

Fostering tenure security for forest landscape restoration in Ethiopia

Creating enabling conditions for the 2018 Forest Proclamation

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Key messages

- Forest landscape restoration (FLR) initiatives underway in Ethiopia focus on rehabilitating degraded communal lands, planting tree seedlings and engaging communities in natural forest management. Most are initiated and coordinated by the state and suffer from limited cross-sectoral coordination.
- Since the 1970s, ownership and management of most forests has been vested in the state. Tenure insecurity resulting from absence of state-recognized community and individual rights to forests, along with limited state capacity to enforce forest regulations, have been identified as disincentives to forestry sector investments.
- In 2018, Ethiopia enacted a national forest law establishing that communities and associations can have forest ownership rights. Ethiopia will need to enact and implement corresponding forest regulations and guidelines to expedite implementation of the 2018 Forest Law (FDRE 2018).
- Careful revision of the federal 2005 rural land law (FDRE 2005) and regional states' land proclamations is needed to facilitate implementation of the Forest Law. Other measures needed include establishing and supporting dedicated forestry institutions at all levels of government, strengthening community forest management institutions, and developing procedures for regional state land administration and forestry institutions to work together to demarcate, certify, and classify forests and forested land in a coordinated manner.
- Development partners need to support efforts to build the capacity of state institutions charged with implementing the forest law and provide assistance to communities so they can organize themselves to actualize their rights enacted in the forest law. Support is needed to raise awareness among key actors about the 2018 Forest Proclamation, increase the forest management capacity of community and governmental institutions, and enhance the technical skills of forest planners, managers and researchers.

Background

FLR in Ethiopia

Ethiopia, which began government-led landscape restoration efforts in the 1950s has, through the Bonn Challenge, made a voluntary commitment to implement FLR on 15 million ha of degraded lands and improve management of 7 million ha of forests and woodlands. Major FLR mechanisms in Ethiopia include area enclosures, participatory forest management (PFM), enrichment plantings in state and community forests, reforestation through block plantations, and watershed-based degraded land rehabilitation through the sustainable land management programs. Most forestry programs aim to reduce deforestation through PFM and to increase tree cover by supporting tree-planting initiatives. These complement

farmer-based initiatives, such as planting trees around homesteads, establishing woodlots, and using various agroforestry systems.

Tenure and governance constraints to FLR

Researchers have identified weak or non-existent tenure rights, limited participation of communities in land use decision making, weak forest management capacity of governmental institutions, and inequitable distribution of responsibilities for and benefits of forest management as impediments to FLR, both in Ethiopia and elsewhere (Kassa et al. 2015; McLain et al. 2018). Ethiopia's 2018 Forest Proclamation (also referred to as the 2018 Forest Law (FDRE 2018)), which recognizes that communities and associations may own forests and have forest use

rights, is a step forward in the country's efforts to reduce these impediments. In November and December 2018, CIFOR scientists collaborated with GIZ-Ethiopia in an exploratory study to identify what is needed – legally, institutionally and functionally – to effectively implement the 2018 Forest law.

Forest tenure and governance and FLR study description

The rationale for the study was the recognition that incorporating tenure and governance considerations into FLR planning and implementation would likely enable Ethiopia to meet its FLR commitments while simultaneously producing better socio-ecological and economic outcomes. A key research objective was to gain a better understanding of the constraints to and opportunities for actualizing the community and association rights to forests specified in the 2018 Forest Law. The study focused on the zone of Shaka in the Southern Nations, Nationalities and Peoples' (SNNP) Regional State, and around Gambella National Park in Gambella Regional State. Both regions have large areas of natural forests but are experiencing increases in the rates at which their forests are being converted to other land uses. Data was collected through a review of national and regional legal and policy documents, key informant interviews and focus group discussions.

Key elements of the 2018 Forest Law

The 2018 Forest Law lays a foundation for significant forest tenure reform in Ethiopia by authorizing the creation of community and associational forest ownership types, in addition to the state and private forest categories recognized in previous forest laws. State forests are further sub-divided into three management categories: productive, protection and reserve forests. Elements of the 2018 Forest Law that are most relevant to the CIFOR/Ethiopia-GIZ study relate to the rights and duties of forest developers other than the state.

