

Background Report
Law and Regulation for the Reduction of Risk from Natural Disasters
in Ethiopia
A National Law Desk Survey
August 2012

Acknowledgements

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Law and Regulation for the Reduction of Risk from Natural Disasters in Ethiopia: A Desk Survey

Executive Summary

Ethiopia is the second most populous country in Africa, with a population of over 80 million people, and is also one of the most prone to natural disasters; it suffers more than any other country in Africa from drought, and the large amount of arid and semi-arid land in Ethiopia makes it extremely vulnerable to disasters resulting from either shortages of, or excessive, rainfall. Whilst national policy on disaster response began to crystallise from the early 1970s with the establishment of the Relief and Rehabilitation Commission, it was only after the establishment of the Transitional Government of Ethiopia in 1991 that a full national policy on DRM was developed and adopted. The relatively detailed National Policy on Disaster Prevention and Management (NPDPM) was adopted in 1993, together with accompanying Directives, and detailed Guidelines followed in 1995. The NPDPM went beyond the basic, and necessary, issues of disaster response in Ethiopia to consider prevention and preparedness, and set out a relatively detailed framework for DRM and DRR activities in Ethiopia, from national to local level.

The NPDPM (together with the Directives and Guidelines) of 1993 remains in place as the official embodiment of policy for Ethiopia's DRM sector, despite the many institutional and legal changes that have occurred since. The government of Ethiopia has recognised that the policy requires updating, and as such during a process of 'business re-engineering' throughout the government, a review of Ethiopia's disaster management framework was initiated in 2007. A new institutional structure (the Disaster Risk Management and Food Security Sector (DRMFSS)) was created within the Ministry of Agriculture and Rural Development, and the existing entity with overall responsibility for DRR and DRM, the National Disaster Prevention and Preparedness Commission, was dismantled. Around this time the Ethiopian government also began implementing large reform programmes such as the Productive Safety Nets Programme, the biggest such programme in sub-Saharan Africa. The focus of this Programme on livelihoods and food security dovetails neatly with the DRR focus of the

proposed new national policy, and reflects the Government's stated commitment to a 'full cycle' implementation of DRM (i.e. from prevention to rehabilitation).¹

In order to implement the full cycle implementation, a new National Policy and Strategy on Disaster Risk Management (NPSDRM) was drafted. However, the NPSDRM has remained at draft stage for several years, and has been reviewed as such for the purposes of this Survey. It is likely that the NPSDRM already guides strategy but its official adoption is as yet unrecorded. It remains to be seen whether its passage into official legislation or policy (or indeed the overall approach of the government of Ethiopia towards its DRM policy) will be affected by the recent death of Ethiopia's long-serving Prime Minister Meles Zenawi.

Analysis of Ethiopian legislation relevant to DRR reveals several major gaps in provision. Outside of Ethiopia's DRM policies, there is very little mainstreaming of DRR/DRM considerations into other pieces of legislation. Land laws and environmental laws, to take two examples, do not include specific consideration of issues relating to natural disasters, although Ethiopia's land and buildings are vulnerable to their impact. Furthermore, although there are references to community involvement in legislation relating to DRR and disaster response, there are very few details of how a policy of community involvement will be carried out, and how the voices of the most vulnerable groups of society will be incorporated, including in the new NPSDRM. Also, on the basis of the legislation reviewed there is no specific regulation concerning the accountability of private individuals or government entities involved in Ethiopia's DRR and DRM framework, relating to issues such as providing false information relating to disasters, or for damage caused to private property.

¹ HE Mitiku Kassa, Minister of State for Agriculture, DRM/SS, Federal Democratic Republic of Ethiopia, *Official Statement by the Federal Democratic Republic of Ethiopia to the Third Session of the Global Platform for Disaster Risk Reduction (Geneva, Switzerland, 8-13 March 2011)*.

Ethiopia is a relatively decentralised state, with the Constitution of 1995 giving wide powers to the regional states, and as such legislation relevant to DRR is spread over both national and local laws. Ethiopia's policies establish a framework for DRR and DRM that extends to local government, with entities at each level having broadly the same structure. As appropriate for the scope and time requirements of this Survey (and also reflecting that state laws are much less available online), national laws have been analysed as a priority, with local laws used as examples where relevant, but in order to build a complete picture of the state of DRR-related legislation in Ethiopia an analysis of local laws in some representative local government areas would be appropriate for a more detailed case study.

List of abbreviations

BHC	River Basin High Council
CSA	Central Statistics Agency
Ethiopia	The Federal Democratic Republic of Ethiopia
DDPM	Directives for Disaster Prevention and Management (1993)
DLDP	District Level Decentralisation Program
DPPC	Disaster Prevention and Preparedness Commission
DM	Disaster Management
DRM	Disaster Risk Management
DRMC	Disaster Risk Management Council
DRMCO	Disaster Risk Management Coordination Office
DRMFSS	Disaster Risk Management and Food Security Sector
DRMU	Disaster Risk Management Unit
DRR	Disaster Risk Reduction
DRRF	Disaster Response and Recovery Fund
EIA	Environmental Impact Assessment
EPA	Environmental Protection Authority
EPRDF	Ethiopian People's Revolutionary Democratic Front

ERC	Ethiopian Red Cross
EWRD	Early Warning and Response Directorate
EWS	Early Warning System
Guidelines	General Guidelines for the Implementation of the National Policy on Disaster Prevention and Management (1995)
MARD	Ministry of Agriculture and Rural Development
MOA	Ministry of Agriculture
NDPPC	National Disaster Prevention and Preparedness Commission
NDPPF	National Disaster Prevention and Preparedness Fund
NCEW	National Committee for Early Warning
NEWS	National Early Warning System
NGO	Non-Governmental Organisation
NPDPM	National Policy on Disaster Prevention and Management (1993)
NPSDRM	Draft National Policy and Strategy on Disaster Risk Management (2009)
PASDEP	Plan for Accelerated Sustained Development to End Poverty
PSNP	Productive Safety Net Program
RDPPC	Regional Disaster Prevention and Preparedness Commission
RRC	Relief and Rehabilitation Commission (superseded by NDPPC)
SDRP	Sustainable Development and Poverty Reduction Program
SNNP	Southern Nations, Nationalities and People's Region

1. Introduction

This Survey has been undertaken to identify and analyse relevant laws, regulations, decrees and their implementing policies and guidelines of Ethiopia, and is part of a series of National Law Desk Surveys on law and regulation for the reduction of risk in natural disasters. The purpose of the national law desk surveys as a whole is to assist the IFRC and its partners in compiling a Global Synthesis Study on DRR and legislation. The aims of this Survey are to:

- Outline the governmental or law-making structure of the subject country, using secondary sources, as background for readers to understand the context of the legal research; and
- Identify and analyse relevant laws and regulations of the subject country, based on the table of questions set out in Section 4.

The questions in section 4 are broadly organised around themes relevant to DRR legal regulation, and aim to cover key elements of the 5 Hyogo Framework priorities, namely points 1 to 4 of the following:

1. Ensure that disaster risk reduction (DRR) is a national and a local priority with a strong institutional basis for implementation, including through “policy, legislative and institutional frameworks”
2. Identify, assess and monitor disaster risks and enhance early warning
3. Use knowledge, innovation and education to build a culture of safety and resilience at all levels
4. Reduce the underlying risk factors
5. Strengthen disaster preparedness for effective response at all levels

This Survey is a ‘desk study’ using original or translated legislation (primarily laws available online and in libraries), and some published secondary sources. For the purposes of this Survey, ‘law and regulation’ refers to acts of parliament or legislation, laws from provincial and municipal levels of governments, and any regulations, decrees or similar rules made under such laws, as well as their implementing policies and guidelines. In the context of Ethiopia, ‘laws and regulations’ therefore means Proclamations, Regulations, Directives and Policies (the latter issued by Government Ministries or other recognised emanations of the state).

The scope of this Survey is limited to providing an overview of natural hazards in Ethiopia and the current governmental and law-making structure, and an analysis of the laws and regulations of Ethiopia that relate to DRR based on the questions set out in Section 4. This Survey does not attempt to analyse the effectiveness or implementation of these laws and regulations. Furthermore, this Survey is based on legislation available online and in libraries, and therefore it cannot be guaranteed that all the legislation reviewed is in force.

2. Summary of Main Natural Hazards and Risks in Ethiopia

Whilst a wide range of natural hazards are present in Ethiopia, including drought, floods, landslides, pests, earthquakes, and urban and forest fires, by far the most common natural hazards in Ethiopia are droughts and floods. Most of Ethiopia is made up of arid, semi-arid or dry sub-humid areas, all of which are vulnerable to these hazards.

Over the last twenty years Ethiopia has experienced many localised droughts and seven major droughts, four of which resulted in famines.² In 2008, more than six million Ethiopians required emergency food assistance due to drought. An International Food Policy Research Institute (IFPRI) research brief in 2008 concluded that the regions of Ethiopia most vulnerable to the impact of climate change (and hence drought and flooding) were Afar and Somali, both regions with low levels of rural service provision and infrastructure development, where pastoralism predominates.³

Flash floods and seasonal river floods are becoming increasingly common in Ethiopia,⁴ due largely to deforestation, land degradation, increasing climate variability, and settlement patterns. There have been six major floods during the past two decades that have resulted in significant loss of life and property. Whilst large-scale flooding is limited to the lowland areas of the country, flash floods can occur in most parts of the country (especially when rains fall after prolonged dry spells or droughts). Heavy rainfall in the highlands can cause flooding of settlements in a number of river basins, particularly the Awash River Basin in the Rift Valley. Flooding in urban areas, especially in Addis Ababa, occurs annually.

² Sustainability Institute, *Review of International & African Climate Change Legislation and Policies (AWEPS Parliamentary Support Program in South Africa)*, 30th March 2012

³ Deressa, Hassan, and Ringler, 2008, *Measuring Ethiopian Farmers' Vulnerability to Climate Change Across Regional State*, International Food Policy Research Institute 2008.

⁴ Amber Meikle, *Ethiopia – Country Level Literature Review*, African Climate Change Resilience Alliance March 2010

Ethiopia's vulnerability to natural hazards (and its resultant food insecurity) is closely linked to an increasing population and the difficulty in managing land and water resources. About 85% of the land surface in Ethiopia is considered susceptible to moderate or severe soil degradation and erosion, and in the highlands, shrinking farm sizes and soil degradation and erosion are reducing the sustainability of agricultural production and causing downstream pollution. In addition, land productivity is declining as the average household landholding is declining due to population pressure and limited uncultivated land. Ethiopia's water resources are unevenly distributed, with 80-90% of all its surface water found within four major river basins located in the west and south-west of the country. Only 10-20% of the surface water resources are found in the East and central parts of Ethiopia, where 60% of the population lives.⁵

⁵ Ethiopian Strategic Investment Framework for Sustainable Land Management (Draft), August 2008

3. Governmental & Law-making structure

The current governmental structure in Ethiopia was established on 21st August 1995, when the country's Constitution was formally adopted, which established a federal structure and a parliamentary system of government. The Ethiopian Parliament is bicameral, with the 547-seat House of Peoples' Representatives forming the lower chamber, elected from single-seat constituencies from districts/woredas, and the 108-seat House of Federation forming the upper chamber, selected by the legislatures of the regional States. Executive power is held by the Prime Minister, whilst the the President is the ceremonial Head of State.

There are 11 states within Ethiopia's federal structure (of which two, Addis Ababa and Dire Dawa are technically 'chartered cities'), each governed by their own councils. Immediately below the states in the hierarchy sit the 'woredas' or districts. At present there are approximately 550 woredas. Within each woreda there are a number of kebeles, which represent the smallest unit of local government (there are more than 30,000 kebeles in Ethiopia at present). A kebele is best described as a neighbourhood or ward. Both the Federal Government and the States were given considerable legislative, executive and judicial powers under the 1995 Constitution, which also ensured the decentralisation of many political, fiscal and administrative powers to State level. Ethiopia has been cited as a striking example of 'ethnic federalism', in which the country's major ethnicities have been allotted their own regional states (with most of the states named after the dominant ethnicity in the state, e.g. Somali, Afar, Amhara). Concurrent with this policy of federalism, beginning in the early 1990s the Ethiopian government has put great efforts into decentralising political, fiscal and administrative powers.

