

Ethiopian Family Justice Guidelines

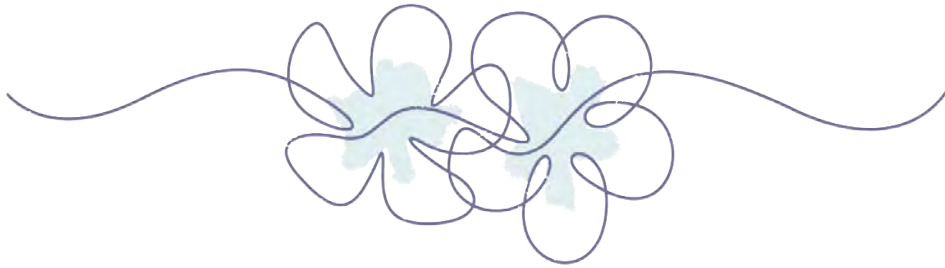
Recommendations and best practices
for family dispute resolution



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*“As the Adey flower brightens the land,
a well-ordered family brightens the nation.”*

- 2026 -



Preface

The Ethiopian Family Justice Guidelines provide practical approaches for individuals and practitioners to resolve family disputes effectively.

Global research and data on family justice underscore that such issues have become a growing concern, especially for vulnerable populations, including women and children. As people seek equitable resolutions within their families, particularly around issues like maintenance, child custody, and the administration of property, they turn to various justice providers for support.

Key areas of family disputes typically include:

Maintenance: Ensuring fair financial support within family structures, particularly after separation or divorce.

Child Custody and Visitation: Determining custody arrangements and visitation rights in the best interest of children.

Administration of Private and Common Property: Managing and dividing family property, both personal and jointly owned.

Divorce Procedure: Outlining the formal legal processes involved in dissolving a marriage.

Partition of Property After Divorce: Resolving disputes over the division of assets and property following a divorce.

These guidelines aim to offer clear, accessible methods for resolving these sensitive family matters, ensuring fairness for all parties involved.

SCOPE

Inspired by the medical sector, these guidelines provide clear, actionable recommendations to support the resolution of family disputes in Ethiopia. They are designed for practitioners across both formal and customary justice systems and combine two complementary types of interventions: evidence-based practice (EBP), which draws on recommendations from international and local research, and practice-based evidence (PBE), which reflects the experience and best practices of practitioners from Amhara, Sidama, and Addis Ababa. In addition to promoting effective communication, de-escalation, mediation, and other essential dispute resolution skills, the guidelines offer practical recommendations across five key areas: maintenance, child custody and visitation, administration of property, divorce, and the partition of property. Together, they aim to promote fair, accessible, and people-centred justice outcomes while continuing to evolve through new evidence and feedback from practitioners and users.

We are grateful to all of the individuals and organisations who have contributed to the development of these guidelines. We also call upon the Government, justice practitioners, (customary) courts, and the people of Ethiopia to support the implementation of these guidelines so as to shape clearer paths to family justice in Ethiopia.

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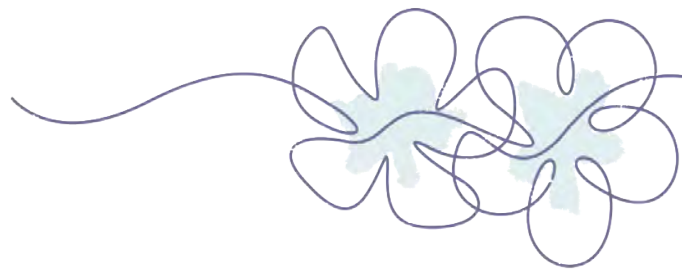
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Glossary



BEST PRACTICES (PBE): Insights gathered from practitioners known as practice-based evidence (PBE).

CUSTOMARY COURTS: Customary courts are institutions that exist within different communities or cultural groups in Ethiopia and are based on traditional customs and practices to handle disputes and conflicts, thereby maintaining social cohesion within the community.

CUSTOMARY JUSTICE: This is a traditional system of dispute resolution based on local customs and practices rooted in cultural norms and values in communities where formal legal institutions may be limited.

KEBELE: In Ethiopia, a kebele is a local administrative unit that constitutes the lowest administrative division within the country's political framework and is administered by a kebele council, which plays a crucial role in ensuring effective public service delivery at the grassroots.

FAMILY JUSTICE: In Ethiopia, family justice refers to the legal and social processes for resolving disputes within families. These disputes often involve maintenance, child custody, division of property, and inheritance. Family justice addresses the rights and responsibilities of spouses, children, and other dependents, ensuring disputes are resolved fairly and with respect for legal and cultural norms. Resolutions may take place through the formal judicial system or community-based mechanisms, with the aim of protecting vulnerable family members and restoring harmony.

MEDIATION: Mediation in Ethiopia refers to a

process that serves as an alternative to formal legal proceedings where a neutral third party, known as a mediator, facilitates communication and negotiation between disputing parties to help them reach a mutually acceptable agreement.

PRACTITIONERS: Includes those who are directly engaged in the administration of justice, whether within the formal or informal legal systems, such as village elders, judges, lawyers, public prosecutors, arbitrators, judge advisors and assistant judges among others.

Recommendations (EBP): These are proposed actionable interventions for resolving family justice problems based on evidence-based literature.

REGIONAL STATE: Member States of the Federal Democratic Republic of Ethiopia as listed under Article 47 of the FDRE Constitution. The concept of regional states was established to ensure self-governance and representation for the country's diverse ethnic groups. This definition also encompasses regional states that have emerged through the exercise of the right to self-determination by an ethnic group in accordance with the Constitution.

VULNERABLE GROUPS: Community members who are subjected to injustice, discrimination, or violations of their rights as a result of socioeconomic inequities, or systemic barriers (these include among others: outcasted, ethnic minorities, disabled, internally displaced populations).

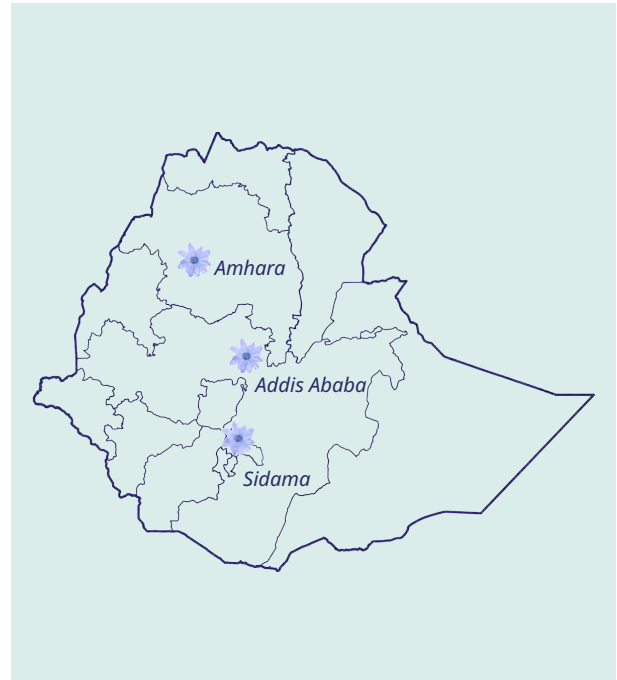
WOREDA: In Ethiopia, a woreda is the country's smallest administrative subdivision, standing below regions and zones but above kebeles, which is equivalent to a district in other countries.

Instructions on how to use the guidelines

These guidelines provide actionable and evidence-based recommendations for people and practitioners dealing with family-related conflicts. The primary users of the guidelines are practitioners dealing with family disputes on a regular basis. The recommendations and best practices found in this document follow the process from problem to solution and support people dealing with family disputes along their justice journey.

The recommendations and best practices are categorised in 5 chapters: maintenance, custody and child visitation, administration of property, divorce and partition of property (after divorce) . Recommendations from literature are “evidence-based practice” and designated as → EBP, best practices collected from practitioners are noted as practice-based evidence and designated as → PBE. Each chapter will comprise a combination of both of these types of guiding content. Specific best practices are included based on the regional specificity of three distinct geographies: Amhara National Regional State, Sidama National Regional State and the Ethiopian capital Addis Ababa. The latter of these geographies is meant to partially include a broader national representation, with best practices and recommendations that are less culturally dependent. The best practices are region specific, and will be listed including their regional state designation (*“Amhara”* - *“Sidama”* - *“Addis Ababa”*).