Key definitions

The law describes the rights and obligations of three categories of non-state forest developers: private, community and association (see Table 1). The Amharic term used to refer to forest development encompasses establishing and managing plantation forests, and the protection and responsible use of natural forests. The law is silent on the definitions of community and association. There is a general understanding that an association is a group of people who have organized themselves voluntarily to engage in forest establishment, management and use. However, the similarities and differences between associations and cooperatives are yet to be clarified. The 2018 Forest Law reflects Ethiopia's interest in using Payment for Ecosystem Services schemes to encourage forest expansion and retention. In addition to defining forest carbon and ecosystem services, it states that both are forest products. The law also provides a definition for participatory forest management (PFM), reflecting the country's interest in scaling up the use of that approach for managing state forests.

Rights, incentives and obligations common to all forest developer categories

All three categories of non-state forest developers can acquire use rights to state land designated for use as forest and can obtain a certificate of title deed for the forests they develop. Communities can also acquire certificates of title for the forests they develop on communal lands. Communal lands refer to land that communities use communally for grazing or other purposes. However, the State retains ownership of such lands. During the land certification process, if communal land is certified under the names of more than one household, it will still be considered as communal but certified land. Uncertified lands remain accessible for use by the surrounding communities and such lands are generally candidates for rehabilitation and for afforestation. Based on who developed them, these may become either association or community forests. However, all types of prospective developers must develop and adhere to a forest management plan. All forest developers have the right to use, sell or add value to the products, including carbon and ecosystem services, from the forests they develop. Additionally, all forest developers are entitled to receive compensation if the land is expropriated for public use, and to get professional forestry-related support from the federal and regional governments. To encourage forest development, the 2018 Forest Law calls for the state to provide forest developers with incentives, such as access to loans and tax holidays. Obligations are nearly identical for all forest developer categories. They are primarily related to forest protection and ensuring that the forest management plan, environmental laws, and community values and norms are respected.

Rights and obligations unique to communities

Community forest developers have additional rights that private and association forest developers do not enjoy and are subject to additional obligations. Communities wishing to develop forests must do so using a participatory approach. They must also develop community bylaws to govern how they manage their forest and share benefits as specified in their bylaws. At the same time, communities have special status regarding access to and sharing benefits from state production and protected forests. For example, state forest administrators must include local communities when developing management plans; communities get priority with respect to benefits from state forest concessions; and local communities may derive social, economic and environmental benefits from production and protected forests, provided that they do so within the framework of the management plan. The law is silent regarding the specific benefits that communities have priority over when it comes to forest concessions on state forests, and regarding their rights over and responsibilities over reserve forests.

Roles of the federal and regional governments

The Ethiopian Environment, Forest and Climate Change Commission is charged with working closely with the regional states to implement the 2018 Forest Law. Its roles include leading and overseeing implementation of the law; setting up systems for forest protection, forest marketing and benefit-sharing; and providing training, education and research opportunities for forest developers and regional forest authorities.

Table 1. Rights, incentives and obligations of forest developers

| | Private forest developers | Association forest developers | Community forest developers |
|---|---|---|------------------------------------|
| Have rights to: | | | |
| Obtain land designated for forest development and develop the forest | X | X | |
| Engage in participatory forestry on communal lands or on areas designated as forest by the government | | | X |
| Acquire a certificate of title deed to developed forest land | X | X | X |
| Use/sell/add value to forest products from that land (including carbon and ecosystem services) | X (designated forest lands must have management plan) | X (designated forest lands must have management plan) | X (must develop a management plan) |
| Transfer possession rights | X | X | |
| Federal and regional government forest-related support | X | X | X |
| Compensation if land is expropriated for public interest | X | X | X |
| Use natural forests in sustainable fashion | | | X |
| Get priority as a beneficiary of government-granted forest concessions | | | X |
| Share benefits following community bylaws | | | X |
| Incentives | | | |
| Lease-free land | X (first year) | | |
| Tax holiday | X (first year) | X (first year) | X (first two years) |
| Access to loans | X | X | X |
| Obligations | | | |
| Protect forest from damage/report damages | X | X | X |
| Refrain from introducing harmful plants/organisms | X | X | X |
| Respect environmental laws | X | X | X |
| Respect local cultural norms/knowledge | X | X | X |
| Provide authorities with forest information | X | X | X |
| Use the forest only for the intended purpose | X | X | X |
| Meet transaction criteria for PES schemes | X | X | X |
| Keep forest management plan and community bylaws at the responsible government office | | | X |
| Educate and train members in forest development and use | | X | |
| Payment of income tax | | X (after 2 harvests) | |

