Revised Bachelor of Laws Curriculum

(Draft)

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Summary of the 2013 Modularized National LL.B. Curriculum.....350

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1. Title of the Program

The title of this program is a Bachlor of Laws (LL.B. Program).

2. Background: current and historical context

Current context

The Addis Ababa University School of Law (SoL) (then Haileselassie I University, Faculty of Law) is the oldest law school in Ethiopia as well as one of the pioneer formal legal education centers in Africa. It was inaugurated on September 23rd 1963 by Emperor Haile Sellassie I. The SoL was established with the purpose of producing legal professionals who would meet the ever growing demand for trained lawyers at the time. At present, the SoL runs, in addition to the undergraduate program, an LL.M. Program, launched in 2001,in five areas of specialization; namely, business law, constitutional and public law, human rights, public international law, urban property and land in regular and continuing programs. There is an LL.M. in Criminal Justice program in the pipeline. The SoL also administers a Ph.D. program, which was strated in 2016. The LL.B. program is administered in two modalities –regular and continuing.

The SoL has presently 43 full-time academic staff and engages more than 30 part-time teaching staff in any academic year in its undergaraduate program. Table 1 shows the total current number of students of the SoL. As a pioneering modern legal education institution in Ethiopia, it boasts the largest alumni base matched by no other in the country, which is estimated to be over 3,000.

Table 1: current students

LL.B. students (regular)	LL.B. students (continuing)	LL.M. students (regular)	LL.M. students (continuing)	PhD students
308	233	200	330	25

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Total: 1,096

The academic staffs of the SoL have published sizeable number of published works including journal articles in leading journals, book chapters, conference proceedings, books, text-books and research reports. The SoL has maintained four thematic annual publications series in the areas of civil and commercial law, human rights law, international law and public and constitutional law on top of the Journal of Ethiopian Law. A student run journal adds to the stock of publications of the SoL.

The SoL provides legal aid services to indegents in its legal aid centers. The academic staff of the SoL provide professional services to various national institutions.

The SoL has the tradition of forging partnerships with several national and international institutions to boost its teaching, research and community services.

The SoL possesses a library with varied and diverse offline and online teaching-collections.

Historical background

There had been various curricular revisions carried out by the SoL between 1963 and 2006 with the view to enhancing the quality and relevance of legal education in Ethiopia. The curriculum at the time of the inauguration of the SoL in 1963 by Emperor Haileselassie I drew upon American and European curricula; the need to open law faculty was expressed in the Emperor's opening speech as pivotal in training Ethiopian lawyers in Ethiopian laws. That was the time the country just enacted the major substantive and procedure laws/codes. Having been dependent on foreigners, particularly the British in the judiciary, Ethiopia embarked on what can be termed as a massive self-capacity building in legal education and administration of justice.

The SoL started with a seven-man academic staff and 23 full-time students and 40 evening students. The commencement curriculum was based on a three-year training scheme adapted from the American law schools and its academic staffs were predominately expatriate with small student population. The curriculum of the SoL in 1960`s was "unduly heavy on private law subjects." Quintin Johnstone, the Dean of

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the SoL, in 1969 remarked that “Our curriculum is still too reflective of what is done at American and European law schools and is not sufficiently geared to the unique needs of Ethiopia.” Dean Quintin suggested that “even if the Law School has made progress especially with such subjects as land reform, natural resources, transnational transactions and employment relations,” more needs to be done in emphasizing high priority Ethiopian problems and in using Ethiopian data and materials.” In those years, curriculum revision was made by way of changing course names, credit hours and adding courses to the existing curriculum by Curriculum and Standards Committee instead of reshuffling the entire curriculum. The pre-1974 SoL curriculum had a one year internship requirement initially just before graduation, and later prior to their last year of classroom study. The latter internship arrangement had the merit of allowing students to bring back to their classes the realism and understanding of a year’s employment in different institutions, thereby enriching the subsequent learning experiences of themselves and their fellow students.

In 1979, the SoL convened a-three-day workshop in the town of Ambo to revise its LL.B. Curriculum. The aim of this revision exercise was to re-introduce a five-year LL.B. Curriculum and primarily to reflect “the post-1974 socio-economic and political developments” in the legal education of Ethiopia by injecting courses related to “socialist legality” into the curriculum and reducing the emphasis on private law in the curriculum. The revision was accomplished with the participation of a variety of legal professionals, i.e., judges, practitioners, lawyers from government offices which helped to revise the curriculum that by and large responded to the need of the society at that time.

In July 2001, it became clear for the SoL that events which had been unfolding in the wake of the overthrow of the Derg Regime in 1991 did call for overhauling changes in its curricula in general and particularly that of its regular degree program. The SoL adopted a revised LL.B. Curriculum in July 2001, which lasted until its replacement by a nationwide LL.B. Curriculum in 2006 to respond to the restoration of the market economy in 1991, the introduction of a federal form of state and repeated demand by stakeholders for skill-oriented curriculum changes.

The SoL has been implementing a unified national LL.B. Curriculum since 2006. A national law school curriculum was promulgated in September, 2006 required to be used by all law schools across the

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country. The 2006 National LL.B. Curriculum was revised and replaced by the April 2013 Modularized LL.B. Curriculum. As of the date of this Revised LL.B. Curriculum, a draft ***National Revised Curriculum of the LL.B. Program*** meant to replace the existing 2013 Modularized LL.B. Curriculum appears to be in the pipeline. Though not yet approved, several law schools have been implementing aspects of this draft curriculum since September 2019, whose latest draft edition of this curriculum is dated July 1, 2021.

Despite the foregoing curricular revisions and their implementation over the last several decades, legal scholars, justice sector policymakers, members of the legal profession and the wider public continue to raise serious concerns about the quality of undergraduate legal education being offered by the SoL.

In an attempt to empirically verify and address such concerns the SoL with the financial backing of the USAID *Feteh* (Justice) Activity in Ethiopia developed a national legal education reform project beginning in 2019. The project idea led to completion in June 2021 of two research reports; namely, the ***Review of National LL.B. Curriculum in Ethiopia*** (the Curriculum Review Report) that assessed weaknesses and strengths in the design and implementation of the 2013 Modularized LL.B. Curriculum with the objective of enhancing the relevance and quality of legal education in Ethiopia. As part of this same project, the SoL simultaneously finalized a complementary study, the ***Assessment of Clinical Legal Education and Legal Aid in Ethiopian Law Schools*** (the CLE Assessment Report).

Thirty three professional drawn from 28 institutions contributed to the Curriculum Review Report and the CLE Assessment Report; these two research reports were based on empirical data involving a range of data providers who are stakeholders of legal education and benefited from formal and informal stakeholders consultations including a national stakeholders` consultation workshop organized on May 26, 2021.

In August 2021, the SoL prepared the "**Bachelor of Laws Framework Curriculum for Ethiopian Law Schools**" (the Framework LL.B. Curriculum) with the objective of contributing to the quality and relevance of legal education in Ethiopia. The Framework LL.B. Curriculum draws on findings and recommendations of the Curriculum Review Report and CLE Assessment Report. In addition to being based upon the empirical data contained in these reports, the Framework LL.B.

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Curriculum is the product of collaboration with experts and institutions as well as consultations of stakeholders. The Framework LL.B. Curriculum was subject to a series of stakeholder consultations as well as review by curriculum and legal education experts.

The Framework LL.B. Curriculum builds on principles of curriculum formulation and revision enshrined in the latest legal framework governing higher learning institutions in Ethiopia--the Higher Education Proclamation 1152 of 2019. The proclamation requires higher education institutions in Ethiopia to ensure that their curriculum design and revision initiatives advance knowledge based problem solving, have regional and national relevance, and focus on national and regional needs and priority areas, institutional comparative advantage, and are based on consultation with relevant stakeholders.

The Framework LL.B. Curriculum recommends minimum national standards for the design and review of curricula for undergraduate legal studies. Based upon the researches and the consultations that were the basis of the Framework LL.B. Curriculum, the SoL strongly recommended its adoption by law schools in Ethiopia, including by itself, and formally urged Higher Education Relevance and Quality Agency and the Ministry of Science and Higher Education to embrace the Framework LL.B. Curriculum as one of the core mandatory instruments to regulate legal education in the country, to serve as standards for assessing the undergraduate legal study in the country.

Before 2006, law school curricular revision was self-initiated by each law school which in turn was driven primarily by a change of government. After 2006, curriculum revision regarding undergraduate legal studies started to be influenced, if not dominated, by outside forces. The SoL had been part of this trend. Thus, the 2006 national LL.B. Program was a national initiative under the comprehensive justice reform program unveiled in 2002 by the Government of Ethiopia and implemented by the then Ministry of Capacity Building and Justice and Legal System Research Institute. The 2013 law school national LL.B. curriculum was part and parcel of the Annual Intake and Enrolment Growth and Professional and Program Mix of Ethiopian Public Higher Education: Strategy and Conversion Plan (2008/09-2011/12) that required public universities to annually enroll new students on the basis of placement of 70% into the Engineering and Technology stream and 30% into the Social Sciences and Humanities streams. The ongoing national LL.B.

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Curriculum revision exercise was also initiated by the Ministry of Education under the umbrella of the Ethiopia Education Development Roadmap (2018-30) which emphasized higher learning degree programs to build on the concept of competencies.

3. Program rationale

The LL.B. degree offered by the SoL is the gateway to the legal profession. The role of SoL is not only to provide students with academic knowledge but also to produce employable graduates who will serve the nation. Those with the LL.B. degree will preside at the pinnacles of the judiciary and occupy the highest seats in public policy making. They will also be employed in research, teaching, and leadership in higher education institutions. They will occupy positions of leadership in government.

The first degree in law is key component of nation building effort as it provides actors who understand the imperatives of justice, rule of law, democracy, and human rights. Developmental efforts will not bear fruits without legal professionals who work for causes of justice.There cannot be effective administration of justice without qualified law graduates. Undegraduate law degree is particularly relevant in promoting access to justice in a country like Ethiopia where lawyer to population ratio is very less. On the contrary the inflow of court cases is on the rise and overall demand for legal services as well as their complexity is increasing with economic expansion, increasing social interaction and technological advancement.

If the SoL fails to provide quality legal education, the need of the public for a just, fair and impartial justice system will not be fully realized. Students must be trained to value and to live by the highest standards of integrity, legal ethics, and professionalism. They must be exposed, while in law school, to the realities of the practice of law through various teaching methodologies, including experiential/clinical courses. If graduates of SoL receive quality legal education, they will ably support human rights and the rule of law.

4. Program revision rational

This is a revision of the 2013 National Modularized LL.B. Curriculum. As indicated above, the SoL, as the oldest law school in Ethiopia, has for many years been the largest supplier of the country's need for trained legal professionals. Certainly, it will continue to play this constructive role in the future. Undoubtedly, the SoL's role in the country would be highly important if it manages to cater for the need of the society, among other things, by supplying graduates who could shoulder responsibilities they would be entrusted with at their work places. To this end, one of the necessary moves to be undertaken by the SoL is to keep revising its curricula whenever the requirements of changes in the society and the needs of the stake-holders demand to do so.

The main justifications behind this curriculum revision are as follows. Firstly, the requirement of reviewing curriculum periodically under the 2019 Senate Legislation (SL) calls for the present revision. The SL, under Article 108 (2.2.2) states that every academic unit must ensure that review and revision of its program at least every three years. It seems sensible to not to take this stipulation literally; it should be extended to every five years for a five year program such as the LL.B. Program being run by academic units of the University like the SoL. But the legislative requirement is clear: every curriculum needs to be revised at a regular interval. The 2013 National Modularized LL.B. Curriculum is already about eight years old. Thus, the revision of the LL.B. Curriculum which has been used by the SoL since 2013 is long overdue.

Secondly, beyond an attempt to conform to this formal requirement, as indicated in the preceding section, the pivotal importance of the first degree in law warrants regular revision of its curricula which is key component of nation building effort as it provides actors who understand the imperatives of justice, rule of law, democracy, and human rights.

Thirdly, the 2019 reintroduction of freshman courses in the curricular of all higher learning institutions in Ethiopia significantly affects the existing law school curriculum and it thus has an important implication for its revision. The freshman courses are designed to enable students acquire the necessary communication and analytical skills, culture of inquisitiveness, critical thinking, innovation and creativity, democratic values and knowledge, skills of new technologies and awareness.

Fourthly, findings of the Curriculum Review Report and the CLE Assessement Report which empirically and collaboratively assessed the design and implmentaiton of the 2013 National Modularized LL.B Curriculum calls for curriculum revision. The core finding of the Curriculum Review Report and of the CLE Assessment Report is that there are several curriculum design issues in the 2013 National Modularized LL.B Curriculum which diminish the quality and relevance of undergraduate legal education in Ethiopia.

The specific curriculum related findings which have emerged from the Curriculum Review Report and CLE Assessment Report include:

a) lack of clarity and completeness of objectives of legal education at LL.B. level;
b) concerns about relevance of existing courses to the national context;
c) course sequencing issues;
d) lack of clear definition of the desired profile of a law school graduate;
e) a gap between how the curriculum expects skill courses to be delivered and how they are actually delivered, leading in fact to the gravitation of the curriculum in action towards theory;
f) failure to sufficiently take into account in the curriculum the growth in the number, diversity and complexity of legislation at domestic and international levels;
g) significant overlap between legal education at law schools and entry/initial training at judicial training centres;
h) duplication of courses in the LL.B. Curriculum and those in LL.M. Curriculums;
i) lack of access to technology and/or lack of courses that cover the availability and utility of technology;
j) lack of qualified staff, inadequate staff offices and class rooms, and problems with accessibility and safety of classrooms;
k) lack of clear quality assurance mechanisms and standards against which the program of legal education as a whole is assessed;
l) adequacy of credit hours, appropriatness of teaching and assessment methods regarding clinical courses as well as lack of legal clinics and
m) weak linkage with potential employers, justice training institutions and the legal profession.

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Finally, the SoL has opted to benefit from the Framework LL.B. Curriculum which has built on the key findings and recommendations of the Curriculum Review Report and CLE Assessment Report. The Framework LL.B. Curriculum as the name indicates is a framework which broadly articulates the structure of the undergraduate legal studies. As indicated above, it proposes minimum national standards indicating, *inter alia*, foundational law courses, elective courses, assessment and teaching methodologies, quality assurance, collaboration and networking and other requisite curriculum guidance. The Framework LL.B. Curriculum envisages greater freedom for law schools to experiment, to innovate, and in general to progress in relation to curriculum design, redesign and implementation, avoid an attempt to establish a rather rigid and imposing control over the curricula of law schools by outside institutions. With regard to the electives, for instance, it suggests law schools to have the liberty to adopt courses not listed in the Framework LL.B. Curriculum; they may change thematization of and credit hours of electives proposed therein, rearrange sequence of optional courses taking into consideration their own aspirations and regional contexts in which they are located. This sort of autonomy and flexibility suggested in Framework LL.B. Curriculum permits individual law schools to make curricular changes on their own that are relevant to their geographical location or in response to local and international development as such an approach is believed to help the curriculum to be responsive and the SoL to remain relevant. And such flexibility is totally in line with the current higher education regulation.