Regional States in Ethiopia benefit from many constitutional protections, which at their most extreme include the right for States to secede (Article 39) (although only following the proper political process). Article 52(1) also states that "all powers not expressly given to the Federal Government and the States are reserved to the States". Whilst the woredas were not established by the Constitution, each regional State has its own Constitution, which established and provides for its respective woredas. The woredas received significant powers following the DLDP program of 2001.

The judiciary is established to be independent from the executive and the legislature, with the highest judicial authority in Ethiopia being the Federal Supreme Court. The president and vice president of the Federal Supreme Court are recommended by the prime minister and appointed by the House of People's Representatives; for federal judges, the Federal Judicial Administrative Council selects candidates, which are then formally submitted to the House of People's Representatives by the prime minister for appointment. Ethiopia has a dual system of courts - a Federal Judiciary with the Supreme Court at its apex, along with a separate and parallel judicial system in each Regional State. The Federal Supreme Court, the Federal High Court and the Federal First Instance Court constitute a single Federal Judiciary, having jurisdiction over all cases pertaining to federal matters. Likewise, there is a similar court structure in each Regional State that has jurisdiction over all regional matters.

In terms of the hierarchy of laws, the Constitution is the supreme law of Ethiopia, which overrides all other legislation (including State constitutions and laws). Second are Proclamations, which are pieces of legislation enacted by the House of Peoples' Representatives. Third in the hierarchy are Regulations, which are issued by the Council of Ministers. Last in the list are the Directives, which are issued by individual government departments in order to implement Proclamations and Regulations.

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1. Background information

Using secondary and legal sources, identify and describe briefly in the table below the governmental structure of the subject country to assist readers understand how the different levels of law and regulation relate to each other.

1. BACKGROUND INFORMATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
Identify laws that indicate the structure of government, including the number of levels of government and the extent of decentralisation of governmental functions, such as: constitutional framework for different levels of government (e.g. national/provincial/local), and specific laws on decentralisation.			
1. How many levels of government are there, and what are they called? How many administrative areas are there (e.g. provinces, local government areas)?	Constitution	Art. 45 – 54	There are five levels of government, as follows: <ol style="list-style-type: none"> 1. Federal government 2. Regional government (States) 3. Zones 4. Woredas 5. Kebeles Ethiopia contains 11 regional States, consisting of 9 ‘regions’ and two chartered cities, 68 zones, approximately 550 woredas and over 30,000 kebeles.
2. Is there a separate law on decentralisation of government functions? How does it decentralise? For example, does it establish new institutions or delegate powers to provincial/local government?	Constitution	Art. 50 Art. 52	There is no specific law on decentralisation; instead the Constitution fills this role. The Constitution established the States and devolved legislative, executive and judicial powers to them. The States are given the power to <i>“establish a State administration that best advances self-rule, a democratic order on the supremacy of the law, and the protection and the defense of the Federal Constitution”</i> .
3. Looking at the Constitution and/or decentralisation law, is there any mention of allocation of	Constitution	Art. 89(3)	The Constitution states that the <i>“Government shall take measures to provide protection against natural and man made disasters; and, in the event of disasters, it shall provide timely assistance to</i>

1. BACKGROUND INFORMATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
responsibility at the different levels for reducing risks related to natural disasters?			<i>the victims</i> ".
4. Is this country a member of any regional organisation(s) that make(s) regulations or agreements or issues guidelines for member states that could impact on disaster management or risk reduction? Is so, please name the organisation(s).			<p>Yes. Ethiopia is a member of the African Union, which for example has developed the 'Africa regional strategy for disaster risk reduction'. Ethiopia is also a member of the Desert Locust Control Organization for Eastern Africa.</p> <p>Ethiopia is also currently developing the Horn of Africa Regional Disaster Resilience and Sustainability Strategy Framework together with other Horn of Africa nations.</p> <p>Ethiopia is a signatory to the following:</p> <ul style="list-style-type: none"> • IFRC's IDRL Guidelines • Hyogo Framework for Action

2. Institutional frameworks, resourcing and community participation in DRR:

The aim is to identify laws that establish the governmental institutions and structures relevant to DRR, and which set out their mandates, and resource allocation mechanisms, including the extent of involvement of communities and civil society. These may include specialist disaster management institutions, bodies established to implement the Hyogo Framework for Action, or authorities charged with planning for adaptation to climate change, as well as government bodies responsible for planning and oversight, public administration at all levels, land use planning, building controls, environmental management, and telecommunications. However, to avoid repetition, the sectoral institutions are not included in this question but are part of the data requested in the section on reducing underlying risks.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
Part One. Disaster Management Law & Institutions			
The key question in relation to DM laws is whether they exist and, if so, the extent to which they incorporate longer term disaster risk reduction, as well as prevention. Issues for investigation include: progress in the development of comprehensive DM legislation (at national level, provincial and local levels), what, if any, elements of existing DM laws and regulations relate to risk reduction and prevention for natural disasters; and whether there is a specified DM role for communities, civil society and the National Red Cross or Red Crescent Society (especially in recognition of its auxiliary status in humanitarian response).			
A. Disaster Management Institutions			
5. Is there a national disaster management (DM) or civil protection law or regulation? Or a group of regulations? Describe.	NPDPM 1993 DDPM 1993 Guidelines 1995 NPSDRM 2009		There is no over-arching primary law (in Ethiopia's case, this would be a Proclamation) that governs disaster management, other than the general duties to protect and assist citizens that are established in the Constitution. However several Proclamations establish the relevant authorities responsible for disaster management. Please see the response to question 6 below regarding Ethiopia's national policies.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
6. Is there also a national disaster management policy? Is this established by a law? Provide details.	<p>NPDPM 1993 Proclamation 10/1995</p> <p>DDPM 1993</p> <p>Guidelines 1995</p>	6(1)	<p>A National Policy for Disaster Prevention and Management (NPDPM) was issued in 1993, and an accompanying set of Directives was issued the same year, with further Guidelines issued in 1995. Whilst the Government has formally adopted these, there is no legislation in place that specifically authorises or acknowledges their creation, other than a reference in Article 6(1) of Proclamation 10/1995 that the DPPC shall “prepare a disaster prevention and preparedness national policy” (although note that the policy had been in place for two years before this Proclamation was issued).</p> <p>The major objective of the NPDPM was to save lives, integrate relief assistance with development efforts in order to mitigate the impacts of disasters, and enhance the coping capacities of the affected population through the creation of assets in the affected areas.</p> <p>The DDPM focused on three areas: firstly, basic operational modalities in disaster prevention and management; secondly, the structure of relief management; and thirdly, the duties and responsibilities of those persons involved in disaster prevention and management.</p> <p>The Guidelines, whilst expressed as a provisional document, nonetheless continue to apply to the present day, although it is expected that they will be superseded by a new DRM policy in the near future. Among other things, the Guidelines established the details for the Early Warning System, relief planning and delivery system, NGO operations, resource allocations and institutional</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	NPSDRM 2009		<p>arrangements.</p> <p>The NPDPM will soon be superseded by the NPSDRM. For the purposes of this Desk Study, a draft version of the NPSDRM from 2009 has been reviewed; whilst it is anticipated that the final version will not be materially different from the draft, this cannot be guaranteed.</p>
7. Is the DM law a national law applicable throughout the territory of the subject country? If so, does it establish an integrated national system with elements at provincial, local and/or community level?	<p>NPDPM</p> <p>DDPM</p>	<p>1.1, 12.1, 12.5, 12.7, 12.9</p> <p>2.2, 3.2, 4.2</p>	<p>The NPDPM applies throughout Ethiopia. It states that “the community shall play the leading role in the planning, programming, implementation and evaluation of all relief projects” (1.1), and establishes the NDPPC as the “apex of the administrative structure” (12.1) for disaster management and relief, together with a National Committee for Early Warning comprising of appropriate government agencies (12.5).</p> <p>At the regional level, the NPDPM states that Regional Disaster Prevention and Preparedness Committees (RDPPC) are to be established by regional councils, and will have overall control and direction of relief operations (12.7). At both zonal and woreda levels, the NPDPM requires the creation of Disaster Prevention and Preparedness Committees (12.9), with similar functions and structures as the RDPPCs, albeit limited to their local areas.</p> <p>The DDDPM sets out further details regarding the national system. For example, it establishes Relief and Rehabilitation Bureaus as the secretariat of the RDPPCs (2.2), and zonal Offices for Relief and Rehabilitation to perform the same function for the zonal DPPCs</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	NPSDRM	2.3, 2.4.1, 3.1	<p>(3.2). At woreda level, Woreda Disaster Relief Cells are established to assist the woreda DPPCs (4.2).</p> <p>The NPSDRM is a national policy. It sets out the plans for a detailed integrated national system, from national to local level. There is particular emphasis on a decentralised and community-focused approach. In brief, the Policy recommends three core structures at federal and regional levels: the Disaster Risk Management Councils (DRMC), the Disaster Risk Management Coordination Offices (DRMCO), and sectoral Disaster Risk Management Units (DRMU)/focal bodies at all administrative levels (federal, regional, zonal, woreda and kebele).</p>
8. Are there separate provincial or local DM laws? Are these connected with the national DM law in any way? e.g. is there a hierarchy of laws between them, or a common institutional structure?	NPSDRM	2.4.8	There are no separate local DM laws, although under the NPSDRM, for example, all levels of the national DM system are required to develop their own DRM plans.
9. Does the DM or other law establish one or more specialist DM institutions? What are they (i.e. what are their names and what type of body are they) and what are their mandates?	Proclamation 10/1995 (Disaster Prevention and Preparedness Commission)	Art. 3, 6, 15	Current Ethiopian law vests responsibility for disaster management matters to the Ministry of Agriculture and Rural Development. Prior to this, Proclamation 10/1995 established the Disaster Prevention and Preparedness Commission (DPPC). The Proclamation transferred the rights and obligations of the Relief and Rehabilitation Commission (RRC) to the DPPC (Art. 15), and established the DPPC as an autonomous public institution of the federal government (Art. 3(1)).

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	<p>Proclamation 383/2004 (Amendment to the DPPC Establishment Proclamation)</p> <p>Proclamation 593/2008 (Transfer of the rights and obligations of the DPPC to MARD)</p>		<p>The DPPC is issued with the following objectives (Art. 5):</p> <ol style="list-style-type: none"> 1. “to prevent disasters by way of removing the basic causes thereof; 2. to build, in advance, the capacity necessary to alleviate the extent of damages that could be caused by disasters; 3. to ensure the timely arrival of necessary assistance to victims of disaster.” <p>In order to achieve its objectives, the DPPC is given the power to, among other things, prepare a disaster prevention and preparedness national policy, formulate strategies for future disaster prevention, to administer the National Disaster Prevention and Preparedness Fund (NDPPF), to request foreign assistance, rehabilitate disaster victims, and to coordinate and supervise relief activities (Art. 6).</p> <p>Article 8 of Proclamation 10/1995 set out an exhaustive list of the members of the DPPC; this was amended by Proclamation 383/2004 so that the new Article 8 simply read that Members of the Committee are to be designated by the Government, and their number determined as necessary.</p> <p>In 2008 all the rights and obligations of the DPPC were transferred to the Ministry of Agriculture and Rural Development (MARD) under Proclamation 593/2008, and Proclamation 10/1995 was repealed. No amendments were made to the powers, objectives or other arrangements applying to the DPPC. It should be noted that the</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	Proclamation 691/2010 (Definition of powers and duties of the Executive Organs) NPSDRM		MARD was renamed as the Ministry of Agriculture (MOA) by virtue of Proclamation 691/2010. The NPSDRM seeks to establish the specialist institutions described in question 7 above.
10. Does the DM policy use the same or different implementing institutions from the DM law? Describe.			N/A
11. Does the DM law or other law deal with: a. Disaster response ⁶ ? b. Disaster preparedness ⁷ ? c. Disaster mitigation ⁸ and prevention ⁹ ? d. Disaster risk reduction ¹⁰ (DRR)?	NPDPM	II(2), II(3), IV(5)	a. Articles II(2) and II(3) define 'relief' and 'relief programmes' in terms that correspond to the definition provided in the footnotes below. Article IV(5) sets out the broad outline of the proposed Relief Plans (to be prepared by the regions concerned). In the <u>Guidelines</u> , even more detail is set out regarding the

⁶ "The provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected."

