

## **Sub-theme 4.4. Governance and the Rule of Law**

### **Rationale**

Good governance system is the basis of well-functioning state machineries, societal interactions, and institutions. Developing countries like Ethiopia usually face multifaceted socio-economic and governance problems which adversely affect their pursuit to attain justice and poverty reduction. Ineffective governance systems result in some of the serious problems including persistent conflicts, inequity, human rights violation, deprivations, impacted vulnerable groups, and persistent poverty.

Integrated and multidisciplinary research approaches addressing the interface among governance, rule of law, access to justice, conflict management, and land rights are timely issues. By the same token, protection and commercialisation of intellectual property rights (including local inventions and adaptations) are very crucial for absorbing unemployed human power and transforming the economy towards industrialisation. As a result, for a well-functioning state, resources like land, actors like state machineries, obstacles like dispute and systems like access to justice and adjudication of disputes should be well studied. Thus, an in-depth and investigative research would help to identify the gaps, problems, and challenges, and to suggest the possible areas for reform and intervention in the social, institutional and administrative systems of the country in general and Eastern Ethiopian in particular.

### **Aim**

This sub-theme aims at investigating governance system and its functioning as well as problems in various social, economic, and political environs.

### **Description**

This sub-theme generally addresses integrated issues in governance, institutions, access to justice, conflict management, land rights protection, and the socio-economic as well as

business environment. It touches upon all the nature, norms, roles and evolution of institutions in the economy and other vital institutions and organisations. The governance aspect of this study focuses on understanding how the governance system in Ethiopia facilitates or hinders the sustainable development process. It also inquires on the policy, legal and institutional frameworks of state machineries and customary systems that define, support, and stimulate economic and social interactions. This sub-theme also deals with rule of law, land administration, conflict management, real world economic institutions and organisations.

### **Potential Collaborators**

Federal, regional, zone and district based bureaus, research institutes, cooperatives and Micro-and-small scale promotion agencies, TVET institutions. Among them are the justice sector (courts, public prosecutor office, police office, prison administration, peace and security offices, Ethiopian Human Rights Commission, judicial training institutions) and NGOs working and supporting justice sector innovations.

### **Expected Output**

- Optimised resource utilisation and production systems in governance, administration and management of various institutions.
- Better understanding of the protection and commercialisation of properties and rights over intellectual property rights.
- Improved and equitable access to land, tenure security and economic exploitation of land resources in agricultural, pastoral and agro-pastoral areas
- Improved universal access to justice and human rights and family protection
- Strengthened conflict management systems both in the formal and informal systems.

## **Research Areas**

### **4.4.1. Governance and leadership**

Under this research area, various researches on both private and public organisations, administration, management practices, natural resource governance, and corporate governance are undertaken. It also deals with assessing the role and contribution of good governance for poverty alleviation, efficient resource utilisation, and sustainable development practices. In addition, public governances including inter-governmental relations, federal arrangements and operation, labour standards, public ethics and corruption issues, financial and tax systems, electoral systems and democratisation system, and media laws could be studied.

### **4.4.2. Property rights**

This research area includes studies on protection of rights over both tangible (real and personal properties) and intangible properties. More importantly, it covers intellectual property (IP) rights regimes of copyright, trademarks, patents (and utility model certificates), industrial design rights, trade dress, and trade secrets. Topics under this research area will shed light on the policy, legal, institutional and practical bottlenecks of seeking, commercialising, industrialising and protection of intangible property rights; and protection, commercialisation, and rights and obligation attached to tangible property claims. It will also investigate the technological learning trends in Ethiopia, the manner by which technology is learned and the role of institutions in stimulating and supporting IP rights protection.

### **4.4.3. Land laws and institutions**

This research area focuses on land policy, tenure security, access to and equitable distribution of land, land rights and their protection, transfer of land rights (including lease, donations, and inheritance), land administration institutions, land disputes, land conservation and productivity, investments in land, overlaps and conflicts of laws pertaining to land. In addition,

use rights, administration and role of customary system pertaining to land in pastoral and agro-pastoral areas are also investigated.

#### **4.4.4. Conflict management and peace building**

This research area includes investigations into dynamics of conflict, conflict prevention, management, resolution, and transformation, peace building, understanding of the customary dispute settlement mechanisms, and their interface with the formal dispute settlement processes, investigating the roles of peace education and intercultural dialogue in social cohesion, analysing capacity of justice sectors (formal and customary), and conflict resolution mechanisms (including inquiry on rehabilitation and restoration of justice systems). Specific research could concentrate on key issues in Ethiopia and in its eastern part in particular such as inter- and intra-group conflicts, cross border conflicts, crimes, proliferation of small arms, family and neighbour disputes, domestic violence, etc. In family matters, studies could inquire into the increasing number of divorces and family break ups, marriage issues, and early marriage; and conflict and overlaps of laws due to simultaneous applications of different customary, state, and religious laws.

#### **4.4.5. Human rights and access to justice**

This research area focuses on protection of human rights and ensuring access to justice systems. The research area also encompasses communities' legal awareness and communication channels, human rights protection, protection of vulnerable groups of the society (including family), access to legal services and legal aid, effectiveness and challenges of collective claims, role of civil society, access to courts and quasi-judicial bodies, and legal literacy and information.

### **Beneficiary**

The legal system of the country, institutions, policy makers, and the wider public.