5. Program duration

The regular program of the SoL leading to the award of the LL.B. Degree shall be five years of two semesters each to complete. The duration of the program for continuing education shall be in accordance with the AAU Senate Legislation.

6. Program objective

The objective of the LL.B. Program is to:

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a) provide thorough education in law to produce well-rounded and competent graduates who are well versed in the knowledge of domestic and international laws, equipped with skills for successful practice of law, and committed to serve the causes of justice;
b) support the developmental and democratization process in the country;
c) examine interfaces and intelinakges among indigenous legal knowledges and philosophies of Ethiopia and their implication on formal legal system;
d) enhance original and critical thinking in legal education;
e) foster multiculturalism in legal education and scholarship;
f) promote civic and community engagement;
g) promote prevalence of rule of law, human rights and social justice through legal education and research; and
h) equip students with the ethics and responsibilities of the legal profession in the administration of justice.

7. Graduate profile

Upon completion of the LL.B. Program of study, graduates are expected to:

a) explain major substantive and procedural laws, legal concepts and principles and integrate knowledge across the various areas of law;
b) critically interpret and analyze legal issues and principles and contextual debates about the law to solve legal problem;
c) assess legal validity of judicial decisions;
d) reflect on the role and responsibilities of lawyers in administration of justice;
e) explain the historical, ethical, political, socio-economic and philosophical dimensions and significance of the rule of law, human rights, and democracy;
f) demonstrate commitment to rule of law and causes of justice;
g) exhibit independent and original thinking;
h) examine Ethiopian legal thoughts and philosophies;
i) analyze indigenous legal rules and institutions;
j) accommodate multiculturalism and pluralistic views;
k) demonstrate qualities for cross-cultural adaptability and flexibility;
l) reflect comparative perspectives of law;

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m) explain the practical application of rules and their real implications;
n) design research strategy to solve doctrinal and non-doctrinal legal questions;
o) demonstrate clear, concise and effective writing skills using correct and plain English in communicating with others and in drafting court and other legal documents;
p) exhibit competent, confident and respectful oral communication and advocacy skills;
q) demonstrate effective personal skills;
r) demonstrate competent relational skills in interacting with others, working in teams, interviewing clients, and negotiation; and
s) appereciate technologies relevant to legal education and scholarship.

8. Admission requirements

Students who have completed the national preparatory education/high school and freshman first semester courses who wish to join the SoL will be selected from a list of students from the social science stream on a competitive basis.

a) The eligibility criteria for admission in the regular and continuing LL.B. Program shall be as follows.
   i. The candidate must have scored 50% or above in the national higher education entrance examination.
   ii. The candidate should meet minimum GPA in the first semester of the freshman program (3.00 for male and 2.75 for female, disadvantaged/unrepresented applicants).
   iii. The candidate must pass the law school entrance exam.

The weight assigned for the admission requirements is as follows:
   i. National higher education entrance exam…. 20%
   ii. First semester freshman program result….50%
   iii. SoL entrance exam…. 30%
   iv. Affirmative action….. 5%

b) The eligibility criteria for students on advanced standing level:

   i. score of 50% or above in the national higher education entrance examination and

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ii. Minimum CGPA of 3.00 in the freshman program or its equivalent.

The weight assigned for the admission requirements is as follows:

i. National higher education entrance exam…. 20%
ii. First semester freshman program result….50%
iii. Law school entrance exam…. 30%
iv. Affirmative action….. 5%

The SoL should set up, as urgently as possible, a standing admissions committee to handle admissions matters incluing annual intake capacity, processing applications and administering entrance examinations in all modalities of the udergaduate program.

The School of Law admissionscommittee should have the mandate to adjust procedures of admission to changes in the national or university admissions policy.

9. Teaching-learning methods

The methods of learning and teaching should be, to the extent suitable, participatory, student centered, and promote active learning with the purpose of developing requisite knowledge, skills, values and attitudes of students for respect of rule of law. The methods should take into account the Ethiopian contexts and promote independent thinking and problem solving skills. Learning-teaching methods employed may, as appropriate to each course and circumstance, include lectures, Socratic methods, case methods, problem based teaching method, seminars, tutorials, role-playing, simulation, project supervision, practical classes, workshops, guided independent study, supervised time in institutions, team learning, and field visit. These methods should be implemented with support of appropriate technology and online teaching forum.

10. Assessment methods

Assessment methods should aim towards ascertaining attainment of learning objectives and outcomes in each course and overall learning outcomes outlined in the program objectives and graduate profile. Student performance is assessed by fair, uniform and stringent written

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examinations or other objective and reliable assessment techniques. Fair and valid assessment methods are used to evaluate reliably the level of knowledge, skills and attitudes of students against the intended learning outcomes and the competencies they achieved.

Assessment methods include continuous assessment strategies that blend both the formative and summative assessment methods to measure and improve student learning and provide meaningful feedback to students on time. Formative assessment methods are measurements at different points during a particular course or at different points over the span of a student's education while summative assessment methods are measurements at the culmination of a particular course or at the culmination of any part of a student's legal education. Methods of assessment include tests, written exams, oral exams, assignments and presentations, on-job/practice performance or other mechanisms depending on the nature and content of the course. Assessment can be undertaken and students shall have the right to access assessed works and, if they have complaints, to receive appropriate remedy according to the 2019 Senate Legislation.

11. Program policies

a. Balancing theory and skill policy: The LL.B. Curriculum aims to produce graduates who are both thinkers and actors with deep understanding of theoretical and substantive law courses and with strong grasp of skill and ethics for law practice.

b. Skills courses instruction policy: The SoL should provide adequate instruction in professional skills, including critical thinking, legal research, analysis, writing, advocacy skills and client relations. Accordingly, course syllabi and relevant instructional materials for skills courses should be prepared with engagement of industry professors to effectively teach skills courses.

Concerning clinics, the SoL should organize legal clinics as a unit with adequate budget. Clinics should enable students to engage in a wide range of activities including representation and public interest litigation, counseling of clients, drafting documents, work on simulations such as debates, moot courts, attending regular seminars, and courts, and legal literacy activities and advocacy for legal and policy reforms.

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Student assessment in clinical courses in general should be crafted in such a way that it measures: students' compliance with professional standards of practicing lawyers, efforts to discharge their educational responsibilities in terms of attendance and participation in class room discussions and team meetings and learn from simulations, and actual experiences, and level of mastery of lawyering skills, such as interviewing, counseling, legal research and analysis, writing/drafting and oral/legal advocacy and empathy towards the vulnerable members of the communities and extending helping hands.

The SoL has to adopt a manual which determines scope of service of legal clinics, role of students and supervisors, supervisor–student ratio (the maximum being 15 which ensures strict supervision of students), competence of supervisors (with the mix of experience both in teaching and practice), and assessment in clinical courses should be continuous and multidimensional assessment and supported by extensive and immediate feedback), quality assurance mechanisms and ethical rules.

Regarding teaching externship, memorandum of understanding has to be signed between the SoL and host institutions in order to formally give mandate to the institutions to take part in legal education in supervising, guiding, and evaluating student performance. In addition, formal mechanisms have to be put in place to accommodate students on externship.

c. Teaching current developments: Course syllabi for each course should consciously dedicate topics that cover current/recent legal developments in the specific field.

d. Course clustering policy: Clustering related courses and delivering them in sequence one after the other allows students to understand relation between closely linked laws and their implication on social relations and develop competency on related subjects. Therefore, courses should be clustered in related groups. However, all courses should be delivered in parallel (than on block terms) to give students adequate time to properly reflect and understand lessons.

e. Student workload: Course weight should be determined in student workload. The ECTs is more suitable and widely understood than the credit hour system that focuses on instructors' workload. Moreover,

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ECTS[1] is preferable approach to facilitate student exchange programs and promotes internationalization agenda pursued by most universities in Ethiopia.

f. Technology use policy: the syllabi for all courses should adequately accommodate and address issues resulting from technological advancement in respective fields including digital technology and computer modeling, internet technology, satellite imagery, artificial intelligence and robotics, genetic engineering and gene editing, etc.

12. Quality assurance mechanisms

The SoL, in order to enhance the relevance and quality of its LL.B. program, shall:

a) continue recruiting academic staffs based only on merits; it shall maintain its good practice of hiring academic staff based on its well established recruitment procedures and criteria.
b) design and implement programs that directly or indirectly contribute for professional development of its academic staffs;
c) create opportunities that are useful to develop constructive relationship between academic staffs and students;
d) encourage its academic staffs, especially those who teach skill based (practice oriented) courses, to engage in practice and create opportunities for the same in a regulated manner;
e) take all necessary measures to make sure that course contents are determined carefully with the participation of senior academicians, justice sector actors and other relevant stakeholders;
f) design and implement a system that helps to timely follow the appropriate use, by academic staffs, of the time allocated to teach courses in a semester so that instructors utilize effectively and efficiently the time allocated to teach courses they are assigned to;
g) encourage and incentivize academic staffs to employ different methods of delivering law courses including, but not limited to: lectures, seminars, presentations, role modelling, question and answer sessions, and guest lectures;

[1] A lecture equivalent hour is 1 credit hour or 1.7 ECTS; a credit hour equires 3 hours of workload; ECTS system builds on workload (learning load) of a student rather than that (teaching load) of an instructor.

h) design and implement a system to follow-up the continuous and timely evaluation of students' performance by course instructors in accordance with the SL;
i) strictly observe the approved students admission criteria of the SoL;
j) conduct the performance evaluation of course instructors by their students at the end of every course delivery/module;
k) establish an institutional structure that works on quality assurance;
l) entertain students complaints and handle them in a manner that does not compromise the academic freedom of course instructors;
m) undertake research based periodic review of LL.B. program every five years, with the participation of relevant stakeholders; and
n) ensure that class size does not exceed the maximum number of students fixed by SL
o) keep record of graduate employability and conduct tracer study of graduate employment;
p) maintain a system of entrance and exit examination; and
q) ensure the fulfilment of accreditation requirements.

13. Graduation requirements

The LL.B. degree shall be awarded to candidates who have:

a) completed a total of 186 credit hours/310 ECTS/courses;
b) a CGPA of 2.00 and above; and
c) passed the national exit examination for LL.B. students.

14. Degree nomenclature

The degree to be conferred on a student who has successfully completed this program of study is designated in English as 'The Degree of Bachelor of Laws' and in Amharic as 'የሕግ ባችለር ዲግሪ'.

15. Governance and institutional set up

According to the current organization of the Addis Ababa University, the SoL has been restructured under the College of Law and Goverance Studies. The College has three academic units under it: the Center for Federalism and Governance Studies, the Center for Human Rights and the School of Law. The former two units have only graduate studies

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while the third one has both undergraduate and graduate studies.

The LL.B. Program falls within the scope of the University Senate which may, following recommendations from the College of Law and Governance Studies (the College), establish or discontinue programs. Thus, the SoL is under the overall oversight of the Academic Commission of the College of Law and Governance Studies, which is the highest body of a college for academic matters including recommendation to the Senate the establishment of new programs and modifications of existing ones pertaining to study, carry out functions relevant to the betterment of the teaching-learning process, propose programs to be offered including changes thereof, and undertake every three years evaluation of programs.

While the AAU determines core rules governing the program, the SoL shall itself establish and amend additional rules for the LL.B. program through its Academic Committee where required in consultation with and with the approval of the College. In particular, the SoL Academic Committee, *inter alia*, is responsible for preparing the school's short and long term objectives, plans and programs, and necessary budget for their implementation and submit the same to the dean through the Head; recommending criteria to the College Academic Commission for the selection of students joining the department/center/school; ensuring that all examinations are reviewed for completeness of content, rigor and soundness; reviewing grades and report the academic status of students to the College Academic Commission every semester; recommending graduation of students to the College Academic Commission; planning and coordinate regular reviews of curricula, initiation of new courses, cancellation of obsolete ones, merger of courses, proper utilization of departmental resources, maintenance of academic standards and quality of the programs of the SoL.

The Office of the Associate Dean for Undergraduate Studies of the College of Law and Governance Studies is in charge of the day-to-day academic administration of the LL.B. Program. The extension LL.B.Program is being managed by a coordination office dedicated to this end.

16. Resource profile

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Academic staff profile

As indicated in Section 1 above, the SoL has currently 43 fulltime academic staffs and more than 30 part-time academic staffs involved in the regular and continuing modalities of the LL.B. program. Their profiles are presented in the following tables.

Table 2: Profile of fulltime academic staff

No	Name	Qualification	Academic rank
1.	Abdi Jibril	PhD	Assoc. Prof.
2.	Addisie Shiferaw	LL.M	Lecturer
3.	Aberra Degefa	PhD	Assoc. Prof
4.	Amen Taye	LL.B.	Assist. Lect.
5.	Amerti Solomon	LL.M	Lecturer
6.	AschalewAshagre	LL.M	Assist. Prof
7.	BenyamTafesse	LL.M	Lecturer
8.	Biruk Haile	PhD	Assist. Prof.
9.	Demelash Shiferaw	PhD	Assist. Prof.
10.	Dereje Zeleke	PhD	Assoc. Prof
11.	Mandefro Eshete	PhD	Assist. Prof
12.	Eyob Awash	LL.M	Lecturer
13.	Fekadu Petros	LL.M	Assist Prof.
14.	Fikremarkos Merso	PhD	Assoc. Prof.
15.	GetachewAssefa	PhD	Assoc. Prof.
16.	Getachew Bezu	LL.M.	Lecturer.
17.	GirmachewAlemu	PhD	Assoc. Prof
18.	Jetu Edosa	LL.M	Assist Prof.
19.	KinfeYilma	PhD	Assist. Prof
20.	KokebeWolde	LL.M	Lecturer
21.	Lea Mehari	LL.B.	Assist. Lect.
22.	Martha Belete	LL.M	Assist. Prof.
23.	Mehari Redae	PhD	Assoc. Prof.
24.	Mekete Bekele	LL.M	Assoc. Prof
25.	Mellese Damtie	PhD	Assoc. Prof
26.	Mesenbet Assefa	PhD	Assist. Prof
27.	Mizanie Abate	PhD	Assoc. Prof
28.	Mohamed Habib	LL.M	Assist. Prof.
29.	Muradu Abdo	PhD	Assoc. Prof.

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30.	Sefanit Mekonnen	LL.M	Lecturer
31.	Simeneh Kiros	PhD	Assoc. Prof.
32.	SisayAlemahu	PhD	Assoc. Prof.
33.	Solomon Abay	PhD	Assoc. Prof.
34.	TaddeseLencho	PhD	Assist. Prof.
35.	TilahunTeshome	LL.B	Professor
36.	Tsehai Wada	LL.M	Assoc. Prof.
37.	WondemagegnTadesse	PhD	Assist. Prof.
38.	Wondwossen Demissie	PhD	Assist. Prof.
39.	Yazachew Belew	LL.M	Assist. Prof.
40.	Yenehun Birile	LL.M	Assist. Prof.
41.	Yonas Birmeta	PhD	Assist. Prof.
42.	Yosalem Negus	LL.B	Assist. Lect.
43.	Zekarias Kennea	LL.M	Assoc. Prof.