⁷ "The knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions."

⁸ "The lessening or limitation of the adverse impacts of hazards and related disasters."

⁹ "The outright avoidance of adverse impacts of hazards and related disasters."

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
e. If it includes DRR, how is it defined? (include definition)	Guidelines	3.1, 3.2, 4	Relief Plans (3.1), EGS (3.2), delivery of food and related items (4), etc.
	NPSDRM	2.4.2.2	Disaster relief is dealt with in the sections relating to the "Disaster Phase".
	NPDPM	II(4)	b. defines 'preparedness' as " <i>building up of capabilities before a disaster situation prevails in order to reduce impacts</i> " (Art. II(4)).
	NPSDRM	1.4.8,	Disaster relief is dealt with in the sections relating to the "Pre-Disaster Phase". Preparedness is defined as " <i>specific measures taken before disasters strike, usually to forecast or warn against them, to take precautionary measure when they threaten, and to be ready for the appropriate response. Preparedness includes actions and measures being undertaken before the occurrence of a disaster to avert or minimize the suffering of the affected entity. Preparedness entails the building of capabilities before a hazard threatens to overwhelm coping capacities in order to reduce the</i>

¹⁰ "The concept and practice of reducing disaster risks through systematic efforts to analyse and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events." Note: These definitions are taken from the 2009 UNISDR Terminology on Disaster Risk Reduction, obtained here: <http://www.unisdr.org/we/inform/terminology>.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	NPDPM	II(5)	<i>impacts of future disasters."</i>
	NPSDRM	2.4.2.1	c. defines prevention as <i>"measures taken to eliminate the root-causes that make people vulnerable to disasters."</i>
	NPDPM	III(9)	Prevention activities are included within the "Pre-Disaster Phase" actions and objectives, and prevention is defined as <i>"measures taken to reduce the risk of disasters posed by hazards, primarily through eliminating the root causes that render individuals, households, communities, and nations vulnerable to disasters."</i>
	DDPM	I(1), I(2), I(3)	d. does not mention 'DRR' specifically but its definition of 'Preparedness' and 'Prevention' (see above) roughly corresponds with the definition of DRR provided. The objectives of the NPDPM also includes statements such as <i>"all endeavours in relief programmes shall be geared to eliminate the root causes of vulnerability to disasters"</i> (III(9)).
	NPSDRM	1.4.9, 1.4.2	I(1) refers to mitigation measures, I(2) discusses the Relief Plan, I(3) sets out details of the Employment Generation Schemes (which contains many elements which could be considered DRR and even resilience).
			DRR is actively considered in the NPSDRM, and is defined as follows: <i>"the broad development and application of policies,</i>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			<i>strategies, and practices to minimize vulnerabilities throughout communities via prevention, mitigation, and preparedness. DRR action may include the construction of physical structures (such as flood protection dykes, retaining walls for landslides), environmental protection and rehabilitation, rainwater harvesting, relocation of vulnerable households, provision of safer means of livelihoods, and other proactive social protection measures."</i>
12. Does the DM law (or any other law) or policy allocate DRR responsibilities in one or more government ministries? If so, which ministries? Describe their allocated roles.	NPDPM DDPM	IV(12) II(1.3), III(2.3), III(2.4), III(2.5), III(2.7), III(2.9), III(2.10), III(2.11)	<p>The NDPPC consists of the Prime Minister, and the Ministers of Agriculture, Finance, Health, Defence, Planning and Economic Development, External Economic Cooperation, and the Chairmen of the Regional Councils (although note that this has now been amended as per Proclamation 383/2004, as described above).</p> <p>The DDPM sets out the membership of the National Committee for Early Warning (NCEW), which includes the Ministries of Agriculture, Health, and State Farms and Coffee and Tea Development.</p> <p>The DDPM also sets out the specific duties and responsibilities of 'Line Departments' (which is a general term, defined as a "Ministry, commission, autonomous organisation, regional bureau, and agency that has full responsibility in a specific sector" in Art. II(7) of the NPDPM), and details the following Ministries:</p> <p><u>Ministry of Agriculture</u> (MOA) (III(2.3)): responsibilities include reviewing Contingency Agriculture Plan, preparing deployment plans for manpower and other resources, alerting the "peasants" and the extension machinery of dry spells, arranging for deployment of and prescribing guidelines for irrigation equipment, and various</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			<p>tasks related to seed banks and livestock preservation.</p> <p><u>Ministry of State Farms and Coffee and Tea Development (III(2.4))</u>: the Ministry undertakes the tasks given to the MOA which are pertinent to its area of operations and which are not undertaken by the MOA.</p> <p><u>Ministry of Health (III(2.5))</u>: responsibilities include general assessments of drugs, staff and supply availability, formulating action plan for dealing with aggravation of health problems and epidemics, ensuring water sources are disinfected, identifying feed supplements “suited local taste”, distributing relief medical supplies and directing all health related activities.</p> <p><u>Ministry of Planning and Economic Development (III(2.7))</u>: responsibilities include incorporating prevention aspects into the development plan, evaluating the Line Departments’ plans for disaster prone areas with reference to their contribution to the strengthening of disaster prevention capability, and identifying areas prone to disasters and developing measures to prevent this, as well as identifying national projects to enhance the capabilities of disaster prone areas.</p> <p><u>Ministry of Finance (III(2.9))</u>: responsibilities include issuing standing orders for the waiver or recovery of land tax and other taxes in the event of disasters, and authorising the withdrawal from the NDPFF for RPs.</p> <p><u>Ministry of Information (III(2.10))</u>: responsibilities include information campaigns, and formulating an information action plan to support relief programme.</p> <p><u>Ministry of Transport and Communication (III(2.11))</u>: responsibilities</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	NPSDRM	3.1.2.1	<p>include taking measures to provide logistics and infrastructural support to relief agencies, and generally enhancing preparedness in the areas of transport and communication.</p> <p>The NPSDRM allocates the following Ministries/persons to the Federal DRMC, but does not allocate specific roles outside of the general functions of the unit:</p> <ul style="list-style-type: none"> ○ Prime Minister (chair) ○ Minister of Agriculture and Rural Development ○ Minister of Health ○ Minister of Water Resources ○ Minister of Defense ○ Minister of Mines and Energy ○ Minister of Federal Affairs ○ Minister of Transport and Communications ○ Minister of Foreign Affairs ○ Minister of Trade and Industry ○ Minister of Education ○ Minister of Finance and Economic Development ○ Minister of Labor and Social Affairs ○ Minister of Works and Urban Development ○ Minister of Women’s Affairs ○ Minister of Science and Technology ○ Ministry of Youth and Sports

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	Guidelines	Chptr. 6	<p>procedural aspects of an NGO’s application for registration with RRC. The DDPM are explicit, however, that NGO’s roles in relief projects shall only cover funding and implementation, and that the leading role in implementation is to be played by the community under the direction of the relevant Line Departments.</p> <p>Much more detail is found in the Guidelines regarding NGOs’ roles. Chapter 6 covers topics such as the classification of NGOs, a detailed list of potential areas of operation, further detailed procedures for registration, monitoring and evaluation and reporting requirements.</p>
	NPSDRM	3.8	<p>The NPSDRM is more explicit in the roles it requires of civil society organisations. Civil society and humanitarian partners are required to:</p> <ul style="list-style-type: none"> ○ <i>“Work in close harmony with relevant DRMCOs and DRMUs and take direction from them in areas of their specific sectoral involvement.</i> ○ <i>Participate in different forums and technical committees dealing with specific hazard types.</i> ○ <i>Provide technical, financial, and material support for DRM capacity development in addition to responding to humanitarian crisis.</i> ○ <i>Assist in development of technical skill, knowledge management, and sharing of best practices for DRM.”</i> <p>Universities, think tanks, and international partners are also required to promote research on DRM. See also question 170 below for details of civil society’s role in mainstreaming DRR awareness in</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			education.
14. Does the DM law or policy prescribe a role in DM institutions for the National Red Cross or Red Crescent Society? If so, how defined and what is the role? At what levels? a. National? b. Provincial/state? c. Municipal/local?	NPSDRM Proclamation 153/1999 (Revised charter of the Ethiopian Red Cross)	3.2.1.3.6 Art. 7	There is no specific role for the National Red Cross or Red Crescent Society within DM institutions, however the NPSDRM encourages the ERC Community to <i>“develop the skills of youth in basic first aid and community service in times of disaster”</i> . The ERC’s duties are outlined in Proclamation 153/1999, however the Proclamation does not state that there is a specific role for the ERC in DM institutions.
15. Is there any provision in the DM law or policy to ensure that women have a role and a voice in the DM institutions? If so, how is this regulated or encouraged by law? At what levels does the law provide for women’s participation in DM institutions? a. National? b. Provincial/state? c. Municipal/local?	NPSDRM	2.3.12 3.1.2.1.2.15 3.1.4.1.4.10	The NPSDRM holds the general guiding principle that <i>“DRM systems will give due attention to especially vulnerable groups such as women, children, the infirm, people living with HIV/AIDS, the disabled and the elderly”</i> . The Minister of Women’s Affairs is a member of the Federal DRMC. Federal DRMUs are required to <i>“promote the involvement of communities and other stakeholders particularly women and other vulnerable groups in the design, planning, implementation, and monitoring and evaluation of sectoral DRM strategies.”</i>
16. Does the DM law or policy prescribe a role in DM institutions for communities? If so, how defined and what is the role? Does it specify	NPDPM	IV(1.1)	The NPDPM clearly states that <i>“the community shall play the leading role in the planning, implementation and evaluation of all relief projects”</i> , yet other than the obligations and responsibilities of the woreda level DPPCs, there is little detail behind this statement,

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>any mechanisms to ensure a voice for all elements of the community in DRR, e.g.</p> <ol style="list-style-type: none"> Women? Different cultural or ethnic groups? Vulnerable groups, including children, older persons, persons with disabilities? Socially isolated groups and the very poorest people? 	NPSDRM	<p>2.1.2, 2.3.3, 2.4.12</p> <p>3.1.4.1.4.10, 3.7.4</p>	<p>and there are no mechanisms in place to ensure a voice for all elements of the community. Such elements are highlighted as potential recipients of ‘gratuitous relief’, i.e. relief without the expectation that the person will undertake work through an Employment Generation Scheme in return.</p> <p>The NPSDRM states that the responsibility for DRM rests with communities as well as government, companies etc, and requires that DRM systems are decentralised and community-based <i>“whereby communities play decisive roles in the planning, execution, monitoring and evaluation of disaster risk management projects and programs”</i>. <i>“At risk communities”</i> should be active in the monitoring and evaluation of the NPSDRM.</p> <p>DRMUs are required to <i>“Promote the involvement of communities and other stakeholders particularly women and other vulnerable groups in the design, planning, implementation, and monitoring and evaluation of sectoral DRM strategies.”</i> Furthermore all DRMUs must ensure that the planning process for their DRM plans involves communities.</p> <ol style="list-style-type: none"> See question 16 above. No provisions for ethnic or cultural groups are provided, although cultural and religious groups are included within the definition of “civil society” (Annex 1(4)). DRM systems must give <i>“due attention to the most vulnerable groups”</i> (2.3.12). See also details regarding 3.1.4.1.4.10 of the NPSDRM above. <i>“Full participation of</i>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			<p><i>vulnerable groups including women, elderly and disabled in decision making at all stages of DRM</i>” is also advocated, but the details are left open.</p> <p>d. No relevant provisions exist.</p>
17. Describe the main differences in the scope of the DM law and the DM policy concerning prevention and disaster risk reduction.			N/A
18. Does the DM law or policy, or other legislation, provide for oversight mechanisms on DRR implementation, including reporting and/ or parliamentary oversight?	NPSDRM	3.1.2.1.1, 3.1.3.1.11	The Federal DRMC is tasked with being the oversight body for DRM. The Head of the Federal DRMCO is directly accountable to the Prime Minister, must initiate a process of review of the NPSDRM every 5 years, and present comprehensive DRM reports to the House of Peoples Representative about the performance of DRM initiatives.
B. Hyogo Framework for Action & Climate Change Institutions			
19. Does legislation establish any institutions (including committees), or allocate to an existing body, implementation of the Hyogo Framework for Action? What institutions? What are their designated roles in DRR?			No
20. Does legislation establish any institutions (including committees), or allocate to an existing body, planning and implementation for adaptation to climate change? What	Proclamation 295/2002 (Environnemental Protection Organs Establishment)	Art. 3	Proclamation 295/2002 provided for the establishment of environmental protection organs, chief among these being the Environmental Protection Authority (EPA), which was established as an autonomous public institution of the Federal Government. Whilst the stated objectives of the EPA do not include a reference to

