Women’s participation is very low. Women do not even participate in meetings which are of common interest to them.
Educational status	Women’s educational status is low compared with men
Mobility	Mobility of women is limited to movements to and from her parental and her marital land.
Image Self image Image in society	Women do not perceive themselves equal to men in various aspects. Society believes women are not capable of handling administrative issues. Involvement in the land registration process is perceived as too difficult for them.
Organisational capacity	There is low level of women’s organisational capacity in the region. Women’s associations are not active. This in turn limits their access to information and negotiating capacity.

Source: The framework was adapted from gender assessment study, Netherlands Ministry of Foreign Affairs, 1994.

4. WOMEN'S ACCESS TO LAND: THE IMPACTS OF LAND REGISTRATION

4.1 Women Access to and Control of Land

Similar to many African countries, customary laws of inheritance and marriage determine women's relationship to land in the Amhara region. Following marriage, a woman is expected to move to her husband's home, giving her access only to marital land.

In the current context of land reform and scarcity of land in the region, for many women land use rights have become increasingly important. Before the 1991-1996 land redistribution, overall women's rights in land were insecure. However, the land redistribution has brought a radical change in the pattern of the land access and ownership for women in the region. A critical analysis in all the four Woredas studied, where the field study was conducted, shows that there are tangible improvements attained in facilitating women's access to land. The policy developed in 2000 provides for equal access to land for men and women. Since the land was allocated regardless of sex, there are no significant differences among women and men in terms of land access, security of tenure and the size of the arable land that they use.

This was demonstrated in the land registration program. As of October 2004, the registration process was completed in 885 of the 2,927 rural Kebeles in the region. A total of 721,978 land holdings were registered. A breakdown by holders is shown in Table 2.

Table 2: Land registration and type of land use right holders

Tenure type (in hectares)		Type of holders	
Private hold	3,071,817	Female	232,565
Communal land	24,094.2	Male	261,795
Deceased	10,148	Joint (husband & wife)	310,962
N.G.O.	2,617.3	Communal	4,170
Govt.organisation	1,412.4	Kebele	10,447
		N.G.O	2,104
		Govt. organisation	1,248.6
Total	3,110,089.9	Total	721,978.6

Source: Amhara Region Natural Resource and Land Administration Bureau

In this example of land titling, the largest percentage of privately held land is registered under joint title and equals 38.6 percent, land under female holding accounts for 28.9 percent, and 32.5 percent of the land is registered men.

One of the women in the focus group discussions in Timtimat remarked,

“Nowadays women are given more rights over land use and control, even when couples divorce. They share the land and the house equally, in this case since it is not a tradition for the women to build a house, the man will be forced to leave the house and build another one for himself or if he stays in the old house he will build a new one for her.”

However, in order to examine some hidden factors affecting women's control over land it is worth analysing the extent of their access and control in practice.

4.2 Land Use By Men And Women

Despite equal access for women to land rights in the current land policy, there is a notable difference in the manner of land use between male-headed and female-headed households. The female-headed households face limitations in using their land. This is linked to the division of labour between women and men that prohibit some types of

Case Study – Timtimat

Abebech* is 40 years old. She is originally from Tigray. She met her husband while he was serving in the military. They were married in 1982 and have four children. After the fall of the military regime, they came back to his homeland Timtimat. He fell in love with another woman and divorced Abebech in 1998. She left with three of her children, while her husband retained custody of the fourth child, now 16.

They were together during the land redistribution and she was allocated land. The total land holding granted was four *timade* (1hectare): two in the *dega* (high land) and two in the *kola* (low land). When they got divorced she was entitled to her share: one *timad* in the *dega* and one in the *kola*. However, as is the practice in the area, she was advised by the arbitrators to sharecrop the *kola* land with her ex-husband and give him one-third of the harvest, exchange her share of the *dega* land with someone else, and settle in Timtimat. For this holding, whenever it was possible, she purchased seed and fertilizer, rented oxen and labour and cultivated the land herself. She said it was often difficult to get labour so the only option she had was to sharecrop. She regrets that she could not farm the *kola* land herself, but had to let her land to her ex-husband. She supplements her income by selling *tella* (beer), which is a trend in this region when women get divorced.

