



*The LAT analyses national legal frameworks across 30 legal indicators to provide prompt, targeted and effective policy support to Member Countries to achieve gender-equitable land tenure. The list of indicators below reflect to what extent a country has incorporated the indicator in their national legal framework. The results are shown in different colour ranges on a scale from 0 (absence of the indicator in the legal framework) to 4 (the indicator appears in multiple legal instruments).*

*Le LAT analyse les cadres juridiques nationaux à travers 30 indicateurs dans le but de formuler des recommandations rapides, ciblées et efficaces aux pays membres, pour des régimes fonciers équitables entre les sexes. La liste d'indicateurs reflète le stade d'un pays à l'égard de l'indicateur et son incorporation dans le cadre politique et juridique national. Les résultats sont présentés dans différentes couleurs et sur une échelle de 0 (absence de l'indicateur dans le cadre juridique) à 4 (l'indicateur a été intégré dans plusieurs instruments juridiques).*

*La herramienta LAT analiza el marco legal de los países a través de 30 indicadores legales con el fin de dar asesoría rápida, focalizada y oportuna a los Países Miembros de la FAO. El objetivo de este ejercicio es el de avanzar la tenencia equitativa de la tierra en cuanto al género. La lista de indicadores muestra la etapa en la que se encuentra el país en cuanto a la integración de este indicador en el marco legal nacional. Los resultados se muestran en diferentes colores y en una escala que va de 0 (ausencia del indicador en el marco legal) a 4 (el indicador está integrado en diversos instrumentos jurídicos).*

## Ethiopia

Key element 1: Ratification of human rights instruments		Yes/No	Basis
1	The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is ratified.	Yes	N/A
2	The African Charter on Human and Peoples' Rights (ACHPR) is ratified.	Yes	N/A
3	The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) is ratified.	Yes	N/A



Key element 2: Elimination of gender-based discrimination in the Constitution		Stage	Basis
4	The Constitution prohibits gender-based discrimination.	3	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Article 25
5	The Constitution recognises customary law but states that gender-based discrimination in customary law is superseded by the principle of non-discrimination in the Constitution.	3	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Article 9(1)
6	The Constitution recognises religious law but states that gender-based discrimination in religious law is superseded by the principle of non-discrimination in the Constitution.	0	No express provision could be located
7	The Constitution promotes the adoption of special measures for the advancement of women.	3	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Article 35(3)
Key element 3: Recognition of women's legal capacity		Stage	Basis
8	Men and women have the ability to conclude contracts under the same basic conditions, rights and obligations.	3	Civil Code, 1960, Articles 8 and 192



Key element 4: Gender equality of rights with respect to nationality		Stage	Basis
9	Men and women are able to apply for identity documents under the same conditions.	3	Proclamation No. 378/2003. on Ethiopian Nationality, Sections 13 and 18
10	A female national can confer citizenship to her non-national spouse under the same conditions as a male national.	3	Proclamation No. 378/2003. on Ethiopian Nationality, Sections 6 and 18
11	Women can confer citizenship to their children under the same conditions as men.	3	Proclamation No. 378/2003. on Ethiopian Nationality, Section 3
Key element 5: Gender equality in property rights		Stage	Basis
12	The law recognises gender-equality in the right to own or control property regardless of the type of marriage.	4	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Articles 25, 35(1), 35(7) and 40(1) *** Revised Family Code, 2000, Article 40 *** Proclamation No. 456/2005 on Rural Land Administration and Land Use, Article 5(3)



13	The law recognises full or partial community of property as the default marital property regime.	3	Revised Family Code, 2000, Article 63
14	Spousal consent is mandatory for any transaction involving matrimonial property.	3	Revised Family Code, 2000, Article 68
15	The law establishes a presumption of joint ownership of property in consensual unions.	3	Revised Family Code, 2000, Article 102
16	The legal framework includes provisions for the promotion of women’s rights to land, property, and/or productive resources.	4	Proclamation No. 240/2001 on the Establishment of the Ethiopian Women's Development Fund *** Rural Land Administration and Land Use Proclamation, No. 456/2005), Section 6(4)
<b>Key element 6: Gender equality in inheritance</b>		<b>Stage</b>	<b>Basis</b>
17	The surviving spouse is granted user rights to the matrimonial house for life.	0	No provision located



18	Under the law of succession, the surviving spouse is entitled to a minimum share of matrimonial property.	0	Civil Code, 1960, Articles 842,843,845 and 847
19	The law allows partners living in consensual union to inherit from each other.	0	Civil Code, 1960, Article 713
20	Brothers and sisters have an equal right to inherit.	4	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Article 35(7) *** Civil Code, 1960, Articles 837 and 842
21	Brothers and sisters receive an equal share of inheritance	4	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Article 35(7) *** Civil Code, 1960, Articles, 836, 842(2)
22	A right to compensation of other siblings giving up their claims on the family property exists.	0	No provision located
<b>Key element 7: Gender-equitable implementation, dispute mechanisms and access to justice</b>		<b>Stage</b>	<b>Basis</b>
23	Decentralisation of land administration services is effected through recognized customary land institutions.	0	No provision located



24	Decentralisation of land administration services is effected through formal land institutions.	3	Proclamation No. 456/2005 on Rural Land Administration and Land Use, Article 6(1)
25	The law guarantees equality before the law.	3	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Article 25
26	The law guarantees equal access to judicial systems and statutory or customary dispute resolution mechanisms to resolve disputes over tenure rights.	3	Constitution of the Federal Democratic Republic of Ethiopia, 1995, Article 37 <b>Article 78(5) recognised customary and religious courts</b>
27	The law makes provision for legal support in civil procedures.	0	No provision located
28	A human rights commission or gender-specific institution is in place.	3	Proclamation 210/2000 for the Establishment of the Human Right Commission, 2000
<b>Key element 8: Women’s participation in national and local institutions enforcing land legislation</b>		<b>Stage</b>	<b>Basis</b>
29	The law sets quotas for the appointment of women in land management and administration committees.	0	No provision located



30	The law sets quotas for the appointment of women in land dispute resolution committees.	0	No provision located
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