The regions are charged with on-the-ground implementation. Chief among their responsibilities are: state forest administration; classification, demarcation and certification of private, community and association forests; and provision of technical and administrative support to forest developers.

Additionally, regional forest authorities are charged with setting levels of forest product royalties and ensuring compliance with forest plans and forest regulations. The demarcation and certification of all rural land, including forests, is done by the respective Regional Land Administration Authorities.

Conditions on forest rights with potential to impact motivations to invest in FLR

In addition to spelling out forest rights, the 2018 Forest Law also specifies some conditions placed upon those rights. Two conditions that may potentially negatively affect incentives for FLR investment are: i) requirements that persons obtain a transportation permit when moving forest products from place to place; and ii) that they produce a certificate of origin and destination for those products. The purpose of these two conditions is to reduce illegal logging and transportation of pit sawn timber. The 2018 Forest Law also prohibits the cutting of endangered, indigenous naturally grown trees from community forests, a condition that is meant to conserve such trees, but which potentially provides a disincentive for communities to protect them when they regenerate naturally. The law specifies that owners of such trees may use them if they are on their land and if they obtain permission from the responsible authority. However, whether the requirements for such documents will serve as a disincentive to protecting or planting endangered tree species will depend upon the transaction costs associated with obtaining such permission. Those costs, in turn, will largely depend on how the term 'responsible authority' is defined in the implementing regulations and guidelines for the 2018 Forest Law. If responsible authorities are based in local communities, the costs will be much lower for obtaining the requisite permission than if the responsible authorities are located some distance away.

Regional case studies: SNNP and Gambella Regional States

The rights laid out in the 2018 Forest Law have the potential to enhance forest tenure security for community, association and private forest developers, and provide legal and economic incentives for substantial investments in FLR. The first step in implementing the law is to develop and enact the implementing regulations¹ and guidelines; and to identify which aspects of the federal and regional land laws need to be revised for the different pieces of legislation to align with each other. The two case studies described in the next section, one from SNNP Regional State and one from Gambella Regional State, identify challenges that subsequent forest regulations will need to address, as well as some of the enabling factors that are likely to facilitate implementation of the 2018 Forest Law.

SNNP Regional State

SNNP Regional State is among the most forested regions in Ethiopia. Agroforestry is widely practiced, and ecotourism linked to the region's forested landscapes is a priority for economic development. Forests in SNNP are administered by the Environment, Forest and Climate Change Authority (EFCCA). EFCCA has offices at the zonal and district level but

not at *kebele* level. The district offices were only recently established and operate on very limited budgets and lack the resources to do meaningful work in forest administration and establishment.

The 1995 Federal Constitution gives regional states the power to create their own constitution and other laws, and to administer land and other natural resources in accordance with federal laws. In 2007, SNNP issued its land law (No. 110/2007) and land regulation (No. 66/2007). The 2012 Forest Development, Conservation and Utilization Proclamation (No. 147/2012) of SNNP recognizes private and community forest ownership. It encourages community participation in the region's state-protected and production forests and allows communities to benefit from protected forests. However, forest use by communities is conditional on the existence of an approved forest management plan jointly developed by forestry experts and communities. Non-governmental organizations (NGOs) such as Farm Africa and Ethio-Wetlands have played a key role in supporting the development of forest cooperatives and forest cooperative unions in SNNP. NGOs and external donors, such as GIZ and the Danish government, have provided support for pilot PFM projects in the region.

