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**Evidence-based policy research: critical review of Project number/ scientific studies related to land governance in Ethiopia cost centre:**

**14.0126.4-025.00**

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## List of Abbreviations

AVB	General Terms & Conditions of Contract (AVB) for supplying services & work 2022
ToRs	Terms of reference
SLGA	Strengthening Advisory Capacities for Land Governance in Africa
BMZ	German Federal Ministry of Economic Cooperation and Development
AU	African Union
FDRE	Federal Democratic Republic of Ethiopia
ELAPA	Ethiopian Land Administration Professionals Association
NELGA	Network of Excellence on Land Governance in Africa
IGAD	Intergovernmental Authority on Development

## **1. Context**

### **1.1 Background**

The 'Strengthening Advisory Capacities for Land Governance in Africa (SLGA)' program of the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ) is a part of the German Federal Ministry for Economic Cooperation and Development (BMZ) unique initiative 'One World, No Hunger' that sets out a goal of eradicating extreme poverty and hunger by promoting secure and fair access to land and resources. The SLGA program was commissioned in 2014 in partnership with the African Union as 'the main political partner' and the African Land Policy Centre as 'the lead executing agency' and has been contributing to date to strengthen capacities for land governance in Africa. The program supports the implementation of the African Union (AU) Agenda on Land and other similar global initiatives (e.g. Principles for Responsible Investment in Agriculture and Food Systems, Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security) promoting responsible land governance. The objective of the SLGA program is to strengthen both technical and institutional capacities required to realize practices of responsible land governance in the AU Member States that pay attention to the rights of marginalized groups such as small-scale farmers, pastoralists, indigenous society, and women.

Since its inception, the SLGA program has implemented several activities in cooperation with African, European and American Universities, the World Bank and the German Academic Exchange Service. One of the major successes was the establishment and coordination of the Network of Excellence on Land Governance in Africa (NELGA) under the leadership of the African Land Policy Centre. NELGA is a partnership of African universities and research institutions with proven leadership in education, training, and research on land governance, and it has currently more than 70 partner institutions in 40 countries across Africa. So far, the SLGA program has supported NELGA to realize foundational capacities and capabilities in land governance in areas of education (24 curricula developed and reviewed, 89 scholarships awarded), research, research-based advisory services, initiation of political dialogue on land policy and land governance, improving access to and use of data for decision-making (Land Data Hub), and a scientific journal (African Journal on Land Policy and Geospatial Sciences). The Government of Germany (through BMZ and GIZ) is committed to building on this momentum to further improve land governance in Africa. The current core strategic ambition is to ensure the sustainability of NELGA as well as to intervene in other key action areas such

as strengthening research-policy linkages and feeding research findings into national dialogues, supporting AU-mandated institutions to implement the AU Agenda on Land, supporting exchange between the AU Member States on Land Governance, and assisting the implementation of the AU Agenda on Land at the country level.

To realize this ambition, GIZ proposed and BMZ agreed in the most recent project extension to implement country components as part of the SLGA program, in cooperation with bilateral projects in up to six AU Member States. The country components will be implemented in the form of service packages to further advance activities as highlighted above in partnership with political partners or policy implementers in the AU Member States. Ethiopia is among the selected countries currently implementing the SLGA country component. The Ethiopian country component is commissioned to support the implementation of the existing three bilateral projects that aim to pilot and scale up participatory and integrated land use planning, land consolidation, and improve the practice of responsible agricultural investment. More explicitly, the country component supports the adoption of standards for foundational and thematic geospatial data themes that are required for the effective implementation and further scaling up of the bilateral projects. It also supports the Intergovernmental Authority on Development (IGAD) an “AU-mandated institution” to leverage the exchange of best practices and experiences between the Ethiopian Ministry of Agriculture and the Ugandan Ministry of Lands, Housing and Urban Development to improve land governance in the East African region. On top of this, the country component aims to strengthen the institutional capacities of the Ethiopian Land Administration Professionals Association (ELAPA) that include the implementation of key activities contributing to the national dialogue on land governance currently being supported by the GIZ and initiated by the Ethiopian Ministry of Planning and Development. In line with this Terms of Reference, the Ethiopian SLGA country component also supports research and policy recommendations addressing the current national challenges related to land governance in Ethiopia.