Abebech believes that the land titling will empower women. With the current land registration, the land is registered jointly, although she wanted to have independent rights over her share of land. She requested through the elders to get her share of land but the elders advised her to register it as a joint holding because in one way or another she is going to give it to a man to cultivate. However, she fears that with the joint registration her holding might be affected because her husband has remarried and has other children, who might one day raise claim over the joint land. She also blamed her husband for refusing to let her use the grazing land (although grazing land is communal and there was no reported problem of women's access to the grazing land). If he had not refused to share the grazing land she says, she would not have sold her calf, which could have reproduced by now and be a source of productivity towards her self reliance.

*not her real name

work for one sex, i.e. traditionally, it is considered inappropriate for women to plough land although they do all other tasks on the land.

Accordingly, it is common practice for female-headed households to enter into agreements for sharecropping or land rentals. The agreement on each person's proportion of the share depends on the productivity of the land and input by each party. If the land is productive and the sharecropper covers all other production costs, both parties share the harvest equally. However, if the land is not fertile the owner gets one third. If, the woman provides the seed, oxen, and land she gets the two-thirds and the sharecropper gets one third.

The agreement is highly negotiable and depends on each situation. More often than not, there is no written agreement if the arrangement is between family members. Written contracts are common only with people outside the family. However, if a dispute arises over the performance of the person contracted to cultivate the land, the land might remain uncultivated at least for one season. Moreover, as the timing of ploughing and sowing the land is crucial, disputes can affect the productivity of the land and leave the women without a harvest.

Even though women prefer to hire labourers to cultivate the land to enjoy the full production from the land, it is difficult to find labour to hire. This often limits women's choices of land use. Such problems are more evident among divorced women who do not have grown sons or male family members. They are often under pressure from the traditional arbitrator to sharecrop their land with their ex-husband. Such land use arrangements have jeopardised the rights of some women during the registration process who have been sharecropping their land for a long time with their ex-husband. This was evident in Timtimat Kebele where a considerable number of men have registered only a quarter of the land in the name of the ex-wife even though officially she is entitled to half of the land.

Research on destitution in Wollo by Devereux et al. (2003) also supports this conclusion. According to this study: "Access to land as the key resource required for farming and labour constraints are important factors related with

destitution. Destitute households own 50% less farmland than other households (0.82/0.55 hectares). More important than how much land farmers legally own, however, is how much land they actually cultivate. Here the discrepancy between destitute households and other is much greater, because the typical destitute household gives up control of half their farm land. Their effective control over farmland falls from 0.55 to 0.27 hectares, because they rent or sharecrop out 0.28 hectares, most of the land rights are transferred from the poorest to the wealthier households, whose control over farmland increases by 17%, from 0.82 to 0.96 hectares.”

In general, the active involvement in cultivating land has a direct implication on security of tenure. Some of the controversial issues noted during the registration process were that a number of poorer farmers, unable to cultivate their land, had it cultivated by force by others.

Security of tenure is guaranteed by the continued utilisation of land. As long as a farmer cultivates the land, he/she enjoys security of tenure. In this case, women tend to be among the first to lose their rights mainly due to factors related to labour requirements and prohibitions against ploughing.

4.3 Marital Property Rights

There is little difference between customary and statutory law concerning property rights during marriage. According to tradition, giving a dowry is not practised in this area. Marital property results from contributions by both spouses; which is referred to locally as *Macha*.¹⁹ In the past, with the exception of land and the house, women contributed equal shares of property either in cash or in kind. The most commonly contributed property by the women is oxen or cattle, while men mainly contribute land and a house.

It appears that the marital property rights practised in the region is in accordance with the national civil code. The customary law indicates that in the case of divorce, except for the land and the house, a woman shares all other property she owned during the marital life, unless otherwise stated in the marriage agreement. Women’s marital property rights only extend to the acquisition of property during their marital life. Such property does not normally include the land and the house, as it has been the tradition that the man should contribute such things.

In general, the agreement (*Semanya Wule*) signed during marriage has a determinant role on women’s rights to marital property. Such agreements are normally a written document signed by the couple and witnessed by elders from both sides; who negotiate the contribution of the two parties.

This tradition began to change with land redistribution which gave equal land rights to women. Thus, property contributions at marriage are now beginning to include land held by women. For a woman who was entitled to land use rights in 1996, the equal division of land applies automatically. She has an absolute right to get back her holding following divorce. Whereas for a woman married without contribution of land, her right to land on divorce, or death of the husband, depends on the type of agreement entered into during the marriage.

In case the couple was too young to receive land during the redistribution, the parents either allocate land to the couple, if they have land to share, or a *Macha* will be negotiated in cash. The couple then rents land (commonly referred to as *Megazo*). Consequently, the marital property rights of the women are shifted from only sharing the product from the land to joint ownership rights of all property including land.