Some guidelines might also only be applied and implemented by those practitioners or dispute resolution bodies who enjoy the necessary jurisdiction for that specific



situation. Therefore, your professional assessment on a case-by-case basis is essential in order to make the best decisions possible. The recommendations listed in the Ethiopian family justice guidelines are established according to a method that is widely applied in medical practice (PICO/GRADE). It combines local practice from both formal and informal (non-judicial) systems, and research on ‘what works’. This distinguishes the Ethiopian family justice guidelines from existing legal guidelines.

Finally, it should be noted that the recommendations in this guideline are not binding legislations but are sound methods and concepts that help to achieve fair and equitable justice. Unless otherwise provided by law, the recommendations in this guideline apply equally to children born within and outside marriage, consistent with the Ethiopian Family Codes, which generally do not distinguish between them.

Introduction to Family disputes in Ethiopia

A BRIEF ON ETHIOPIAN LAW

The regular Ethiopian family law is governed by a dual system. The Revised Family Code of 2000 (applicable in federal jurisdictions like Addis Ababa and Dire Dawa) and regional family laws exist in parallel. On the other hand, religious and customary laws are recognised too.



The FDRE Constitution recognises family, under Article 34 (3), as “the natural and fundamental unit of society” entitled to protection by the state. Article 34 (1) of The Constitution enshrines the equal rights of men and women “while entering into, during marriage and at the time of divorce”. With regard to maintenance (Spousal and Child Support): Courts can grant maintenance orders for children and, where appropriate, for a former spouse based on factors like needs and capacity. Further, child Custody and Visitation are determined by the “best interests of the child,” considering age, welfare, parental capacity, and emotional needs. Visitation rights are granted to the non-custodial parent.

COMMON PROPERTY & PARTITION: Property acquired during marriage is generally considered jointly and equally owned. Upon divorce, courts consider each spouse’s interest, the marriage duration, and future needs etc. to ensure fair division.

DIVORCE: Ethiopia follows a no-fault divorce system, where the sole ground is the inability or simple lack of interest to continue in marriage.

PREVALENCE OF FAMILY DISPUTES

Quantifying family disputes in the Amhara and Sidama regions remains a challenge, as national statistics are often aggregated. However, available data provides some insights:

NATIONAL PERSPECTIVE: HiiL’s national justice survey (2019-2020) found that family issues constitute 11% of all legal problems in Ethiopia, making them the fourth most common category of justice problems.

REGIONAL INSIGHTS: Academic research involving Ethiopia’s nine largest ethnic groups (including Amhara and Sidama) identified that money/economic issues are the primary cause of family conflicts nationally. However, the study noted ethnic variations: Amhara respondents ranked marital infidelity as a main cause, while Sidama respondents identified “not bearing a child” as the top cause.

DISPUTE RESOLUTION: FORMAL COURTS VS. INFORMAL SYSTEMS

The choice between formal courts and traditional systems varies significantly between urban and rural populations

FORMAL COURT PROCESSING TIME: Specific data on resolution days for Amhara or Sidama courts is unavailable. However, findings from peer-reviewed sources¹ note that decisions on custody and maintenance can lack predictability, and show significant barriers to effective enforcement, including procedural inconsistencies, institutional weaknesses, and a lack of clear guidance for judicial decision-making

INFORMAL JUSTICE SYSTEMS: The majority of Ethiopians rely on traditional mechanisms. Nationally, 54% of family issues are brought to local elders for resolution.² This preference is even more pronounced in rural areas, where village elders are used twice as often (51%) as in urban centres (26%).³ These systems emphasise reconciliation and restoring community harmony.

WHY RESOLVING FAMILY DISPUTES MATTERS

Effective resolution of family disputes is critical for several reasons:

PROTECTION OF VULNERABLE INDIVIDUALS: It ensures legal protection and financial security for spouses and children. Clear custody and maintenance arrangements are vital for a child's well-being.

SOCIAL AND ECONOMIC STABILITY: Unresolved family conflicts can lead to instability. The traditional justice system's emphasis on restorative justice and healing helps preserve community cohesion.

UPHOLDING CONSTITUTIONAL RIGHTS: Proper dispute resolution is the primary mechanism for upholding the constitutional guarantee of equal rights for women during and after marriage.

RESOLVING FAMILY DISPUTES

On average, a substantial share of people in Ethiopia encounter serious family-related legal problems, such as divorce, separation, child custody, alimony, and other disputes that affect household relationships. Family issues, together with domestic violence, are among the most commonly reported legal problems — accounting for around 11 % and 6 % of serious problems respectively⁴ — and are reported more frequently by women than men. People often struggle to resolve these family issues promptly and fairly, with many cases remaining unresolved because parties either wait for the other side to act or find the formal system too complex or costly.

A large proportion of people prefer to involve neutral third parties in resolving family disputes; traditional community figures such as local elders are commonly engaged alongside other informal helpers like family members and neighbours. More than half of the family and domestic violence cases where action is taken are brought to informal dispute resolution mechanisms, with village elders playing a central role in mediating and facilitating agreements. In many instances, these informal processes focus on reconciliation and restoring relationships, and are viewed by participants as more accessible and effective than formal court procedures, especially in rural areas where formal justice institutions are less present.

¹ Afesha, N. (2017). Legal and Practical Aspects of Child Custody, Visitation Rights and Obligation to Supply Maintenance in Ethiopia. *Mizan Law Review*, 11(2), 27–55.

^{2,3,4} HiIL, Justice Needs & Satisfaction survey Ethiopia (2020)

Background and context



The interventions described in these guidelines emerged in part against the backdrop of two important discussions: linking customary and formal justice systems, and the position of women and vulnerable groups.

The interventions can be applied both within the customary and formal justice system, depending on which practitioner within what jurisdiction is dealing with the family dispute. The interventions are compared with the literature and are graded on effectiveness.

STRENGTHENING CUSTOMARY CONFLICT RESOLUTION MECHANISMS

Efforts to link customary and informal justice systems with formal justice systems are an international trend that can also be observed in Ethiopia. There is a strong global need to establish the governance infrastructure that enables people-centred justice. Developing and implementing legal and policy frameworks necessary to enable seamless, efficient, integrated, sustainable, resilient, and user-centred justice pathways is seen as one way to realise this. Within this search for seamless pathways to people-centred justice, customary and informal justice provides an opportunity to leverage and learn from existing people-centred solutions.

In Ethiopia, customary justice holds the most promise for making justice pathways more people-centred. Building bridges between customary and formal justice mechanisms can, amongst other things, improve wider access to justice at the

community level. While there is no denying the legal pluralism that exists in Ethiopia, much of the justice delivery happens at the community level, making further synergy between otherwise competing jurisdictions (customary and formal) even more important. More general recognition is already in place as the Ethiopian Constitution (Articles 39:2 and 91:1) provides, in broad terms, for the promotion of the cultures of nations, nationalities, and peoples of the country. Article 34:5 makes more specific and direct reference to adjudication of disputes relating to personal and family matters in accordance with customary laws, with the consent of the parties to the dispute. Specific extension to family disputes could be a next step in realising the potential of legal hybridity.

Customary justice is not only used often but people generally perceive it as accessible and effective. The challenge is to ensure that customary justice delivers high-quality results in a more standardised way, ensuring fair and non-discriminatory outcomes. Customary courts, while aligning with certain principles of people-centred justice, are also in need of thorough judicial scrutiny. Challenges include human rights compliance, politicisation of traditional leaders and village elders (leading to partisanship), false accusations, and the confusion of religion with culture. Women and other vulnerable groups are also frequently found to be marginalised through customary legal practices, as local elders may be influenced by culture that for instance might impede the effectiveness of

women's rights in family matters. It is crucial to address these challenges and implement effective management strategies when considering the scaling up of customary courts to ensure the fair and efficient resolution of family-related disputes.

Guidelines are one way to improve in this area. The continuous updating of guidelines should

be done with lessons from best practices in mind. Justice delivered by village elders in Ethiopia is generally known for emphasising community values, repairing damaged social relationships, reaching consensus, and restoring community harmony. Much can therefore be learned from this way of delivering justice, providing valuable input for future versions of this document.

RECOMMENDATIONS

1	The legal recognition of customary courts through a model law or national framework can help establish new customary courts and increase the capacity for resolving family disputes. In this regard, the experience with customary dispute resolution mechanisms in the Oromia Regional State could be seen as a best practice for other regional states in the country.
2	Consideration of the interface between customary and formal justice mechanisms in the statutory system is recommended for Ethiopia to effectively manage family disputes and deliver timely, fair resolutions.
3	Courts can provide redress for dispute resolution processes organised in the community. In this way, the formal justice mechanism will guarantee that traditional justice yields its positive effects.
4	Courts can focus on cases that present greater legal and factual challenges. This distinction between formal and informal justice necessitates thoughtful consideration of process, organisation, and legal framework. The needs and expectations of the people should be at the forefront of this design process.