## 1.2 Rationale

Access to land is the basis for sustained economic, social and cultural developments. The issue of land governance, therefore, shall be at the core of any government's policymaking practices, to determine responsible and trans-sectoral land governance that encompasses land administration in its holistic manner, including land tenure management, land valuation, land use planning and land development as well as effective and efficient land institutions, leadership in the land sector, with clear value propositions, ideally centred upon transparency, accountability, inclusiveness, accessibility, participation, gender and youth sensitive, and consideration of the vulnerable and marginalized. In Ethiopia, land has been at the centre of various reform agendas for many decades. The current land governance practice in the country is adhered to the 1995 constitution that "exclusively vested land ownership upon the state and the people". The Ethiopian federal government enacted the first land law in 1997 E.C (FDRE Proc No 89/1997) followed by regional governments based on their respective regional constitutions to determine coherent rural land use and administration practices. The most recent rural land administration and use proclamation 456/2005 "enacted by the federal government of Ethiopia" has also put efforts to improve rural land administration and tenure security through land certification; the law has short of confirming land tenure security. Whereas, currently, the governance of urban lands in the country adheres to the federal Proclamation 721/2011 enacted to grant lease holding permits to urban lands. However, the nation doesn't even have a land policy from which land use policy is to be deduced. Also, there is no harmonized institutional arrangement, and as a result, land administration resides under two major categories (rural & urban land), leaving no opportunities for coordinated and coherent multi-stakeholder and trans-sectoral aspects of land governance, specifically when addressing land issues related to economic, social and environmental development as well as sustainability, climate change and human rights. This silos-based approach towards land governance and inappropriate land use practices and land tenure insecurity have caused land-based conflicts, illegal settlements in urban settings, and enhanced land degradation, desertification, and loss of agricultural productivity just to mention a few among many others. Specifically, the interface between urban and rural development in Ethiopia remains to be unclear, perpetuating overlapping mandates, conflicts and informal development of land mainly around the country's urban centres. In recognition of these facts, the BMZ via its implementing agency (i.e. GIZ) has been supporting the Government of Ethiopia through bilateral projects to address outstanding key challenges related to land governance in the country. The assignment based on the present Terms of Reference (TOR) aims to contribute to strengthening the activities of the bilateral projects that focus on participatory and integrated land use planning,

agricultural investment, and land consolidation. The consultant shall undertake comprehensive policy-oriented research to provide empirical evidence and recommendations that contribute to the currently ongoing government's land reform initiatives cutting across various aspects of land administration such as land tenure management, land use planning, land development, land value, land transaction/land market.

### **1.3 Objective**

To scrutinize scientific literature (i.e. national and international scientific journals, working papers, and dissertations) and pertinent government policy and legal frameworks to identify relevant findings for further processing and elaboration of evidence based policy briefs according to the themes identified in the specific objectives listed below. This policy-oriented research is to identify gaps in the existing land governance of Ethiopia and provide empirical evidence and recommendations required to strengthen the current ongoing land reform initiatives, promote coordinated and coherent multi-stakeholder and trans-sectoral approach to land governance, address land issues related to economic, social and environmental development as well as sustainability, climate change, human rights and gender.

#### **Specific objectives**

- Undertake a comprehensive assessment of challenges and constraints (e.g. policy, legal and institutional frameworks) affecting rural and urban land administration and develop a policy brief on the identified gaps.
- Investigate and identify key challenges and constraints affecting land use planning (e.g. public policies such as spatial planning, watershed and forest planning, environmental planning and regulation, etc) in steering the implementation of the national 10 years development plan of Ethiopia (2020-2030) and macroeconomic reforms and prepare a policy brief that promotes improved urban, socioeconomic development and environmental sustainability.
- Identify key policy, legal and other outstanding challenges and constraints facing land development such as large-scale land acquisition for agricultural investment and develop a policy brief.
- Investigate and identify major challenges and constraints facing a land transaction and prepare a policy brief.
- Assess linkages of land governance to climate change mitigation and adoption and develop a policy brief.

- Assess deficits of land governance from the perspective of human rights-based approaches and develop a policy brief.
- Assess shortcomings of land governance in responding to gender issues and prepare a policy brief.
- Develop a digital archive of literature used for this consultancy study.