In the past, marriage used to be very unstable because of the practice of girls being married pre-puberty. A number of individuals interviewed during fieldwork had been married more than once. The reason they gave for the break-up of their first marriage was being married so young. Discussions with the Woreda LUAD officers revealed that the current land rights registration has brought more stability to marriage. According to them, because women did not have land use rights in the past, it was easy to divorce them. However, with the change in policy it is said that a certain level of ‘tolerance’ is emerging among men in order not to lose land following divorce. It appears that when there is common property, even if there are marital problems, men will avoid divorce in order to protect the advantage of the joint holding. This situation, however, needs to be investigated over time in order to assess whether this has brought significant change in marriage practices and whether this change is beneficial to women.

¹⁹ *Macha* is the terminology used to describe the property contribution during marriage by the two couples.

Contrary to this, the Goat LUAC encountered attempts by some men to divorce their wives before the land registration process started, to gain full control of their land. The LUAC intervened in such cases by explaining to them that women are entitled to an equal share in case of divorce. In general, there seems to be some stability in marriage at the moment due to the equal opportunity of land rights for both women and men.

The challenge, however, for most divorced women is that after the division of land, they enter into a sharecropping agreement with a man. In most cases where the elders arbitrate, the woman is persuaded to give the land to her ex-husband to cultivate. Problems have emerged during the current registration process for some divorced women who sharecrop the land with their ex-husbands. Some men have tried to take advantage of the registration process and register only one third of the land holding to their ex-wives. This is a common phenomenon particularly in North Wollo. The Goat LUAC at Timtimat admitted that it registered a number of one-third holdings for women, even when there was an awareness of a dispute between couples over land-holding rights. Such examples are particularly common with poorer women who have no strong family ties or no support where they live.

It appears that factors affecting the security of land rights are the social status and family support of the woman:

- Culturally if a woman has strong male family members, it will be an embarrassment for them if they do not protect her rights, as women are not expected to be on the front line on this issue.
- Land is a scarce commodity and sensitive issue in the region; therefore, securing land rights of individual family members is regarded as adding resources/assets to the family as a whole.
- Since the women do not cultivate the land, it is customary that she sharecrops it with a man for a 50 percent share; and male family members are the primary beneficiaries of such contracts.

From the above, it is evident that the protection of a woman's rights is to some degree correlated with the level of family support she can mobilise. Aspects such as class and economic status influence the land rights of both women and men. It is therefore difficult to generalise. Statements such as 'all women are vulnerable to losing their rights' are simply misleading.

4.4 Inheritance Rights

There seems to be an inconsistent practice among communities with regard to inheritance laws. The Land Use Rights Proclamation²⁰ permits inheritance of land by those who have legal rights to it. The law also dictates that there should be consent from the wife. It further states that the landholder could transfer his/her land holding to a caretaker.

The current practice, however, varies from place to place, for example in Fogera Woreda the Kebele LUAC declares that individuals can transfer their rights while alive through a testament (*Nuzaze*). However, if the person who is eligible to inherit has land of their own while there is a landless person within the family, the transfer will not be approved by the authorities. Instead, the land will be transferred to the landless person within the family.

In North Wollo, individuals who have been allocated land during the 1996 land redistribution, will not inherit land despite any existing testaments. On the other hand, whoever has been living with the family, regardless of their biological ties with the rights' holder, prior to the land redistribution and has not been allocated land, will have the right to inherit the land. Until recently, the Amhara culture practised early marriage arrangements, which forced the girl-child to be taken to her in-laws before she matured. In this case, according to customary practice, if the girl was with her in-laws during the land redistribution and had not been allocated land due to her age, she has a right to inherit her in-law's property, including land.

In other Woredas if a person has left a testament before he passed away, the rightful beneficiary will inherit the land after ensuring his/her inheritance right through the court. In the absences of such testaments, family members of the deceased who were residing with him before the 1996 redistribution and are registered as family members, whether or not related by blood, qualify for inheritance.

There is no uniformity in the application of inheritance laws in the region. The committees seem to implement the law differently to the way it was intended. This is due to either misunderstandings or is intentional because of

²⁰ No. 46/96, 2000

the scarcity of land in the region. The registration of quite a number of land holdings in the name of deceased people (see Table 2) can be attributed to this. When coming across a controversial case of inheritance, the committee has been registering land rights in the name of the deceased.