Key informants reported that there is widespread reliance on traditional institutions governing access to and use of forests in SNNP. In most of SNNP, land is family-owned and inheritance is limited to sons and close male family members, a system which conflicts with federal and regional laws. Although landowners have reasonably secure tenure under the traditional system, landless households and youths have difficulty acquiring permanent access to farmland. This mismatch between the widely-accepted traditional land tenure system and the state's land laws (e.g. all those who want to make a living by farming have a constitutional right of free access to land) will need to be reconciled if inequities in access to land, whether forested or farmed, are to be addressed. Experts participating in the study expressed the belief that land scarcity, rather than tenure insecurity, is a key problem in the most populated areas of the Region.

Forests in SNNP are threatened by small-scale agriculture expansion, encroachment by illegal settlers, and conversion to coffee plantations. Decisions to allow coffee plantation investments in natural forests continue to be a challenge. There have been instances of land being allocated for coffee plantations in the core zone of a biosphere reserve. Since the establishment of the regional EFCCA, the requirement to do an EIA is being enforced in SNNP. But the status and power of the EFCCA has recently been reduced. It is no longer a member of the regional cabinet, whereas the Regional Investment Agency has been promoted to bureau status and has become a member of the regional cabinet. This shows that the regional government has a growing interest in attracting investment, and hence forest conservation is likely to feature low on their list of priorities.

Gambella Regional State

Gambella Region is one of the most forested and least populated regions of Ethiopia. It has a Bureau of Environment, Forest and Climate Change (BEFCC) at the regional level.

¹ In Ethiopian law the cabinet promulgates a single regulation corresponding with each proclamation. A regulation in this useage serves as the basis for giving a proclamation legal effect.

However, the BEFCC has no branches at the zonal and district levels. The Bureau has very limited staff and only one vehicle. At the zonal and district levels, forestry-related tasks are carried out by staff in the agriculture offices. In these offices, emphasis has been placed on supporting activities for increasing crop and livestock production, and forestry gets little attention and few resources.

Gambella's Regional Land Administration and Land Use Proclamation No. 98 1998, recognizes communal lands in the form of communal grazing and forest lands. Large forest areas are under *de facto* management by various community institutions in the region, but they have little legal backing. Additionally, traditional land use and allocation practices of communities are under increasing pressure from large-scale land allocation for investment. Nonetheless, experts believe that land scarcity is not yet a problem in the region.

Natural forests in the region have suffered from the influx of foreign and national investors and more than 400,000 refugees from South Sudan. Additionally, government-sponsored villagization schemes in the recent past have led to the clearance of large areas of natural forest. Until recently, large tracts of land in the Region were put in a land bank and managed by the federal government to facilitate their allocation to foreign investors, primarily for growing agricultural crops. This has caused considerable damage in the form of conversion of forests to agricultural lands due in part to the failure of the state to implement the Environmental Impact Assessment Law of 2002 (FDRE 2002), which was meant to minimize damage from investments to natural resources and the environment.

Key informants stated that top-down directives from higher levels of the government were sometimes problematic, with local authorities being pressured to approve land allocations without following required procedures. This has created public anger and anxiety among forestry and environment officers. Most experts in Gambella Region believe that there is still vast land area that can be allocated for investment.

The problem, they state, is that investors opt for forested areas and when they are granted, they clear the forest but fail to develop the land or abandon it. As in SNNP, NGOs, notably MELKA and Ethio-Wetlands, are active supporters of forest conservation, including PFM, in Gambella. The capacities and limitations of traditional institutions in supporting community- or state-led FLR initiatives are poorly understood.

The two case studies indicate that FLR implementation in Ethiopia is likely to encounter a number of challenges, ranging from poor cross sectoral coordination to willingness and capacity to enforce existing laws, and generally weak governance capacity on the part of the state (see Box 1 for examples). Fortunately, some institutional factors are conducive to FLR implementation, including previous experience with land certification processes, community-based management, and experiences in public mobilization for large-scale conservation and tree planting. Box 2 lists additional factors.