## **2. Tasks to be performed by the consultant**

The consultant is responsible for providing the following services.

### **2.1. Key Services**

1. Submit an inception report (mutually agreed research proposal) and hold an inception meeting with the GIZ.
2. Undertake a comprehensive literature review for each specific objective (section 1.3) and elicit information for developing a policy brief. This specific task includes gathering relevant scientific publications, analysing information, identifying key challenges or issues, conceptualization of the issues and synthesis of information for policy brief development.
3. Develop policy briefs that can elicit information synthesised from the research into ongoing land reform initiatives and other diversified topics that aim to improve land governance in a broader scope, positively impacting land administration, land use planning, land development, and land marketing (ONE policy brief for each specific objective – section 1.3).
4. Present the research findings and the draft policy briefs to a small pool of relevant land actors consultation workshop organized by GIZ for review and finalization.
5. Present the research findings and the policy briefs at the National Dialogue on Land Governance (intended for 2024).
6. Produce ONE progress (contract midterm) and ONE final scientific report from which the policy briefs were derived.
7. Develop a digital archive having a well-organized folder and file structure (database) for better knowledge management, that is, for documentation of all reference published articles used for undertaking the research.

In addition to delivering the above services (section 2.1), the consultant is responsible for undertaking the following activities.

- The consultant assumes the associated operating and administrative costs.

- The consultant manages costs and expenditures, accounting processes and invoicing in line with the requirements of the GIZ.
- The consultant shall report as per the agreed milestones and deliverables in compliance with reporting requirements of the GIZ, that is, AVB of the GIZ.

In addition to the reports required by GIZ in accordance with the AVB, the consultant submits the following deliverables.

## 2.2. Key deliverables

1. Inception report (research proposal) specifying the research methodologies and plan of work.
2. Three reports summarizing key learnings and recommendations generated from the discussions at the national consultation workshop, national dialogue on land governance (intended in 2024) and one selected national workshop (see, section 4).
3. ONE research report addressing the general objective and specific objectives of the TOR (section 1.3).
4. Seven policy briefs, ONE policy brief for each specific objective defined in section 1.3.
5. ONE Progress and ONE final report showing the implementation status of the contract: plan against achievements.
6. Digital database designed for archiving and management of published articles used as references for undertaking the research.

Also, certain milestones, as laid out in the section 2.3 below, are to be achieved by certain dates during the contract term.

## 2.3. Milestones & Timeframe

Milestones	Deadline	Person responsible
Submission of inception report	20.11.2023	Consultant
Inception meeting	27.11.2023	GIZ and consultant
Collection and selection of relevant scientific literatures	29.02.2024	Consultant
Literature review, gap analysis and submission of research report (midterm report)	29.02.2024	Consultant
Submission of draft policy briefs	20.05.2024	Consultant
National consultation workshop on research report and draft policy briefs	13.06.2024	Consultant and GIZ
Review, finalization and submission of policy briefs and research report (final report)	01.07.2024	Consultant
Presentation of research findings and key recommendations of policy briefs at a National	TBD	GIZ and Consultant



Dialogue on Land governance (intended for 2024)		
Presentation of research findings and a policy brief at a selected national event that will take place in 2024	TBD	GIZ and Consultant
Archiving of published articles used as references to undertake the research and development of a digital database for the management of these resources.	29.02.2024	Consultant

**Period of assignment:** From 2<sup>nd</sup> November 2023 until 1<sup>st</sup> July 2024.

**Place of Assignment:** Addis Ababa.

### 3. Concept

In the bid, the bidder is required to show how the objectives defined in Chapter 1 and tasks set out in Chapter 2 (Tasks to be performed) are to be achieved, if applicable under consideration of further specific method-related requirements (technical-methodological concept). In addition, the bidder must describe the project management approach for service provision and submit a financial proposal detailing budget plan and financial instalment schedule.

**Note:** In sections 3.1, 3.2 and 4 of this TOR, the numbers in parentheses correspond to the lines of the technical assessment grid.

#### 3.1. Technical-methodological concept

**Strategy (1.1):** The bidder is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the bidder presents and justifies the explicitly strategy with which it intends to provide the services for which it is responsible (see Chapters 2 Tasks to be performed) (1.1.2).