The land policy does not address the case of widows. The customary practice clearly states that if one of the couple dies, the other automatically inherits the land. However, there is a difference in the inheritance rights of men and women. If the husband passes away and they had children together during their marital life, the women automatically inherits all marital property including land, but if they had no children, she will share half of the marital property with her in-laws. If the man is widowed, he inherits the marital property whether the couple had children or not.

4.5 Female-Headed Households

Gender disparities in land access and tenure security impact most on female-headed households. These households tend to be poorer and more disadvantaged than households headed by men. The new regional land policy has strengthened women's access to land. Nevertheless, gaining access to land alone cannot give women equal control over land with men. Security of tenure is highly influenced by access to male labour and assets, such as oxen. Other aspects such as mode of production, social and economic status, and family support are determinants for tenure security. This argument can be supported by research findings on destitution in Wollo, Ethiopia, which confirms that male-headed households constitute 46 percent and female headed households 54 percent of all destitute households in Wollo (Devereux et al. 2003). One of the justifications for this finding is stated as:

“In Highland Wollo and Waghamra, female-headed households are poorer and more food insecure. Female-headed households are twice as likely as male-headed household to live in poor quality housing (40 percent versus 20 percent). Two-thirds of female-headed households, but half of male-headed households, purchased clothes less frequently than once annually in the preceding three years. The reason for these gendered differences in poverty is related primarily to differences in control ownership and access over key productive assets, notably draught oxen and male labour.”

Securing the land use rights of female-headed households is not just related to access to land. Security also depends on the household's capacity to use the land. Most vulnerable are the aged, the ill, and poor women. To cite an example, in Adisna Gulit Kebele, a female head of household in her late sixties, was evicted from her land by a government worker, who currently occupies the land after he demolished her house. She is now living in a rented house. Such women who have neither the capacity to pursue their case in court nor family members to support them are the most vulnerable to boundary conflicts and losing their land holding rights.

Interestingly, once they secure the rights to land, women can reside anywhere and hold on to their land as long as they pay tax and cultivate the land. Many divorced women reside in areas different from where they hold land. During the fieldwork, it was found that most female heads of households settle in the nearest small town even when they still own their rural land. The reason is probably due to their economic vulnerability as sharecropping leaves the woman only half or one third of the harvest. In towns, women can find a better market for small businesses, such as selling local drinks (*Tella* or *Areke*), to supplement their income. Others, especially young women, are forced to become mistresses.

4.6 Legal Services

The legal services that are available in the rural settings are the Kebele court (Maheberaw Ferd Bet), which is run by the local community. Disputes over land, if not settled by arbitration with elders or the LUAC, are referred to the Kebele court. The court looks into the legal aspects of the case, while the Goat and the Kebele LUAC play a central role in investigating the case and giving evidence to the court.

According to the Rural Land Use Proclamation implementation guidelines, the responsibility for providing support on land issues to women, children, and individuals away from home, either for national service or for education, is vested in the Kebele LUAC. Importantly, the Woreda desk gives priority to resolving the cases of women. The main problem for these women is lack of information on legal procedures. Moreover, even when they know that legal services are available, physical capacity and financial problems are major constraints to seeking justice. Even when

legal services are available and accessible to women, the services are dominated by men, some of whom possess the traditional beliefs that suppress women's rights.

Despite the provision in the guidelines and the availability of legal services, women tend to settle their disputes over land through arbitration by elders. In most cases, elders tend to weaken women's rights by influencing them to settle for fewer benefits than they are entitled to by law.

Case Study

Almaze* is 22 years old; she was born and grew up in Fogera Woreda, Kiros Kebele. After her father passed away, her mother remarried. During the land redistribution of 1996, she and her younger sister were living with their mother in their stepfather's house, where they were both registered as family members. Sometime after, their mother divorced their stepfather and left the house without sharing the property. While the case was under arbitration by the elders, her mother passed away. The issue was thus suspended without being settled.

Meanwhile, Almaze has married the son of her stepfather, and became his second wife. During the land redistribution, he was living independently and allocated four timade (one hectare) of land. The land holding of her mother and stepfather together was 14 timade out of which they have allocated two timade to the son of her stepfather when he married. Almaze's marriage with this man only lasted for a year; he divorced her while she was five months pregnant with his son. When her mother passed away, she asked her stepfather for her mother's share. He told her to ask her ex-husband but he refused and even threatened to kill her. She left the place and settled in the nearest Kebele.