WOMEN AND OTHER VULNERABLE GROUPS

These guidelines aim to realise desirable outcomes for people dealing with family disputes. Within that context, best practices and other recommendations need to be inclusive to be truly people-centred. Accessibility and effectiveness should not be trade-off elements of interventions (that is, it should not be more effective for some and less for others). With that in mind, this paragraph pays special attention to women and other vulnerable groups.

The Ethiopian FDRE Constitution recognises gender equality and accords women equal rights with men regarding family matters, including marriage, divorce, child custody, and inheritance. Nevertheless, women and other vulnerable groups are often still in a disadvantaged position due in many cases to customary practices and cultural patterns. Certain customary justice practices can produce harsh outcomes, even though the Constitution explicitly prohibits laws and customary practices that discriminate against women. Data shows that in response, women are significantly more likely to engage family members (often males) in the resolution of their legal problems (35% resort to family members for information and advice around disputes) Those networks provide guidance

and social backing.

Discriminatory and unequal dispute resolution should not be standardised in any attempt to improve access to justice through scale. Instead, this document proposes a more active role for vulnerable groups in the dispute resolution mechanism that they access. People-centred informal justice systems ensure that women can appear before village elders and represent themselves directly, in line with the promise of informal justice described above. Accessibility must also be taken into account when evaluating the impact of justice delivery on women who might experience discriminatory decision-making at a local level and have no recourse in the formal courts due to high costs.

RECOMMENDATIONS

1	Develop mechanisms to triage and prioritise serious family disputes that need more resources and attention. When doing so, consider the needs of vulnerable groups – women, children, illiterate and poor people, religious and ethnic minorities, and internally displaced people.
2	Actively involve women, youth, and vulnerable groups in the process of fact-finding and give them a role in dispute resolution. Additionally, involve women's affairs offices and justice offices in the capacity-building of mediators, and institutionalisation of mechanisms for support, supervision, and accountability of the mediation process.
3	Enhance the provision of free legal aid and expand the range of institutions offering such services to ensure that vulnerable groups in society have access to justice.

In some parts of the country, there is a clear role for women and youth groups in the process of family dispute resolution. One best practice to highlight is the case of the Awramba community in Amhara regional state, where the principle of inclusion is highly adhered to. Women are actively involved in fact-finding and other procedural aspects of family dispute resolution.

1

Maintenance

Maintenance obligations protect the dignity, welfare, and development of children and other dependent family members. Maintenance includes not only money or food, but also the basic necessities of life such as shelter, clothing, healthcare, and education.



“Parents therefore remain responsible for supporting their children whether they are married, separated, or divorced.”

”

In Ethiopia, the duty to provide maintenance is established by law and does not depend on a private agreement between family members and failure to provide maintenance is a criminal offence under existing law. The FDRE Constitution recognises every child's right to be cared for by parents or legal guardians, while international and regional human rights instruments also affirm the responsibility of parents to support their children's healthy development. Ethiopian law further recognises unjustified failure to provide maintenance as a punishable omission.

The Revised Family Code of 2000 is the main legal framework governing maintenance in Ethiopia. It requires maintenance to be provided in a decent manner, taking into account social conditions and local customs. Parents therefore remain responsible for supporting their children whether they are married, separated, or divorced. When deciding maintenance disputes, judges and customary or traditional dispute resolvers should consider both the needs of the child and the economic realities of the family, ensuring that maintenance remains fair, practical, and consistent with local living conditions.

RECOMMENDATIONS (EBP) AND BEST PRACTICES (PBE)

1.1 Supporting Self-Reliance (EBP)

Supporting a spouse who cannot adequately contribute to child maintenance to become economically self-reliant is a practical and effective way of reducing conflict and improving the wellbeing of both the children and the parents. Research shows that temporary support aimed at helping a spouse gain skills, training, education, or income opportunities is often more effective than creating long-term dependency. Such support helps separated spouses adjust to new living conditions while continuing to meet the needs of their children. The assistance may include temporary financial support, vocational guidance, business support, counselling, or access to education and training opportunities. This is especially important where one spouse sacrificed employment or economic opportunities during marriage to care for children or manage the household. Support can be provided by the other spouse, family members, relatives, community institutions, financial institutions, counsellors, or other stakeholders. Helping a parent become economically independent can improve compliance with maintenance obligations, reduce resentment between spouses, and create more stable living conditions for children.



Relevant Best Practices (PBE)

TEMPORARY MAINTENANCE ORDERS (AMHARA)

Issuing temporary maintenance orders at an early stage can provide immediate financial support, helping reduce hardship while the receiving spouse works toward greater economic stability and self-reliance.

FOR CHILDREN WITH SPECIAL NEEDS (ADDIS ABABA)

Focuses on improving the well-being of the family and children. Requiring additional support for children with special needs for medical and related expenses is a crucial element of ensuring the child's basic necessities are met, as maintenance includes necessities like healthcare and education.

HEARING BOTH SIDES (SIDAMA)

Judges emphasised the importance of hearing both sides carefully and understanding the full economic and family situation before deciding maintenance matters. This helps decision-makers reach practical and acceptable solutions that fit the realities of the family.

Some judges encourage spouses to discuss and decide maintenance matters themselves with the assistance of village elders, mediators or assistant judges. Addressing misunderstandings between the parties and encouraging dialogue often leads to fairer and more sustainable outcomes.



1.2 Agreements

Writing clear agreements on maintenance can help reduce misunderstanding, create clarity between the parties, and minimise future disputes. Compared to purely adversarial approaches, where parties focus mainly on defending claims against each other, a problem-solving approach encourages parents to identify their real needs and responsibilities and to reach practical solutions together. Agreements reached through discussion, mediation, or guided negotiation are often more acceptable to both parties and therefore more likely to be respected and complied with. Standards or assessment guidelines developed by the Federal Supreme Court, Regional Courts, or other stakeholders may also help parties and decision-makers determine fair and reasonable amounts of maintenance. However, parents should not treat the agreement as the absolute limit of their responsibility. Where the child's wellbeing and interests require additional support, parents are encouraged to contribute beyond what was formally agreed.

Relevant Best Practices (PBE)

WAY OF LIFE AND COMMUNITY-BASED APPROACHES (AMHARA)

Allowing spouses to determine maintenance through mutual agreement has been found to improve fairness, proportionality, and long-term compliance. Maintenance agreements that consider the practical way of life of the parties have been found useful. For example, for families who depend on farming, maintenance may be provided partly in kind rather than only in cash, making compliance easier and more realistic. Community-based approaches, including the involvement of *idir* or mehaber associations, have been used to encourage compliance with maintenance obligations and support cooperative solutions between the parties.

ADDRESSING MISUNDERSTANDINGS EARLY (SIDAMA)

Some judges address misunderstandings and negative assumptions between the parties before facilitating agreement, helping to reduce hostility and improve cooperation in maintenance and overall support of the child. Hearing both sides carefully and understanding the wider family situation has been found important in reaching sustainable agreements that both parties consider acceptable and realistic.



1.3 Effective enforcement

A maintenance order has limited practical effect unless it is supported by effective enforcement. Even when courts set fair amounts based on the child's needs and the obligor's financial capacity, the child's wellbeing is not secured if payment is not made. In Ethiopia, non-payment is a common challenge, with some obligors hiding income, changing employment, or relocating to avoid responsibility. Practitioners should therefore treat enforcement as part of the maintenance decision itself and include appropriate measures at the time of issuing the order, such as wage garnishment, attachment of property, employer-directed payments, or periodic reporting requirements where relevant. This strengthens compliance and makes clear that maintenance obligations are mandatory and monitored.⁵ Timely notification to each side of the obligation to contribute for the raising of their child or children again helps to narrow the controversy.



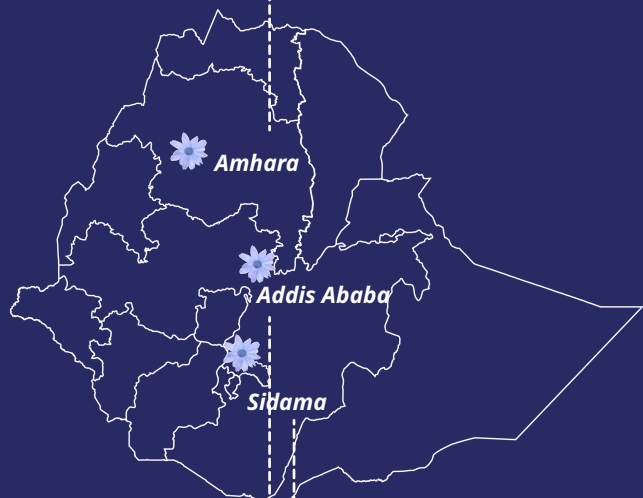
⁵ The Federal Supreme Court Cassation Bench, File No. 45819, confirms that attachment of property may be used to secure maintenance payments until the child reaches majority unless a full cash guarantee is provided, and that advance deposits may be ordered where there is a risk of default.