The bidder is required to describe the key processes for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapters 2 (Tasks to be performed by the consultant) are to be provided. In particular, the bidder is required to describe the necessary work steps, milestones and schedules.

The bidder is required to describe its contribution to knowledge management for the partner and GIZ (1.5.1) and to promote scaling-up effects (1.5.2) under **learning and innovation**.

#### 3.2. Project management of the consultant

The bidder is required to explain its approach for coordination with the GIZ project. In particular, the project management requirements specified in Chapter 2 (Tasks to be performed by the

contractor) must be explained in detail. The bidder is required to draw up a **personnel assignment plan** with explanatory notes that lists all experts proposed in the bid; the plan includes information on assignment dates (duration and expert days) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

The bidder is required to describe its backstopping concept. The following services are part of the standard backstopping package, which (like ancillary personnel costs) must be factored into the fee schedules of the staff listed in the bid in accordance with section 3.3.1 of the GIZ AVB:

- Service-delivery control.
- Managing adaptations to changing conditions.
- Process-oriented technical-conceptual steering of the consultancy inputs.
- Securing the administrative conclusion of the project.
- Sharing the lessons learned by the consultant and leveraging the value of lessons learned.
- Ensuring the flow of information between the bidder and GIZ.
- Assuming personnel responsibility for the consultant's experts.

#### **4. Personnel Concept**

The bidder is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 7), the range of tasks involved and the required qualifications. The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment.

##### **Expert 1: Team leader and senior researcher**

###### Tasks of the team leader and senior researcher

- Taking overall responsibility for the advisory package of the consultant (quality and deadlines)
- Coordinating and ensuring communication with GIZ, and others involved in the project.
- Personnel management, planning, coordination, steering assignments and supporting experts.
- Assemble appropriate research protocol and establish teamwork.
- Develop and prepare a detailed research proposal addressing the objectives of the contract.
- Undertake research and create a knowledge base (scientific report) required for the development of policy briefs.
- Provide the strategic leadership, technical guidance, planning, coordination, and supervision to ensure effective implementation of tasks assigned to other experts.
- Review tasks assigned to other experts (e.g., policy briefs, literature review and gap analysis) and provide substantive inputs and consolidate outputs of the research.

- Provide technical support to expert 2 (senior policy specialist) in the process of developing policy briefs.
- Prepare inception report, mid-term, and completion report.
- Submission of all required reports and documentation to GIZ
- Regular reporting in accordance with the deadlines.
- Present scientific report at a consultation workshop to gather substantive inputs and feedback from senior experts, political partners, and key stakeholders.
- Present scientific report at two national events that will be determined by the GIZ.

#### Qualifications of the team leader and senior researcher

- Education/training (2.1.1): Doctoral degree or comparable in land policy and governance, land management, land economy, law and related fields.
- Language (2.1.2): Business fluency in English and Amharic
- General professional experience (2.1.3): 10 years of experience in land policy and governance, and related areas.
- Specific professional experience (2.1.4): 7 years of proven record of professional experiences in research, dissemination of research findings, development of strategies, frameworks, reform agendas and other pertinent activities focusing on land governance such as land policy, land administration, land use planning and land development, etc.
- Leadership/management experience (2.1.5): 2 years of experience in coordinating research projects or program processes or leadership roles at various administrative entities such as units, departments, clusters, etc.
- Regional experience (2.1.6): 5 years of research experience (on projects) in Ethiopia.
- Development Cooperation (DC) experience (2.1.7): Experience in 4 projects with regional bodies like the African Union, Intergovernmental Authority on Development, World Bank and other development partners.
- Others (2.1.8): Must author 10 peer reviewed journal articles in land governance and related subject matters and provide evidence showing present active engagement of the proposed expert in research and publication. Failure to meet this criterion leads to technical exclusion of the entire bid.