During the arbitration process the stepfather passed away. Meanwhile, the land title registration issue came to the forefront. She claimed her mother's share again, but the Kebele LUAC rejected her request. She then appealed to the Woreda LUAD and they referred her back to the Kebele administration, which only heard her case when instructed to do so by the Woreda LUAD officer.

When the ex-husband realized the issue was becoming serious and the legal implications of her claim, he requested that she settle the dispute through arbitration by the elders. She accepted and the elders decided that 2 timades of land should be given to her. After the agreement was signed and witnessed by the elders, the Kebele land administration committee approved it. The ex-husband then brought his brother from another region to claim the land. Although Almaze has the document with the agreement and is sharecropping the land with someone who is cultivating it, she still fears that her ex-husband might manipulate the LUAC to transfer the title to his brother, since the title is not yet registered under her name.

* not her real name

5. CONCLUSIONS AND RECOMMENDATIONS

This study has looked at the land registration process in Amhara to identify what impacts it has had on women's land rights. The research has shown that the recent provisions in legislation and policy in the region do provide an improved context for women's access to and control of land. It was also found that the impact of land rights registration has not further impoverished women. As women acquire equal land rights to men through the joint titling provision, marriage seems to be gaining more stability and there is more protection for women in the event of divorce. There is, however, some resistance among husbands to women gaining stronger land rights and there are no gender implementation guidelines to support the policy goals of gender equity. There is very poor participation by women in the land registration process and in dispute resolution mechanisms which continue to remain in the hands of traditional leaders. Women are unfamiliar with legal procedures, which are costly, and therefore they are under pressure to remain governed by customary norms and to accept fewer benefits than they are formally entitled to. Other specific outcomes are summarised below:

Women's Rights to Land

The Land Use Rights Proclamation²¹ states that there is an equal right to use of land for men and women. There is a general awareness of women's rights to use land by the LUAC and the provision in the land policy for joint titling seems to benefit women. The additional strategy developed by the LUAD to secure women's rights, requiring photographs and signatures of both husband and wife on the land rights certificate, is commendable. As at October 2004, registration was completed in 885 out of 2,927 Kebeles. Of these, 38.6 percent were registered as joint title, 28.9 percent women's and 32.5 percent men's.

The Impact of Land Titling on Marriage

The research found many women who had been married more than once and the reason given was the practice of girls being married pre-puberty. However, the institution of marriage now seems to be gaining more stability under the new policy as women acquire the right to an equal share of land following divorce. Some husbands resist women gaining stronger rights to land, and some try to divorce their wives before registration in order to gain full ownership rights to land.

Problems of Divorced and Widowed Women

Although the land policy has strengthened women's rights in marriage and inheritance, the inconsistency of implementation is a major constraint. The findings of this study, however, do not support the generalisation that all widowed, divorced or female-headed households are vulnerable to losing their land rights. The most noticeable problem is among socially and economically poorer women and those who lack family support. Such groups lack the productive labour power to cultivate the land, and consequently lose their use rights to the land because they are unable to fully cultivate their holdings. They also have no men to stand up for them to protect their rights. Even when women have control of their land, they do not always benefit fully from it. This is due to customary prohibitions to women ploughing the land and also constraints in the availability of male labour, which forces women to sharecrop with men. Through sharecropping arrangements, women realise only half to one-third of the harvest from their landholding.

Accessibility to Legal Service by Women

There is an effort to decentralise the legal service through establishment of a community-based court at the Kebele level. The authority to investigate land disputes is vested in the Goat and the Kebele LUAC; if the dispute cannot be settled at this level, the issue is referred to the Kebele administration. These structures are dominated by men and are not usually gender sensitive. Research findings showed that there is little knowledge and understanding about legal services and procedures among rural women. Quite often, women who claim their rights are considered troublemakers and they are not received well by the authorities. Because of this, some women settle their cases through the arbitration of elders, and are often under pressure to accept fewer benefits than they are formally entitled to. Poorer women tend to give up their rights, even when they have the support of the law, because pursuing the legal procedures is time consuming and costly.

²¹ No 46/96, 2000

Lack of Gender Implementation Guidelines

The implication of the absence of detailed gender implementation guidelines during execution of land registration policies could make poor women vulnerable to abuse. Most of the problems faced by women in ensuring their rights are not caused by the policy as such, but its interpretation by those who are in charge of implementation. Thus in the absence of such guidelines, laws can be left open to manipulation. Although the government has established an organ responsible for the implementation of land rights registration, the LUAC, there is inadequate staffing at the Woreda level; nor does the government have a gender focal point. The lack of human resources at the Woreda level has a direct impact on the effective implementation of the policy at the community level.