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
institutions? What are their designated roles in DRR?			climate change specifically, this is part of their operational remit.
21. Do the implementation mechanisms for the Hyogo Framework, climate change adaptation and DM institutions intersect? If so, how? Are their mandates complementary or do they overlap? Describe.			N/A
C. DRR priority and resource allocation in government			
22. Does the budgetary process provide for any dedicated budget line items for DRR and/or minimum percentages for DRR expenditure by government institutions? If so, is there a budget allocated to DRR at national level? How is this prescribed?	Proclamation 212/2000 (National Disaster Prevention and Preparedness Fund) NPSDRM	Art. 3, 5, 19 3.5.4.1.1, 3.5.4.1.8	Although the exact budgetary process and budget content of Ethiopia has proved difficult to establish, Proclamation 212/2000 established a National Disaster Prevention and Preparedness Fund (NDPPF), 'to maintain a readily available cash reserve to combat disasters'. The sources of the NDPPF include "budget allocated by the Federal Government", which indicates that DRR/DRM activities are provided for in Ethiopia's budgetary process. Whilst there appears to be little detailed provision for DRR budgeting in current legislation, however, the NPSDRM requires that "Federal and regional governments shall allocate budget for disaster risk management initiatives (prevention, mitigation, preparedness, and rehabilitation) through regular development programs", and that "DRMCs shall guarantee that operational costs for DRMCOs are included and financed in national and regional annual budgets, and that Disaster Response and Recovery Funds (DRRFs) are replenished in a timely fashion."

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
23. Is there a budget allocated to DRR at provincial/state level (if relevant)? How is this prescribed?	NPSDRM	3.5.4.1.6	See question 23 above, and note also that DRMCOs and DRMUs are required to establish national and regional DRRFs.
24. Is there a budget allocated to DRR at municipal or local level? How is this prescribed?	NPSDRM	3.5.4.1.6	See question 23 above, and note also that DRMCOs and DRMUs are required to establish national and regional DRRFs.
Part Two. Responsibility, accountability and liability for natural disaster risk reduction			
The aim is to identify relevant constitutional or other guarantees that may underpin government responsibility, liability and affected persons' rights to compensation. These may include rights to: safety /life; not to be discriminated against; protection of livelihoods; health; compensation; and to information relevant to DRR. One specific issue on the question of liability, is whether governments are liable for failure to prevent natural disasters affecting the population, including for failure to warn, or for making an erroneous warning. A second, related, issue is whether private individuals are liable for damage caused to others from their property during natural disasters, or for faulty advice/warnings given. A third element is whether there is any system of compulsory insurance against the effects of natural disasters.			
A. Constitutional Rights & Guarantees for the Population			
25. Are there any guarantees in the constitution or another law relating to individual or collective rights that may underpin government responsibility or liability, and affected persons' rights to compensation for damage from natural disasters? If so, do these relate to: a. DRR in general? b. Safety /Life	Constitution	Art. 89(3) Arts 14- 16, 36	The Constitution contains a number of such protections for Ethiopian citizens: a. "Government shall take measures to avert any natural and man-made disasters, and, in the event of disasters, to provide timely assistance to the victims" b. state that every person has the rights to life, security of person and liberty. every child has the right to life.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
		<p>Art. 41</p> <p>Art. 44(1)</p> <p>Ar. 89(8)</p> <p>Art. 90(1)</p>	<p>f. “economic, social and cultural rights: covers items such as freedom to engage in economic activity and <i>“to pursue livelihood anywhere in the national territory”</i>, and that <i>“every Ethiopian citizen has the right to choose his or her means of livelihood”</i>. Article 41 also places explicit obligations on the State such as “the obligation to allocate increasing resources to provide public health, education and other social services” and taking <i>“all measures necessary to increase opportunities for citizens to find gainful employment”</i>.</p> <p><i>“all persons have the right to a clean and healthy environment”</i>,</p> <p>the government shall <i>“endeavour to protect and promote the health, welfare and loving standards of the working population of the country”</i>,</p> <p>to the extent the country’s resources permit, the state will <i>“provide all Ethiopians access to public health and education, clean water, housing, food and social security”</i>.</p> <p>g. This is not covered in the Constitution.</p> <p>h. Right of Thought, Opinion and Expression: right to “seek,</p>

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
		Art. 29	receive and impart information and ideas, regardless of frontiers” and permits the press to have access to information of public interest.
<p>26. Do the above constitutional or other guarantees give residents any personal right of action against the state if the government breaches these rights? E.g. access to a constitutional court, or a claim in a human rights court or tribunal? If so, explain how the law enables this to occur, and who has the right to make such claims. E.g.</p> <p>a. Is it an individual or a collective right?</p> <p>b. Can claimants represent themselves?</p> <p>c. Are there costs that mean the poorest people cannot access the remedy?</p> <p>d. Are there financial limitations on</p>	<p>Constitution</p> <p>Proclamation 210/2000 to provide for the establishment of the Human Rights Commission</p>	Art. 83	<p>There are no personal rights of action of this kind available under the Constitution. Article 83 states that “all constitutional disputes shall be decided by the Federal Council” but this is, arguably, more concerned with issues of constitutional interpretation than with personal rights of action against the State.¹²</p> <p>Under Proclamation 210/2000, individuals are able to lodge complaints with the Ethiopian Human Rights Commission, which has the power to investigate possible human rights violations and recommend remedial action, but little detail is provided on the procedure.</p>

¹² Judicial Referral Of Constitutional Disputes In Ethiopia: From Practice To Theory, Takele Soboka Bulto, African Journal of International and Comparative Law. Volume 19, Page 99-123 (online March 2011)

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
any such claims (minimums or maximums)?			
B. Liability & Insurance			
27. Does legislation (including case law, where applicable) make government agencies liable for failure to prevent natural disasters affecting the population?			No
28. Are government agencies liable for failure to warn or for making an erroneous warning of natural disaster? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?			No
29. Do government agencies that fail to warn or make an erroneous warning have legal immunity? If governments have immunity from liability, how extensive is this and/or how and where in law is it defined? Does it apply to all levels of government?			This issue is not addressed in the legislation reviewed.
30. Are private persons (individual or			This issue is not addressed in the legislation reviewed.

2. INSTITUTIONAL FRAMEWORKS, RESOURCING AND COMMUNITY PARTICIPATION IN DRR

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>corporate) liable for faulty disaster-related advice or warnings given? Does this apply to volunteers? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?</p>			
<p>31. Are private persons (individual or corporate) liable for damage caused to others from their property during natural disasters? If so, what kind of liability? – civil, criminal or both? If so, what are the legal mechanisms for injured parties to seek redress? Are these individual or collective actions, or both?</p>			<p>This issue is not addressed in the legislation reviewed.</p>
<p>32. Is there any system of compulsory insurance against the effects of natural disasters? If so, how is this established by law and what are the main elements of the scheme?</p>			<p>No</p>

3. Early warning and reduction of underlying risk factors through regulation

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>Parts One and Two: Are there laws or regulations relating to preparedness, prevention and/ or risk reduction against the following specific natural hazards (if relevant)? Such regulations may include some specific laws on rapid-onset disasters – Part One – such as fire regulations and fire service, as well as building codes (e.g. earthquake, fire, hurricanes/cyclones), land zoning and land use planning regulations (e.g. flood plain exclusions, unstable land) , disaster management / civil protection laws, and environmental management laws concerning rivers and forests (flood mitigation, erosion prevention against landslides and floods). There may be similar or a different range of laws concerning slow-onset disasters such as drought and other food security issues – Part Two. There may therefore be some overlap with the subsequent sections, but the main aim of Parts One and Two of this section is to identify which risks have separate regulation in the subject country, and in which laws.</p>			
<p>Part One. Rapid-onset disasters, sectoral and specific regulation based on identified risks and community participation</p>			
<p>A. Cyclones, tornadoes, or storms?</p>			
33. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
34. Does this law specify how management of this risk is financed? If so, describe.			N/A
35. Does this law attribute liability for damage caused by: a. failure to warn, or false or faulty warnings of this risk?			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<ul style="list-style-type: none"> b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			
<p>36. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>			N/A
<p>37. Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
d. Socially isolated groups and the very poorest people?			
38. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?			N/A
39. If communities are involved in Early Warning Systems (EWS), does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			N/A
B. Earthquake/Tsunami?			
40. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is			No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
this regulated?			
41. Does this law specify how management of this risk is financed? If so, describe.			N/A
42. Does this law attribute liability for damage caused by: a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both?			N/A
43. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			N/A
44. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			
<p>45. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>			N/A
<p>46. If communities are involved in EWS, does this law provide that they:</p> <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
C. Fire?			
47. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
48. Does this law specify how management of this risk is financed? If so, describe.			N/A
49. Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			N/A
50. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
their mandate?			
<p>51. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			N/A
<p>52. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>			N/A
<p>53. If communities are involved in EWS, does this law provide that they:</p> <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>c. Provide information for the EWS?</p> <p>d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)?</p>			
D. Floods?			
<p>54. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?</p>			No
<p>55. Does this law specify how management of this risk is financed? If so, describe.</p>			N/A
<p>56. Does this law attribute liability for damage caused by:</p> <p>a. failure to warn, or false or faulty warnings of this risk?</p> <p>b. failure to take preventive action including by reducing this risk?</p> <p>c. If so, who may be liable - or immune?</p>			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
d. Is it civil or criminal liability, or both?			
57. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			N/A
58. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			N/A
59. Does this law provide for Early Warnings Systems (EWS) for this			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
risk? If so, does it require community involvement in EWS?			
60. If communities are involved in EWS, does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			N/A
E. Heat/cold waves?			
61. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
62. Does this law specify how management of this risk is financed? If so, describe.			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>63. Does this law attribute liability for damage caused by:</p> <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			N/A
<p>64. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>			N/A
<p>65. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>groups?</p> <p>c. Vulnerable groups, including children, older persons, persons with disabilities?</p> <p>d. Socially isolated groups and the very poorest people?</p>			
66. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?			N/A
<p>67. If communities are involved in EWS, does this law provide that they:</p> <p>a. Assist in the design of local and community EWS?</p> <p>b. Establish or maintain EWS?</p> <p>c. Provide information for the EWS?</p> <p>d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)?</p>			N/A
68. Describe form of regulation, and institutional responsibility.			N/A
F. Insect Infestations?			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
69. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
70. Does this law specify how management of this risk is financed? If so, describe.			N/A
71. Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			N/A
72. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>73. Does this law provide for consultation and/or participation about risk mapping, early warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			N/A
<p>74. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?</p>			N/A
<p>75. If communities are involved in EWS, does this law provide that they:</p> <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)?			
G. Landslides and avalanches?			
76. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
77. Does this law specify how management of this risk is financed? If so, describe.			N/A
78. Does this law attribute liability for damage caused by: <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
both?			
79. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?			N/A
80. Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 			N/A
81. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
community involvement in EWS?			
82. If communities are involved in Early Warning Systems (EWS), does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			N/A
H. Volcanoes?			
83. Is there a specific law about this hazard (i.e. not the main DM law)? If so, describe the form of regulation to reduce the impact of this risk (if any), and institutional responsibility. At what level(s) of government is this regulated?			No
84. Does this law specify how management of this risk is financed? If so, describe.			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>85. Does this law attribute liability for damage caused by:</p> <ul style="list-style-type: none"> a. failure to warn, or false or faulty warnings of this risk? b. failure to take preventive action including by reducing this risk? c. If so, who may be liable - or immune? d. Is it civil or criminal liability, or both? 			N/A
<p>86. Does this law regulate the collection and distribution of information on hazards and risks (risk mapping) in relation to this risk? If so, what authority is responsible and what is their mandate?</p>			N/A
<p>87. Does this law provide for consultation and/or participation about risk mapping, Early Warning or general DRR regarding this risk by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including:</p> <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>groups?</p> <p>c. Vulnerable groups, including children, older persons, persons with disabilities?</p> <p>d. Socially isolated groups and the very poorest people?</p>			
88. Does this law provide for Early Warnings Systems (EWS) for this risk? If so, does it require community involvement in EWS?			N/A
89. If communities are involved in Early Warning Systems (EWS), does this law provide that they: <ul style="list-style-type: none"> a. Assist in the design of local and community EWS? b. Establish or maintain EWS? c. Provide information for the EWS? d. Have direct and timely access to relevant warnings and data on emerging risks (e.g. telephone, radio or internet access to meteorological or seismological data and analysis)? 			N/A
Part Two. Slow-onset disasters, sectoral and specific regulation based on risks and community participation			
I. Drought and related famine?			