### **Expert 2: Senior Researcher**

#### Tasks of expert 2

- Provide substantive input in the preparation of a research proposal ensuring alignment of research objectives and design of methodologies towards the development of a compelling and forward-looking policy brief based on the research findings.
- Review a scientific report and provide substantive inputs from the perspective of policy brief formulation.
- Develop compelling and forward-looking policy briefs based on the research findings.
- Present draft policy briefs at a consultation workshop to gather substantive inputs and feedback from senior experts, political partners, and key stakeholders.
- Present the final policy briefs at two national events that will be determined by the GIZ.
- Provide support to the team leader during the project implementation including engagements related to consultative meeting and workshops.
- Provide technical guidance to a “Research Associate” on matters related to the literature review and gap analysis and collection of reference materials for the research.
- Contribute to the preparation of the inception report, mid-term report and completion report.

#### Qualifications of expert 2

- Education/training (2.2.1): Doctoral degree or comparable in public policy and related fields.

- Language (2.2.2): Business fluency in English and Amharic
- General professional experience (2.2.3): 10 years of experience in policy development and related areas.
- Specific professional experience (2.2.4): 7 years of proven record of professional experiences in policy research, dissemination of research findings, development of policies, strategies, frameworks, reform agendas and other related activities.
- Regional experience (2.2.6): 5 years of research experience (on projects) in Ethiopia.
- Development Cooperation (DC) experience (2.2.7): Experience in 4 projects with regional bodies like the African Union, Intergovernmental Authority on Development, World Bank and other development partners.
- Others (2.2.8): Must author 10 peer reviewed journal articles on policy development and related subject matters and provide evidence showing present active engagement of the proposed expert in research and publication. Failure to meet this criterion leads to technical exclusion of the entire bid.

### **Expert 3: Research Associate**

#### Tasks of expert 3

- Assist preparation of a research proposal.
- Undertake literature review and gap analysis.
- Contribute to the preparation of a research report.
- Collect and archive relevant published articles used as references to undertake research and develop a digital database for the management of these resources.
- Support the team leader and expert 2 during the national consultation workshop.

#### Qualifications of expert 3

- Education/training (2.3.1): Master's degree or comparable in land governance and related fields and being a PhD student is desirable.
- Language (2.3.2): Business fluency in English and Amharic
- General professional experience (2.3.3): 5 years of experience in land governance and related areas.
- Specific professional experience (2.3.4): 3 years of work experience in research institutions or academia.
- Regional experience (2.3.6): Experience in projects on land governance and related subject matters (1 reference project conducted in Ethiopia).

The bidder must provide a clear overview of all proposed expert(s) individual qualifications.

## **5. Costing requirements**

### **Assignment of personnel**

<b>Expert</b>	<b>Number of Expert</b>	<b>Number of Expert Days</b>
Team Leader and Senior Researcher [Expert 1]	1	40
Senior Researcher [Expert 2]	1	35
Research Associate [Expert 3]	1	25

## **Travel**

The bidder is required to calculate the travel by the specified experts and the experts it has proposed based on the activities of the project stipulated in Chapter 2 and list the expenses separately by daily allowance, accommodation expenses, flight costs and other travel expenses.

## **Workshops**

GIZ takes the responsibility of organizing ONE National Consultation workshop. GIZ's responsibility includes invitation of participants, facilitation of the workshop, venue booking and payment, and covering related costs for the participants (transport, accommodation, per-diem). The consultant is responsible for presenting the research findings and the policy briefs. Besides, the consultant shall also present the research findings and policy brief at two additional major national events that will be determined by GIZ. Other miscellaneous costs (e.g., print, stationary materials, etc) related to the organization of the meetings will be covered by GIZ.

## **6. Inputs of GIZ**

GIZ is expected to make the following available:

- Inception meeting logistics at the GIZ Office in Addis Ababa.
- Provide internally available documents needed by the consultant for reference (e.g., a review and analysis of gaps in the policy and legal frameworks pertinent to land governance) and access to current database.
- Organize one consultation workshop to gather substantive comments and feedback from key experts, political partners, and relevant stakeholders.

## **7. Requirements on the format of the bid**

The structure of the bid must correspond to the structure of the ToR. In particular, the detailed structure of the concept (Chapter 3) should be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). The bid must be legible (font size 11 or larger) and clearly formulated. It must be drawn up in English (language).

The complete bid must not exceed 10 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 4 of the ToR must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. The CVs must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English (language).

Please calculate your price bid based exactly on the parameters specified in Chapter 5 costing requirements. The consultant is not contractually entitled to use up the days, trips, or budgets in full. The number of days, trips and budget will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule.