



SDO Intervention Proposal for Non-SDO SLLC Woredas

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Introduction

LIFT is a six-year (March 2014 to -August 2020), DFID funded-programme that aims to improve the incomes of the rural poor and enhance economic growth through three components: Second Level Land Certification (SLLC); improved Rural Land Administration Systems (RLAS); and increasing land productivity through a ‘making markets work for the poor’ approach (M4P). LIFT aims to certify 14 million parcels in 140 woredas for approximately 6.1 million households (around 70% of parcels being jointly or individually owned by women) in Oromia, Amhara, SNNP and Tigray regions. As of April 2019, 12,376,062 parcels had been demarcated. About 93% of the parcels hold women’s name, as joint (73%) and as individual (22%) holder (Annual Review Report September 2018).

In response to the practical challenges faced during the early stages of the programme to mobilize landholders and ensure engagement of women and vulnerable groups during SLLC, LIFT piloted a Social Development Officer (SDO) position in June 2017 in six woredas. Its impact was immediately visible and landholders’, especially women’s, participation in the SLLC process improved. The support SDOs provide to women and VGs has resulted in parcels, which were illegally occupied being restored to them. The positive result of the SDO pilot intervention facilitated its scaling up to all the SLLC woredas in August 2018.

A question, however, remained: what has happened to women and VGs in SLLC woredas where a SDO was not in place and more specifically (1) what is the situation of the land rights of these women and VGs in non SDO-woredas? (2) what is the status of unresolved land disputes involving VGs’ after SLLC has completed and the SDO has moved to another SLLC woreda? (3) what impact does SLLC have on women and VGs in terms of security and control of their land? (4) how can support from local institutions, such as the Good Governance Task Force (GGTF), be sustained so that assistance to secure the land use rights of women and VGs is available and accessible?

To respond to these questions, LIFT launched a SDO impact study in March 2019. The study was conducted in 15 Woredas (7 SDO and 8 Non SDO) and woredas were selected based on number of disputes as well as proximity between the woreda for effective use of time. The table below shows the Woredas visited during the study.

Region	SDO Status	Woreda	No. of dispute in the SLLC Weekly Report	No. of VG dispute in the SDO Exit Report
Amhara	SDO	Mojana Wodera	0	4
		Angolelana Tera	0	6
	Non SDO	Tarma Ber	0	
		Menz Mama Midir	116	
Oromia	SDO	Daawoo	92	26
		Ejersa Lafoo	22	3
		Dandi	406	4
	Non SDO	Ameya	411	
	SNNPR	SDO	Arba Minchi Zuria	0
Humbo			633	No Exit report
Non SDO		Damot Sore	69	
		Damot Woyide	372	
Tigray	Non SDO	Adwa	0	
		Tahtay Mayichew	61	
		Lailay Maychew	144	

Findings

The study found that in non-SDO woredas that;

- The WLAO and Field Teams didn’t provide women and VG landholders with specific support during SLLC as they were not aware of their needs.
- Public awareness activities were limited due to constrained staff who had the dual responsibility of managing demarcation activities. Therefore, information on SLLC had a limited reach to landholders particularly women and VGs and resulted in low participation of landholders in the adjudication/demarcation and public display.
- The resulting low participation of landholders during adjudication/demarcation and public display caused Field Teams to rely heavily on KLAC members to obtain landholder information. Consequently, women and VGs’ parcels could potentially be registered incorrectly, and landholders lacked the opportunity to lodge any land dispute.

- Those who did report disputes didn't receive the necessary support to resolve their dispute due to a lack of capacity of Field teams to provide this.

A detailed listing of challenges identified in non-SDO woredas and how the introduction of SDOs has addressed these is presented in the table below