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>90. Is there a specific law or institutional mandate for drought preparedness and risk reduction, especially for agriculture and related industries? In particular:</p> <ul style="list-style-type: none"> a. Rain and river water storage, distribution and conservation measures? b. Development and maintenance of ground water extraction, storage and distribution? <p>If so, describe the forms of regulation. At what level(s) of government is this regulated?</p>			No
<p>91. Is there a specific law or institutional mandate for early warning and response to drought, to mitigate the effects of drought and help prevent famine? In particular:</p> <ul style="list-style-type: none"> a. Is an institution legally mandated to issue drought early warnings? If so, how is this regulated? b. Is an institution legally mandated to impose water use restrictions? If so, at what level(s) of government? c. Is there legal provision for 			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
diversion, piping or transporting water to drought-affected areas? If so, at what level(s) of government?			
92. Do the above laws or mandates specify how management of drought and famine risk is financed? If so, describe.			N/A
93. Do the above laws or mandates regulate the collection and distribution of information on drought and related famine risks? If so, what authority is responsible and what is their mandate?			N/A
94. Do the above laws or mandates provide for consultation and/or participation about drought and famine risk, early warning or general DRR regarding drought and famine by affected or at-risk communities? How? If so, does it provide for participation or a voice for all parts of those communities, including: a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>children, older persons, persons with disabilities?</p> <p>d. Socially isolated groups and the very poorest people?</p>			
J. Other food security risks?			
<p>95. Is there a specific law or institutional mandate concerning threats to food security other than droughts? (e.g. predicted effects of climate change, such as inundation of agricultural land and/or mass migration).</p> <p>a. If so, describe the form of regulation to reduce the impact of these risks (if any), and institutional responsibility</p> <p>b. At what level(s) of government is this regulated?</p>			No
<p>96. Does the above law or mandate specify how management of food security is financed? If so, describe.</p>			N/A
<p>97. Does the above law or mandate regulate the collection and distribution of information on hazards and risks to food security, particularly those relating to agricultural production? If so, what</p>			N/A

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
authority is responsible and what is their mandate?			
98. Does the above law or mandate provide for community consultation and/or participation about risk reduction from threats to food security? How? If so, does it provide for participation or a voice for all parts of those communities, including: <ul style="list-style-type: none"> a. Women? b. Different cultural or ethnic groups? c. Vulnerable groups, including children, older persons, persons with disabilities? d. Socially isolated groups and the very poorest people? 		N/A	
Part Three. Early Warning, Hazard Mapping and Risk Information			
A. Early Warning			
99. In addition to the sectoral laws above, is there any general obligation to establish early warning systems (EWS) in the disaster management law? <ul style="list-style-type: none"> a. If so, does this include 	NPDPM	12.4	<p>Details regarding an EWS are set out in the NPDPM, DDPM and Guidelines as set out below. There are however no legal provisions for the financing of EWS.</p> <p>Article 12.4 of the NPDPM required the establishment of a</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	NPSDRM	3.2.1.4.2.1	<p>individual members (e.g. preparing individual action plans). The Guidelines also detail the role and responsibilities of the Secretariat of the NCEW.</p> <p>The Guidelines also establish Regional and Zonal Committees for Early Warning, which are to have similar structures and functions as the NCEW, and Woreda Committees for Early Warning, which the Guidelines state are <i>“the core structure which will determine the success and failure of the EWS.”</i></p> <p>The NPSDRM requires the establishment of regional and national level multi-hazard and multi-sectoral EWS linked to hazard profiles, with DRMUs responsible for developing and maintaining EWS to monitor hazards that may impact on their sectoral areas.</p> <p><u>Current institutions</u></p> <p>Whilst the policy set out above is still technically in place, the current agency responsible for the EWS in Ethiopia is the Early Warning and Response Directorate (EWRD) of the DRMFSS, which is itself an arm of the MARD. There is no legislation in place which formally records the creation of the EWRD, but following the Business Process Re-Engineering project undertaken throughout the Ethiopian government during 2008-2009, the institutional arrangements for disaster response and EWS were changed, with the major shift being the transfer of all of the NDPPC’s rights and obligations to MARD, as well as the creation of the EWD.</p>
100. Does EWS regulation include requirements for community	Guidelines	1.7.1(d)	As mentioned above, the Guidelines state that the woreda Committees for Early Warning are the <i>“core structure”</i> for the

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
consultation and participation in development of EWS? Describe.			EWS. Whilst the Guidelines do not explicitly cover community consultation and participation in the <i>development</i> of EWS, the Woreda Committees must have three representatives of woreda organisations on the committee, as well as “other as may be required”. The Guidelines state that the persons involved will be “peasants”. There is therefore an opportunity for woreda-level voices to input into the local EWS.
101. Does EWS regulation provide for community-based early warning data collection? Describe.	Guidelines	1.7.1(d)	Yes. The committees at both zonal and woreda level are responsible for collecting relevant data at their levels, and transmitting the data upwards within certain timeframes.
102. Does EWS regulation provide for timely and reliable access for at-risk communities to EWS, meteorological or seismological data (as relevant)? Describe.	NPSDRM	2.3.7	No, although the NPSDRM states that “ <i>Early warning information in particular is citizen right.</i> ”
103. Does the law regulating telecommunications infrastructure and delivery include any DRR criteria in general, or any specific measures such as: a. geographical coverage of telecommunications to include remote and/or at-risk areas? b. priority access to communications technology for at-risk communities and responders to disaster?	Proclamation 491/1996 (Regulation of Telecommunications) Regulation 471/1999 (Regulation of Telecommunications Services)		Regulation of telecommunications does not include any DRR criteria.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
		3.1.3.1.10.1.1	<i>documents all hazards and vulnerabilities shall be established at federal and regional levels within the DMRCOs.</i> It also mandates a Federal Integrated Information Management and Mapping Unit as, among other things, the repository for databases of all key hazards and disaster impacts.
106. Does the disaster management law, or another law, regulate the collection and publication of seismological, meteorological and climatic data relevant to natural disasters? If so, what does it require and who is responsible for this, and under what law?			Seismological, Meteorological and Climatic data is not discussed specifically, although it could be argued that such data is included within the ambit of the information-gathering and data analysis requirements of the DRM policies.
107. Does the disaster management law, or another law, regulate the collection and publication of baseline population data, especially in high risk areas? If so, what does it require and who is responsible for this, and under what law?	Proclamation 442/2005 – to establish the Central Statistics Agency	4, 7(1), 7(2)	Proclamation 442/2005 established the Central Statistics Agency (CSA) under the Ministry of Finance and Economic Development, and the CSA is authorised to collect and publish baseline population data. There is no mention of data for high-risk areas. The CSA’s two main duties are to “collect and cause the collection of statistical data through censuses, sample surveys, administrative records and continuous registration; process, compile, analyze, publish and disseminate the results thereof” and to “prepare periodically short, medium and long-term national statistical programs and draft budget and upon approval, execute the programs within the given budget and monitor their implementation by other government agencies and institutions” (Article 7(1) and (2)).

Part Four. Regulation of the Built Environment

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>The aim is to outline the laws and regulations that set out building and construction standards, relevant approvals and enforcement processes, as well as planning and construction of roads & bridges, and land use planning and zoning, such as: urban and rural planning and zoning, including prohibitions on development of high risk sites, public open space for evacuation, access for rescue services such as fire and ambulance, and including regulation of informal settlements; regulation and responsibility for water storage, distribution and quality control for human consumption, flood mitigation construction and other water management against flooding; land tenure, including mapping and registration of tenure rights (especially participatory land mapping with communities) and any recognition of indigenous land rights and occupiers' rights; regulation of emergency and transitional shelter; and regulation or treatment of informal settlements.</p>			
<p>A. Building Codes</p>			
<p>Identify building and construction codes, including fire, flood and earthquake safety, as relevant to identified risks, including any differences in regulation, such as between large urban construction and small residences in rural villages; building regulations, including approvals, inspection and enforcement; and any regulation of emergency and transitional shelter, and informal settlements.</p>			
<p>108. Is there a national building and construction law? If so, what authority is responsible for its implementation?</p>	<p>Proclamation 624/2009 (Ethiopian Building Proclamation)</p> <p>Proclamation 491/2003 (Construction Training)</p>		<p>Yes – Proclamation 624/2009 determines certain national standards for the construction or modification of buildings, and outlines the regulations and requirements for local authorities to enforce in their own jurisdictions. At the national level, the Ministry of Works and Urban Development is responsible for implementation, but a large degree of authority is delegated to the regional state level.</p> <p>Construction is also regulated at the individual level, as Proclamation 491/2003 requires construction workers as well as architects to hold aptitude certificates.</p>
<p>109. If there is not a national building and construction law, is this issue regulated at provincial/state or local level? If sub-national regulation</p>			<p>See question 108 for details of the national law.</p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			“urban administrations” (defined as “an organ to which powers and duties of administering an urban center have been given by law or delegated by the concerned government body”) or “designated organs”, which is defined as an organ appointed by the regional state to enforce the Proclamation in areas outside of urban centers.
112. Does this law include mechanisms for building inspections? If so, which institution(s) have responsibility for this? Does it apply to: <ul style="list-style-type: none"> a. New buildings? b. Renovations / extensions of existing buildings? c. Existing buildings where there is no building application, such as old buildings that may no longer be safe? 	Proclamation 624/2009	Art. 11, Art. 16	Yes. Building Officers are entitled to carry out inspections, with responsibility resting with the relevant urban administration or designated organ (see q. 112 above). The Proclamation applies to the identified categories as follows: <ul style="list-style-type: none"> a. Yes (Art. 11(3)) b. Yes (Art. 11(3)) c. Yes (Art. 11(5))
113. Does this law include mechanisms for enforcement of codes, including sanctions? What type of sanctions (e.g. fines, whole or partial demolition orders)? If so, which institution(s) have responsibility for this?	Proclamation 624/2009	Art. 30(2), Art. 52, Art. 53, Art. 54	The Proclamation states that any building or components thereof shall be designed according to acceptable building design codes. There are no sanctions that cover the enforcement of codes. However failure to comply with a relevant code may result in a sanction under one or more of the following: <ol style="list-style-type: none"> 1. Unauthorised practice: 5 to 10 years imprisonment, 5,000 to 10,000 birr fine (Article 52) 2. Use of improper materials or defective workmanship: 5 to 10 years imprisonment, 5,000 to 10,000 birr fine