Implementation regulations and guidelines: Preliminary recommendations

The case study results suggest that the 2018 Forest Law's implementing regulations and guidelines will need to address the following issues:

Clarify the Forest Law's link with the 2005 Rural Land Administration and Land Use Proclamation and address inconsistencies with regional laws, regulations and guidelines. As illustrated in the SNNP case study, the links between forestry and land authorities are unclear. These links need to be clarified and any gaps or inconsistencies addressed so as to reduce confusion regarding key issues, such as which agencies have the authority to demarcate and certify forest lands. Regional laws, regulations and guidelines need review so that those that are inconsistent with the 2018 Forest Law can be revised.

Box 1. Institutional factors likely to impede FLR in Ethiopia

- Lack of implementing regulations and guidelines at federal and regional levels for the 2018 Forest Law hinders the ability of regional and lower level institutions to implement the law.
- Lack of legal instruments and procedures for managing overlapping formal and traditional tenure systems makes implementation challenging.
- Few mechanisms exist for aligning legal and institutional frameworks between federal and regional governments and for coordinating plans and actions across sectors (e.g. agriculture, land administration, investment, forestry).
- Limited capacity of institutions within communities and at the lowest levels of the government (*woreda* or district and *kebele*, the lowest administrative unit in Ethiopia) to manage forests and enforce relevant laws.
- State institutions mandated to work on forestry are unstable due to frequent restructuring, which in turn results in high rates of staff turnover.
- FLR initiatives, forest sector development plans and management of forests and forest lands are only weakly integrated into national, regional and district level development plans.
- Lack of clarity on how to integrate forestry extension services into the pluralistic agricultural extension services or whether they should be provided by trained forestry extension agents.
- Most regional states do not have dedicated forestry institutions, and forestry tasks are left to agriculture offices.

Box 2. Institutional factors conducive to FLR in Ethiopia

- Governmental institutions established to implement the 2005 rural land law (FDRE 2005) at federal and regional levels have experience with land demarcation and certification. However, priority is given to demarcating and certifying agricultural lands. If resources can be made available, existing capacity can be utilized to expedite the process of demarcation and certification of forests and forestlands.
- Governmental authorities and communities have experience with the challenges associated with community-based forest management derived from participation in PFM initiatives. The 2018 Forest Law also paves the way to addressing some of these challenges.
- Local governments have experience with mobilizing communities for natural resource development and soil and water conservation initiatives, as well as for tree planting campaigns.
- Communities have experience of undertaking soil and water conservation practices and tree planting.
- National FLR targets and a national forest sector development plan exist to guide FLR initiatives. However, they will need to be adapted to local and regional contexts.
- Communities and policy makers are increasingly aware of how FLR can mitigate the negative impacts of climate change and resource degradation.
- The presence of a few private companies that are market outlets for forestry products, which provides communities encouragement to invest in forestry.

Clarify what entities qualify as community forest developers. The 2018 Forest Law recognizes that communities can acquire formal ownership over forests and have forest use rights. However, it is silent regarding what constitutes a community. A critical element of the implementing regulations and guidelines will be development of a definition for community and also for association, as well as specification of the process that communities and associations need to go through to gain legal status.

Reconcile customary and formal rights. The role of traditional institutions in governing access to and use of forests and communal lands, and how those institutions intersect with the state legal system, need to be clarified. Recognition of customary rights in formal law needs to be done in such a way that any deficiencies that customary systems may have with respect to gender equality and inclusiveness are identified and addressed.

Clarify the rights of communities to participate in forest decision making. Legal provisions are needed to ensure that communities have the right to engage in making decisions about how forests are allocated, and in defining the objectives and modalities of their engagement in managing forests.

Improve incentives for and expand the scope and mandate of PFM. Natural forest management plan guidelines need to allow for the sustainable commercial harvest of indigenous trees that are not listed as threatened species. Doing so will enable PFM members to benefit from timber sales, thereby increasing the economic incentives for community members. In addition, the guidelines need to be flexible so as to accommodate emerging needs. They also need to allow for and encourage the eventual conversion of state forests managed through PFM agreements to full-fledged community forests, once PFM members have demonstrated that they can manage forests according to a jointly-developed management plan.