Women's Participation in the Land Registration Process

The absence of women's participation in the land rights registration process is an indication of the absence of gender implementation guidelines. Women were not included in the land registration process because the work was perceived as being too difficult for them. More recently, the desk officers have realised the impact of the lack of women's participation and have instructed the communities to include at least two women in the Kebele LUAC.

Women's participation in land administration activities is very low, despite their significant role in agricultural production activities. Though gender equity has achieved support and respectability in high-level policy making, as witnessed by the constitution and other both national and regional policies, concerns remain over the persistent gap between government intentions as provided for in legislation or in policy documents and their implementation.

The revisions of laws and policies will not automatically change practices. Laws merely provide frameworks within which rights and relationships are negotiated. They may provide a stronger bargaining position for some over others. It is equally important therefore to give due attention to addressing local practices that hinder women from benefiting from their entitlements. Women often have very limited access to formal courts and laws, and many women whose rights are threatened continue to appeal to informal arbitration to redress the situation. Enhancing women's status in customary systems is therefore as important as strengthen women's right to land in policy. Moreover, unless women are empowered with land rights under conditions of growing land pressure, their vulnerability will increase.

5.1 Recommendations

- a) *Women's involvement in decision-making.* Although increasing attention is now being given to the status of women in the land rights registration of the region, affirmative action is required to ensure that women are represented in land administration bodies and land dispute resolution mechanisms. Local level authorities should offer more possibilities for women to be involved in decision making of the local institutions, such as Kebele administration, Maheberaw Ferd Bet (local courts), and LUAC. Women should be part of these institutions; participate actively; and have the capacity to lobby.
- b) *Education, training, legal aid.* In order to increase women's participation in the land registration process and decision-making, there has to be an investment in programs that enhance women's land rights through public education, training of officials, and provisions of legal aid. In particular, gender awareness training for the existing social court members and Kebele administration should be given consideration to make the court system more sensitive to gender issues.
- c) *Mainstreaming gender.* Provide assistance to the Woreda desk to mainstream gender issues in their operation and design and implement special programs for women such as sensitisation and involvement of women as local arbitrators. There is a need to strengthen gender sensitivity of the regional and Woreda natural resource and land use administration staff.
- d) *Disaggregating data.* Increase the availability of gender-disaggregated data, such as numbers of men and women holding land rights, numbers of landless by gender, number of cases arbitrated by social court by gender, and land use by gender.
- e) *Legislative framework.* Support processes that enhance women's participation and leadership roles. A legislative framework is needed to enable poor women to access information and participate in the process.

f) *Further research.* Comparative studies are needed that look at land access and use by both men and women in order to understand better the specifically gendered interests around land, household labour, and economic strategies. Most research on gender policy looks only or primarily at the position of women in isolation from men's experiences and this limits the analysis. Researchers and policy makers also need to understand the constraints on poor men in relation to land, family, and economic development in order to develop more appropriate gender-sensitive policy. A more in-depth analysis should also be made to reveal hidden constraints that prevent women from coming forward as representatives and making their voices heard within local institutions.

g) *Strengthening of women's organisational capacity.* Involvement of women in local institutions does need emphasis and support. However, the cultural influences that suppress women's involvement in decision-making structures will make it difficult for women to play their role effectively in such a system. Strengthening women's organisational capacity should be prioritised such as in women's associations. These can create a conducive atmosphere for women to air their problems freely. Such associations could empower women to deal with legal aid issues and gain better negotiation power within the local administration system including the social court. Associations can also help empower women to change customary norms such as the prohibition on ploughing.

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7. ANNEX: LOCATION OF AMHARA REGION IN ETHIOPIA



Land Registration and Women's Land Rights in Amhara Region, Ethiopia assesses the ongoing land registration process and its outcomes for women. While land policy and registration procedures aim to guarantee women's access to land, practice on the ground suggests more needs to be done to support women's rights in the implementation process. Land registration, initiated in 2003, stipulates that both spouses should be named on the certificate. However, research findings in one-third of all Kebeles in Amhara, found that only 39 per cent of the plots was registered under joint title, while 29 per cent was under female holding (including many female headed households), and 33 percent registered with men. Married women therefore continue to be denied joint titling. Most local land administration committees were only composed of men and local leaders and government officials had not promoted women's participation. However, where women were part of committees, they were active in protecting women's rights, particularly of women who were vulnerable and lacked family support or social networks.

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