Relevant Best Practices (PBE)

COMMUNITY BASED

ENFORCEMENTS (AMHARA)

Some Sharia courts in Bahir Dar have adopted a community-based enforcement approach by channeling maintenance payments through local associations such as idir or mehaber. Because of the strong social accountability within these structures, parties are less likely to default on payments due to the reputational consequences of non-compliance. This approach has been observed to improve compliance more effectively than conventional enforcement mechanisms, which may struggle to locate obligors or ensure consistent payment.



SERVICE OF ORDERS (ADDIS ABABA)

Ordering a neutral party to serve income disclosure orders to prevent tampering or distortion helps ensure the court has accurate financial information. This is an integral step toward setting a fair amount that can be enforced effectively, a key aspect of ensuring access to justice.

CORRECTIVE MEASURES (SIDAMA)

When enforcement problems arise after a maintenance order has been issued, courts carefully examine the situation to identify the cause and determine whether non-compliance is deliberate. Where a party is found to be unjustifiably refusing to pay maintenance, the court may take effective corrective measures, including sanctions, to ensure immediate payment. Such strong measures can also help restore compliance and encourage the non-complying party to correct their behaviour, thereby resolving the enforcement problem and reinforcing respect for maintenance obligations.

1.4 Maintenance Assessment Framework

To ensure that maintenance orders are fair, realistic, and sustainable, practitioners should apply a structured assessment framework that balances the needs of the child with the financial realities of the parents. This process involves a dual evaluation of both the providing and receiving parties to determine a proportional contribution.

CRITERIA FOR MAINTENANCE ASSESSMENT

Practitioners must conduct a thorough evaluation based on the following criteria:

PROVIDING SPOUSE: Evaluate financial capacity, including all sources of income, stability of employment, and the overall ability to contribute without compromising their own basic dignity.

RECEIVING SPOUSE AND DEPENDENTS: Evaluate actual living costs, the specific health and educational needs of the child or dependent, and the existing household structure to ensure the maintenance amount reflects the actual cost of a decent standard of living.

ADDRESSING INABILITY TO FULFILL OBLIGATIONS

When a parent fails to meet maintenance obligations, practitioners should first investigate the root causes of non-compliance before resorting to punitive measures. This includes identifying barriers such as sudden loss of employment, health crises, or broader economic hardships. Prioritising the identification of solutions to these barriers—such as temporary adjustments or links to support services—is often more effective for the long-term welfare of the child than immediate sanctions.



2

Child Custody and Visitation

Child custody refers to the court-awarded care, control, and maintenance of a child, including both legal custody (decision-making authority) and physical custody (day-to-day care).



“Custody decisions must be guided by the best interests of the child, a principle recognised in both domestic and international law.”

In divorce or separation, custody is usually granted to one parent, but parental responsibilities continue, and the purpose of custody arrangements is to protect the child’s welfare when the family’s living arrangement is disrupted.

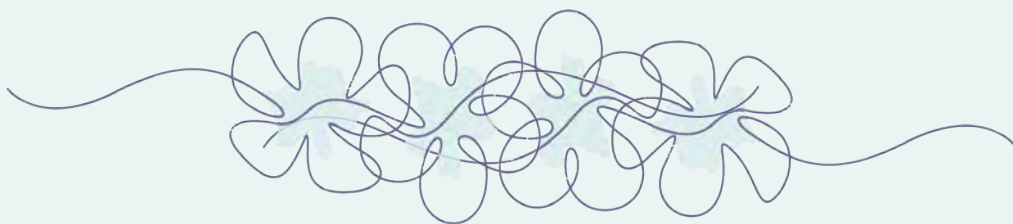
Custody decisions must be guided by the best interests of the child, a principle recognised in both domestic and international law. It requires a child-centred assessment of the child’s physical, emotional, psychological, and educational well-being, rather than focusing only on parental rights. International instruments such as the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child reinforce this approach by allowing separation from parents only when necessary, lawful, and subject to judicial oversight. In practice, custody decisions should also consider the child’s views where appropriate, ensure structured visitation with the non-custodial parent, remain open to review when circumstances change, and encourage parents to maintain healthy relationships between the child and both parents after separation.

2.1 Assessing the child's best interest and considering its wishes

The principle of the best interest of the child is not merely a static consideration but an evolving standard that requires practitioners to actively evaluate the child's changing developmental needs and long-term well-being at every stage of the dispute. This mandate compels decision-makers to look beyond immediate parental desires, ensuring that all outcomes—whether legal or customary—prioritise the child's safety, stability, and emotional development as paramount.

In all custody and family justice decisions, practitioners must prioritise the best interests of the child, as required by the FDRE Constitution. This principle overrides parental claims and requires a child-centred, case-by-case assessment focused on the arrangement that best promotes the child's safety, well-being, and long-term development. The child's views, opinions, and preferences must be given due weight according to their age and maturity, recognising the child's right to participate in decisions affecting them. Decisions must also ensure the child's protection from harm, abuse, neglect, and exploitation.

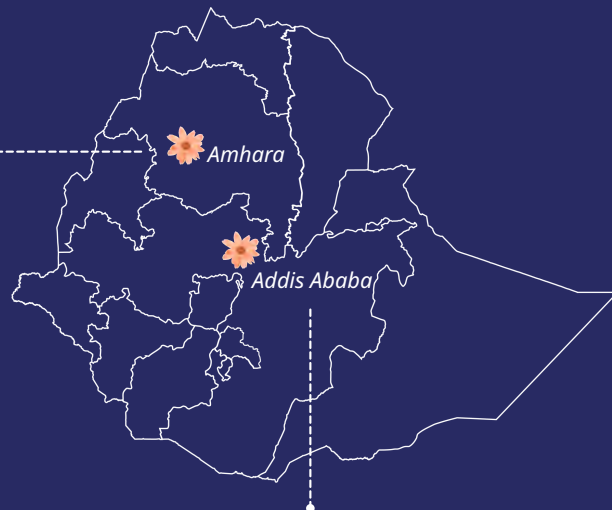
Applying this principle requires a holistic assessment of all relevant circumstances. Factors that may be considered include the child's physical and emotional safety; the quality of the child's relationship with each parent, including who has been the primary caregiver; continuity and stability in the child's living arrangements, schooling, and family relationships; each parent's ability to meet the child's physical, emotional, educational, and developmental needs; each parent's willingness to support the child's relationship with the other parent where safe and appropriate; the preservation of sibling relationships; the child's age and developmental needs; and, where relevant, the child's cultural, religious, and linguistic identity. Where a child is sufficiently mature to express informed views, those views should be taken into account as part of the overall assessment, although they are not determinative. This approach is reflected in Article 113(2) of the Revised Family Code (applicable in Addis Ababa and Dire Dawa), which requires consideration of the "interests of the children."



Relevant Best Practices (PBE)

PARENTING PLAN (AMHARA)

In custody proceedings, practitioners should prioritise the best interests of the child and consider the child's views, opinions, and preferences according to age and maturity. Parents should be encouraged to develop a detailed parenting plan covering issues such as education, health, religion, and discipline. This helps shift the process from parental conflict toward identifying what is most beneficial for the child and supports more cooperative and fair custody decisions.



MAKING CHILD-CENTRED DECISION (ADDIS ABABA)

Practitioners should consider the input of social workers in custody cases to support informed and child-centred decisions. Courts should also avoid separating siblings unless there is a compelling reason, as separation may place additional stress on children and undermine family stability.



2.2 Protecting Parent–Child Relationships

Practitioners should recognise that divorce or separation does not sever the biological and parental bonds between children and their parents. In custody and visitation matters, it is essential to promote and preserve a healthy relationship between the child and both parents, as this supports the child's emotional development, sense of security, and overall well-being. Practitioners should advise and, where appropriate, require parents to refrain from actions or communication that could undermine the child's relationship with the other parent. (Customary) courts and social workers should encourage cooperation, mutual respect, and constructive communication to ensure that children continue to receive love, support, and stability from both parents, even in cases of parental conflict.

2.3 Ensuring and Structuring Visitation Rights

Where custody is granted to one parent, the law and the best interests of the child require courts and customary adjudicators to clearly determine the visitation rights of the non-custodial parent and the child. Adjudicators should establish practical and enforceable visitation arrangements that support meaningful parent–child relationships and prevent unjustified denial of contact. Where necessary, decisions should specify the schedule and conditions of visitation, including the days, duration, frequency, and manner of visits.