No.	Issues identified (non-SDO Woredas)	Effect	How Inclusion of SDOs have addressed this	Procedures for Future SDO woredas
WLAO and KLAC				
1.1	The WLAO didn't provide specific guidance or instructions to Field Teams (FTs) on providing specific assistance to VGs during SLLC	This lack of guidance and instruction can lead to VG's land rights being compromised during SLLC	SDOs gave continuous awareness raising to WLAO staff and FT are provided additional support by the SDO in ensuring SLLC process is inclusive of VGs. Additionally, the SDOs mobilise the Good Governance Taskforce (GGTF) to ensure their engagement in the SLLC process	The success of the SDO relies mobilization capacity (social skill) and commitment. Those who lack these key skills should be detected and replaced as soon as possible. Recommendation on these skills is worth than formal recruitment.
1.2	The WLAO views VG's land rights as a "Justice" issue as opposed to a "Vulnerability" issue.	This assumption leads to a lack of understanding of how powerplay and other forms of discrimination affects their land use rights as VGs lack the resources to take legal action and therefore justice is inaccessible to them.	Through the awareness raising efforts of the SDOs and GESI sensitivity training given to relevant actors in the SLLC process now have more understanding on VGs land rights issues	Continue to show vulnerability of women and VGs using Case stories from the different studies and SDO reports.
1.3	During SLLC Field Teams were heavily reliant on support provided by the KLAC during the Demarcation and Adjudication process and therefore potentially vulnerable to KLAC members' support being affected by influential landholders	VGs can be disenfranchised from their land rights by the sway of influential landholders on the decision-making processes of KLAC members.	The presence of SDOs has resulted in FTs being supported by an unbiased third party when VGs raise disputes during the demarcation and adjudication process thus mitigating the risk of KLAC members being influenced by landholders	KLAC elections or endorsements by the community should be undertaken prior to kebele level leadership training. During PAC (public awareness and communication), the Audience Segmented message in the SDO Guide that is developed for KLAC should be well communicated to them.
Field Team				
2.1	FTs were not appropriately trained on the needs of VGs and how to provide support during SLLC.	FTs may register to the wrong claimant, or VG boundary may be encroached as they don't take the necessary precaution to protect VGs.	Through the community mapping process that is undertaken by SDOs prior to demarcation, the FTs are provided with VG maps indicating where VGs are located that require additional due diligence during adjudication & demarcation and Public Display (PD). Weekly meetings are also held between WC, WLAO, SDO and FTs to improve understanding of the problems and support level.	Weekly or fortnightly regular meeting between the WC, WLAO, SDO and FT must be ensured. Currently, Amhara woredas have a regular weekly meeting while others do it on an irregular basis.

No.	Issues identified (non-SDO Woredas)	Effect	How Inclusion of SDOs have addressed this	Procedures for Future SDO woredas
2.2	The scale and duration of the programme requires a high weekly demarcation rate by FTs	The fast pace results in FTs having less time available to intensively consult landholders with disputes and VGs which may cause loss of land use rights.	The SDO position focuses on undertaking intensive awareness raising activities prior to demarcation to ensure that more landholders are mobilised and resolve most disputes prior to demarcation, thus reducing the burden on the FT during demarcation	
2.3	During Demarcation FTs were heavily dependent on KLAC members and relied on their knowledge in instances where landholders were not present during demarcation.	Can result in incorrect information on the SLLC certificate as KLAC members cannot know is the exact details of every landholder (i.e. they may know the current land user but not the true landholder. They cannot know the exact boundaries of every parcel).	According to Field Teams interviewed, better organized public awareness undertaken by the SDO position has led to greater participation of landholders during demarcation and therefore has reduced the need for FT's to rely on KLAC members.	Strictly avoid demarcation of parcels without the participation of landholders.
2.4	FTs did not provide sufficient information on SLLC to landholders when undertaking demarcation and adjudication. When asked what the purpose of SLLC, FTs respondents replied, "we are just here to measure."	Low awareness results in low participation of landholders in the SLLC process and subsequent low certificate uptake. As a result, latent dispute of holding or boundary encroachment might be high.	Well organized public awareness conducted by the SDO has improved landholders' understanding on the purpose of SLLC and resulted in greater participation during adjudication/ demarcation and public display leading to better certificate uptake.	Reinforce SLLC benefits message in the SLLC PAC materials. The current message focuses on the process. Additionally, integrate SLLC benefit message in the RLAS PAC material.
Falsification of Evidence				
3.1	In woredas where FLLC didn't occur (E.g. Ameya), documents showing holding right are easily fabricated (in some cases even lawyers/judges fabricate documents for disputants). Such documents include land tax, inheritance will, gift evidence and even court orders)	High likelihood of VGs losing land right and high number of latent disputes.	The inclusion of the SDOs has enabled the programme to give timely information on SLLC to VGs to prepare their evidence and representatives, helped clarify land rights with the community and even up to the woreda when faced with dispute.	PAC messages to include information on the legal consequences of forgery and perjury of evidence. Once people made aware, it should be followed by accountability. Many wrong doers are left unpunished (landholders and service providers) despite the Criminal Code has sufficient coverage for the different forms of violations.
3.2	False information/deception by husbands to discourage wife's participation from the SLLC.	Women's VG loss of land right	Women separate meeting gave clear information for women to better understand how critical their participation in the SLLC process is.	All SDOs to conduct sub kebele level women separate meeting, because some do it at kebele level.
3.3	Counterfeit FLLC book of holdings produced by long-term rentees (tenants) and therefore	VG loss land right	Same as above	Same as above