Table 3: Disaggregated data on fulltime academic staff profile

LL.M holders	PhD candidates	PhDs	Lectuers	Assistant professors	Associate professors	Professors
17	8	21	6	18	14	1
Total: 43						

Table 4: Profile of some parttime academic staff involved in the LL.B. Program

No	Name	Qualification	Rank/experience
1.	Abdulmalik Abubaker	Ph.D	Assistant Professor and Legal Advisor
2.	Abraham Rega	LL.M	Lecturer at Debrebrihan University, Associate at Mehreteab and His Associates
3.	AbrehamTadesse	LL.M	Attorney-at-law
4.	Aron Degol	LL.M, MBA	Research and Legal Aid Director, Federal Supreme Court, Lecturer of Law and Management at St.

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			Mary's University
5.	Atkilit Bekele	LL.M	Market Access and Trade Policy Officer, UK
6.	Bereket Alemayehu	LL.M	Market Access and Trade Policy Officer, UK Department for International Trade
7.	Bikila Ababu	LL.M	Manager Legal Research, Advice and Drafting Team, Cooperative Bank of Oromia
8.	Binnyam Ahmed	LL.M, MBA	Legal Researcher
9.	Dagnachew Melesse	LL.M	Attorney and Consultant at law
10.	Dawit Berihum	LL.M, Ph.D Candidate	Lecturer
11.	Haile Bayisa	LL.M	Lecturer
12.	Hirko Alemu	LL.M	Chief Legal officer at Ethiopian Postal Service Enterprise
13.	Lulit Adinew	MA	Legal Research Team Leader, Federal Supreme Court
14.	Manguday Wondimu	LL.M	Attorney and consultant-at-Law
15.	Nigussie Redae	LL.M	Legal Manager at JTI (Japan Tobacco International)
16.	Semere Tiruneh	LL.M; MBA	Partner Fekadu Petros and Partner Law Office, Attorney and Consultant
17.	Taddele Teka	LL.M, M.A	Lead Legal Researcher/Civil Laws Research Team Legal Research & Training Institute
18.	Teklehaymanot Dagne	LL.M	Judge, Federal First Instance Court
19.	Tsegamlak Solomon	LL.M	Legal Counselor, RENEW Investment Advisor PLC
20.	YohannesAssefa	LL.M	Attorney and Consultant at law
21.	YonasAbebe	LL.M	Investigator, Prosecutor @ the Ethiopian Federal Trade Competition and Consumers' Protection Authority.
22.	Gosaye Ayele	LL.M.	Ethiopian Civil Service University, Lecturer

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Physical resources

The SoL has its own administrative building. In addition, it has a moot court room, designated library space, a computer lab, office space for the provision of its legal aid service, and few class rooms that are designated to it. The SoL also has class rooms that it shares with other academic units of the University.

The experiences of many successful law schools dictate the significant role of smart class rooms to facilitate effective designing and delivery of law courses and to enhance students' engagement and participation. Many of the law courses offered in LL.B. program are practice oriented that can hardly be effectively taught by using a marker and whiteboard. Effective teaching of law courses requires a law instructor to employ interactive teaching approaches; and for this to happen the availability of class rooms equipped with the necessary materials and technologies in the SoL is crucial. However, none of the class rooms being used by SoL for LL.B. program are equipped with the necessary materials and technologies to teach law courses, and hence absence of smart class is one of the main challenges that has long been encountered by the SoL that requires quick solution.

The SoL has free access to AAU's John F. Kennedy Library collections and other e-libraries subscribed by the university and/or the SoL itself including, but not limited to, https://home.heinonline.org/, University of Oxford Library and Jstor.org

As mentioned in Seciton 1, the SoL publishes 6 publications covering a wide range of issues. The publications include: Journal of Ethiopia Law, Students' Law Review, Civil and Commercial Law Series, Ethiopian Constitutional and Public Law Series, International Law Series and Human Rights Law Series.

17. Linkage with relevant institutions

The SoL has ways of linking with stakeholders including the legal profession and justice sector institutions. But linkages lack institutional backing and thus those interfaces tend to be ad hoc and based on personal good will. Thus, for an effective implementation of this revised curriculum, the SoL shall design additional mechanisms to involve justice sector institutions, public or private, in legal education supervising and evaluating student performance in externship

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programs. Such mechanisms should also strengthen university-industry linkages paving the way for recruitment of industry professors and closer cooperation in legal education and scholarship. The SoL should also cater to the needs of different stakeholders, including government institutions, businesses, private sector employers and non-governmental organizations in the conduct of legal education, research, and community service endeavors. The SoL should involve students, alumni and other stakeholders in an advisory capacity to receive appropriate feedback about its services in education, research and community service. The SoL should revise its curricula after consulting with stakeholders including students, government, civil society, and businesses.

18. Sequencing and semester breakdown of courses

Course sequencing

Mandatory courses

No.	Course title	CrHr	ECTS
1.	Economics	3	5.00
2.	Moral and Civics Education	2	3.00
3.	Entrepreneurship	3	5.00
4.	Communicative English Language Skills I	3	5.00
5.	Social Anthropology	2	3.00
6.	Global Trends	2	3.00
7.	Introduction to Emerging Technologies	3	5.00
8.	Int. to Law and the Ethiopian Legal System	3	5.00
9.	Communicative English Language Skills II	3	5.00
10.	Mathematics for Social Sciences	3	5.00
11.	Critical Thinking	3	5.00
12.	General Psychology	3	5.00
13.	Geography of Ethiopia and the Horn	3	5.00
14.	Physical fitness		P/F
15.	Logic for Lawyers	3	5.00
16.	Law of Persons	2	3.00
17.	Inclusiveness	2	3.00
18.	English for Lawyers	3	5.00
19.	Constitutional Law I	3	5.00
20.	Jurisprudence	3	5.00
21.	Law of Family	3	5.00
22.	Ethiopian Legal Thoughts	3	5.00
23.	Introduction to Technology Law	2	3.00
24.	Legal Writing	2	3.00
25.	Legal Research Methods	3	5.00
26.	Legal Ethics and Professionalism	3	5.00
27.	Law of Contracts I	3	5.00
28.	Federalism	3	5.00
29.	Constitutional Law II	3	5.00
30.	Law, Gender and Disability	3	5.00

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31.	Law of Succession	3	5.00
32.	Criminal Law I	3	5.00
33.	Human Rights Law	3	5.00
34.	Law of Civil Procedure I	3	5.00
35.	Law of Contracts II	3	5.00
36.	Ethiopian Customary Laws and Institutions	3	5.00
37.	Administrative Law	3	5.00
38.	Criminal Law II	3	5.00
39.	Property Law	4	7:00
40.	Law of Civil Procedure II	3	5.00
41.	Law of Criminal Procedure	3	5.00
42.	Law of Evidence	3	5.00
43.	Public International Law	4	7.00
44.	Land Law	3	5.00
45.	Law of Extra-Contractual Liability	3	5.00
46.	Law of Agency	2	3.00
47.	Legal Clinics I	2	3:00
48.	Trial and Appellate Advocacy	2	3:00
49.	Environmental Law	2	3:00
50.	Tax Law	3	5.00
51.	Employment Law	3	5.00
52.	Law of Traders and Business Organizations	4	7:00
53.	Legal Clinics II	2	3.00
54.	Exit Exam I	3	5.00
55.	Externship[2]	3	5.00
56.	Exit Exam II	3	5.00

Elective courses

Elective course offerings: Business Law Stream

No.	Course title	CrHr	ECTS
1.	Intellectual Property Law	3	5.00
2.	International Trade Law	3	5.00
3.	Maritime Law	2	3.00
4.	Bankruptcy Law	2	3.00
5.	Investment Law	3	5.00
6.	Law of Banking & Payment Systems	2	3.00
7.	Law of Insurance	2	3.00
8.	Law of Negotiable Instruments	2	3.00
9.	Law of Security Devices	2	3.00
10.	Alternative Dispute Resolution	2	3:00
11.	Construction Law	2	3.00
12.	Law of Public Enterprises, Cooperatives, Micro, Small and Medium Enterprises	3	5.00
13.	Law of Sales and Consumer Protection	2	3.00
14.	Legal Clinics III	2	3.00
15.	Int. to Comparative and International	3	5.00
16.	Legislative Drafting	2	3.00
17.	Senior Thesis	3	5.00
18.	Law of Microfinance Institutions	2	3.00
19.	Competition Law	2	3.00
20.	Law of Administrative Contracts	2	3.00
21.	Conflict of Laws	2	5.00

[2] Students will be assigned to institutions and start the practice during summer break. And, during the semester, they work 1 day per week.

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22.	Energy Law	2	3.00
23.	Sentencing and Execution	2	3.00
24.	Agriculture Policy and Law	2	3.00

Elective course offerings: Public Law Stream

No.	Course title	CrHr	ECTS
1.	International Trade Law	3	5.00
2.	International Humanitarian Law	2	3.00
3.	Into to Comparative Public Law	3	5.00
4.	Legislative Drafting	2	3.00
5.	Refugee & IDP Law	2	3.00
6.	Law of International Organizations	2	3.00
7.	Conflict of Laws	3	5.00
8.	African Union and Human Rights Law	2	3.00
9.	Electoral Law	2	3.00
10.	Public Procurement Law	2	3.00
11.	Water Law	2	3.00
12.	Sentencing and Execution	2	3.00
13.	Medical Law	2	3.00
14.	Regional Integration Law	2	3.00
15.	Education Policy and Law	2	3.00
16.	Bio-Diversity Law	2	3.00
17.	Islamic Law	3	5.00
18.	Customs Law	2	3.00
19.	Agriculture Policy and Law	2	3.00
20.	Military Law	3	5.00
21.	Senior Thesis	3	5.00
22.	Law of Non-Profit Organizations	3	5.00
23.	Legal Clinics III	2	3.00

Course breakdown

Year I, Semester I

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS
1	Econ 1011	Economics	Econ 1011	Economics Econ-1011	3	5.00
2	MCiE 1012	Moral and Civics Education	MCiE 1012	Moral and Civics Education	2	3.00
3	MGMT1012	Entrepreneurship	MGMT 1012	Entrepreneurship_ _	3	5.00
4	FLEn 1011	Communicative English Language Skills I	FLEn 1011	Communicative English Language Skills I	3	5.00
5	Anth1012	Social Anthropology	Anth 1012	Social Anthropology	2	3.00
6	GlTr1012	Global Trends	GlTr 1012	Global Trends	2	3.00
7	EmTe1012	Introduction to Emerging Technologies	EmTe 1012	Introduction to Emerging Technologies	3	5.00
				Total	**18**	**29**

Year I Semester II

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS

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Year II Semester I

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS
1		Logic for Lawyers		Logic for Lawyers	3	5.00
2		Law of Personal Status I		Law of Persons (P)	2	3.00
3	SNIE-1012	Inclusiveness	SNIE-1012	Inclusiveness	2	3.00
4		English for Lawyers		English for Lawyers	3	5.00
5		Constitutional Law		Constitutional Law I	3	5.00
6		Jurisprudence		Jurisprudence	3	5.00
7		Law of Personal Status		Law of Family	3	5.00
				Total	**19**	**31**

Year II Semester II

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS
1		Ethiopian Legal Thoughts		Ethiopian Legal	3	5.00
2		Legal Writing		Legal Writing	2	3.00
3		Legal Research Methods		Legal Research Methods	3	5.00
4		Legal Ethics and		Legal Ethics and	3	5.00
5		Law, Gender and		Law, Gender and	3	5.00
6		Constitutional Law		Constitutional Law II	3	5.00
7		Law of Personal Status		Law of Succession	3	5.00
				Total	**20**	**33**

Year III Semester I

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS
1		Law of Obligations		Law of Contracts I	3	5.00
2		Federalism		Federalism	3	5.00
3		Criminal Law		Criminal Law I	3	5.00
4		Human Rights Law		Human Rights Law	3	5.00
5		Law of Civil Procedure		Law of Civil Procedure I	3	5.00
6		Ethiopian Customary Laws and Institutions		Ethiopian Customary Laws and Institutions	3	5.00
7		Introduction to Technology Law		Introduction to Technology Law	2	3.00
				Total	**20**	**33**

Year III Semester II

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS
1		Law of Obligations		Law of Contracts II	3	5.00
2		Administrative Law		Administrative Law	3	5.00
3		Criminal Law		Criminal Law II	3	5.00
4		Property Law		Property Law	4	7:00
5		Law of Civil Procedure		Law of Civil Procedure	3	5.00
6		Law of Criminal Procedure		Law of Criminal	3	5.00
				Total	**19**	**32**

Year IV Semester I

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS
1.		Law of Evidence		Law of Evidence	3	5.00
2.		Public International Law		Public International	4	7.00
3.		Land Law		Land Law	3	5.00

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4.		Law of Extra-Contractual Liability		Law of Extra-Contractual Liability	3	5.00
5.		Law of Agency		Law of Agency	2	3.00
6.		Legal Clinics I		Legal Clinics I	2	3:00
7.		Trial and Appellate Advocacy		Trial and Appellate	2	3:00
				Total	**19**	**31**

Year IV Semester II

No.	Module Code	Module Name	Course Code	Course Title	CrHr	ECTS
1.		Environmental Law		Environmental Law	2	3:00
2.		Tax Law		Tax Law	3	5.00
3.		Employment Law		Employment Law	3	5.00
4.		Law of Traders and Business Organizations		Law of Traders and Business Organizations	4	7:00
5.		Legal Clinics II		Legal Clinics II	2	3.00
	Elective Courses Start Here[3]					
6.						
7.						
				Total	**14**	

Year IV: Semester II
Business Law Stream elective courses: Minimum 6 Cr/Hr or 14ECTS

No	Course code	Course title	Cr/Hr	ECTS
1.		Bankruptcy Law	2	3
2.		Law of Insurance	2	3
3.		Law of Banking and Payment Systems	2	3
4.		Law of Public Enterprises, Cooperatives and Micro, Small and Medium Enterprises	3	5
5.		Law of Microfinance Institutions	2	3
6.		Competition Law	2	3

Year IV Semester II
Public Law Stream elective courses: Min, 6 Cr/Hr

No	Course code	Course title	Cr/Hr	ECTS
1.		International Trade Law	3	5
2.		Int to Comparative Public Law	3	5

[3] The SoL shall take note of the the following guidelines in the tadministration of elective courses:
1. The SoL shal ensure students are presented with the list of elective courses to be thought for the semester way ahead before the start of the semester (in the middle of the semester preceding the one in which the courses are planned to be given)
2. A minimum number of 15 students have to be registered for an elective course to be given in a particular semester. If the required number of students is not fulfilled, the course will not be given in that semester and students that have elected that course will be required to change their registration to another course which has been selected by the required numberof students.