Custody and visitation arrangements should not be fixed indefinitely. Courts and customary adjudicators should review or vary previous decisions when circumstances change—such as relocation, health issues, or evolving needs of the child—to ensure arrangements remain aligned with the child's best interests. Practitioners are therefore advised to consider that custody and visitation may need to be adapted over time as situations evolve.

Relevant Best Practices (PBE)

RAISING AWARENESS AROUND VISITATION (AMHARA)

Raising the awareness of parents about the rights of the child and making them consider the child's future well-being is helpful in all situations. Convincing them of the benefits of visitation can help resolve current and future family problems.

MEANINGFUL VISITATION ARRANGEMENT (ADDIS ABABA)

Visitation arrangements should ensure meaningful parent-child contact while protecting the child's well-being. Practitioners should consider, where appropriate, social worker input, use supervised or external visits if needed, and facilitate internet visits when parents live apart. Courts should avoid separating siblings unless absolutely necessary.



SUPERVISED AND RESTRICTED VISITATION (ADDIS ABABA)

Practitioners should assess the suitability of unsupervised visitation and restrict access when a parent's behaviour poses a risk to the child, such as substance abuse or unhealthy interactions. When supervision is needed, visits are often more effective outside the custodial parent's home or in a neutral, supervised setting. Decisions should balance the child's safety with the goal of maintaining a meaningful parent-child relationship, ensuring that restrictions are clearly defined, practical, and regularly reviewed as circumstances change.



3

Administration of property

Clear identification of who administers property is a fundamental step in ensuring that individual and marital rights are respected and disputes are effectively managed.



**“
Failure to
specify who holds
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”**

When authority over property is explicitly established—whether through marriage contracts, voluntary delegation, or legal appointment—administration is guided by defined responsibilities, reducing the likelihood of conflict. Conversely, failure to specify who holds administrative control can create confusion, disagreement, or misuse of assets. Village elders, court mediators, arbitrators, and judges play a critical role in verifying the legitimacy of agreements, evaluating delegated authority, and intervening when conflicts arise. By clarifying administrative roles at the outset, parties are better positioned to manage their property fairly and avoid escalation into broader marital disputes.

3.1 Identify the nature of the property and who administers it

Practitioners should first determine whether the property is personal—owned before marriage, received by donation or inheritance, acquired with personal funds, or formally declared personal by a court. Understanding the nature of the property is essential for clarifying each spouse’s rights over administration and disposal, and for preventing disputes over management.

Under Article 59 of the Revised Family Code, each spouse generally administers their own personal property, unless a marriage contract or voluntary mandate assigns administration to the other spouse. Practitioners must verify the validity of such agreements, ensure that administration is exercised properly, and address any misuse, conflicts, or disagreements. Clear identification of who manages the property provides a structured framework for fair administration and helps avoid escalation of marital disputes.

3.2 Assess disputes over income from personal property

Practitioners should carefully evaluate disputes involving personal and marital property to determine the core issue. Under the Revised Family Code of Ethiopia, while income generated from a spouse's personal property becomes part of the common marital estate, the administration of the personal property itself remains an individual right. Therefore, practitioners must distinguish whether the conflict concerns the management of the property itself or the distribution and accounting of its income. Unless the relevant customary or regional law does not provide otherwise, they should also ensure compliance with Article 64(3), which requires a spouse to render an account of income from personal property upon the request of the other spouse. Clarifying the nature of the dispute helps guide appropriate resolution strategies and ensures fair management of both property and its proceeds.



Relevant Best Practices (PBE)

DISTINGUISH INCOME FROM PROPERTY IN DISPUTES (AMHARA)

In Bahir Dar and other parts of Ethiopia, practitioners often first clarify whether a dispute concerns the administration of personal property or the distribution of income it generates. This distinction enables targeted mediation or negotiation, ensures compliance with legal obligations to account for income, and helps achieve fair solutions without resorting to litigation.



3.3 Strategic Guidance for Resolving Property Administration Disputes

Practitioners should aim to resolve disputes over property administration in a way that protects marital harmony and prevents escalation to divorce. This involves developing a considered strategy before resorting to formal litigation, weighing the potential benefits of legal action against its possible negative effects on the marriage, which may not be measurable in financial terms. Alternative dispute resolution methods, such as mediation, arbitration, or customary legal systems, should be explored as first-line options. At the same time, practitioners must provide spouses with clear, accessible information about their legal rights and obligations regarding both personal and common property. By combining strategic planning with thorough guidance, practitioners can help parties manage expectations, reduce conflict, and achieve fair, amicable, and sustainable resolutions.



Relevant Best Practices (PBE)

USE ALTERNATIVE AND STRATEGIC APPROACHES TO RESOLVE PROPERTY DISPUTES (AMHARA)

It is common practice in the Amhara region, including Bahir Dar, for lawyers and practitioners to address property disputes through negotiation and mediation rather than immediate litigation. By exploring practical solutions—such as adjusting living arrangements, managing family responsibilities, or clarifying property and financial arrangements—practitioners help spouses resolve conflicts while preserving marital harmony and avoiding unnecessary court proceedings.



WEIGH LEGAL ACTION AGAINST FAMILY IMPACT (ADDIS ABABA)

It is rare for a family conflict over only administration of property to be brought to court without challenging the continuity of the marriage. Lawyers consulting one of the spouses aggrieved by the administration of the properties by the other spouse, have to carefully balance the advantages to be gained from formal litigation against the possible negative consequences against the family. If there are other options such as mediation or conciliation that may effectively solve the problem, it may be recommendable to take advantage of them.



3.4 Practical Assessment of Pecuniary Interests

To ensure pecuniary interests—including maintenance, shared debts, and assets—are addressed comprehensively, practitioners should adopt a structured “Financial Audit” approach:



COMPREHENSIVE DISCLOSURE: Mandate a full disclosure of all assets, debts, and income sources (salary, business revenue, rental income) at the outset of the dispute.



NET-WORTH CALCULATION: Clearly distinguish between personal and common property to establish a baseline for division or maintenance calculations.



LIABILITY ASSESSMENT: Identify and categorise all shared debts, determining responsibility based on the purpose of the debt (e.g., household expenses vs. individual business) and the legal framework of the marriage contract.



LONG-TERM PLANNING: When addressing pecuniary disputes, evaluate the potential long-term financial impact of any proposed maintenance or property division on both parties, ensuring outcomes are sustainable rather than just reactive.



4

Divorce

Divorce proceedings require adjudicators to balance legal authority, procedural fairness, and the emotional realities faced by spouses and children



// In handling divorce disputes, judges and village elders are encouraged to adopt a problem-solving and rights-based approach.

//

In Ethiopia, while only formal courts have the exclusive power to pronounce divorce and determine its legal consequences under the Revised Family Code, disputes arising during marriage or concerning the conditions of divorce may, with the parties' consent, be referred to village elders, court-related arbitrators, mediators, or other customary and alternative dispute resolution mechanisms. In handling divorce disputes, judges and village elders are encouraged to adopt a problem-solving and rights-based approach that promotes constructive dialogue rather than blame and adversarial confrontation. Effective resolution often depends on helping parties identify the underlying causes of conflict, recognise each other's needs and interests, and focus on shared concerns, particularly the wellbeing of children. Procedural protections such as ensuring privacy, using trusted social or religious support systems, and safeguarding fairness throughout the proceedings are also essential to achieving sustainable, respectful, and just outcomes for all involved.

4.1 Apply a Problem-Solving Approach

Village elders, judges, arbitrators, mediators, and other practitioners handling divorce disputes in Ethiopia should adopt a problem-solving approach that promotes constructive dialogue rather than blame and adversarial confrontation. Practitioners should help spouses identify the underlying causes of the conflict, clarify their needs and interests, and explore practical solutions that protect the wellbeing of all family members, particularly children.

Practitioners should encourage respectful communication, focus discussions on shared responsibilities and common goals, and reduce hostile exchanges that may escalate the dispute. Where appropriate and with the parties' consent, practitioners should also encourage the use of mediation, traditional or religious counseling, community elders, and other available social support mechanisms to assist the parties in reaching a fair and sustainable resolution.