No.	Issues identified (non-SDO Woredas)	Effect	How Inclusion of SDOs have addressed this	Procedures for Future SDO woredas
	FTs registered parcel in their name because the landholder (renter) was absent during AD and PD.			
Name and Naming Issues				
4.1	In some localities of SNNPR and Oromia cultural norms dictate that a wife's surname should be their husband's name and therefore wife/wives are registered as a joint holder using their husband's s name.	Under the legal framework this results in the wife/wives being viewed as a sibling to their children and can result in land rights issues when requiring to prove identity as under Ethiopian law wives should keep their maiden name	SDOs monitor FTs to ensure that they register women using their maiden name as per the guidance given in the Capacity Building Procedure for FTs.	SDOs should continue to ensure staff are aware of the Capacity Building Procedure for Field Teams and instructed on the need to register women by their maiden name.
4.2	When certificates are distributed, only the husband's name is read out at events.	Wives cannot check whether they are included in the certificate as most of them fear their husbands to request.	Certificate distribution occurs after SDOs have left and moved to the next woreda undergoing SLLC	Names of joint holders should be read when handing out certificates. This should be included in the training materials for woreda and kebele leadership as they are responsible for certificate distribution.
4.3.	Pictures of female joint holders are not provided in SNNPR and Tigray as this is not required by regional land proclamations	With high illiteracy rate among women, they would not be able to read the information on the SLLC certificate on the landholder's details and not identify if another name has been provided and thus potentially lose their land rights.	SDOs undertake intensive PAC activities and hold separate meetings with women to ensure they actively participate in the registration process	Landholders in non-photograph regions, should produce other evidence of identity (ID card or any evidence that witness relation of joint holders) when they come to collect their Certificate
Certificate Issuance and distribution				
5.1	Some VGs are unable to collect certificates due to health issues or disability.	Unable to access the benefits associated with the certificate	SDOs move to next woreda once demarcation and adjudication is completed and therefore are not present in the woreda during certificate collection.	Accessing official representation service for VGs with physical mobility issues
5.2	Instances were identified where relatives of a VG who receive the SLLC certificate on their behalf didn't provide this to the rightful holders	VGs will lose control over their land	The audience segmented message in the SDO Guide targeted for Caregivers and communicated by SDOs helps to take more responsibility.	Official representation of Care Givers should be promoted. But its implementation lies in the government offices and accessibility to the service shall be improved.
5.3	Landholders don't collect their certificates for various reasons such as not being available, a lack of knowledge on the advantages of having certificate and landholders having	Without proper storage certificate could be damaged or lost. The SLLC objective will be defeated as landholders will not make investment using the certificate.	SDO's PAC activities have created better awareness amongst landholders on the purpose of SLLC and motivated to collect their certificate(s).	SDO Guide to reinforce the message on SLLC benefit and the need for timely Certificate collection.