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3.		Water Law	2	3
4.		Customs Law	2	3
5.		Public Procurement Law	2	3
6.		Agriculture Policy and Law	2	3

Year V Sem. I
Business Law Stream, elective Courses: Min 14 credit, total credit hr 20

No	Course code	Course title	Cr/Hr	ECTS
		Exit Exam	3	5
		Externship	3	5
Elective: Min 14 Cr/Hr				
1.		Law of Sales and Consumer Protection	2	3
2.		Law of Security Devices	2	3
3.		Construction Law	2	3
4.		Law of Negotiable Instruments	2	3
5.		Law of Administrative Contracts	2	3
6.		Conflict of Laws	3	5
7.		Energy Law	2	3
8.		Int to Comparative and Internaitonal Commercial Law	3	5

Year V Semester I
Public Law Stream : Min 14 Cr/Hr, total credit hr 20

No	Course code	Course title	Cr/Hr	ECTS
		Exit Exam I	3	5
		Externship	3	5
Elective: Min 14 Cr/Hr				
1.		Sentencing and Execution	2	3
2.		Medical Law	2	3
3.		African Regional Integration Law	2	3
4.		Law of International Organizations	2	3
5.		Education Policy and Law	2	3
6.		Bio-Diversity Law	2	3
7.		Islamic Law	3	5
8.		Legislative Drafting	2	3

Year V Semester II
Business Law Stream Elective courses: Minimum 12 Cr/Hr, total Cr hr 15

No	Course code	Course title	Cr/Hr	ECTS
		Exit Exam II	3	5
Elective: Min 12 Cr/Hr				
1.		International Trade Law	3	5
2.		Investment Law	3	5
3.		Intellectual Property Law	3	5
4.		Alternative Dispute Resolution	3	5
5.		Maritime Law	3	5
6.		Sentencing and Execution	2	3
7.		Agriculture Policy and Law	2	3

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8.		Legislative Drafting	2	3
9.		Legal Clinics III	2	3
10.		Senior Thesis	3	5

Year V Semester II
Public Law Stream elective courses: Min12 Cr/Hr, total Cr Hr 15

No	**Course code**	**Course title**	**Cr/Hr**	**ECTS**
		Exit Exam II	3	5
Elective :Min 12 Cr/Hr				
1.		International Humanitarian Law	2	3
2.		African Union and Human Rights Law	3	5
3.		Refugee and IPD Law	2	3
4.		Law of Non-profit Organizations	2	3
5.		Media Law	3	5
6.		Electoral Law	2	3
7.		Military Law	2	3
8.		Legal Clinics III	2	3
9.		Senior Thesis	3	5

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Course syllabi

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Syllabi for Mandatory Support Courses

1. Course identification
Course title: English for Lawyers
Course Code:
Course weight: 3Hrs/5 ECTS
Prerequisite:

2. Course Description
English for Lawyers I in part of a two semester English course offered to first year students undertaking the LLB in Ethiopian Higher Education Institutions. As opposed to the general English students studied in high school, EFL attempts to help students primarily to understand and use the language of law. Through a wide variety of exercises based on authentic texts form different genres used in the legal profession, it exposes students to the language and academic skills needed to study law. These include, speaking, listening, reading, writing, vocabulary and grammar.

3. Course Objectives
On completion of this course, students are expected to:
- give contextual meanings of words
- demonstrate good presentation skills, involving confidence and fluency in using English in class discussions, debates and panel discussions
- answer varieties of comprehension and inference questions in listening and reading
- display critical reading and listening skills
- appreciate law related literature
- produce well organized paragraphs and essays
- produce summaries of texts related to legal matters
- Write relevant and precise answers for examination questions, especially essay questions.

4. Methodology
English for Lawyers I employ an integrated approach to teaching English. Through legal topics, it deals with English language and academic skills relevant to studying law. The course in not about exploiting the legal texts mechanically; it attempts to develop thinking skills by employing some legal methodologies such as analyzing cases and interpreting legal provisions some legal methodologies such as

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analyzing cases and interpreting legal provisions appropriate to law. through these methods students will have the opportunity to integrate grammar, vocabulary, speaking, listening, reading and writing skills. A variety of tasks are used to cater for the divergent learning preferences of the students. The students will do tasks individually, in pairs and in groups to develop their individual thinking and expressing their thoughts to others.

5. Course Structure and Schedule

English for Lawyers I comprise five units. 1, the introductory unit, helps students reflect on their learning styles, and develop lecture note making, presentation and examination skills. The rest of the units treat different language and academic skills mainly based on law themes. The units recycle important skills of grammar, vocabulary, reading, listening, speaking and writing.

Time	Topics to be covered
Weeks1-3	**Unit 1: General Introduction to Academic skills** Part I: crating classroom climate Part II: Understanding Learning Styles Part III: Improving Lecture Note Taking
Weeks 4-6	Unit 2: why do we need Law? part I: Brainstorming Part II: Reading 1: Understanding Extended **Definition** Part III: Vocabulary Development Part IV: Reading 2: Understanding customary Laws Part V: Grammar of Legal Provisions Part VI: writing Definitions
Weeks 7-8	**Unit 3: Democracy and systems of Government** Part I: Brainstorming Part II: Vocabulary Development Part III: Reading Literature on

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	Government systems Part IV: Grammar: comparison and contrast Markers Part V: Developing paragraphs and essays using Part VI: Panel Discussion
weeks 9	**Mid semester**
weeks 10-12	**Unit 4: Court Procedures and cases** Part I: Brainstorming Part II: Reading 1: Procedures Part III: Reading 2: Reports Part IV: Grammar: Tense combination part V: summary writing Part VI: speaking practice: Role play
weeks 13-15	**Unit 5: Gender Issues** Part I: Brainstorming Part II: Listening Part III: Reading 1: HIV and women Part IV: Reading 2: stories of Violence part IV: Grammar: Language of persuasion Part V: Debate Part VI: writing an Argumentative Essay
Week 16	**Final exam period**

6. Course Assessment

The students will be assessed on continuous basis using class and written mid and final examinations. The mid and final examinations, focusing on reading comprehension, writing, grammar in context and vocabulary for course materials, will comprise 60% of the total assessment. The class tests will cover 40% allocated for speaking Listening and writing.

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Speaking 20%

The following categories can be used to assess students' speaking competence in different communication skills in the classroom.

a) class participation
b) individual or group presentation
c) panel discussion
d) debate

The teacher can give projects like report of court visits or opinion surveys which the students can do in groups and report to class.

Listening 10%

In addition to the writing task in the mid and final exams, students are expected to submit at least two assignments one effective paragraph and effective essay. It would be more useful for legal studies if the assignment could include summary writing and argumentative writing.

7. Course Policy

At least 80% attendance of the course is required to sit examinations. Attendance and participation are extremely important for the students to succeed in English for Lawyers I. They should be told to come to come to class on time and stay for the whole period in order to be counted as present. Every absence results in deduction of ¼ points, until a maximum of 3 points.

Students are fully responsible for all written and oral assignments are they should submit them by the deadline set. If they are absent or unsure about an assignment, they must consult the teacher. They are advised not to get assignments done by other students or copies from other those who engage in such practices are fully responsible for the consequences of irresponsible behavior, and will be treated as per the regulation of the collage/university they are attending

8. REFERENCES

The course has a text book, in addition to which the teacher and students have access to the following materials.

A. Dictionaries

Important dictionaries like Black s law Dictionary, Advanced Learners Dictionary and Webster Dictionary should be available in the institute or department offering legal education.

B. Course book and other English for Law text books

1. Nigussie N (2007) English for lawyers I, ILR, Addis Ababa
2. Riley, A.(1993) English for Law. London Macmillan publishers

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3. seifu B/Tsion et al (2001) English for law (vol I & II), Ethiopian Civil Service Collage, Ethiopia

C . Additional refinance language and academic skills

1. Harman, L., P. Leech and J. Murray (1998) Reading Skills for Social Sciences. Oxford OUP
2. LYnch , T (1995) Teacher Speaking Oxford University press
3. Milan, D. (3rd edn.) (1991) Developing Reading Skills. McGraw-hillInc
2. Rosenthal, L. and S. Rowland (1986) Academic Reading and study Skills
3. Ruddell, M, R(2nd edn) (1997) Teaching Content Reading and Writing Boston : Allyn and Bacon
4. Tomlinson, Band R Ellis (1988) Reading Advanced Oxford OUP.

D Films and Debating clubs

To increase the opportunity for the students to practice using English language outside classroom , teacher can explore various mechanisms .for instance, they can use some videos /films or record live TV shows dealing with legal issues ,such as Judge Judy on Ethiopian Television to expose the students to legal language . Listening cassettes and tape records are important for exercising listing. As much as time allows, they may also organize debating clubs or moot court sessions in collaboration with law professors.

E The internet

The intern ate can also be a very good source to supplement the reading passages in the course book. For this and other recourse mentioned above, the institution offering legal education should have funds or budget to avail.

1. Course identification

Course Title: **Logic For Lawyers**
Course Code:
Course weight: 3 Hrs/5ECTS
Prerequisite: [None]

2. Course Description

The course deals with the application of the principles of correct reasoning in effort to attain truth. As such, it endeavors to introduce the

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basic concepts of logic and methods of logical reasoning: Logic and arguments, definitions and meaning, informal fallacies, categorical statements and syllogisms, propositional logic, and induction. The purpose of the course is to develop in learners the skills required to construct sound arguments of their own and critically evaluate the arguments of others; cultivate the habits of critical thinking in legal reasoning. Thus, the study of logic is of vital importance for law students who will graduate to become qualified legal professionals, and which profession relies very much on correct reasoning. With the view to contextualize the course to the Ethiopian reality and to the peculiarities of the legal profession, the course draws attention on examples and illustrations that are currently at issue in Ethiopia with particular reference to the issues pertaining to the law and practice. Lectures, class room discussions, role playing and various practical and participatory exercises will be used to deliver the course. Students will be progressively assessed on the basis of assignments, quizzes, tests and exams.

3. Course Objective

After completing this course the law students will be able to:

- discern the difference between arguments and non-arguments.
- comprehend the various conceptual tools used to evaluate arguments..
- value the importance of clear and accurate language in presenting arguments.
- understand the different methods of defining terms.
- recognize the distinction between formal and informal fallacies.
- know how to forward tenable arguments.
- appreciate the importance of avoiding emotive language in presenting arguments.

4. Teaching Methods and Course Policies

- Lectures, exercises, and class discussions, role playing.
- Contextualized examples, illustrations.
- Reading of each chapter from the text book prior to lectures.
- Taking lecture notes, solving exercises after lectures on relevant topics and at the end of every chapter.

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- Students are required to comply with dead lines in submitting assignments and must write tests, mid-semester and final exams. Any failure to do so will be penalized or be handled according to pertinent regulations of the institution.
- When classes are not conducted for reasons beyond control, make-up classes will be arranged upon mutual consultation between the instructor and students.
- Class attendance is mandatory. Each absence may entail forfeiture of half (½) mark form the total grade unless supported by acceptable and relevant evidences.
- Students who fail to attend the required number of classes in a semester as established by the institution will not be permitted to write the final exam.
- When class is in session, neither the instructor nor students are allowed to make or respond to mobile calls.
- Students are required to be punctual and those who arrive five minutes after the commencement of class will not be permitted to come into class.
- Any behavior of students that disrupts the smooth running of a class or conducts that disturb the teaching-learning process may result in the expulsion (suspension) of the student from the class session or series of sessions depending on the gravity of the wrong done. Such student may be readmitted to class upon a written apology.
- Students committing cheating or plagiarism in tests/quizzes, exams or in any academic writing shall be penalized in accordance with the regulations of the respective Universities.

5. Evaluation of Student Performance and Grading

Students are evaluated progressively. The course requirements by percentage of the total grade are as follows:

- Assignment/Test/Quiz/Mid Semester Exam…… 40%
- Final Exam …… 60%

This is to be converted to grades as per the University's grading guide line with marginal discretion of instructors to deviate to the left or right (minus or plus).

COURSE EVALUATION MECHANISMS

To ensure maintenance of quality in implementation of the course syllabus, an in-built mechanism for monitoring and evaluation of same is

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employed. As such, what are known as **formative** and **summative** evaluations may be used. The former one is applied while the course is in progress while the latter one is used upon the completion of the course offering.

While formative mechanism is devoted to assessing the efficiency and effectiveness of the specific items in course offering on a phase by phase basis (at intervals) with simultaneous corrective measures, the summative mechanism is used to evaluate the overall efficiency & effectiveness of the entire course offering with the view to make the last retouch.

The realization of the course syllabus may be tested in terms of outputs and process. Output factors include: coverage, effectiveness, acceptability efficiency. Process factors involve: needs, objectives, evaluation of student learning, etc.

Various formats viz; monthly progress report form (where the activities and coverage within each week of the month are to be filled by the instructor), or semester coverage assessment form (to be completed by both the students and the instructor), may be used to achieve the purpose.

6. Course Content

Chapter 1. Basic Concepts of Logic (9 hrs.)

Specific Objective: At the end of this chapter, student will be able to:

- recognize the place and purpose of logic within the system of knowledge,
- observe the main phases in the development of logic,
- know the fundamental principles of thought on which logic relies,
- identify the main constituent elements in an argument,
- recognize passages that are arguments and non-arguments,
- classify arguments into deductive and inductive, and
- use correctly the concepts valid/invalid, sound /unsound, strong/weak, and cogent/uncogent in evaluating arguments.

1.1. What is logic?

1.1.1. Definition and purpose of logic

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1.2. A brief history of development of logic
1.3. The fundamental laws of logic
1.3.1. The law of non-contradiction
1.3.2. The law of excluded middle
1.3.3. The law of identity
1.4. Logic In Law
1.5 The Nature of Arguments
1.5.1 Argument; Premises and Conclusion
1.5.2 Deductive and Inductive arguments
1.5.3. Validity and Soundness; Strength and cogency
1.5.4. Argument forms

Chapter 2.Meanings & Definitions(6 hrs.)

Specific Objective: After completion of this chapter the law student will be:

- aware of the impact of emotive language on arguments,
- capable of differentiating between verbal and factual disputes,
- able to see the difference between the intentional and extensional meaning of terms,
- familiar with the various purposes of definition, and
- use the different definitional techniques.

2.1 Cognitive and emotive meaning
2.2 The intension and extension of terms
2.3 Definitions and their purposes.
2.4 Definitional techniques
2.5 Rules for lexical definitions

Chapter 3. Informal Fallacies(8 hrs)

Specific Objective: At the end of this chapter the student will be:

- competent to see the difference between material evidence from various types of emotional appeals,
- able to distinguish between formal and informal fallacies,
- capable of identifying/detecting informal fallacies, and
- skilled to avoid informal fallacies

3.1. Fallacies of relevance
3.2. Fallacies of weak induction
3.3. Fallacies of presumption
3.4. Fallacies of Ambiguity
3.5. Grammatical Analogy

Chapter 4.Categorical propositions and Syllogisms(10 hrs.)

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Specific Objective: At the end of this chapter the student will be:

- able to classify categorical propositions,
- capable of seeing the distribution of terms of categorical proposition,
- aware of the difference between the Modern and the Traditional interpretation of Universal propositions,
- familiar with the valid rules of immediate inferences,
- use Venn diagram and the modern square of opposition to determine the validity or invalidity of immediate inferences.
- Able to translate ordinary statements in to standard/logical form.