Relevant Best Practices (PBE)

USE JOINT AND INDIVIDUAL MEDIATION TO UNCOVER UNDERLYING INTERESTS

(AMHARA & SIDAMA)

Practitioners—judges, elders, mediators, and lawyers—should meet with spouses both together and, when necessary, individually to provide a safe space for honest expression. This approach helps uncover the underlying interests driving the dispute, such as children’s well-being, personal dignity, or financial security, rather than focusing solely on fixed positions like divorce or property claims. Facilitating dialogue in both settings, presenting alternative solutions, and involving respected community or religious figures increases the likelihood that agreements will address core needs, preserve the family where possible, and result in sustainable, mutually acceptable solutions.

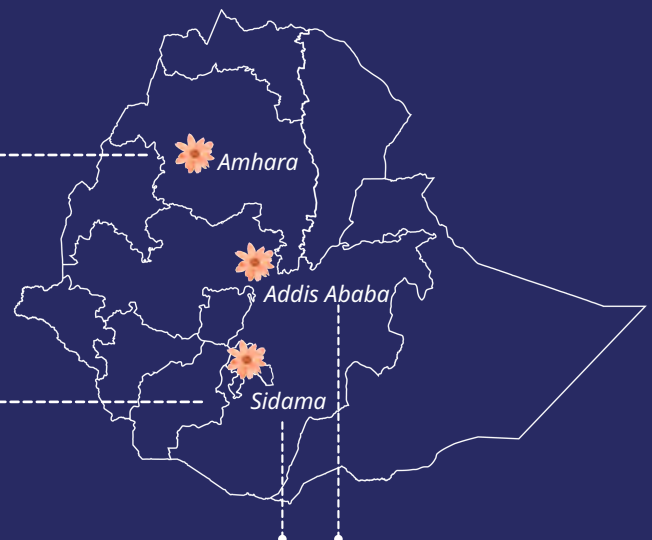
USE INTEREST-BASED NEGOTIATION IN DIVORCE CASES (AMHARA)

Practitioners should focus on underlying interests rather than fixed positions. Instead of rigid demands like “I want a divorce” or “I won’t give up property,” guide spouses to identify their core needs, such as children’s security, dignity, or economic support.

By addressing these interests, practitioners can help design practical, culturally appropriate solutions—like shared property use or childcare arrangements—that preserve family stability, promote mutual agreement, and produce outcomes suited to local realities.

EMPLOY CREATIVE, CULTURALLY RELEVANT SOLUTIONS AND REALITY CHECKS (AMHARA)

Practitioners should guide spouses toward practical, context-sensitive solutions rooted in local realities. This can include setting behavioural agreements (e.g., household responsibilities, counseling, or treatment for harmful habits), arranging temporary separation with defined plans, or using interest-based negotiation techniques like BATNA/WATNA to show realistic outcomes of litigation versus agreement. By focusing on problem-solving rather than formal adjudication, spouses are more likely to cooperate and implement sustainable solutions.



ALLOW COOLING-OFF PERIODS (SIDAMA & ADDIS ABABA)

Practitioners should consider adjourning cases to give spouses time to calm heightened emotions. Scheduling follow-up appointments or referring the case to family arbitrators after a short period (e.g., one to three months, depending on circumstances) allows spouses to reflect, regain perspective, and increases the likelihood of reconciliation.

EXERCISE PATIENCE AND EQUAL OPPORTUNITY (SIDAMA)

Practitioners should ensure both spouses have equal time and opportunity to fully express their concerns, even if it requires temporarily removing other observers, including court clerks. By patiently listening until the core issues are identified, adjudicators can carefully analyse the problem and facilitate collaborative solutions that promote reconciliation and protect the wellbeing of the family.

4.2 Ensure procedural and rights protections in divorce cases

Practitioners handling divorce cases in Ethiopia—including judges, arbitrators, and family mediators—should prioritise procedural protections to ensure fairness, justice, and respect for the parties. Cases should be conducted privately when sensitive issues or reputational concerns arise, allowing spouses to speak openly without fear of stigma. Under Article 111 of the Revised Family Code, courts may issue a summary decision confirming sufficient grounds for divorce without disclosing all personal details.

Practitioners should also consider referring disputes to qualified arbitrators or family mediators when parties consent, particularly for disagreements over property, maintenance, or child custody. By combining privacy, impartial evaluation, and procedural safeguards, practitioners can protect the rights of all family members, promote trust in the justice system, and reduce the risk of further conflict following the divorce.

Relevant Best Practices (PBE)

USE TRUSTED ELDERS, MEDIATORS, OR ADR WITH SPOUSES' CONSENT (ADDIS ABABA & AMHARA)

Divorce cases can be effectively resolved by involving qualified elders, mediators, counselors, or other alternative dispute resolution (ADR) mechanisms, but only with the voluntary consent of both spouses. These trusted figures provide impartial guidance, help clarify disputed issues, and facilitate culturally appropriate solutions on matters such as property, maintenance, or child custody. Allowing parties to propose solutions themselves fosters ownership, increases the acceptability of outcomes, and strengthens the legitimacy of the process. Carefully integrating community or religious elders or ADR within the procedure reduces adversarial conflict and enhances the likelihood that agreements will be respected and implemented.



4.3 Expanding Mediation and Follow-up

Mediation should not be limited to the post-divorce phase. Practitioners are encouraged to introduce mediation earlier in the dispute process to facilitate reconciliation or structured separation. This expansion should include the implementation of a structured cooling-off period to allow parties time to reflect, as well as the establishment of systematic follow-up mechanisms to monitor agreement compliance and address post-agreement challenges, ensuring the long-term sustainability of the resolution.

Relevant Best Practices (PBE)

PROVIDE COUNSELING AND EXPLAIN THE CONSEQUENCES OF DIVORCE (ADDIS ABABA)

Offering psychological, social, or family counseling, along with a clear explanation of the potential emotional, social, and economic consequences of divorce, helps spouses make informed and thoughtful decisions. This allows them to understand the impact on themselves, their children, and the wider family, reducing impulsive or emotionally driven actions. Integrating counseling into the divorce process safeguards the rights of all parties, promotes fairness, and supports procedural justice while creating opportunities for reconciliation or mutually acceptable agreements.

EXPLAIN CONSEQUENCES AND ENSURE FAIR COMPENSATION (SIDAMA)

Divorce proceedings should include guidance on the social, emotional, and financial impacts of separation, helping spouses make informed decisions and reducing conflict. At the same time, disputes over property, inheritance, or unequal treatment should be addressed equitably, with particular attention to the vulnerabilities of the aggrieved party—often the wife. Combining counseling on consequences with fair, balanced settlements protects rights, fosters trust in the process, and increases the likelihood of sustainable, voluntary agreements.



5

Partition of Property

The dissolution of a marriage brings not only personal change but also the need to settle financial and property matters



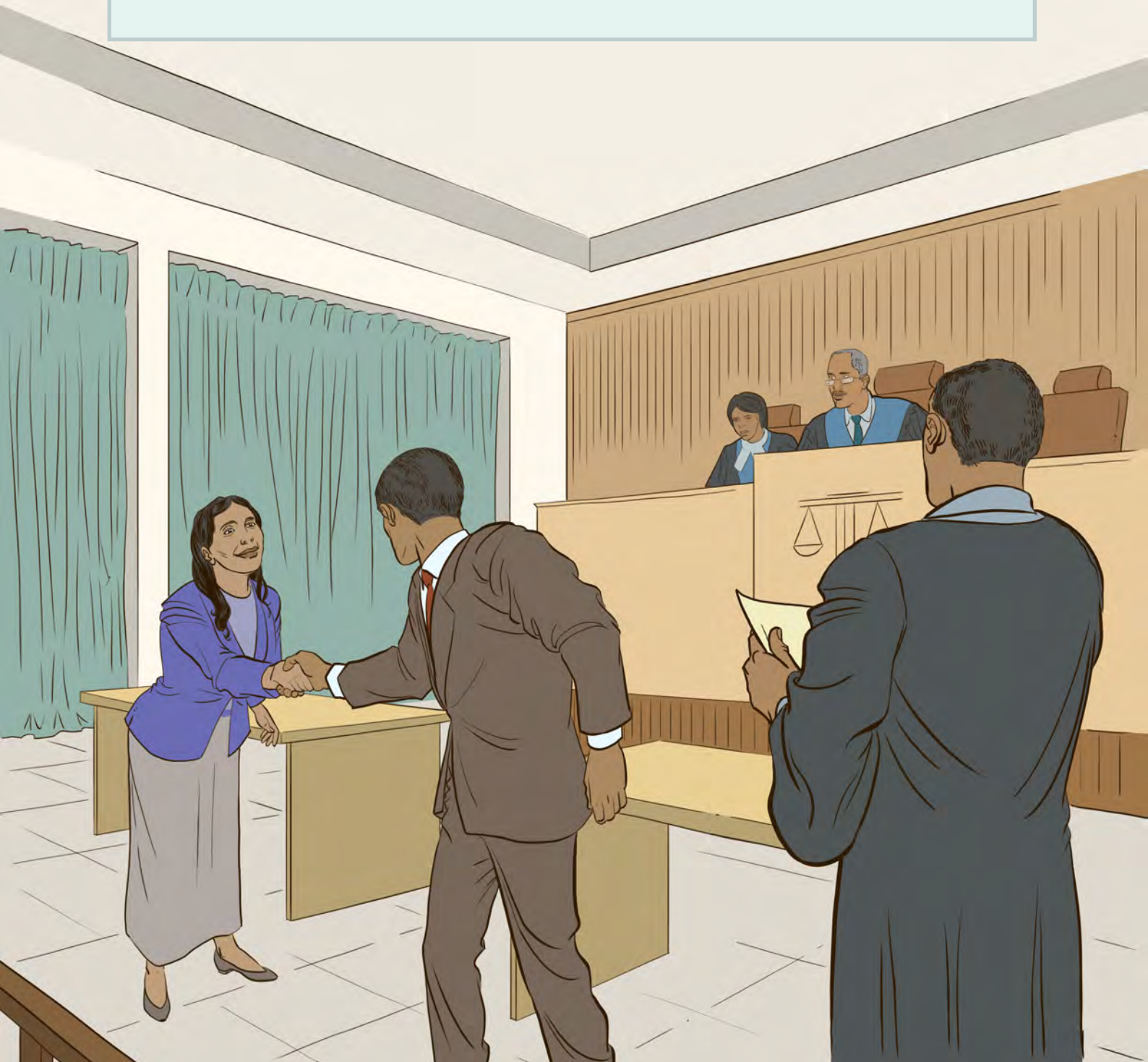
“Effective partition requires more than legal knowledge—it demands clarity, equity, and attention to the human dynamics involved.”