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			(Article 53) 3. Breach of duty of proper consultancy: 5 to 15 years imprisonment, 5,000 to 10,000 birr fine (Article 54)
114. Do the building regulations have special standards or requirements for: a. schools? b. hospitals? c. fire stations? d. other public buildings that may also be required as collective centres in case of disaster (e.g. ministries, sports complexes, churches, mosques etc.)?			No
115. Do the building regulations or land use planning laws (or other special laws) include regulation of large commercial buildings and developments (such as multi-storey shopping centres, office buildings and factories)? Identify & describe.	Proclamation 624/2009	Art. 3(1)(c)	Only to the extent that the Proclamation applies to “ <i>public buildings, or buildings which could be used for industrial or commercial scale agricultural occupancy or real estate outside of urban centres.</i> ” No specific provisions are included to cover large commercial developments.
116. Do the building laws/regulations include large, multi-storey apartment buildings? Identify & describe.	Proclamation 370/2003 (Condominium Proclamation)		This law is more concerned with land use for condominium developments and the registration and management of such developments, and only applies to Ethiopia’s two urban administrations (Addis Ababa and Dire Dawa), but it is mentioned here for completeness.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
117. Do the building laws/regulations include small self-built constructions? Identify & describe.			Not specifically.
118. Do the building laws/regulations differ as between urban and rural settings? If building laws/regulations are different in rural settings, what are the main differences compared with urban settings? E.g. a. the extent of regulation? b. the level of government at which it is regulated? c. other?	Proclamation 624/2009 Proclamation 456/2005 (Federal Democratic Republic of Ethiopia Rural Land Administration and Use)	Art. 3	Yes. Proclamation 624/2009 applies only to urban centers and to public, industrial and commercial buildings outside of urban centers. Proclamation 456/2005 concerns rural land but concentrates heavily on issues of landholding, registration and title, rather than regulating construction.
119. Do the building/planning laws/regulations include emergency and transitional shelter? If so, what form of regulation and which institution(s) have responsibility for this?			No
120. Do the building laws/regulations include: a. Inspections? b. programmes and/or incentives for making existing buildings safe (e.g. retro-fitting for earthquake resistance, addition of fire	Proclamation 624/2009	Art. 11, Art. 16	a. See question 113 above. b. No

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
escapes, condemning unsafe buildings including demolition orders, tax or funding incentives for owners to fortify buildings)? If so, what form of regulation and which institution(s) have responsibility for this?			
121. What if any provision is there for planning, approval and construction of public roads, bridges and related public works? – describe the authority(s) & mandate(s).	Proclamation 691/2010 (Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia)	Art. 33(9)(b)	It is not entirely clear from legislation where these responsibilities fall, but based on information available online, the Ethiopian Roads Authority is responsible at least for planning and approval of public roads, and is accountable to the Ministry of Transport in accordance with Proclamation 691/2010.
122. Are there other matters relevant to DRR that are regulated in the building and construction laws of the subject country?			No
B. Land Use Planning Laws			
The aim is to identify whether there are national laws and statutory authorities with responsibility for land zoning and/or land use planning. If there is not a national law or authority, the issue may be regulated at provincial/state or local level and examples of these laws may not be available. However, although land use planning is frequently regulated at local government level, the underlying principles or institutional responsibilities may be included in national or provincial laws. Also, many major cities now have planning law overlays that cross local government boundaries, and may be determined under national or provincial/state laws. In other cases, special regimes have been established to manage the course of a major river that crosses many local boundaries (and these laws may also refer to bilateral treaties about cross-boundary water management - for DRR as well as water use – which may bring them under national law through the treaty powers).			
123. Are there national laws and statutory authorities with	Proclamation 456/2005 (Rural Land		A Federal Urban Planning Institute was established in 2005. Under Proclamation 574/2008, each chartered city or urban

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responsibility for land zoning and/or land use planning?	Administration and Use) Proclamation 450/2005 (to provide for the establishment of the Federal Urban Planning Institute) Proclamation 574/2008 (Urban Planning Proclamation)		administration is given certain powers over the approval and enforcement of plans for urban areas.
124. Is this issue regulated at provincial/state or local level? If so, can you find an example of such a law at each level?			Yes, the following examples are from the state of Amhara: <ol style="list-style-type: none"> 1. Amhara Regional State Rural Land Administration and Use Proclamation No. 133/2006 2. Regulation No. 51/2007 on the Amhara Regional State Rural Land Administration and Use System Implementation
125. Does the land use planning and/or zoning law include processes for: <ol style="list-style-type: none"> a. Formal release of land for new developments? b. Approval of each new urban development? c. Approval of major commercial developments? 	Proclamation 272/2002 Proclamation 574/2008 (Urban Plans)	Art. 27 Art. 14, Art. 15, Art. 25	<ol style="list-style-type: none"> a. Proclamation 721/2011 governs lands held under lease (or permit) in urban areas, and contains provisions for appropriate government bodies to take over and clear land in the public interest. Under Proclamation 455/2005 woredas and urban administrations have the power to expropriate rural or urban landholdings for public use. b. Under Proclamation 574/2008, urban centers have the power and duty to prepare and/or review local development plans. Pat 3 of the Proclamation governs

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			<p>the approvals process, which includes public hearings. Article 25 of the same Proclamation contains a blanket prohibition on all “development activity” in urban centers unless such activity has prior authorisation from the relevant chartered city or urban administration.</p> <p>c. Commercial developments are not addressed specifically, but would fall under the general approvals processes already described.</p>
126. Does the land use planning and/or zoning law include prohibitions on development of high risk sites (e.g. unstable land prone to subsidence, flood plains, and contaminated sites)?			No
127. Does the planning / zoning law include public open space for evacuation?			No
128. Does the planning / zoning law allocate or require allocation of land for emergency or transitional shelter in preparation for potential disaster?			No
129. Does the planning / zoning law include provisions for infrastructure installation (water and drainage,	Proclamation 624/2009	Art. 35, 37, 38, 42	Although not technically a planning/zoning law, Proclamation 624/2009 does place certain basic requirements on developers in urban areas regarding infrastructure installation, for example,

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sewers, telecommunications, energy) in new developments?			requiring compliant electrical installations, adequate water supplies and sewerage systems, and storm water disposal.
130. Does the planning / zoning law include street width regulations for future traffic flow and to ensure access for emergency services such as fire and ambulance?			No
131. Does the planning / zoning law differ as between urban and rural settings? If different in rural settings, what are the main differences compared with urban settings? E.g. a. the extent of regulation? b. the level of government at which it is regulated? c. other?	Proclamation 456/2005 Oromia State Proclamation 130/2007 (amending certain other Proclamations concerning Oromia Rural Land Use and Administration)	Art. 17(2) Chapter 3, esp. Art. 18, 19	The majority of the planning/zoning laws that have been researched focus on urban areas. Proclamation 456/2005, which focuses mainly on land use and rights rather than planning issues, states that each regional council shall enact rural land administration and land use laws, with “detailed provisions” necessary to implement the Proclamation. As an example of this, the state of Oromia enacted its own Proclamation 130/2007 regarding Oromia rural land use and administration, which implements the Federal Proclamation 456/2005 and is slightly more specific regarding planning matters for its rural areas. For example, lands with certain slope gradients are prohibited from crop production, and general obligations exist to rehabilitate rural lands with gullies and on hilly areas, and places general obligations on rural land users to “ <i>work on proper management and conservation of land individually and in cooperation with his neighbours.</i> ”
132. Does the planning / zoning law include any other matters relevant to disaster risk reduction?			No.

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C. Land tenure			
<p>133. Is there a national system of land title registration established under law?</p> <p>a. If sub-national regulation, at what level of government does this occur, if at all? If sub-national, can you find an example of such a law?</p> <p>b. Does the legal mandate for this system require computerisation and/central record at national level? If not, how and where does it require records to be kept?</p>	<p>Constitution</p> <p>Proclamation 721/2011 (Urban Lands Lease Holding)</p> <p>Proclamation 456/2005 (Rural Land Administration and Use)</p> <p>Amhara State Proclamation 133/2006 (Revised Rural Land Administration and Use Determination Proclamation)</p>		<p>As discussed in question 136 below, the right to ownership of all land in Ethiopia vests in the State, with leasehold rights being permitted in urban areas, and rights of use permitted in rural areas.</p> <p>However the Constitution and the relevant Proclamations devolve a large amount of responsibility for the title registration system to the regional states, and as such legislation is in place at the regional level for this reason. For example, at least four regional states (Amhara, Oromia, Tigray and the Southern Nations, Nationalities and People’s Region (SNNP)) have issued region-specific land administration and use proclamations and have commenced with their land registration systems.¹³</p> <p>a. As mentioned above, sub-national regulation is issued at the state level. For example, Amhara state issued Proclamation 133/2006 to govern its administration of land title registration in the state.</p> <p>b. There is no requirement for computerisation, nor any detail regarding record storage.</p>

¹³ Solomon Abebe, ‘Land Registration System in Ethiopia: Comparative Analysis of Amhara, Oromia, SNNP and Tigray Regional States’, in *Proceedings of a National Conference on Standardization of Rural Land Registration and Cadastral Surveying Methodologies*

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<p>134. Are there institutions mandated to survey land and/or register title? Does this mandate:</p> <ul style="list-style-type: none"> a. require or allow community participation in land mapping or surveying for the purpose of establishing titles and/or occupancy and/or usage rights? b. establish a timeframe for the conclusion of land mapping? c. allocate resources for land mapping? 	<p>Proclamation 456/2005 (Rural Land Administration and Use)</p> <p>Amhara State Proclamation 133/2006 (Revised Rural Land Administration and Use Determination Proclamation)</p>	<p>Art. 6</p> <p>Art. 27, 22(2)</p>	<p>As mentioned above, the responsibility for surveying land and registering title is devolved to the regional states, and as such it is regional/local entities that engage in these activities. For example, Amhara state proclamation 133/2006 requires the kebele-level Land Administration and Use Committees to, among other things, administer the land in the kebele and to register the land holders in the kebele.</p> <p>Taking both national (Proclamation 456/2005) and regional (Amhara’s Proclamation 133/2006) examples:</p> <ul style="list-style-type: none"> a. Proclamation 456/2005 states that <i>“The sizes of rural lands under the holdings of private persons, communities, governmental and non-governmental organizations shall be measured as appropriate using cultural and modern measurement equipments”</i>, with the use of the word ‘cultural’ possibly indicating that community participation is permitted. In Amhara, as a general rule all mapping is done by the Amhara National Regional State Environmental Protection, Land Administration and Use Authority, although <i>“When any land is measured the neighboring land holders or users shall, as much as possible, be called to attend therein and decide upon their boundary in agreement”</i>. b. No timeframes for mapping exist (in either Amhara or national legislation).

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			<p>c. At national level, the mandate for resource allocation is an issue for the region's 'competent authority' (<i>"a body established in accordance with the constitution of a region to ensure that a system of rural land administration and utilization is realized in the region"</i>). For Amhara, this means the Authority mentioned in (a) above, however the Amhara Proclamation also states that <i>"private survey organisations having a licence may be made participate [sic] in land survey activity"</i>, but this is not detailed any further.</p>
<p>135. Does the land title system allow anyone to purchase or own land, or does it exclude anyone? E.g. can the following own and inherit land under this system:</p> <p>a. Women?</p> <p>b. All ethnic or religious groups?</p> <p>c. Non-nationals?</p>	<p>Constitution</p> <p>Proclamation 721/2011 (Urban Lands Lease Holding)</p> <p>Proclamation 456/2005 (Rural Land Administration and Use)</p>	<p>Article 40, 35</p> <p>Part 2</p> <p>Section 2</p>	<p>The Constitution ensures that "the right to ownership of rural and urban land, as well as of natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the nations, nationalities and peoples of Ethiopia and shall not be subject to sale or to other means of transfer". Technically, therefore, no one has the right to purchase or own land outright.</p> <p>However Ethiopia does have systems in place for the non-permanent holding of land. For urban land, land may only be held on a leasehold basis in accordance with Proclamation 721/2011, with differing maximum lease periods depending on the use. For rural land, governed by Proclamation 456/2005, holding certificates (or 'books of holding') are issued to the land-holders, although the system is based on the idea that the relevant person is simply 'using' the land and that it ultimately belongs to the</p>

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			<p>State.</p> <p>a. Yes. Article 35 of the Constitution states that women shall have the “right to acquire, administer, control, transfer and benefit from property”, and that they shall have “equal rights with men” in this regard. Furthermore, Proclamation 456/2005 states that “women who want to engage in agriculture shall have the right to get and use rural land”.</p> <p>b.Yes. The Ethiopian Constitution recognises the right to equality of all persons regardless of religion (Art. 25).</p> <p>This is not clear from legislation, but research indicates that only non-nationals with relevant investment interests in Ethiopia or with Ethiopian spouses or at least one Ethiopian parent (which would also qualify them for Ethiopian citizenship under the Constitution) may own or inherit land.</p>
136. If there is no standardised land title, is there another way to legally recognise land tenure rights (e.g. indigenous title based on ancestral lands, or established occupation or use, or other traditional rights to use resources such as gathering or hunting or water rights)? Describe.			N/A