4.1. Categorical propositions: Structure, type and standard form
4.2. Quality, quantity, and Distribution.
4.3. Squares of opposition: Modern and Traditional
4.4. Rules of immediate inferences and formal fallacies
4.5. Translating ordinary languages statements into categorical form
4.6. Categorical syllogisms: Standard form, mood and figure
4.7. Testing Validity: Syllogistic rules and formal fallacies; and Venn diagram

Chapter 5.Proposional logic(9 hrs)

Specific Objective: At the end of this chapter the student will be able to:

- see the role of truth functional connectives,
- know the nature of truth functional compounds,
- use the truth table to determine the truth value of compounds,
- symbolize propositional arguments,
- familiar with valid/invalid propositional arguments,
- use the truth table to test the validity/invalidity of propositional arguments, and
- use methods of proof to determine validity.

5.1. Compound Propositions & Propositional Connectives
5.2.Truth functional connectives and truth value of propositions

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5.3. Symbolizing propositions and propositional arguments
5.4. Types of propositional arguments and formal fallacies
5.5. Natural deduction: Rules of replacement & equivalence
5.6. Methods of proof: Indirect and conditional proof

Chapter 6. Inductive Reasoning (6 hrs.)

Specific Objective: After completing this chapter, the student will be:

- familiar with the various forms of inductive reasoning,
- able to know the relationship between analogy and legal/moral reasoning,
- acquainted with different methods of causal inferences,
- aware of the scientific hypothesis and reasoning, and
- familiar with probability and statistical reasoning.

6.1 Analogy and legal and moral reasoning
6.2. Mill's methods and scientific reasoning
6.3. Hypothetical reasoning
6.4. Statistical reasoning

7. References

TEXT BOOK (Required)

Hurley Patrick. J: A Concise Introduction to Logic. (5th ed. 1994). [Available in the Main Lib., A.A.U.]

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1. B. Levision, Amold. The Elements of Logic, (3rd ed.).
2. Danner T., Edward, Attacking Faulty Reasoning, A Practical Guide to Fallacy Free Argument, (Wads Worth Pub. Comp. Cal. U.S.A, 3rd ed., 1995)
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Syllabi for Mandatory Law Courses

1. Course identification
Course Title: **Int. to Law and the Ethiopian Legal System**
Course Code: …
Credit Hours: 3 credit hours/5 ECTS
Prerequisite: None

2. Course Description
This course Seeks to provide students with theoretical as well as basic conceptual and practical understanding of laws and the Ethiopian legal system. It addresses the nature of law in general, basic features of law, sources of law, the making, and repeal of laws, hierarchy, interpretation and classification of laws. Besides, students shall also be introduced to the modern legal systems of the world in general and familiarize with the Ethiopian Legal system in particular. To this end, it will first announce the legal framework in Ethiopia - discussing common features of the African legal customin general and the Ethiopian legal belief in particular. Concepts like legal pluralism and legal transplantation will be introduced. This part will also consider one of the issues of interest in federal systems, i.e. the hierarchical relationship between federal and state laws. Obviously, legal frameworks need institutions to implement the laws under various jurisdictions. Hence, the course shall present on the federal as well as state institutional setups, their respective roles and powers. The administration of justice in Ethiopia and problems associated with it shall also be examined. Finally, the course introduces major dispute resolution mechanisms applied outside the court. This part is intended to provide a general conception of alternative dispute resolution procedures. More attention shall be laid on examining customary dispute resolution mechanisms in Ethiopia and their interplay with the formal mechanisms.

3. Course Objectives

After the completion of this course, students should be able to:

- explain the nature ; function and basic theories of law
- describe the distinction between legal norms and not-legal norms;
- discuss formal sources of laws in Ethiopia;
- classify laws;
- categorize law in their hierarchical order;
- explain the common rules applicable to all juridical acts;

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- apply the rules and principle of law and legal systems in practice.
- explain of the different rules of interpretation.
- appreciate the salient features of Ethiopian legal system;
- identify contradiction between federal and state laws in Ethiopia;
- examine federal and state institutions in Ethiopia along with their respective roles and powers; and
- explore co-existing dispute resolution mechanisms in Ethiopia.

4. Teaching-learning Methods

In order to deliver the course, a combination of lectures, discussions, and group works will be used. Personal and group reflections will also be required from students. Moreover, students will be encouraged to comment upon real and/or hypothetical cases as may be found and necessary. Small papers and/or essays will also be expected of students in order that they will have the opportunity to read and gain an understanding of the concepts that the course exposes them to. It is to be noted that these methods will be adapted to the needs, learning styles, potentials of students with disabilities and/or special needs.

5. Mode of Assessment

In order to assess the performance of the students, diverse methods that can ensure continues assessment will be utilized. Tests, assignments, presentations, papers/essays, and/or exams will be used to this effect.

6. Attendance policy

Class attendance is mandatory and the details shall be regulated as per the 2019 AAU Senate Legislation

7. Course Outline

PART I: Introduction To Law

Chapter One: Nature And Functions Of Law (1st and 2nd weeks)

1.1. Definition of Law
1.2. Basic Features and necessity of law
1.3. Theories of Law
a) What is law? Natural law theory
b) What is law? Legal positivism
c) Law's Relationship to Society
1. Sociological theory of law

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2. Marxist theory of law

1.4. Function of Law: Does law really matter in our lives?

1.5. Relationship between Law and State

1.6. Law as distinguished from Non-legal Norms

Chapter Two: SOURCES OF LAW (3rd, 4th and 5th weeks)

2.1. Managing of the term Source

2.2. Material Sources of Law

2.2.1. Custom as Sources of Law

2.2.1.1. Definition and Importance of Custom

2.2.1.2. Requirements for Custom to be recognized as Law

2.2.1.3. Theories Regarding Mechanisms of Transformation of Custom into Law

2.2.2. Religion as Source of Law

2.3. Formal Sources of Law

2.3.1. Concept of Formal Sources

2.3.2. Elements of Formal Sources

2.3.5. Court Decisions as Source of Law

2.3.5.1. Doctrine of Stare Decisis

Chapter Three: Classification Of Laws

3.1. General Introduction

3.2. Public and Private Law

3.3. International and National Law

3.4. Substantive and Procedural Law

3.5. Civil and Criminal Law

Chapter Four: The Making, Repeal And Hierarchy Of Laws

4.1 The making of Laws

4.1.1 General Introductions

4.1.2 Steps in Law Making

4.1.3 Comparative Study of Law Making Process in Ethiopia

4.2 **Hierarchy Of Laws**

4.2.1 Introduction

4.2.2 Hierarchy of laws in Ethiopia

4.3 **Repeal Of Laws**

4.3.1. General Concepts

4.3.2. Types of Repeals

4.3.3. Effects of Repeal

Chapter Five: Interpretation Of Laws

5.1. General

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5.2. Types of Interpretation

5.3 Rules/Techniques of Statutory Interpretation

5.4. Constitutional Interpretation

Chapter Six: Juridical Acts

9.1. Definition and Importance

9.2. Rules Common to All Types of Juridical Acts

9.3. Effects of Juridical Acts

Part II. Ethiopian Legal System

Chapter Seven: **Introduction**

7.1 The concept of legal system

7.1.1Definition

7.1.2 Elements of Legal System

7.2 The modern Politico-legal history of Ethiopia

7.2.1 The different interpretation of the Ethiopian Modern history (and its impact in the legal system)

7.3 The development of Ethiopian legal system

7.3.1 Ethiopia and written law

7.3.2 The beginning of legislation in Ethiopia

7.3.3 Revolutionary change of the Ethiopian legal system: Law as an Engine of change

7.3.3.1. The codification process

7.3.3.2 The transformation of the legal institutions

7.3.3.3 Legal education

7.4 The Impact of the different legal systems in the development of the Ethiopia legal system

7.4.1 The Civil Law Legal system

7.4.2 The common law Legal system

7.4.3 The Marxist legal system

7.4.4 Ethiopia: a mixed legal system?

Chapter Eight: 8) The Legal Framework under the EPRDF: Transition to Federalism and its impact on the development of the legal system.

8..1 Introduction: federalism as distinguished from other forms of state

8.2Federalism and legal pluralism

8.2.1 Overview of laws and practices in Ethiopia

8.2.2 The Federal legal system, laws and practices

8.2.3 Regional laws and practices

8.2.4Conflict between federal laws and regional laws

8.2.5. Conflict between official and unofficial norms

8.2.6. Developmental state, federalism and the legal system

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Chapter Nine: The Institutional Framework in Ethiopia

9.1 Federal institutions and responsibilities

9.2The lawmaking, executive and judicial organs

9.3 The relationship between federal and regional institutions

9.3.1 Conflict between federal and regional powers

9.3.2. Administration of justice in Ethiopia

Chapter Ten: Traditional Co-existent Mechanisms of Dispute Resolution in Ethiopia

10.1 General concepts of alternate dispute resolutions (ADR)

10.2 Modes and nature of traditionally co-existing mechanisms of dispute settlement in Ethiopia

10.3 Conflict between formal and traditional mechanisms

8. References

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8. Derek Robert Funk, *The Role of Law: How Law Shapes and Alters the Foundations of Societies*
9. Brian Z. Tamanaha, *LAW AND SOCIETY*, ST. JOHN'S UNIVERSITY SCHOOL OF LAW
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11. MARXIST THEORIES OF LAW AND STATE

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24. Robert Allen Sedler, *THE DEVELOPMENT OF LEGAL SYSTEMS:THE ETHIOPIAN EXPERIENCE*
25. Roger Briottet ,*French, English, Amharic: The Law in Ethiopia*
26. NORMAN J. SINGER, *Modernization of Law in Ethiopia: A Study in Process and Personal Values,* 1970
27. J. Vaderlinden ,*COMMON LAW AND CIVIL LAW INFLUENCES IN THE DEVELOPING LAW OF ETHIOPIA, 16 Buff. L. Rev.250 (1966-1967)*
28. A.N. Yiannoppulos, *An Introduction to Civil Law, A Compiled Material*.
29. GidayDegefuKoraro, *Traditional Mechanisms of Conflict Resolution in Ethiopia*, E11PD, 2000
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40. Alemayehu Fentaw ,*Greater Ethiopia: The Evolution of a Pluralist Politico-Legal System in a Pluralist Polity*
41. _____,*Ethiopia's Ethnic Federalism: History and Ideology*
42. J. Griffith, *What is Legal Pluralism,* 1986
43. BRIAN Z TAMANAHA ,*Understanding Legal Pluralism: Past to Present, Local to Global, 2007*

Movies to watch

1. To kill the Mockingbird
2. The Verdict, 1982
3. Inherit the Wind ,1960
4. A Few Good Men, 1992
5. And Justice for All
6. North County
7. Runaway Jury, 2003.
8. Philadelphia,1993
9. 9. Gingerbread Man, 1998
10. The Firm,1993

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1. Course Identification

Course Title: **Law of Persons**
Course Code: …
Course weight: 2 credit hours/3 ECTS
Prerequisite: Introduction to Law and the Ethiopian Legal System

2. Course Description

The course on the Law of Persons introduces concepts, relevant provisions and principles on Ethiopian Law of Persons and targets a comparative analysis of various issues relevant to law of persons. The course acquaints students with the important concept of personality without which the possibility of entering into and/ or performing juridical acts becomes inconceivable. Law of Persons lays down the conceptual foundation for various courses delivered through the semesters since law, as a normative science, fundamentally deals with the relations between persons, both physical and juridical. The course will specifically treat areas like the concept of persons, acquisition of physical personality, rights and duties of physical persons, capacity of physical persons, as well as issues related to the beginning and end of judicial personality.

3. Course objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- physical and juridical persons as subjects of law;
- the beginning and end of physical and juridical personality;
- the registration of birth and death in law and practice;
- names, residence, domicile and rights in relation with personality;
- the key constitutional provisions, international instruments, the Civil Code, Revised Family Code and other laws applicable to law of persons;
- the concepts of holding and exercising rights;
- the categories of persons with lessened capacity to exercise rights;
- the organs of protection of persons with lessened capacity;
- the termination of grounds for lessened capacity;
- the declaration, effects and termination of absence;

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- documents relating to law of persons including birth certificates, death certificates, declaration of absence and declaration of death;
- the role of Law of Persons in society's everyday life and juridical interactions;

4. Methods of Delivery

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions.

5. Assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation…5%
- Chapter Reflections / Summaries…15%
- Student Presentations…15%
- Assignments / Project/ Essays…15%
- Exam(s)…50%

6. Attendance policy

As per the 2019 AAU Senate Legislation

7. Outline

Chapter 1- The Concept of Person in the Law

1.1 Introduction: subjects and objects of the Law
1.2 Definition: Persons
1.3 Acquisition of physical personality.
1.3.1 The Beginning of Legal Personality: Birth
1.3.2- Anticipated personality: Conception and viability

Chapter 2- Individualizing and locating physical persons.

2.1. Name
2.2. Residence and domicile.

Chapter 3- Rights held by physical persons.

3.1 Personality, the FDRE Constitution and International Instruments.
3.2. Rights of personality under the Civil Code.

Chapter 4 -Status and Capacity

4.1. Capacity to exercise rights and duties
4.1.1 General principles.

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4.1.2 Categories of lessened capacity
4.1.3 Purposes of lessened capacity.

4.2. Minority
4.2.1 Definition and effects of minority.
4.2.2 Juridical acts that can be performed by minors
4.2.3 Sanctions against acts performed in excess of powers.
4.2.4- Termination of minority

4.3. Insane and infirm persons
4.3.1 Insanity that is not notorious.
4.3.2 Notorious insanity and apparent infirmity

4.4. Judicial interdiction
4.4.1 The phases involved from application to appeal.
4..4.2 Acts that may be performed by judicially interdicted persons
.
4.4.3 Acts performed in excess of powers .
4..4.4 Withdrawal of judicial interdiction.

4.5. Legal interdiction.
4.6. Organs of protection
4.7. Guardian, tutor, co-tutor, and tutor *ad hoc*
4.8. Family council and assistant tutor.
4.9. Termination of functions of organs of protection.

Chapter 5- End of physical personality

5.1. Probable death of a person: Absence
- Declaration of absence
- General effects of absence
- Special effects of absence
- Termination of absence

5. 2. Death

Chapter 6. Registration of Vital Events

6.1 Introduction
6.2Purpose of Registration
6.3 What to be registered
6.4. Who to register: Federal v. State jurisdiction

Chapter 7- Juridical Persons

7.1 Juridical persons: An overview

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1. Course Identification

Course title: **Constitutional Law I & II**

Course code:…

Course weight: 6 credit hours/10 ECTS

Prerequisites: Constitutional Law I for Constitutional Law II

2. Course description

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The course on constitutional law covers both broad constitutional theories relevant to Ethiopia and Ethiopian constitutional law. The primary focus being studying the constitutional law of Ethiopia, it takes insights from theoretical expositions of constitutional notions and comparative constitutional dispensations. In terms of content, it addresses the rules that establish and regulate a government and establish the form of a state. It also discusses the relationship between the individual and the state through the establishment of a regime of fundamental rights and freedoms, focusing on how constitutions structure such rights, organize the state and the government, and bestow powers in principal organs of a government. The course also analyses how power is allocated both horizontally and vertically. Themes relating to the making and amendment of constitutions, electoral systems, emergency powers and constitutional interpretation are also covered by focusing on the Ethiopian constitutional dispensation.