No.	Issues identified (non-SDO Woredas)	Effect	How Inclusion of SDOs have addressed this	Procedures for Future SDO woredas
	incorrect perceptions of avoiding government tax by not collecting their certificates.			
Documentation and follow up of Dispute				
6.1	Not all VGs report their disputes for fear of losing social capital or were threatened not to report disputes.	loss of land use rights.	Better awareness raising, and support provided by SDOs gave VGs the confidence to report their disputes.	Audience segmented message for Caregivers to be well communicated. Include legal consequences if intimidation and treat of VGs intended to deny their land use right.
6.2	VG dispute is not segregated, documented and followed up. Disputes involving VGs are not known and it is not followed up after the SLLC is completed.	High possibility of VGs' losing land use right due to lack of support and follow-up to resolve their disputes.	VG disputes are well identified documented and followed up. SDOs provide Exit Report to WALO on non-resolved disputes, which enables the WLAO to better follow up pending disputes that involve VGs.	WLAO to segregate VG dispute data for follow up and support after the SDO has left the woreda.
6.3	Proclamation of Oromia region stipulate that when disputes are not resolved at the kebele level, it must be reported directly to the woreda court.	Woreda court is less accessible to VGs and those who are in a financially better position take advantage of this by refusing to disagree with kebele level decisions so that the dispute goes to the Woreda court.	SDOs facilitate local level dispute resolution by involving local elders and the woreda GGTF. This makes dispute resolution accessible to VGs.	Strengthen local level dispute resolution as it provides strong foundation for VGs.
6.4	Cases reported to the woreda may not favour because VGs lack access to legal advice and assistance to resolve disputes. They are challenged to cover travel cost, low knowledge level and informal lawyers taking advantage of VGs ignorance will all disfavour them.	Loss of land use rights	SDO support hugely minimized the size of dispute going to higher levels	Same as above
6.5	Weak support provided to VGs by the Women & Children Affairs and/or Labour & Social Affairs Offices	Continued vulnerability of landholders.	The presence of SDOs during SLLC improved the engagement of Women & Children Affairs and/or Labour & Social Affairs Offices to support VG land disputes	Enlighten the offices to work on land right protection of their target groups
Awareness and Participation of women & VGs				
7.1	Low participation of VGs during SLLC as information on the process and benefits of SLLC didn't reach VGs	Women and VG landholders do not participate in SLLC.	Well organized and systematic PAC that specifically targets women and VGs (i.e. separate meetings for women) ensures that they are better informed on SLLC and participate.	Ensure information has reached women and VGs to appear to the SLLC process or send their trusted representative

No.	Issues identified (non-SDO Woredas)	Effect	How Inclusion of SDOs have addressed this	Procedures for Future SDO woredas
7.2	Lack of awareness of land rights	Loss of land or period of limitation could be wrongly applied to disputes (i.e. <i>(a widow has no information about SLLC. She lives outside the kebele. After the death of her husband in 2009, her father-in-law took the parcel and registered it in his name. She did not report her case because she is waiting for the time when her daughter reaches the legal age to claim her right).</i>	Same as above	Provide awareness on land rights of the different social groups
7.3	Tigray - When VGs migrate to other localities their land was given to someone else. Migrant landholders may not get information about the SLLC and others (rentee or relatives) could register on their holding. Even if they are not away more than the time stated (3 years), their powerful disputants or the kebele administration can take advantage of the situation.	Loss of land right	Earlier information and awareness by the SDO could have helped migrant landholders to appear during SLLC. SDOs could have supported VGs if they face problems in relation to wrong translation of the law on migrant landholders (Tigray).	Understand the situation of migrant landholders (they may migrate seasonally to secure additional income as the land may not provide them enough produce) and support them not to lose their land use right
Polygamous wives				
8.1	1st wife in polygamous marriage not named on the certificate and unaware if other wife is/wives are	Loss of land use right and divorce could be a pretext to deny her land use right.	Women separate meetings organised by SDOs helped polygamous wives to get better information on SLLC and be involved in the process and attend PD.	Representation of Women and Village Elders during PD is important to confirm the wives to the FTs that must be adhered all the time.
8.2	Difference between the named wife as the landholder on the certificate and the wife who is the land user. The one using the land is not registered as holder of the parcel, but the other wife.	Potential eviction of the wife who is the current land user if the certificate holder wife claims to the court. Or Certificate holder unable to use the land despite possessing a certificate, if informal arrangement continues.	Awareness raising undertaken by the SDOs and engagement with co-wives results in better awareness and information to ensure they are registered on the certificate of the land parcel they depend on or refuse other women to be registered on their land, jointly or individually held.	The SDO Guide to integrate polygamous wives' specific message and provide the information during public awareness.
Other VGs				
9.1	Siblings living on the farm refuse access to siblings living in town.	Loss of land especially for orphan children not living in their village.	Awareness raising undertaken by the SDOs informs people on the rights and obligations of all siblings that will not disregard those living	Re-enforce message on OC in the current SDO Guide and communication material