Under the Revised Family Code, this can be achieved through pre-existing marital contracts, negotiated agreements, or judicial intervention. Effective partition requires more than legal knowledge—it demands clarity, equity, and attention to the human dynamics involved. Parties are encouraged to explore mutual agreement, mediation, or arbitration before formal adjudication, ensuring that property division is practical, fair, and reflective of each spouse’s rights and responsibilities.

For practitioners in Ethiopian family justice, guiding divorcing couples involves balancing legal rigor with sensitivity to family realities. Clear agreements, equitable asset division, and consideration of children’s welfare are essential to prevent future disputes and support long-term stability. This chapter provides recommendations on how to facilitate fair and sustainable property partition, emphasising mutual understanding, precise documentation, and decisions that safeguard both spouses’ and children’s interests.

5.1 Facilitating property partition agreements between spouses

Upon the dissolution of marriage, the spouses' financial relations must be settled according to a pre-existing marital contract or a subsequent agreement under the Revised Family Code. This Code allows spouses to predetermine the pecuniary effects of their union through a marital contract executed before or on the day of marriage, which takes effect upon divorce. As the law also recognises divorce by mutual consent, the division of marital property must be addressed by the parties themselves through such an agreement. Accordingly, after a divorce is pronounced—whether formal or customary—it is advisable for the court to inform the parties of options such as mutual consent, arbitration, or mediation.



Relevant Best Practices (PBE)

FACILITATED AND NEUTRAL PROPERTY SETTLEMENTS (AMHARA)

Engaging neutral valuers, mediators, or hybrid court-elder mechanisms helps spouses reach fair property agreements without adversarial litigation. By combining impartial assessment of assets with interest-based negotiation and culturally respected facilitation, parties are more likely to achieve amicable, durable resolutions tailored to their circumstances.



EARLY AND FACILITATED PROPERTY AGREEMENTS (SIDAMA)

Encouraging spouses to reach property agreements early, with guidance and verification from family, elders, or court-appointed facilitators, promotes fair, amicable, and culturally sensitive resolutions. Combining legal frameworks with structured reconciliation processes, including inspection or verification of assets, helps ensure that property is divided equitably and reduces conflict. It also discourages each spouse from removing properties with a view to prohibit the other spouse from taking the proper share of the property. This guideline can be developed whenever practices that discourage such malicious acts are identified.

5.2 Ensure clear, equitable, and practically implementable property division agreements

CONDUCTING RELIABLE PROPERTY APPRAISALS

Practitioners are recommended to involve neutral, qualified professionals—such as certified valuers, surveyors, or trusted community experts—to conduct thorough property appraisals before finalizing any division agreement. Accurate and independent valuation is crucial for ensuring fairness, as it reduces the likelihood of future disputes and prevents one party from unfairly manipulating asset values. These appraisals should be documented in writing to serve as a reliable and transparent basis for the subsequent division of marital property.

Practitioners and adjudicators should ensure that property partition agreements and judicial divisions are clear, detailed, and legally sound to minimise future disputes. Agreements should explicitly specify how all properties are separated, including financial responsibilities, personal

property, and any compensations. Divisions should prioritise equal allocation in kind, with monetary adjustments where exact equality is not possible, and should reflect practical, fair, and economically rational considerations tailored to the spouses' circumstances. Practitioners should also acknowledge and account for the sentimental value that spouses may attach to specific items, as addressing these personal connections can facilitate more amicable and sustainable agreements. Before finalising agreements or court orders, adjudicators must verify clarity, fairness, and feasibility to protect both parties and maintain post-divorce stability.

When considering **division in kind**, the following factors may assist in determining whether a property should be physically divided. These factors help ensure that the division is both equitable and practically workable, whether during settlement negotiations or in judicial proceedings.

MATERIAL DIVISIBILITY – Whether the property can be physically divided into separate, independent parts.

PRESERVATION OF VALUE – Whether physical division would substantially reduce the property's market value or practical usefulness.

FUNCTIONAL UTILITY – Whether each divided portion would remain functional and capable of its intended use.

AVOIDANCE OF FUTURE CONFLICT – Whether division would require the divorced spouses to continue jointly managing or administering the property, particularly where cooperation is unlikely or conflict is foreseeable.

OVERALL FAIRNESS – Whether the division results in an equitable outcome. Minor differences in the value of the divided portions may be addressed through a compensatory payment or other equalisation measure, rather than preventing division in kind altogether.



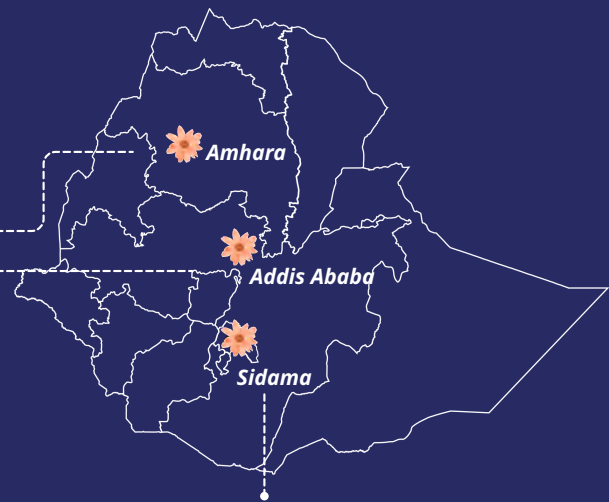
Relevant Best Practices (PBE)

PROPERTY VERIFICATION PRIOR TO DIVISION (AMHARA)

Adjudicators should inspect and verify marital properties before finalising division agreements. Accurate knowledge of assets ensures that allocations are clear, equitable, and practically implementable, reducing the risk of future disputes and supporting stable post-divorce outcomes

ALLOCATING PROPERTY TO THE MOST ADVANTAGEOUS PARTY (ADDIS ABABA)

When dividing marital property, it can be fair and practical to allocate specific assets to the spouse who can make the most effective use of them, provided this does not prejudice the other spouse's rights or interests. This approach helps ensure that the division of property is equitable, functional, and tailored to the spouses' circumstances, supporting post-divorce stability and reducing the likelihood of disputes.



AFNEE: EARLY FAMILY AND ELDER MEDIATION (SIDAMA)

The Afnee method encourages resolving marital disputes early at the family level, with escalation to respected elders if needed. Spouses present complaints to family members, who facilitate discussion and assess responsibility, harm, and needs. If unresolved, elders mediate to help the spouses reach a fair, practical, and culturally acceptable agreement. This stepwise, fact-based approach promotes clarity, equity, and implementable solutions while preventing unnecessary escalation to formal court proceedings.