Clarify the process for preparing and approving forest management plans. The 2018 Forest Law ties forest use rights to the presence of a management plan. However,

overly complex requirements for management plans can effectively undermine the ability of communities (and other actors) to exercise their forest rights. It is critical that mechanisms be developed such that the state can provide the necessary support with minimal or no cost to communities in developing forest management plans.

Clarify the procedures for and modalities of forest concessions. Guidelines need to be developed that clarify the process for granting forest concessions for state productive and protected forests. Tools such as the African Union Commission's framework and guidelines on land policy in Africa and Food and Agriculture Organization's voluntary guidelines on the responsible governance of tenure can be used to develop procedures for managing large-scale land-based investments at national and grassroots levels. Examples of the questions that need to be addressed include:

- What types of concessions will be allowed?
- What types of forest activities should be permitted in forest concessions?
- What are the rights and obligations of the contracting parties?
- How can affected communities participate effectively in the concession process?
- How can benefit-sharing arrangements be structured so as to benefit affected communities?
- Under what conditions will communities get prioritization in forest concessions?

Institutionalize and clarify PES program modalities to ensure that communities benefit from those rights. Evidence suggests that communities and rural residents often receive insufficient benefits to motivate changes in conservation behaviors. Guidelines are needed to ensure that forest rights holders, whether communities, associations or private landholders, benefit from carbon and other ecosystem services payments, at or above the opportunity costs of alternative land uses. Aspects related to PES that require further clarification are: (i) the rights and obligations of service providers and users; (ii) the role of the state in

enforcing agreements; (iii) administrative arrangements and technical capacities required to administer an equitable and effective PES program; and (iv) the type of monitoring system and safeguard mechanisms that need to be put in place so that PES schemes do not leave out the poorest segments of the community.

Implications for research, capacity building and training

Implementation of the 2018 Forest Law has far-reaching implications for how forests are managed and governed in Ethiopia. By more widely distributing the rights to own, manage and use forests to communities and private foresters, the government is unleashing the capacity of millions of citizens to take direct responsibility for forest sustainability. It will likely result in increases in private and community investment in forests, growth in the number of forest enterprises, and increases in forest-based incomes. These are among the potential benefits of actualizing community and private rights to forests. Questions that require attention regarding the roles and capacities of institutions are summarized below.

Understand traditional institutions' structures and functions

We identified potential mismatches between traditional land tenure systems in some places and the state's land laws. Differences will need to be reconciled if inequities in access to land are to be addressed. Where traditional arrangements are working well and have legitimacy in the eyes of all sections of a community, including among women and youth, there may be scope for linking customary and civil governance structures. The following research avenues should be considered:

- Improve understanding of the structures and functions, as well as strengths and limitations, of traditional institutions governing access to and use of forests. Key questions that require further investigation include:
 - How effective are these institutions at producing sustainable forest outcomes and supporting forest-dependent livelihoods?
 - What limits their effectiveness in ensuring that benefits and costs of forest management are equitably distributed among community members and decisions are made through an inclusive process?
 - If limitations related to inclusiveness and equity exist, how can these limitations be addressed?
- Clarify the roles and limitations of traditional institutions in resolving natural resource conflicts and identify the training and technical and legal support needs for these institutions to be effective at conflict resolution.

Consider the design and powers of community forest user groups

- Successful rights devolution programs around the world have been accompanied by establishment of legally-recognized community forest user groups (CFUGs). CFUGs are legally-designated bodies holding rights to own, use and manage forests devolved or assigned by the state.

- CFUGs serve many important functions, including governing forest use through decisions made by leadership structures and boards defined in law. Membership of governance structures is required to be broadly representative of the larger community, by gender, age and nationality.
- CFUGs engage with forestry authorities to jointly develop forest management plans that they are expected to implement. They liaise with forest officials on matters of forest use and regulation. They have the authority to enter into partnership agreements with businesses to extract and process timber and NTFPs at standards set out in management plans.