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<p>137. Is there any legal recognition of traditional or customary law and practice regarding land occupation or ownership, or community or collective management of land? If so, describe the relevant legislation or case law.</p>	<p>Proclamation 456/2005</p>		<p>Proclamation 456/2005 does acknowledge that rural lands may be held by communities as well as private persons but provides no further details.</p>
<p>138. Is there legislation or case law that recognises land tenure as a result of occupation, such as:</p> <ul style="list-style-type: none"> a. adverse possession (use and occupation of land over a certain period of years in the absence of the legal owner, resulting in a change of ownership)? b. 'squatters' rights' (including any rights to continue inhabiting land and/or vacant buildings or to be given notice of eviction if contested by the legal owner)? 			<p>No.</p>
<p>139. If there are parallel systems for recognition of land tenure, such as customary law vs. registered freehold title, does one type of legal claim take precedence over the other?</p>			<p>N/A</p>

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<p>140. Is there any law or legal mechanism that allows government authorities to compulsorily purchase or requisition land for public purposes? If so, do these purposes include:</p> <p>a. risk reduction from natural disasters?</p> <p>b. land to be kept for evacuation or emergency or transitional shelter?</p>	<p>Proclamation 721/2011</p> <p>Proclamation 456/2005</p> <p>Oromia Proclamation 130/2007</p> <p>Proclamation 455/2005 (Expropriation of land holdings for public use)</p>	<p>Art. 25(1)(b), 26</p> <p>Art. 7(3)</p> <p>Art. 6(10)</p>	<p>Yes. For urban land, a lease may be terminated and the land reappropriated by the relevant authority in the event that the land is needed “for other purpose due to public interest”. The relevant authority also has the power to clear and take over urban land in the public interest, upon payment of compensation.</p> <p>For rural land, it appears that the government is able to evict land-holders to put the land to public use, as Article 7(3) of Proclamation 456/2005 covers issues such as compensation, but there does not appear to be an ‘active’ provision in the Proclamation explicitly authorising such evictions. Such matters are also regulated at regional level – for example, Oromia state’s land Proclamation 130/2007 permits the termination of land use rights if that land “<i>is required for more important public uses</i>”.</p> <p>The Ethiopian government also issued a general Proclamation on the expropriation of land holdings for public use. This empowers woredas and urban administrations to expropriate rural or urban landholdings for public purposes, where it is believed that the land could be used for a “<i>better development project</i>” by public entities, private investors, etc.</p> <p>a. No</p> <p>b. No</p>
<p>141. Is there a land tribunal or other dispute resolution mechanism that provides for resolution of land tenure disputes? If so, is this</p>	<p>Proclamation 456/2005</p>	<p>Art. 12</p>	<p>A dispute resolution mechanism exists for rural land. The relevant Article provides that the first action is to attempt to resolve the dispute through discussion and agreement of the concerned parties. If this fails, then the dispute is referred to an arbitral body</p>

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<p>accessible to communities? – to individuals?</p> <p>a. Can people without financial means access this system? E.g. are there fees, or requirements to engage lawyers?</p> <p>b. Are such tribunals or mechanisms available throughout the territory, including in rural areas?</p>	<p>Oromia Proclamation 130/2007</p> <p>Proclamation 721/2011</p>	<p>Art. 16</p> <p>Art. 30</p>	<p>to be elected by the parties or to be decided in accordance with regional laws.</p> <p>In terms of the regional laws, as an example, Oromia state’s rural land use Proclamation is relatively prescriptive in its provisions for dispute resolution. For example, it specifies exactly which bodies disputes must be submitted to, number of elders appointed by the parties, and appeal mechanisms.</p> <p>For urban land, Article 30 of Proclamation 721/2011 requires that urban land clearing and compensation cases are to be handled by appellate tribunals, established by the regions and city administrations. This is the only dispute resolution mechanism provided in the Proclamation.</p> <p>a. This is not provided for in the legislation.</p> <p>b. Yes (see example from Oromia state above).</p>

D. Informal and precarious settlements

Informal settlements (also called slums or shanty towns) are areas of housing constructed on land to which the occupants had no prior legal claim. The housing is generally constructed by the occupants from available materials and does not comply with building and planning laws. These unplanned settlements are not served with public infrastructure such as water, sewers/drainage, roads or telecommunications, or public services such as schools and medical facilities. They are especially vulnerable to the effects of natural disaster, as they are often built on high-risk land (precarious settlements), with poor construction materials and methods, and the residents are not protected from the effects of, for example, water contamination during flooding. Informal settlements sometimes arise from mass migrations to the outskirts of large cities following disaster (including slow-onset disasters such as drought and famine). However, many of these settlements exist for many years and become established townships. Approaches taken by governments tend to follow one of three paths: (1) ignore informal settlements for the purpose of regulation, (2) relocate residents either through forced evictions and

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demolition, or planned resettlement schemes, or (3) regularize them. The latter approach has been taken in Brazil under its Statute of the City administered by the Ministry of Cities, which seeks to progressively regularize and integrate under local government, existing informal and precarious settlements.			
<p>142. Is there a law that mandates clearing of slums / informal or precarious settlements?</p> <p>a. If so, what is the policy reason given (if any) for such clearance?</p> <p>b. Does it require or empower government authorities to evict or resettle residents? Or to demolish such settlements?</p> <p>c. If residents are to be moved, does this law require the provision of alternative housing? If so, how is this financed?</p> <p>d. If mandated, is there a process for eviction? E.g. notice periods, dispute resolution through land tribunals?</p> <p>e. Are there any other protections for the human rights and livelihoods of residents who are evicted or relocated?</p>			No, although note the relatively wide powers to compulsorily acquire land in question 141 above.
<p>143. Is there a law that mandates recognition and/ or regularization of slums / informal settlements?</p>	Proclamation 574/2008	Art. 43	Proclamation 574/2008 refers to a policy of "Urban Upgrading" which consists of " <i>an improvement to the living and working environment of slum areas by maintaining and partially removing of structures and through the provision of infrastructure and</i>

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<ul style="list-style-type: none"> a. If so, describe the legal regime for regularization, including the responsible institutions. b. Does regularization include the introduction of building codes? Are these mandatory and binding? c. Does regularization include the construction of public infrastructure? If so, how is this financed? d. Does this law authorise or mandate the provision of social services to informal settlements? e. Does this law include any other regulatory measures to address the vulnerability of such settlements to risk from natural disasters? 			<p><i>amenities.”</i></p> <ul style="list-style-type: none"> a. Proclamation 574/2008 provides that the relevant chartered cities or urban administrations will execute the urban upgrading in conformity with local development plans. b. No. c. Infrastructures and amenities should be provided, but there is no indication as to how this is financed. This would presumably be dealt with at the local level. d. No. e. No.
<p>144. Does any law require that informal settlements are included in:</p> <ul style="list-style-type: none"> a. Early Warning Systems? b. Community based DRR education and training? 			No.
<p>145. Does any law provide a</p>			No.

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<p>mechanism for recognition of tenure for residents of informal settlements?</p> <p>a. If so, what types of tenure (e.g. full title, right to occupy or use, right to purchase, tenancy)?</p> <p>b. If so, and such settlements are on privately owned land, is there provision for compensation of those with prior legal tenure?</p>			
E. Urban Water and Flood Management			
<p>146. Is there one or more national laws regulating and allocating institutional responsibility for water storage, distribution and quality control for human consumption? Is urban water management principally a national, or provincial/state or local responsibility?</p>	<p>Proclamation 197/2000 (Ethiopian Water Resources Management)</p>	<p>Art. 8</p>	<p>Proclamation 197/2000 (Ethiopian Water Resources Management) is the main piece of legislation in this area. The Ministry of Water Resources (now the Ministry of Water and Energy) is designated as the supervising body responsible for the planning, management and utilisation of water resources (achieved mainly through the permit system created under the Proclamation). Whilst obligations are placed on state organs, urban water management is mainly a national responsibility.</p>
<p>147. If there is a national water authority, does its mandate include risk reduction or preparedness for safeguarding the water supply in the face of natural disasters?</p>	<p>Proclamation 197/2000</p> <p>Ethiopian Water Sector Policy 2001</p>	<p>Art. 8(1)(j)</p> <p>2.2.7</p> <p>4.1.9</p>	<p>The mandate of the Ministry of Water Resources includes issuing directives, <i>“regarding water use restrictions in a situation of water shortage emergency, and supervise the implementation of the same.”</i></p> <p>The issue is also addressed in Ethiopia’s Water Sector Strategy and</p>

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	Ethiopian Water Sector Policy 2001		Policy documents from 2001 (note that these may have been updated, but more recent versions were not available online). These documents recognise that management of disasters associated with water shall form an integral part of water resources management, and places a general obligation on the Ministry to address flood and drought related disasters, among other things.
148. Does a national law allocate responsibility for flood mitigation construction and other water management against urban flooding (if relevant to the subject country)? If so, what authority is responsible?	Proclamation 197/2000 Ethiopian Water Sector Policy 2001 Ethiopian Water Sector Policy 2001	Art. 26	The Ministry of Water Resources is required to advise public bodies so as to avoid damages, adverse impacts or accidents which may occur as a result of floods. The Water Policy and Strategy both have flood prevention as objectives, although whilst the Strategy requires the determination of flood protection and the undertaking of flood control structural measures it does not state explicitly which entity must undertake this task. It is sensible to assume that, in accordance with the general responsibilities of the Ministry under Proclamation 197/2000, this responsibility sits with the Ministry of Water Resources (now the Ministry of Water and Energy).
149. If flood mitigation and water management against urban flooding is regulated at the sub-national level, at what level of government does this occur? Can you find an example of such a law?			N/A
Part Five. Regulation of the Natural & Rural Environment			

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Outline the laws and regulations concerning environmental management from the perspective of human safety, preservation of livelihoods and food security, including the regulation of exploitation of natural resources, water management, and reducing risks from natural events such as floods, earthquake, drought, landslides, and wildfires, such as: forestry regulation concerning wildfires, deforestation and erosion relevant to prevention of landslides and floods; environmental impact assessments; river and water catchment management relevant to flood prevention and mitigation, and water storage and distribution for human and agricultural consumption; prevention measures relating to drought, especially protection of people, livestock and crops in the face of drought, including water reserves against the risk of drought; and other prevention and risk management mechanisms to maintain food security, including measures to prevent desertification.			
A. Human Risks in Environmental Change			
150. Is there legislation on environmental protection? If so, what institution has responsibility?	Proclamation 295/2002 (Establishment of Environmental Protection Organs) Proclamation 299/2002 (Environmental Impact Assessment) Proclamation 300/2002 (Environmental Pollution Control)	Art. 3, 15	Three Proclamations issued in 2002 form the backbone of environmental legislation and policy in Ethiopia. Proclamation 295/2002 re-established the Environmental Protection Authority (EPA) as an autonomous public institution (Art. 3), with responsibility for the formulation of environmental policy, strategy, laws and standards. Proclamation 295/2002 also requires the regional states to establish independent regional environmental agencies (Art. 15), although these bodies are more concerned with coordination, monitoring and implementation of federal environmental policy.
151. Does the above mandate include environmental management from the perspective of: a. human safety? b. preservation of livelihoods? c. food security, especially concerning protection of crops and livestock?	Proclamation 295/2002 (Establishment of Environmental Protection Organs) Ethiopia Environmental Policy (1997)	Art. 5	a. The objective of the EPA is to <i>“formulate policies, strategies, laws and standards which foster social and economic development in a manner that enhance[s] the welfare of humans and the safety of the environment sustainable [sic]”</i> . b. No