3. Course objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- The concept “constitution” and its various forms;
- Procedural and substantive issues in framing of constitutions and constitutional moments;
- Procedural and substantive issues in entrenchment and amendment of constitutions;
- The past and current political theories on state and constitutions;
- Issues in Ethiopian constitutional development;
- The role and function of government institutions;
- The nature and workings of the Ethiopian parliamentary system
- Comparative and theoretical notions on various forms of government such as parliamentary, presidential and semi presidential;
- Issues in Ethiopian electoral system and administration within the context of major electoral systems;
- The nature and workings of separation of powers in Ethiopia, with theoretical and comparative insights;
- The nature and workings of the vertical division of powers in the Ethiopian federation, with theoretical and comparative insights;
- Issues in Ethiopian constitutional interpretation with theoretical and comparative insights;

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- The structure of fundamental rights and freedoms in the Ethiopian constitution and their enforcement with insights from international human rights jurisprudence and other jurisdictions.

4. Teaching-learning methods

Lectures imbued with what is commonly known as “Socratic method”, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions

5. Modes of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation...5%
- Chapter Reflections / Summaries...10%
- Student Presentations...10%
- Test/Quiz...10%
- Assignments / Project/ Essays/Mid-term exam...15%
- Exam(s)...50%

6. Attendance policy

A student must attend at least 80% of the lectures and complete all the assessment modalities in order to be credited for the course.

7. Course outline (for Constituional Law I and II

Outline for Constituional Law I

Chapter 1. Introduction: Constitutions and Constitutionalism

1. Definitional and Conceptual Matters
   1.1**.** Defining and Understanding Constitution and Constitutional Law
   1.2. Features of Constitution
   1. 3. Fundamental Values/Principles in a Constitution
      a. Sovereignty of the People
      b. Supremacy of the Constitution
      c. Ratified Human Rights Treaties v. the Constitution & Other Related National Laws
      d. Human and Democratic rights
      e. Separation of State and Religion
      f. Transparency and Accountability of Government
   1. 4. Types of Constitutions
2. Policy Objectives and Principles in Constitutions
   2. 1. Comparative Overview

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2.2. National Policy Principles and Objectives of the Ethiopian Constitution

Chapter 2. Framing Constitutions

2.1. Constitutional moments
2.2. Processes of framing constitutions
2.3. popular participation in constitution making process
2.4. Elite bargain in constitution making process
2.5. constitution making processes in Ethiopia: historical account--1931, 1955, 1974, 1987, and 1991
2.6. the making process of the 1995 constitution of Ethiopia

Chapter 3. Entrenchment and Amendment of Constitutions

3.1. modalities of constitutional entrenchment
3.2. Procedures and requirements of constitutional amendment
3.3. Amendment vs. revision of constitutions
3.4. the 1995 Ethiopian Constitution and amendment

Outline for Constituional Law II

Chapter 4: Ethiopian Constitutional Development

4.1 The Pre-Written Constitutional Era: state and non-state constitutional governance systems
4.2. The Haile-Sellassie I Era (1930-1974)
4.3.The Military and PDRE Governments (1974-1991)
4.4. The Transformative Re-Organization of the Ethiopian State since 1991

Chapter 5. Democracy, Elections and Rule of Law

5.1. Democracy

a. Conceptual overview: “Western” and “Non-Western” democracy
b. Does Democracy Require Preconditions to Emerge and Thrive?
c. Is there a Right to Democratic Governance?
d. Democracy challenges in Africa

5.2. Electoral Systems, Laws and Principles

a. Ethiopian electoral legal regime and the international Instruments on Elections
b. Administration of Elections
c. Choosing an appropriate electoral system: The Ethiopian case

5.3. The Rule of Law

a. Conceptual and Global Overview
b. Issues of the Rule of Law, Legitimacy and Governance in Africa

Chapter 6. Separation of powers and forms of government

6.1. The concept and origin of separation of powers

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6.2. Separation of powers in parliamentary and presidential systems
6.3. The nature and workings of Separation of powers under the FDRE Constitution
6.4. The legislative organ: Ethiopian and comparative (Composition, power and function)
6.5. The Executive Organ: Ethiopian and comparative (Composition, power and function)
6.6. The Judiciary: Ethiopian and comparative (power and function

Chapter 7. Government, the judiciary, and Emergency powers

7.1. The role and powers of the government during state emergencies
7.2. The constitutional control on the powers of the government during public emergencies
7.3. The role for the judiciary during public emergencies
7.4. Rights, emergency powers and remedies for rights violations

Chapter 8. Fundamental Rights and Freedoms

8.1. The Structure of Rights and Freedoms under the Ethiopian Constitution
8.2. The place of international human rights instruments vis-à-vis the Ethiopian Constitution
8.3. Interpretation and Enforcement of the Rights and Freedoms under the Ethiopian Constitution
8.4. Protection of Minority Rights in Ethiopia in international and comparative light
8.5. Special human rights under the Ethiopian constitution
8.5.1. Rights of women
8.5.2. Rights of children
8.5.3. Rights of Persons in Penitentiary Institutions

Chapter 9: Constitutional Interpretation and Adjudication

9.1 The meanings constitutional interpretation and adjudication
9.2 Models of constitutional interpretation
9.3 Special considerations in constitutional adjudication
9.4 Constitutional interpretation in Ethiopia
9.5 The jurisprudence of the Courts, House of Federation and the Council of Constitutional Inquiry

7. References

1. Getachew Assefa: *Ethiopian Constitutional Law, Text Book.*
2. Tadese Meleku, *Introduction to constitutional law* Vol.1

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3. Tadesse Melaku, *Ethiopian Constitutional law past and present* Vol.2
4. James C.N. Paul and Christopher Clapham, *Ethiopian Constitutional Development (*vol 1, 1967) and Vol 2 (1972).
5. A. Sachs, Constitutional Development in South Africa*, International Law and Politics*, Vol. 28, 1996
6. Abera Jembere, *An Introduction to the Legal History of Ethiopia 1434-1974*, 2nded., 2000.
7. Alemante Gebreselassie, Ethiopia: Problems and Prospects for Democracy*, W M and Bill Rts,* Vol. 1 , No. 2, 192-93
8. Alemante Gebresellassie, Ethnic Federalism: Its Promises and Pitfalls for Africa, *28 Yale J. of Int'l L.* 51, 2003.
9. Andras Sajo, *Limiting Government: An Introduction to Constitutionalism*, CEU, 1999.
10. Samuel P. Huntington, *The Third wave: Democratization in the Late 20th Century* (1991).
11. Christopher Clapham, *The Horn of Africa: State Formation and Decay* (2017)
12. Arend Lijphart (ed.), *Parliamentary vs. Presidential Government,* 1998
13. Aristotle, Politics, 350 B.C.E, Translate by Benjamin Jowett
14. Assefa Fiseha*, Federalism and the Accommodation of Diversity in Ethiopia: A Comparative Study*, Wolf Legal Publishers, 2006
15. Brian K. Landsber and Leslie G. Jacobs, *Global Issues in Constitutional Law*, Thomson West, 2007
16. C.F Stong, A history of Modern Political Constitutions, Capricorn Books, 1963
17. Cass R. Sunstein, Designing Democracy: What Constitutions Do, Oxford University Press, 2001
18. Charles de Montesquieu, The Spirit of Laws, 1748
19. D. Beaty , Constitutional Law in Theory and Practice, 1995
20. D. S Lutz, Toward a Theoryof Constitutional Amendment, American Political Science Review, Vol. 88(2), 1994
21. D. V. Wyk et al(eds.), Rights and Constitutionalism: The New south African Legal Order, 1995
22. Fasil Nahom, Constitution for a Nation of Nations, 1997
23. G. Casper, Changing Concepts of Constitutionalism: 18thto 20th Century, The Supreme Court Review, 1989
24. Giovani Sartori, Constitutionalism: A Preliminary Discussion, American Political Science Review, Vol. 56 , No. 4, 1962
25. Gunther and Sullivan, Constitutional Law, 1995

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26. Heneric Scholler, Ethiopian Constitutional and Legal Development, Vol I and II
27. H.W.O. Okoth-Ogendo, Constitutions without Constitutionalism, Constitutionalism and Democracy Transitions in the Contemporary World, Ed. D. Greenberg et al, Oxford University Press, 1993
28. J. Agresto, The supreme Court and Constitutional Democracy, 1986
29. J.C.N. Paul, Developing Constitutional Order in Sub-Saharan Africa: An Unofficial Report, Third World Legal studies, 1988
30. J. Elster, Forces and Mechanisms in the Constitution-Making Process, Duke Law Journal Vol. 45, 1995
31. J.J Rousseau, The Social Contract •J. Locke, The Second Treatise of Civil Government, 1690
32. K.C. Wheare, Federal Governments, 1963
33. Kommers D .P, The Constitutional Jurisprudence of the Federal Republic of Germany, 2nd. ed., 1997
34. M. Ndulo, Presidentialism in the Southern African States and Constitutional Restraint on Presidential Power, *Vermont Law Review* Vol. 26, 2001-2002
35. M.V. Tushnet, Constitutional Law, 1992
36. Martin Cohen, Political Philosophy From Plato to Mao, Pluto Press,2001
37. Michel Rosenfeld et al, Comparative Constitutionalism: Cases and Materials, 1STed. 2003
38. Monica Claes, Constitutional Law, Elgar Encyclopedia of Comparative Law, Edward Elgar Publishing Limited, 2006
39. Neil Parpworth, Constitutional and Administrative Law, 2000
40. Solomon Negussie, Fiscal Federalism in the Ethiopian Ethnic Based Federalism, Wolf Legal Publishers, 2006
41. S. Adelman, Constitutionalism, Pluralism and Democracy in Africa, Journal of Legal Pluralism Vol. 42, 1998
42. Proceedings of a Symposium on the Role of Courts in the Enforcement of the Constitution, Law Faculty, Eth. Civ. Service College, February 2001
43. The Constitution of Ethiopia of 1931
44. The Revised Constitution of Ethiopia 1955
45. A Proclamation To Provide For the Establishment of A provisional Military Government of Ethiopia, Proclamation No. 1, 1974
46. Definition of Powers of the Provisional Military Administration Council and Its Chairman, Proclamation No. 2, 1974.

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1. Course identification

Course title: **Jurisprudence**
Course code: …
Credit weight: 3 credit hours/5ECTS
Pre-requisite: …

2. Course Description

This course explores the fundamental questions regarding nature of law, legal system and its role in society. It discusses the major classical and contemporary theories of law. It is intended to help students to develop a critical thinking in addressing legal issues and debates on political, economic and social issues involving law or legal rules. The course thus serves as methodological tool in the conceptualisation of legal problems, or in the interpretation and analysis of legal rules.
Within the normative legal framework, the course also examines a few fundamental legal doctrines, such as liberty, equality and justice.

3. Course objectives

Upon completion of the course, students should be able to:

- explain different schools of jurisprudence,
- distinguish among major schools of legal thought,
- critically analyze the underlying notions of law, values and principles behind each school of jurisprudence and
- relate to major schools of jurisprudence to the Ethiopian legal system.

4. Method of delivery

Lectures, seminars, student presentations, group discussions, and assignments.

5. Attendance

Students are required to attend classes as per the 2019 AAU Senate Legislation.

6. Assessment

There will be assignment that would count 40% of your grade, and a final exam that would account 50% of your grade.

7. Course Content

The course deals with the primordial question, what is law. In this it attempts to look at the various schools of thought that address the question in different way. It reviews those schools of thought based on their historical development and their current significance.

Natural Law Theory

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The first school of thought is the naturalist school of thought. It attaches law to moral and in its classical sense it attaches it to the metaphysical being. In modern sense, it goes to the practical things. Under this section, the writings of Thomas Aquinas, and John Finnis' Natural Law and Natural Rights, are discussed.

Required Readings –

Wacks, R., *Philosophy of Law: A Very Short Introduction* (Oxford University Press 2006) Chapter 1.

Finnis, J., *Natural Law and Natural Rights, Second ed.,* (Oxford University Press 2011) Chapters 3 – 5.

Legal Positivism

Legal positivism considers the will of the sovereign which is habitually obeyed. It is reformed over the years particularly since the challenges launched against it from the American legal realism and the crises in the WWII Nazi Germany. Those discussed in this section are Austin, Kelsen and Hart.

Required Readings –

Wacks, R., *Philosophy of Law: A Very Short Introduction* (Oxford University Press 2006), Chapter 2.

Hart, HLA., *The Concept of Law, Second ed.,* (Clarendon Press 1994), Chapter 5 – 7.

Kelsen, H., *Pure Theory of Law* (Max Knight Translation, The Lawbook Exchange 2005), Chapter

Legal Realism

This school focuses on the law in the books and the law as applied. The American Realism appears to have focused on the predication of what the courts will do. However, it is further classified into rule sceptics and fact sceptics. There is also Scandinavian Realisms focusing on the psychological effect of the law. Those discussed in this section are Holms, Lwelling, and Alf Ross.

Required readings –

Ratnapala, S., *Jurisprudence* (Cambridge University Press 2009), Chapter 4.

Frank, J., *Law and the Modern Mind with an introduction by BH Bix*, (Routledge 2009) Chapters 4 and 5

Critical Schools

Required readings –

Unger, R.M., *The Critical Legal Studies Movement* (Harvard University Press 1986) Chapters 1 and 2.

Meyerson, D., *Understanding Jurisprudence* (Routledge 2007) Chapter 8

Fundamental Doctrines in Legal Theory

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There appears to be a cross-over in the legal theory between legal philosophy and political philosophy. Thus, there are a few fundamental doctrines that help as tools in the operations of those theories. There are different readings on the respective topics; yet only the following are required readings.

Equality –

Williams, B., "The Idea of Equality" in Laslett, P., and Runciman, W.G., eds, *Philosophy, Politics and Society* (Billing and Sons 1962)

Liberty –

Berlin, I., "Two Concepts of Liberty" in Hardy, H., ed., *Liberty: Incorporating Four Essays on Liberty* (Oxford University Press 2002)

Theory of Justice -

Rawls, J., *Justice as Fairness: A Restatement* (The Belknap Press of Harvard University Press 2001) pp 39 – 94.

Recommended Readings:

Paton, G.W., *A Textbook of Jurisprudence, 4th ed.,* (Oxford University Press 1972)

Ratnapala, S., *Jurisprudence* (Cambridge University Press 2009)

McLeod, I., *Legal Theory, 2nd ed.,* (Palgrave Macmillan 2003)

Wacks, R., *Philosophy of Law: A Very Short Introduction* (Oxford University Press 2006) Chapter 1.