Actions needed to enhance cross-sectoral and cross-scale coordination of state institutions

- Institutional arrangements of organizations in charge of forestry between regional states and the federal government need to be aligned to improve vertical communications.
- Cross-sectoral coordination is required to facilitate planning and implementation of restoration options at the landscape level. Currently, restoration initiatives are underway by institutions with mandates related to forestry, agriculture and, in some cases, water and energy.

Capacity building and training needs

The technical and managerial knowledge and skills of government forestry planners and practitioners, and community leaders and members, need to be improved if forest rights devolution is to be implemented and FLR goals met. Education, research and extension programs will need to be adapted to ensure that skills and knowledge are upgraded to reflect lessons learned as forest rights are devolved and communities engage in FLR. Non-state actors could contribute to efforts to build the capacity of zonal, district and *kebele* authorities and communities in topics related to forest certification and administration, forest management practices, and forest products and livelihood diversification.

Raising the awareness of forest administration authorities, local land administrators and local judges about the provisions of the 2018 Forest Law and implementing regulations and guidelines, as well as revisions to regional laws, will be of paramount importance for successful implementation. Additionally, we see variations in arrangements of institutions in charge of forestry across Regional states. This has in most cases resulted in visible gaps in the presence of forest administration, management and extension institutions at lower levels of government. Addressing these gaps will require establishing dedicated forestry institutions at all levels, down to the *woreda* and *kebele* levels, at least in forested areas of the country. These forestry institutions will require financial and logistical support to enable them to assist communities with forest management.

Likewise, raising awareness within communities about their forest rights and assisting them to organize themselves so that they are able to actualize those rights is also critical. Providing such support will enable communities to participate more effectively in decisions regarding the identification

of community forest lands, and in determining how responsibilities for and benefits of forest management should be distributed between the state and communities, and within communities.

Conclusion: From implementation to rights actualization

A critical review of federal land law in order to align it with the 2018 Forest Law, together with the corresponding regional land laws, will greatly facilitate implementation of the national forest law that recognizes community rights to forests. However, actualizing rights on the ground requires strong political commitment and administrative support, and the existence of fair, secure, stable and accountable tenure systems. For this to happen, the state will need to fulfill its responsibilities of monitoring and regulating forest resource access and use, a task that will require strengthening communication and coordination across governance scales and sectors. Communities will need to strengthen their social networks, by building links with other forest-dependent communities and external organizations that can support them in their efforts to exert their forest rights. The goal and the challenge for Ethiopia's current forest reform effort is to get the balance right between communities and the state in terms of how rights and governance functions are distributed, to enable the government to adapt to its new roles and ensure that communities receive the support they need to actualize their rights and discharge their forest management responsibilities as per agreed-upon management plans.

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References

- [FDRE] Federal Democratic Republic of Ethiopia. 2018. *Forest Development, Conservation, and Utilization Proclamation*. Proclamation No. 1065/2018. Negarit Gazeta No. 21. Addis Ababa: FDRE.
- [FDRE] Federal Democratic Republic of Ethiopia. 2005. *Rural Land Administration and Land Use*. Proclamation No. 456/2005. Negarit Gazeta No. 44. Addis Ababa: FDRE.
- [FDRE] Federal Democratic Republic of Ethiopia. 2002. *Environmental Impact Assessment Proclamation*. Addis Ababa: FDRE.
- Kassa H, Seyoum Y, Tolera M, Tadesse W, Tesfaye Y and Asfaw Z. 2015. *Enhancing the Role of Forestry in Building Climate Resilient Green Economy in Ethiopia: Strategy for scaling up effective forest management practices*. Addis Ababa: CIFOR. 66 pp.
- McLain R, Lawry S, Manuel R, Guariguata MR and Reed J. 2018. Toward a tenure-responsive approach to forest landscape restoration: A proposed tenure diagnostic for assessing restoration opportunities. *Land Use Policy*, DOI: 10.1016/j.landusepol.2018.11.053

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