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			<p>c. The Ethiopian Environmental Policy contains details on areas such as soil husbandry, sustainable agriculture, and sustainable management practices for crops and livestock, although “food security” is not addressed as a concept specifically.</p>
<p>152. Does this law provide for environmental impact assessments (EIAs) of any proposed new private and public industrial developments?</p>	<p>Proclamation 299/2002 (Environmental Impact Assessment)</p> <p>EIA Procedural Guidelines (2003)</p>	<p>Art. 3, 5</p> <p>Annex III, Schedule I</p>	<p>Proclamation 299/2002 deals specifically with EIAs, and contains a general prohibition on the commencement of implementation of “any project that requires environmental impact assessment”, and such projects are to be listed in directives issued by the EPA. It is unclear whether the EPA has issued any such directives, but the EIA Procedural Guidelines of 2003 shed some light on this area, and list a wide range of projects which require EIA, covering both potential public and private industrial developments.</p>
<p>153. If there are EIAs, do the criteria include:</p> <p>a. human risk factors from changes to the environment, including life and health as well as livelihoods and food security?</p> <p>b. assessment in light of the known natural hazards affecting the relevant locality, or downstream communities (where relevant)?</p>	<p>Proclamation 299/2002</p>	<p>Art. 2</p>	<p>Under Proclamation 299/2002, “Impact” is defined as “<i>any change to the environment or to its component that may affect human health or safety, flora, fauna, soil, air: water, climate, natural or cultural heritage, other physical structure, or in general, subsequently alter environmental, social, economic or cultural conditions</i>”, and the environmental impact study report must contain the following:</p> <p>a. <i>“the nature of the project, including the technology and processes to be used;</i></p> <p>b. <i>the content and amount of pollutant that will be released during implementation as well as during operation;</i></p> <p>c. <i>source and amount of energy required for operation;</i></p> <p>d. <i>information on likely trans-regional impacts;</i></p> <p>e. <i>characteristics and duration of all the estimated direct or</i></p>

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
	EIA Procedural Guidelines 2003	Annex I, Annex II	<p><i>indirect, positive or negative impacts;</i></p> <p><i>f. measures proposed to eliminate, minimize, or mitigate negative impacts;</i></p> <p><i>g. contingency plan in case of accident; and</i></p> <p><i>h. procedures of self auditing and monitoring during implementation and operation.”</i></p> <p>The EIA Procedural Guidelines list the criteria for EIAs that should be taken into account:</p> <ul style="list-style-type: none"> a. Socio-economic impacts b. Degradation of land and aquatic environments c. Water pollution d. Air pollution e. Noise and/or vibration f. Damage to wildlife and/or habitat g. Alterations to ecological processes h. Effects on cultural, religious, historic, archaeological and scientific resources; i. Climate, especially the hydrological cycle; j. Impacts on human health. <p>Special consideration is also given to areas prone to natural disasters.</p>
154. Is there a law that makes any authority responsible for the regulation of exploitation of natural			No.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
resources from the perspective of human safety during natural disasters? For example, preventing cross-contamination from industrial sites during flooding, or control of extraction methods to manage flooding and/or erosion?			
B. Forests			
155. Is there legislation on forest management (if relevant to the subject country)? If so, what institution has responsibility?	Proclamation 542/2007 (Forest development, conservation and utilisation)	Art. 17, 18	Yes. Proclamation 542/2007 concerns forest development, conservation and utilisation. The Ministry of Agriculture and Rural Development holds ultimate responsibility, although the power to administer forests lies with the regional states.
156. Does the above mandate include forest management from the perspective of natural disaster risk reduction, such as: a. prevention of wildfires? b. deforestation and erosion relevant to prevention of landslides and floods? c. other hazards, (such as encroachment by wildlife into agricultural land or villages)? Describe the scope.	Proclamation 542/2007	Art. 7(2)(d), 9(5), 9(7), 12	The Proclamation requires that <i>“forest resources shall be protected from natural and man-made disasters”</i> (Art 9(5)). a. Article 9(7) states that <i>“forests shall be protected from forest fire”</i> . Article 12 specifically governs the prevention of forest fires, necessary precautions, and actions to take in the event of a fire. It is also an obligation of private forest developers to ensure that the forest is protected from fire and other hazards (Art. 7(2)(d)). b. Article 9(7) states that forests shall be protected from deforestation.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
			c. Article 9(7) states that forests shall also be protected from “unauthorised settlement” and other “dangers”.
157. Does the law recognize customary laws and practices as to the use and management of forests and their resources?	Proclamation 542/2007	Art. 9(8), 11(6)	The “local community” of a forest have certain rights (e.g. to collect firewood, keep beehives, forage etc) but other than that there is no recognition of customary laws and practices. The local community must participate in the development and conservation of the forest, or they may be forced to evacuate the forest.
158. Does the law provide for use, conservation or management of forests and their resources by communities?	Proclamation 542/2007	Art. 4, 5, 6, 9(8), 11(6)	Yes. See question 158 above. The local community (defined as the community residing inside and adjacent to a state forest), and forest land may be given to the community so that “they conserve and utilise [the forest] in accordance with directives to be issued by the appropriate body.” Plant seeds and seedlings (and “forest technology packages”) can also be provided to farming and semi-pastoral communities in order to introduce farm-forestry practices to them A general provision exists which requires conditions to be facilitated whereby inhabitants within a state forest shall participate in the development and conservation of the forest, although this must be “ <i>in a manner that shall not obstruct forest development</i> ”, and local communities may be given forest development and conservation training and technical support.
C. Rivers and watercourses			
159. Is there legislation on river and watercourse management (if relevant to the subject country)? If so, what institution has	Proclamation 197/2000 (Ethiopian Water Resources Management)		Proclamation 197/2000 remains the main legislation on water management, although Proclamation 534/2007 creates a number River Basins High Councils (BHCs) whose objectives are to promote and monitor the integrated water resources and management process in their respective river basins. The BHCs are ultimately

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
responsibility?	Proclamation 534/2007 (River Basin Councils and Authorities Proclamation)	Art. 3, 4	responsible to the Ministry of Water Resources (now the Ministry of Water and Energy).
160. Does the above mandate include river management from the perspective of natural disaster risk reduction, such as: a. Riverbed management relevant to flood prevention and mitigation? b. Water storage and distribution for human, agricultural and industrial consumption in rural areas? Describe the scope.	Proclamation 534/2007 (River Basin Councils and Authorities Proclamation)		a. BHCs have the power to examine and decide on water allocation rules and principles in times of drought and flooding (Art. 6(5)). b. No.
161. Does the law recognize customary laws and practices as to the use and management of rivers and their resources?			No.
162. Does the law provide for use, conservation or management of rivers and their resources by communities?			No.
D. Drought and food security			
163. Is there any legislation providing for risk reduction and prevention measures relating to drought (if			Only to the extent that this is covered in the disaster management legislation already discussed.

3. EARLY WARNING AND REDUCTION OF UNDERLYING RISK FACTORS THROUGH REGULATION			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
relevant)? If so, does this include any institutional mandate or responsibility to protect people, livestock or crops in the face of drought?			
164. Does the above mandate include the construction and maintenance of water reserves, including against the risk of drought?			No.
165. Is there any other legislation relevant to risk management to maintain food security in the face of natural disasters, including any special measures to prevent desertification (if relevant)?			Only to the extent that this is covered in the disaster management legislation already discussed.

4. Information management and exchange, community level DRR education & awareness

Most elements of information, education and awareness will normally be done through policy rather than law, but the legal framework may require public institutions to make DRR information available to the public and/or to carry out public and school education and awareness on reducing risk from natural disasters. For example, there could be a Ministerial directive under the Education Act requiring the inclusion of DRR in the school curriculum. [If this requires repetition of information given above, please note 'see above' and refer to the relevant question number.]

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>166. Is there a law that regulates the collection and publication of seismological, meteorological and climatic data relevant to natural disasters?</p> <p>a. If so, what does it require and who is responsible for this, and under what law?</p> <p>b. Does it provide for community level access to the data?</p>			No.
<p>167. Is there a law that regulates the collection and publication of baseline population data, especially in high risk areas?</p> <p>a. If so, what does it require and who is responsible for this, and under what law?</p> <p>b. Does it provide for community level access to the data?</p>			See question 108.
<p>168. Does the education law or regulations require inclusion of DRR awareness in the school curriculum? Does this law or another law such as the DM law also require community DRR education?</p>			No.
<p>169. If there is a national disaster management policy, does this require any public authorities to</p>	NPSDRM	3.2.1.2.6, 3.4	The Draft Policy of 2009 contains several provisions relating to education on DRR issues: The Policy acknowledges that raising the levels of disaster prevention

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>conduct public education and awareness on DRR?</p> <p>a. If so, which authorities and what are they required to do?</p> <p>b. In particular does it require DRR education in schools?</p>			<p>through education and public awareness will contribute to reducing the impacts of disasters (3.2.1.2.6), and proposes to undertake the following activities:</p> <ul style="list-style-type: none"> • Mainstreaming of DRM into appropriate subjects at primary and secondary schools and encouraging extra-curricular DRM activities. • Encouraging higher learning institutions and think tanks to conduct DRM research etc. <p>There is a section in the policy covering DRM Mainstreaming (3.4) that states that <i>“DRM education shall be integrated into formal and informal systems of education at all levels and shall be promoted through community awareness.”</i></p> <p>Responsibility for such mainstreaming rests with Disaster Risk Management Units (DRMUs) which should be established at all administrative levels (i.e. federal, regional, zonal, woreda, kebele).</p>
<p>170. If the above law or the national disaster management policy requires public education, does this provide for community level DRR awareness? If so, does this make any provision for community participation in the development and delivery of public education and awareness campaigns?</p>	NPSDRM	3.4	<p>Yes – see question 171 above. However there are no provisions for community participation in development and delivery of campaigns.</p>
<p>171. Does legislation provide for any designated role for the Red Cross or</p>	NPSDRM	3.2.1.3.6	<p>THE NPSDRM refers to the ERC, in the context of mitigation activities. According to the NSPDRM, mitigation activities, as part of</p>

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS			
Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
Red Crescent National Society as an auxiliary to government in DRR education and awareness at community level?	Proclamation 153/1999 (Revised Charter of the Ethiopian Red Cross)	Art. 7	<p>the operational modalities under core DRM components, should include <i>“Establishing/encouraging the Ethiopian Red Cross Community, the school scouts movement and similar volunteers to develop the skills of youth in basic first aid and community service in times of disaster.”</i></p> <p>Proclamation 153/1999 provides for the ERC charter, and the ERC’s duties include:</p> <ul style="list-style-type: none"> ○ Supporting <i>“those groups of the community, especially women and children, who are most vulnerable to disaster”</i>. ○ <i>“in cooperation with the concerned organs, to participate in and contribute to environmental and community development activities such as afforestation, supply of potable water and the provision of community sanitary services”</i>.
172. Does legislation provide for any designated role for Civil Society in DRR education and awareness at community level?	NPSDRM	3.8.1	No specific provisions exist, but civil society partners are required to, among other things, <i>“provide technical, financial, and material support for DRM capacity development in addition to responding to humanitarian crisis”</i> and <i>“assist in development of technical skill, knowledge management, and sharing of best practices for DRM”</i> .
<p>173. Does any law provide for community-level results in DRR, such as:</p> <p>a. Natural disaster warnings that extend to community level?</p> <p>b. Implementation of incentives to carry out community based DRR,</p>	<p>NPSDRM</p> <p>Proclamation 574/2008 (Urban Plans)</p>	<p>2.3.3, 2.4.12.2, 3.1.4.1.4.10, 3.2.1.4.2.4.1</p> <p>Art. 5</p>	<p>a. The NPSDRM contains a general statement that <i>“DRM systems shall be decentralized and community-based whereby communities play decisive roles in the planning, execution, monitoring and evaluation of disaster risk management projects and programs.”</i> This has yet to be fleshed out into legislation.</p>

4. INFORMATION MANAGEMENT AND EXCHANGE, COMMUNITY LEVEL EDUCATION & AWARENESS

Legal Research Questions	Short Title, no. & date of law / regulation	No.ss./ paras.	Answers, comments & extracts (please use quotation marks for all extracts)
<p>or disincentives to ignore or increase risks from natural disasters?</p> <p>c. Community involvement in land-use and urban planning?</p> <p>d. Community involvement in and education concerning building codes?</p>			<p>b. The NPSDRM requires communities to be active in the monitoring and evaluation of the policy. Similarly, DRMUs are required to <i>“Promote the involvement of communities and other stakeholders particularly women and other vulnerable groups in the design, planning, implementation, and monitoring and evaluation of sectoral DRM strategies”</i>. Communities are also encouraged to <i>“develop and maintain a minimum level of resources to manage predictable disasters through their own capacity and resources”</i>, as well as to establish DRM funds and other community support mechanisms.</p> <p>c. <i>“Public participation”</i> is expected in urban planning (Proclamation 574/2008), although more specific involvement is not detailed.</p> <p>d. No</p>

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