Hart, H.L.A., *The Concept of Law, Second ed.,* (Clarendon Press 1994)

Coleman, J.L., Himma, KL, and Shapiro, SJ., (eds), *The Oxford Handbook of Jurisprudence and Philosophy of Law* (Oxford University Press 2004)

Finnis, J., *Natural Law and Natural Rights, Second ed.,* (Oxford University Press 2011)

Fuller, L.L., *The Morality of Law, Revised ed.,* (Yale University Press 1969)

Frank, J., *Law and the Modern Mind with an introduction by BH Bix*, (Routledge 2009)

Raz, J., *The Authority of Law* (Oxford University Press 1979)

Raz, J., *The Concept of a Legal System: An Introduction to the Theory of Legal System, Second ed.,* (Oxford University Press 1980)

Kelsen, H., *Pure Theory of Law* (Max Knight Translation, The Lawbook Exchange 2005)

Unger, R.M., *The Critical Legal Studies Movement* (Harvard University Press 1986)

Meyerson, D., *Understanding Jurisprudence* (Routledge 2007)

Bodenheimer, E., *Jurisprudence: The Philosophy and Method of the Law, Revised ed.,* (Harvard University Press 1974)

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Sean Coyle, Modern Jurisprudence: A Philosophical Guide, (Hart Publishing 2014)
Curzon, L.B., Jurisprudence 2nd ed (Cavensdish Publishing 1995)

1. Course Identification

Course Name: Law of Family
Course Code:
Credit Hours: 3 credit hour/ 5 ECTS
Pre-requisites: None

2. Course Description

A course in family law examines historical and social contexts that have influenced the modern definition and regulation of families. Students learn how family is legally created, maintained and dissolved. Specifically the course deals with the theoretical issues regarding the essence and significance of family and the provisions of the Federal Revised Family Code of Ethiopia governing marriage, irregular union and divorce. Some comparison shall be done with some selected countries from different legal systems. Finally, the course makes students actively analyze cases from various levels of federal and regional courts.

3. Objectives

After a completion of the course, students are expected to be able to:

- Explain the essence and significance of family and its position in the society;
- List down and characterize different types of marriage formations;
- Enumerate the essential conditions of marriage and discuss thoroughly the consequences if they are violated;
- Explain the differences between conclusion of marriage and contract of marriage;
- Discuss the elements of personal and pecuniary effects of marriage;
- Explain how pecuniary relations between spouses are liquidated by taking different scenarios;
- Identify the differences between proof of marriage and proof of irregular union via possession of status;
- List down mechanisms of ascertainment of paternity and discuss them thoroughly;
- Clarify elements of adoption agreements and comment on the recent prohibition of foreign adoption;

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- Describe the essence of obligation to supply maintenance;
- Prepare commentaries on the rights of womenduring formation of marriage, in marriage and upon its dissolution;
- List down and explain the major differences between the provisions of the Civil Code and the RFC;
- Explain the differences and major deviations of the regional family codes from the RFC.

4. Teaching Methods

The following teaching methods are used in mixture:

- Lecture
- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies: mainly cases from the decisions of the cassation bench of the Federal Supreme Court;
- Interactive and group discussions.

5. Method of Assessment

- Attendance and participation.....5%
- Term papers/Projects and presentations 25%
- Quiz/mid-exam.....20%
- Final Exam.....50%

6. Attendance Requirement

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

7. CourseOutline

Chapter One: Introduction

1.1. Philosophical and Sociological Perspectives of Family Law
1.2. Types of Family Structures
1.3. The Origin of Family
1.4. Definition of Marriage

Chapter 2: The Concept, Modes and Essential Conditions of Marriage

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2.1. Modes of Conclusion of Marriage
2.1.1. Civil Marriage
2.1.2. Religious Marriage
2.1.3. Customary Marriage
2.1.4. Marriage Celebrated Abroad
2.2. Essential Conditions of Marriage
2.2.1. Consent
2.2.2. Age
2.2.3. Absence of other Impediments to Marriage

Chapter 3: Effects of Violation of Essential Conditions of Marriage

3.1. Age
3.2. Consanguinity or Affinity
3.3. Bigamy
3.4. Judicial Interdiction
3.5. Violence
3.6. Error
3.7. Period of Widowhood

Chapter 4: Effects of Marriage

4.1. Personal Effects of Marriage
4.2. Pecuniary Effects of Marriage

Chapter 5: Dissolution of Marriage

5.1. Causes of Dissolution of Marriage
5.1.1. Death
5.1.2. Court order
5.1.3. Divorce
5.2. Liquidation of Pecuniary Relations

Chapter 6: Proof of Marriage and Irregular Union

6.1. Proof of Marriage
6.2. Irregular Union

Chapter 7: Dispute Settlement in Marriage and in Irregular Union

7.1. Dispute Settlement in Marriage
7.2. Dispute Settlement in Irregular Union

Chapter 8: Filiation

8.1. Ascertainment of Maternity and Paternity
8.2. Legal Conflicts in Regulating Paternity

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8.3. Proof of Filiation
8.4. Contestation of Filiation and Disowning

Chapter 9: Adoption

9.1. Conclusion of Adoption Agreement
9.2. Effects of Adoption
9.3. Foreign Adoption

Chapter 10: Obligation to Supply Maintenance

10.1. Objective of the Obligation
10.2. Persons Who Have the Right to Claim Maintenance and the Ones with Obligation

8. References

A. Required Materials

1. FrederikSwennen (Ed.) (2015), *Contractualisation of Family Law - Global Perspectives*, Springerlink
2. William P. Statsky (2002), *Family Law*, Fifth Edition, West Legal Studies
3. መሓሪ ረዳኢ፣ የፌደራሉ የቤተሰብ ሕግ ይዘት እና አተገባበሩ (2012 ዓ.ም.)
4. MelleseDamtie (2008), *Family Law Teaching Materials*
5. AschalewAshgre and Martha Belete (2009), *Family Law Teaching Materials*
6. Different journal articles and other materials to be recommended by the instructor

B. Recommended Materials

1. Friedrich Engels (1972), *The Origin of The Family, Private Property and the State*, Penguin Books
2. Jill elaineHasday (2014), *Family Law Reimagined*, Harvard University Press

1. Course identification

Course title: **Ethiopian Legal Thoughts**
Course code:…
Course weight: 3 credit hours/5ECTS
Prerequisites: Jurisprudence; Introduction to Law and the Ethiopia Legal System; and
Ethiopian Customary Laws and Institutions

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2. Course Description

Ethiopian Legal Thought is a jurisprudence course that specifically focuses on the Ethiopian legal system. The course generally aims to introduce the fundamental issues and ideas that have shaped Ethiopian pre-modern and modern laws and provide a backdrop to the legal, moral, doctrinal, philosophical and socio-political influences impacting the Ethiopian legal system. By providing this knowledge, the subject matter strives to increase students' critical awareness of the challenges and complexities affecting the legal environment. Law students will analyze and develop a critical approach to abstract arguments. During their studies, students will have to evaluate Ethiopian laws from their roots to contemporary considerations regarding their position in the modern framework.

This course will begin by a brief introduction on the history of the Ethiopian legal system. The course will then explore the various sources of Ethiopian pre-modern and modern laws. After addressing the sources of Ethiopian law, the course will provide a thorough examination of the Ethiopian legal thought in various era. The discussion on specific legal themes offers an introduction to the major debates in selected legal regimes including land laws, constitutions, penal/criminal laws, family laws and Law of successions as well as justice and the poor. The course concludes with a discussion on the future of law and legal institutions in Ethiopia.

3. Course Objectives

Having completed this course, students should be able to:

- discuss how the Ethiopian legal system evolves over the years;
- identify the sources of Ethiopian law;
- explain the philosophy that underpin Ethiopian laws;
- critically analyze social, economic and political factors that led to the promulgation of Ethiopian law laws;
- discuss the controversies surrounding selected legal regimes in Ethiopia including land laws, constitutions, penal/criminal laws, family laws and Law of successions as well as justice and the poor;
- explain the future of law and legal institutions in Ethiopia based on current trends at international and national levels; and
- develop advocacy skills.

4. Teaching-learning methods

The principal methods to be used are a mixture of discussion and lecture. Philosophical and controversial legal issues will be for class room discussions. Course delivery is primarily learner centred that requires prior reading of the reference materials, active participation in pair works and small group discussions following introductory lectures. In addition, the following teaching methods are employed. They are problem-solving method, role-playing, simulation method, presentation, independent activity and paper work.

5. Mode of assessment

The following is a list of criteria for evaluation of students:

- Attendance and class Participation 10%
- Reflection (presentation) 20%
- Paper 20%
- Exam 50%

6. Attendance policy

Attendance is mandatory. A student who has missed more than 15% attendance shall not be eligible to sit for final exam.

7. Course outline

Chapter One: An overview of Ethiopian Legal History
Chapter TwoAn Introduction to the Sources of Ethiopian Law
Chapter Three: Pre-Modern Ethiopian Legal Thought

- *Fewse menfesawi*
- *Feteha Negest* (Justice of the kings)
- *Customs and traditions*
- Islamic influences
- The role of Christianity

Chapter Four: Modernization of the Ethiopian Legal between1931 and 1995

- Codification
- Transplanted laws vs. Ethiopian traditions

Chapter Five: Ethiopian Legal Thought During the Military Regime
Chapter Six: Post-1995 Ethiopian Legal Thought

- Legal pluralism: formal, Islamic and customary laws
- Global and African regional human rights: philosophical tensions?

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- The introduction of precedent
- Post-2005 election repressive laws
- Post-2018 massive legal reform

Chapter Seven: Specific Legal Themes

- Land laws
- Constitutions
  - The institution of judicial review
  - Territorial integrity vs. external self-determination
- Penal/criminal laws
  - assisted suicide, right-to-die, and capital punishment
  - Self-defense and its limits
  - Other forms of necessity
  - Woman reproductive rights
- Family laws and law of successions
- Justice and the poor

Chapter Eight: The Future of Law and Legal Institutions in Ethiopia

8. Reference materials

A. Required

1. Cyril A. Heron, A Christian Oasis: The Role of Christianity and Custom in the Laws of Ethiopia, 51 Cornell Int'l L.J. 753 (Fall, 2018).George Krzeczunowicz, Code and Custom in Ethiopia, 2 J. ETHIOPIAN L. 425 (1965).
2. George Krzeczunowicz, Turning the Legal Clock Back, 3 J. ETHIOPIAN L. 621 (1966).
3. Harrison C. Dunning, Land Reform in Ethiopia: A Case Study in Non-Development, 18 UCLA L. REV. 271 (1970).
4. J. Vanderlinden, An Introduction to the Sources of Ethiopian Law from the 13th to the 20th Century, 3 J. ETHIOPIAN L. 227 (1966).
5. J. Vanderlinden, Civil Law and Common Law Influences on the Developing Law of Ethiopia, 16 Buff. L. Rev. 250 (1966).
6. John H. Beckstrom, Transplantation of Legal Systems: An Early Report on the Reception of Western Laws in Ethiopia, 21 AM. J. COMP. L. 557 (1973).

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7. Julie Macfarlane, Working towards Restorative Justice in Ethiopia: Integrating Traditional Conflict Resolution Systems with the Formal Legal System, 8 Cardozo J. Conflict Resol. 487 (Spring 2007).
8. M. A. Ntumy, Neo-Naturalism: Tailoring Legal Philosophy for Capitalism and Neocolonialism (Ethiopian Text), 13 J. ETHIOPIAN L. 51 (1986).
9. Norman J. Singer, Islamic Law and the Development of the Ethiopian Legal System, 17 HOWARD L.J. 130 (1971).
10. Norman J. Singer, Modernization of Law in Ethiopia: A Study in Process and Personal Values, 11 HARV. INT'l. L. J. 73 (1970).
11. Peter H. Sand, Roman Origins of the Ethiopian Law of the Kings, 11 J. ETHIOPIAN L. 71 (1980).
12. Rene David, Sources of the Ethiopian Civil Code, 4 J. ETHIOPIAN L. 341 (1967). Paul H. Brietzke, Socialism and Law in the Ethiopian Revolution, 7 REV. Socialist L. 261 (1981).
13. Robert Allen Sedler, The Development of Legal Systems: The Ethiopian Experience, 53 Iowa L. Rev. 562 (1967).
14. Tsegaye Beru, Brief History of the Ethiopian Legal Systems - Past and Present, 41 INT'l J. LEGAL INFO. 335 (2013).
15. Tsegaye Beru, Kirk W. Junker, Constitutional Review and Customary Dispute Resolution by the People in the Ethiopian Legal System, 43 N.C. J. Int'l L. 1 (Spring, 2018).
16. Tsehai Wada Wourji, Coexistence between the Formal and Informal Justice Systems in Ethiopia: Challenges and Prospects, African Journal of Legal Studies 5 (2012) 269–293.

B. Recommended

1. Dolores A. Donovan and Getachew Assefa, Homicide in Ethiopia: Human Rights, Federalism, and Legal Pluralism, 51 Am. J. Comp. L. 505 (Summer 2003).
2. Elias N. Stebek and Muradu Abdo (ed.), Law and Development, and Legal Pluralism in Ethiopia, JLSRI Publications, Addis Ababa (2013).
3. Minasse Haile, Comparing Human Rights in Two Ethiopian Constitutions: The Emperor's and the “Republic’s” --Cucullus Non Facit Monachum, 13 Cardozo J. Int'l & Comp. L. 1 (Spring 2005).
4. SIHA Network, Building Universality from Below: A project on customary laws and practices which impede access to rights for women and girls in Oromia, Ethiopia (March 2011).
5. Susanne Epple, Getachew Assefa (eds.) Legal Pluralism in Ethiopia Actors, Challenges and Solutions (2020).

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1. Course identification

Course Name: **Introduction to Technology Law**
Course Code:
Credit Hours: 2 Cr/Hr/3 ECTS
Prerequisite:

2. Course Description

This course is a 'survey course' meant to introduce law students to issues that arise at the intersection of law and Information Technology (IT). It seeks to enable students to critically consider a selection of legal issues in the field of 'computer law' or 'Internet law' or 'information technology law' more broadly. Among such selected issues include: regulation and governance of the digital space, cyber criminality, electronic commerce, (data) privacy and intellectual property rights in the digital economy. The course begins by introducing students to long-running debates in the field such as: is there a need for a new and distinct regulation for the digital environment? Who should (and actually does) govern the Internet? What are the limits of Internet regulation? And what are the various modes of regulation pertinent to the new realities of the digital space? The course then proceeds to consider key issues that rise in the above listed areas of IT regulation. Moreover, given the fast-moving nature of the subject, emerging legal issues relating to — for example, new information and communication technologies — shall be considered. The purpose of this 'survey course', then, is to provide undergraduate law students the starting points for pursuing the subject in further graduate studies.

The primary focus of the course shall be Ethiopian law. But laws dealing with information technology in Ethiopia are few and far between. And, most of the relevant pieces of legislation are in the early drafting stage. As a result, the course will draw substantially from other jurisdictions with much developed jurisprudence such as the Council of Europe (CoE) and the European Union (EU) laws as well as domestic legislation such as those in the United States and the United Kingdom. As more relevant Ethiopian 'Internet Laws' come into force, the course content shall be modified accordingly.

3. Course Objectives

The course has the following objectives:

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- To introduce law students to legal issues relating to information and communication technologies;
- To critically evaluate ongoing developments in law relating to IT;
- To consider how IT-related socio-legal developments relate to one another;
- To examine areas of doctrinal and political debate surrounding rules and theories regarding communication technologies; and
- To consider the long-term domestic socio-legal and political implications of global developments in Internet governance discourses, norms and practices

4. Teaching Methods

The course delivery shall consist of lectures, interactive discussion and student presentations. In light of the subject's fast-moving nature, course instructors shall actively encourage students to follow-up new developments as well as devise group and individual presentations of such developments.