No.	Issues identified (non-SDO Woredas)	Effect	How Inclusion of SDOs have addressed this	Procedures for Future SDO woredas
			outside of the kebele. Additionally, SDOs provided support in such disputes.	
9.2	Violence inflicted on a destitute man (DHHM) after obtaining a court decision in his favour	Attempted murder on a renter by rentee.	SDO support helped smoother dispute resolution and prevented violence situation.	SDO Guide to include articles in the Criminal Code that have relevance to land right violation and violence.

Proposed Response

To respond to these findings, LIFT proposes a short term SDO intervention in non-SDO woredas that completed SLLC to ensure the SLLC has caused no harm to land holders and particularly women and VGs. The specific objectives are:

- Reinforce awareness of land holders particularly women and VGs on the benefit of SLLC and the need for regular updating of titles
- Identify women and VGs with land disputes and support them in resolving these disputes
- Provide guidance to women and VGs with complex disputes and facilitate support from the Woreda Good Governance Taskforce

Benefits of Short Term SDO Intervention in Non SDO SLLC Woredas

Expected benefits from the short term SDO intervention are:

- The SDOs will help to identify active and latent disputes involving women and vulnerable groups (VGs), which were not captured as disputes during SLLC due to lack of information or fear of reporting the dispute;
- Better awareness raising, and support will give women and VGs the confidence to report their disputes and restore parcels illegally taken from them;
- SDO support in SDO woredas prevented violence during the resolution process;
- VG disputes will be documented and follow up provided by the WLAO;
- The woreda Good Governance Task Force will be activated to help women and VGs resolve their disputes locally, which makes dispute resolution accessible;
- Women separate meetings will give better information that will help to monitor their registration. Polygamous wives get better information on SLLC and be proactive to protect their land right;
- Correction of women's maiden name and updating of rights will be possible for those who registered in their husband's name in place of their father's name;
- Better awareness amongst landholders on the purpose of SLLC will motivate to collect their certificate(s), especially those woredas with low certificate uptake;
- Migrant landholders will have the opportunity to report their grievance;
- Woreda stakeholders, particularly WLAO will gain better awareness on the challenges facing women and VGs and how important their continued support is;
- Engagement of Women & Children Affairs and/or Labour & Social Affairs Offices will be improved to assist women and VGs in the dispute resolution process.

Approach

There are 94 LIFT woredas that underwent SLLC without an SDO in post (totalling 2,003 kebeles) across the four regions. The following section provides an outline of the proposed pilot approach, which is planned to take place from September 2019 to June 2020 in 3 woredas in Oromia with wrap-up activities occurring from July to August 2020.

Implementation

Recruitment of SDOs

LIFT's GESI Team in consultation with LIFT RCs will identify current SDOs based on their performance against set criteria which includes:

- Good interpersonal communication skills
- Good physical capability to walk long distance
- Commitment to help women and VGs and undertake extensive travel to make house visits to those with physical mobility problems
- Gender and VG sensitivity

The selected SDOs will be replaced through an internal recruitment of Field Team members who will then undertake an induction by the SDO they are replacing prior to being deployed on the SDO intervention. The new SDOs selected from the FTs will be provided with the necessary training.

Training

SDOs will be provided with two days training to induct them on their duties and responsibilities which will include the following:

- 1-day training on the objective of the position, role of the SDO, activities to be performed
- 1-day Workplan Development (regions to develop their workplan, present and discuss in plenary)

Deploying SDOs to the Woreda Land Administration Office

- LIFT SMT will update the regional Land Administration and Use Bureaus on the assignment of SDOs and the Regional Coordinators will communicate with Land Administration and Use Bureau.
- LIFT's RC and the Regional Land Administration and Use Bureau will then introduce the deployed SDO to the WLAO to make them aware of their purpose and to provide the necessary support to the SDOs
- The SDOs will then undertake the following activities upon their arrival to the relevant Woreda

Day 1:

- WLAO will introduce the SDO to the woreda administration and request to call a meeting with the GGTF and other stakeholders for training to be delivered on the second day.
- Engage with key offices such as the Justice office, Court and WCA.