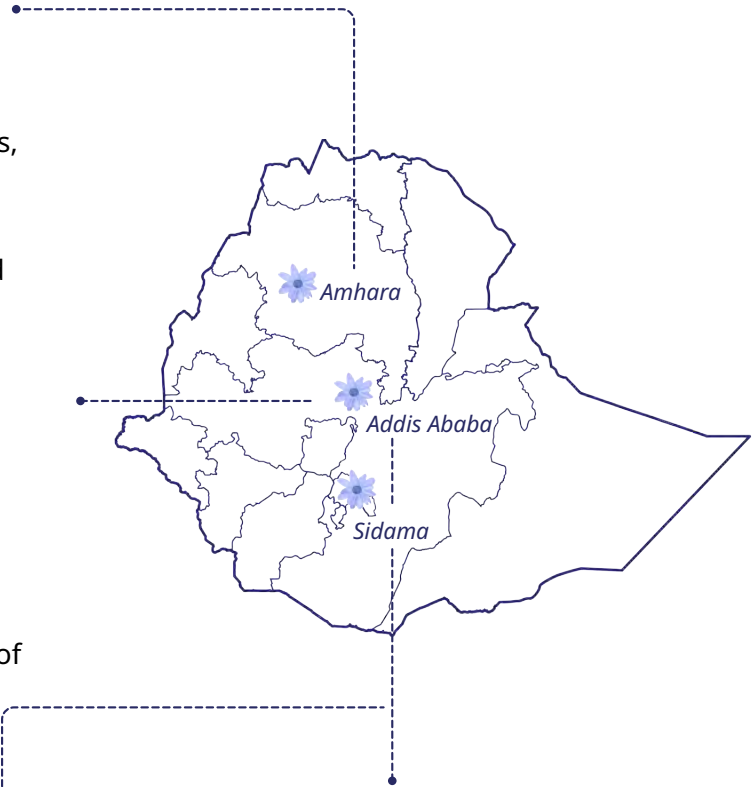
5.3 Protect the interests and welfare of children in all property decisions

All property decisions during and after divorce must prioritise the best interests and welfare of children. Courts should promptly issue orders to manage marital assets in ways that secure resources necessary for the child's housing, maintenance, education, and overall well-being. If a proposed property division agreement between the spouses fails to adequately safeguard the child's needs, the court should modify or reject portions of the agreement and issue any necessary directives to ensure the child's welfare is protected. Property allocations must therefore balance fairness between spouses with the ongoing obligations owed to their children, ensuring that decisions are both equitable and child-centred.

Relevant Best Practices (PBE)

CHILD-CENTRED MEDIATION IN PROPERTY DECISIONS (AMHARA & ADDIS ABABA)

When resolving property disputes in divorce, village elders, mediators, judges, or lawyers should assess the impact of property allocations on children's welfare. Methods such as interest-based negotiation, BATNA/WATNA counseling, or court-annexed mediation can help spouses craft agreements that preserve resources for housing, maintenance, education, and overall well-being. Encouraging spouses to consider children's long-term security during discussions ensures property decisions are equitable, practical, and supportive of child-centred outcomes.



PROMPT INTERVENTION TO PROTECT CHILDREN'S RESOURCES (AMHARA, ADDIS ABABA & SIDAMA)

Practitioners should act quickly whenever marital assets are at risk, ensuring that children's housing, maintenance, education, and overall well-being are safeguarded. Neutral valuers, such as trusted accountants or livestock brokers, can provide fair and accurate assessments of property, enabling divisions that prioritise the child's needs. Early and careful intervention helps secure resources essential for the child's welfare while maintaining equitable treatment of both spouses, reducing the risk of disputes that could negatively affect the child's stability.

EARLY VERIFICATION AND MEDIATION TO PROTECT CHILDREN'S INTERESTS (SIDAMA)

Practitioners should combine early family-level dispute resolution with careful inspection and verification of marital assets. Addressing conflicts through culturally respected mediation, such as the Sidama Afnee method, helps resolve issues before escalation, while verifying the assets ensures resources necessary for children's housing, maintenance, and education are safeguarded. This approach promotes fair property allocation, prevents unnecessary depletion of family resources, and prioritises the welfare of children throughout and after divorce proceedings.

Guidelines Methodology



ESTABLISH A COMMITTEE OF EXPERTS

The guidelines development process starts by gathering a diverse group of local practitioners and justice experts. This group is referred to as the guideline's Committee of Experts (CoE). The Committee of Experts co-creates the guidelines, performs quality control, and helps to establish local ownership. The Committee of Experts is involved during the whole process, from reviewing the collected evidence to dissemination. More information about forming a committee of experts can be found at <https://dashboard.hiil.org/treatment-guidelines/guideline-method/>



COLLECT EVIDENCE FROM THE LITERATURE AND PROPOSE RECOMMENDATIONS (EVIDENCE-BASED PRACTICE / EBP)

Evidence-based practices are practices that are identified from international literature. The practices have been studied, tested and analysed. Relevant literature includes meta-studies, randomised controlled trials and expert opinions. There are many different steps in the path to resolving a justice problem. Each problem is broken down into a broad range of topics (such as mediation, adjudication, arrangements for raising children etc.) For each of these topics a number of possible interventions can be identified to help prevent or resolve the problem. Internationally available literature contains evidence which supports or invalidates these interventions to specific justice issues. We test these interventions, rate the quality of evidence that underlies them, and define actionable recommendations. The Committee of Experts reviews the recommendations from the evidence-based practice. More information on the grading and testing method can be found at <https://dashboard.hiil.org/treatment-guidelines/guideline-method/>



LEARN FROM THE EXPERIENCES OF LOCAL JUSTICE PROVIDERS (COLLECT PRACTICE-BASED EVIDENCE / PBE)

We identify what local justice providers from the informal and formal sectors consider best practices for resolving their most pressing justice problems. Through a set of semi-structured interviews, justice practitioners such as village elders, civil society leaders, judges and lawyers share their experiences on what works. The best practices that are derived from these interviews are also used to validate recommendations identified in the literature. Upon collection, the practice-based evidence is tested, reviewed and validated by the Committee of Experts. More information on collecting best practices can be found at <https://dashboard.hiil.org/treatment-guidelines/guideline-method/>



ASSESS COMPATIBILITY OF LOCAL PRACTICES WITH PROPOSED RECOMMENDATIONS AND DEFINE FINAL RECOMMENDATION

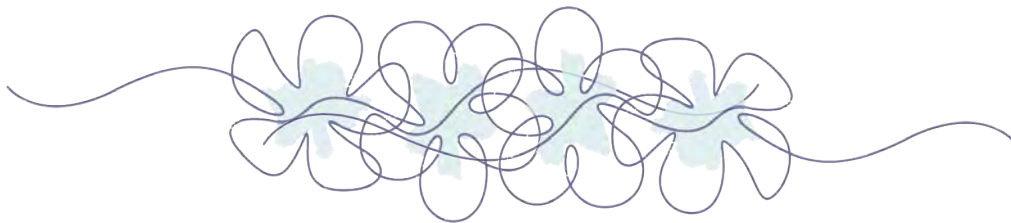
We make a first draft of the guidelines by combining practice-based evidence and evidence-based practice. During this process we:

- Test whether the suggested local practices (practice-based evidence) are consistent with the recommendations (evidence-based practice). In other words, we check if the practices favoured by practitioners are supported by the research;
- Draft comprehensive descriptions of the interventions tested, so that the resulting recommendations are clearly understood;
- Review and grade the recommendations, taking into account the local practices. When local practices are in line with the proposed recommendations, this makes for a stronger recommendation. When practices oppose them, the final recommendation will be weaker.



COMMITTEE OF EXPERTS REVIEW SEVERAL DRAFTS OF THE GUIDELINES

HiiL submits the guidelines to the Committee of Experts for review. The Committee decides whether the recommendations are acceptable within the local/national context. They report their findings within three months of submission. If the Committee of Experts determines that a recommendation is incompatible with local practice, the Committee, HiiL and Destiny Ethiopia will collectively review the recommendation and determine whether it should remain the same, be modified, or be removed from the guidelines entirely.



Committee of Experts

The Committee of Experts has played a fundamental role in the development of these guidelines. They have supported in gathering and evaluating the best practices and evidence on which the guidelines are founded. In addition they have been instrumental in ensuring the local Ethiopian context is taken into account for all the recommendations and best practices, particularly for the regions represented. Without these individuals, this would not have been possible:

ADDIS ABABA

- Ashenefech Abebe
- Dagmawit Alamine
- Gudeta Kenea
- Melese Damte
- MuluGojam Demis
- Noah Takele
- Selamawit Kassaye

AMHARA

- Dinber Gedamu
- Mulugeta Akalu
- Sintayehu Goshu
- Tirngo Goshu
- Wondwossen Yifru
- Worku Yaze

SIDAMA

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