Day 2:

- Deliver training to WLAO and GGTF staff as well as other stakeholder members which will include the following topics:
 - The challenges women and VGs face in terms of land tenure security
 - The impact of SDOs in SDO woredas and the issues identified during SLLC that occurred in non-SDO woredas
 - The impact of non-engagement of landholders (dispute and loss of right)
 - Dispute type, identification and reporting
 - Dispute Resolution Process
 - Women naming, its impact and the need to correct it
 - The role of the GGTF in land dispute resolution (for woreda level training)
- The need to reinforce message on SLLC benefit and the need for continuous updating. The SDO will then present and discuss their proposed workplan (developed during the SDO training) and have this endorsed by the attendees
- Based on the workplan two-person teams for the different kebeles will be established and will consist of one member of the WLAO (lead) and one member of the GGTF (the exact number of teams will be determined by the number of available WLAO staff to undertake the team leader role). The responsibilities of the teams will be to

- Reinforce awareness on SLLC, RLAS and EEU
- Organize sub kebele Public Awareness and Communication and Dispute Identification and Resolution (DIR) Teams which will engage the community through kebele and sub-kebele level meetings
- Provide 5 days for the DIR Teams to identify disputes and report these to the kebele offices or present to the team when they are back to the kebele.
- Advise landholders on the procedures to follow to report disputes and the resolution process.

Deployment of Teams to the Kebele

Day 3: The two-person Teams will be deployed to the different kebeles concurrently and the kebele teams will Reinforce Public Awareness to the community through one general kebele level meeting and one woman only meeting and cover the following topics:

- Undertake a reminder on SLLC: and if there is a significant number of landholders that are not aware of SLLC assess the magnitude and the reasons for this and inform the WLAO to follow up on awareness during RLAS.
- Assess whether landholders have collected their certificates and assess the magnitude and the reason for non-collection and advise the WLAO to undertake redistribution.
- Reinforce awareness on the benefits of SLLC and encourage those positively impacted to share their story of success.
- Assess if women were encouraged to take their husband's name during SLLC and if this was widespread, advise them to make corrections to their name immediately
- Provide awareness on formally registering transactions

The venue will also be used as a forum for dispute identification and consultation whereby:

- Encourage participants to cascade the information provided on disputes to women and VGs with land disputes
- Landholders who have attended the meeting and have a land dispute can remain after the meeting to formally report their dispute
- Participants who know landholders with a land dispute that have not attended the meeting will be requested to remain after the meeting to give necessary information for follow-up.
- organize a sub-kebele Dispute Identification and Reporting (DIR) Team.

Sub-kebele PAC & DIR Team Structure

Each kebele will be divided into four to five sub kebeles depending on size and topography of the kebele and the DIR Team will consist of the following:

- Three male Elders who will be elected during the public meeting based on their knowledge and impartiality.
- Two female Development Group Leads selected at the women only meeting.

If possible the 5 members will be from different villages to facilitate easy communication for their assignment and one point of contact who is literate will be elected to record information while in the field.

Sub kebele PAC & DIR Team Fieldwork:

Following the public meeting and formation of the team, members will receive the necessary orientation and training to undertake their responsibilities and will follow the below approach which will occur over 5 days all members of the sub-kebele DIR Team will be allocated villages near to their residence and pass key messages to landholders within their area on registering disputes and collect dispute information.

Dispute Resolution:

After 5 days of the first public meeting the two-person team will return to the kebele and undertake the following:

- landholders with grievance will come to kebele (those with physical problem, to send their trusted representatives)

- The two team will listen to the disputants (priority to women, the elderly, PWD, orphan children)
- Screen the problems and guide disputants on their next step:
 - Easier disputes will be settled with local elders
 - Less complex ones to be referred to the KLAC and Kebele Administration
 - Those complex problems cannot be resolved at the kebele level will be presented to the woreda GGTF by the two-person team
 - The Woreda GGTF to give appointment to the kebeles resolve the dispute
 - Those requiring Review of Judgment will be delegated to the Justice/Prosecutors' office

Organisational Structure