5. Methods of Assessment

The course shall be assessed through a mixture of term-papers, group presentations and a final exam. Class participation and attendance shall form part of the continuous assessment.

6. Attendance Policy

As per the 2019 AAU Senate Legislation.

7. Course Outline

Chapter 1: Introduction to Information Technology and the Law

- Unpacking terminologies: Internet Law, Computer Law or Information Technology Law?
- The information society and regulation
- Regulating IT or regulation by IT?
- Internet governance: notions and institutions

Chapter 2: Crime in Cyberspace: Cybercrimes

- Understanding cybercrimes
- Types of cybercrimes

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- Emerging trends in cybercriminality

Chapter 3: Human Rights in Cyberspace 1: Privacy and Data Protection

- Understanding data protection
- Digital surveillance and the law
- Surveillance capitalism and the law

Chapter 4: Human Rights in Cyberspace 2: Freedom of Expression Online

- Digital rights and the law
- Digital speech management: filtering and ranking
- Regulating problematic content: hate speech, pornography

Chapter 5: Intellectual Property Rights in the Digital Age

- Copyrights in the digital environment
- Trademarks and domain names

Chapter 6: E-commerce and the Law

- Electronic contracts and the law
- Electronic signatures and the law
- Consumer protection online

Chapter 7: Current Issues in the Digital Economy

- Robotics and the law
- Blockchain technology and regulation
- Cyberwarfare and cyberterrorism

Chapter 8: Current Developments

8. References

A. Books & Articles

1. Chris Reed, *Computer Law* (Oxford University Press, 7th Ed, 2011).
2. David Bainbridge, *Introduction to Computer Law* (Pearson Education, 6th Ed., 2008).
3. David Johnson and David Post, *Law and Borders: The Rise of Law in Cyberspace*, *Stanford Law Review*, Vol. 48, 1997.
4. Frank Easterbrook, Cyberspace and the Law of the Horse, *The University of Chicago Law Forum*, 1996.

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5. Ian Lloyd, *Information Technology Law* (Oxford University Press, 8th Ed., 2017).
6. Ian Walden, *Telecommunications Law and Regulation* (Oxford University Press, 5th Ed., 2018).
7. Korthals Altes et al, *Information Law: Towards The 21st Century* (Kluwer, 1992).
8. Lawrence Lessig, *Code and Other Laws of Cyberspace: Version 2.0* (Basic Books, 2006).
9. _____, The Law of the Horse: What Cyberlaw Might Teach, *Harvard Law Review*, Vol. 113, 1999.
10. Lee Bygrave and Jon Bing, *Internet Governance: Infrastructure and Institutions* (Oxford University Press, 2009).
11. Lilian Edwards and Charlotte Waelde, *Law and the Internet* (Hart Publishing, 2009).
12. Kinfe Micheal Yilma, Data Privacy Law and Practice in Ethiopia, *International Data Privacy Law*, Vol. 5, No. 3, 2015.
13. _____, Developments in Cybercrime Law and Practice in Ethiopia, *Computer Law and Security Review*, Vol. 30, No. 6, 2014.
14. _____, Cybercrime Lawmaking and Human Rights in Ethiopia, *Mizan Law Review*, Vol. 15, No. 1, 2021.
15. _____ and Halefom Hailu Abraha, The Internet and Regulatory Responses in Ethiopia: Telecoms, Cybercrimes, Privacy, E-commerce, and the New Media, *Mizan Law Review*, Vol. 9, No.1, 2015.
16. _____ and Halefom Hailu Abraha, The Internet and Ethiopia's IP Law, Internet Governance and Legal Education: An Overview, *Mizan Law Review*, Vol. 9, No.1, 2015.

B. Key Legislation

(i) International/regional instruments

1. *AU Convention on Cybersecurity and Personal Data Protection* (2014).
2. *Council of Europe Cybercrime Convention* (2001).
3. *Council of Europe Data Protection Convention* (1981).
4. *EU General Data Protection Regulation* (2016).
5. *OECD Guidelines on Consumer Protection in the Context of E-commerce* (1999, as updated in 2016).
6. *UN Convention on the Use of Electronic Communications in International Contracts* (2005).
7. *UNCITRAL Model Law on E-Commerce* (1996).

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8. *UNICITRAL Model Law on E-signatures* (2001).
9. *WIPO Internet Treaties [WIPO Copyright Treaty (1996), WIPO Performances and Phonograms Treaty (1996)].*

(ii) Ethiopian Laws

1. *Communication Service Proclamation No. 1148/2019.*
2. *Computer Crime Proclamation No. 958/2016.*
3. *Copyright and Neighbouring Rights Proclamation No. 410/2014 (as amended).*
4. *Electronic Signature Proclamation No. 1072/2018.*
5. *Ethiopian Civil Code Proclamation No. 165/1960.*
6. *Ethiopian Commercial Code Proclamation No. 166/1960.*
7. *Ethiopian Commodity Exchange Proclamation No. 550/2007.*
8. *Ethiopian Criminal Code Proclamation No. 414/2004.*
9. *Media Proclamation No. 1238/2021.*
10. *National Payment System Proclamation No. 718/2011.*
11. *Trade Competition and Consumer Protection Proclamation No. 813/2013.*
12. *Electronic Transactions Proclamation No. 1205/20220.*
13. *Hate Speech and Disinformation Proclamation N0. 1185/2020.*

1. Course Identification

Course Name:Legal Writing
Course Code:…
Course weight: 2 credit hours/ 3 ECTS
Pre-requisites:

2. Course description

The Course on Legal Writing is designed as an implementation and continuation of the skills obtained in English for Lawyers curriculum. This course deals with professional writing, oral and reasoning skills that are necessary for success in the legal profession. As such, the course deals with the preparation of various documents such as affidavits, memoranda, briefs, letters etc. supplemented by the required oral and reasoning skills. The course uses a wide variety of exercises based on legal problems to create this foundation.

3. Course Objectives

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After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- techniques to approaching legal rules and problems;
- the differences between, and the importance of persuasive and predictive legal writing;
- documents such as legal briefs, pleadings and legal forms;
- quasi-legal documents such as memoranda of law and letters;
- revision processes;
- basic professional skills and expertise in elemental analysis;
- effective and well-organized legal arguments;
- demonstrate confidence and fluency in oral advocacy;
- develop strong professional skills needed to conduct client interviews.

4. Teaching methods

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments

5. Mode of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation and attendance…5%
- Mid Exam/Test/Quiz……..25%
- Individual and group assignments/ Presentation…20%
- Final Exam……50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

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7. Course outline

Chapter I: Introductory Issues

- Overview of the Ethiopian legal system
- The need for legal writing
- Distinguishing features of legal writing
- Primary vs. secondary sources of law in Ethiopia

Chapter II: Approaching a Legal Problem

- Review of basic logic of legal analysis
- Reading and analyzing cases and statutes
- Exercise: elemental analysis

Chapter III: Predictive Writing

- Organizing a legal discussion
- The memorandum of law
- Exercise: revision
- Chapter IV: Persuasive Writing
- Developing persuasive arguments
- Argumentative techniques
- Argumentative ethics
- Addressing unfavorable law and arguments
- The brief in support of a motion
- Exercise: Revision

Chapter V: Pleadings

- Civil pleadings: the statements of claim and defense
- Criminal pleadings: the charge

Chapter VI: Oral Argument

- Structuring an oral argument
- Preparing for oral argument
- Exercise: Presenting an oral argument

Chapter VII: Professional Skills Development

- Letter writing
- Client interviews
- Exercise: hypothetical client interview

8. References

1. Oates, Laurel C., Enquist, A. and Kunsch, K., 3rd ed., The Legal Writing Handbook, Analysis, Research and Writing. New York Aspen Pub., 2002
2. Wydick, Richard C., 5th ed., Plain English for Lawyers, Durham, NC: Carolina Academic Press, 2005
3. Riley, A., English for Law, London: Macmillan Publishers, 1993

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4. SeifuB.Tsion et al., English for Law, Vol I and II, Ethiopian Civil Service College, Ethiopia, 2001
5. Slocum, Robin Wellford, 2nd ed., Legal Reasoning, Writing and Persuasive
6. Argument, Matthew Bender and Co., 2006
7. Rylance, Paul, Legal writing and Drafting, Delhi, Universal Law Publishing Co.,2000
8. Ray, Mary Bernard, The Basics of Legal Writing, Burnsville, MN: West Thompson, 2002
9. Shapo, Helene S., Walter, M.R., and Fajans, E., 4th ed., Writing and Analysis in the Law, New York, NY: Foundation Press, 2003
10. Berry, Carole C., 2nd ed., Effective Appellate Advocacy, Brief Writing and Oral Argument, Burnville, MN: West Thompson, 1998
11. Goldblatt, A., Introduction to Legal Method in Ethiopia
12. Nigussie N., Course Materials for English for Lawyers I, 2007
13. Nigussie N., Course Materials for English for Lawyers II, 2008.
14. Haarman, L., P. Leech and J. Murray, Reading Skills for Social Sciences, Oxford: OUP, 1988
15. Milan, D., 3rd ed., Developing Reading Skills, McGraw-Hill Inc., 1991
16. Rosenthal, L. and S. Rowland, Academic Reading and Study Skills, 1986
17. Ruddell, M. R., 2nd ed., Teaching Content Reading and Writing, Boston: Allyn and Bacon, 1997
18. Tomlinson, B and R. Ellis, Reading Advanced. Oxford: OUP, 1988

1. Course identification

Course Name: **Legal Research Methods**
Course Code:
Credit Hours: 3 CrHr/5 ECTS
Prerequisite:

2. Course description

A contemporary state perceives law as effective instrument of social control and socio-economic change. The complex nature of law and its operation require systematic approach to the ‗understanding' of law and its ‗operational facets'. A methodical investigation into these aspects of law helps in knowing the existing and emerging

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legislative policies, laws, their social relevance and efficacy. Legal research is an important tool to accomplish these jobs. The course on Legal Research Methods intends to explain the nature, scope, significance, types, tools, and models of legal research and scientific methods of inquiry into the law.

3. Course Objectives

At the end of this course, it is expected that students will be able to:

- explain the concept, purpose and problems of scientific legal research;
- discuss fundamental elements and rules of legal research methods, their scope and application;
- explain the different categories and types of legal research;
- converse on the significance of legal research for identification and solving legal and socio-legal problems;
- itemise the basic techniques of selection, collection and interpretation of primary and secondary data in legal and socio-legal research;
- identify legal issues emerging from application or non-application of law;
- explain the significance and role of legal research in the reform and development of law and in the socio-economic development of the country;

4. Teaching Methods

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervision will employed tooffer the course.

5. Methods of Assessment

Students‘ assessment would focus less on traditional written evaluations, particularly in the form of time-constrained exams; greater emphasis shall be placed on assessment instruments that measure students‘ research skillsincluding abilities to use the materials and souces of law, to identify problems, to collect information necessary to answer research questions, to analyze and seek pattern in the data collected. To this end assessment should bebased on review of selected research works, research works on narrow topics, writing of proposals,

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etc. Final exams, if necessary, shall not cover more than 30 % of the total mark for the course.

6. Attendance Policy

Students have to meet 85 % of class attendance as per the 2019 AAU Senate Legislation

7. Course Outline

Chapter I: Introduction to legal Research

- Relationships between Law and Society
- The Need for Legal Research
- Defining Legal Research
- Methods and Methodology
- Scope and relevance of legal research
- Types and purpose of Legal Research

Chapter II: Research Methods in law and Other Social Sciences

- Basic Features of Research Methods in Law
- Basic Features of Research methods in other Social Sciences
- Applicability of Other Social Science Methods in Legal Research

Chapter III: Models of Legal Research

- Types of Legal Research: Doctrinal and Non-Doctrinal
- Doctrinal legal research: introduction
- Aims and basic tools
- Advantages and limitations
- Socio-legal research
- Inter-relation between doctrinal and non-doctrinal legal research

Chapter IV: Models of Legal Research and Current Trends in Legal Research

- Models of legal research
- Evaluative
- Identification and impact studies
- Current trends in legal research

Chapter V: Research Problem

Chapter VI: Hypothesis

- Introduction
- Sources of hypothesis
- Characteristics of a workable hypothesis
- Utility of hypothesis

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Chapter VII: Research Design

- Introduction
- Major contents of research design
- Role of research design
- Sampling techniques: random and non-random
- Factors considered in drawing sample

Chapter VIII: Basic Tools of Data Collection

- Interview
- Interview schedule
- Questionnaire
- Observation
- Participant observation: advantages and limitations
- Non-participant observation: advantages and limitations

Chapter IX: Analysis and Interpretation of Data

- Doctrinal legal research
- Non-doctrinal legal research
- Analysis and interpretation of data inter-dependence and inter-relation

Chapter X: Writing Research Report

8. References

1. Arthur Goldblatt, Introduction to the Legal Method in Ethiopia HSIU, Unpublished, 1967
2. Christina L. Kunz et al., The Process of Legal Research, 6th Ed., Aspen Publishers, New York, 2004
3. Gold Blat, Legal Methods in Ethiopia, 1965
4. Goode and Hatt, Methods in Social Research, McGrew Hills, New York, 1952
5. Kothari, C R, Research Methodology: Methods and Techniques WishwaPrakashan, New Delhi, 1990
6. Michael D Murray and Christy H DeSanctis, Legal Research and Writing, Foundation Press, 2006
7. Morris L Cohen and Kent C Olson, Legal Research in a Nutshell, Thompson West, 2000
8. S K Verma and M AfzalWani (eds), Legal Research and Methodology, Indian Law Institute, 2001
9. Seltiz, Jahoda et al, Research Methods in Social Relations, Methuen, UK, 1972
10. Yalew Endaweke, Basic Principles and Applications of Research Methodologies, Alpha Printing, 2006

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11. Lee Epstein and Andrew D. Martin, An Introduction to Empirical Legal research, (First Edition, 2014)
12. Mark Van Hoecke (ed.), Methodologies of Legal Research: Which Kind of Method for What Kind of Discipline (2011)
13. Mike Mcconvile and W. H. Chui (eds.),Research Methods for Law, (Endinburgh University Press ltd., 2007)
14. J W Creswell, Research Design, Qualitative, Quantitative, and Mixed Methods Approaches, (2nd ed.)
15. Arthur Goldbatt, Introduction to the legal Method in Ethiopia (HSIU, Unpublished), 1967
16. Lee Epstien and Garry King, The Rules of Inference, 69 U Chi L Rev 1(2002)
17. Earl Babbie, The Basics of Social Research, (2004)
18. C.R. Kothari, Research Methodology: Methods and Techniques, (2nd revised ed., 2004)
19. W. Luarence Neuman, Basics of Social Research: Qualitative and Quantitative Approaches, (2nd ed., 2007)
20. Y.K. Singh, Fundamentals of research Methodology and Statistics, (2006)
21. B.L. Berg, Qualitative Research Methods for Social Sciences, (2001)
22. J.M. Ruane, Essentials of Research Methods: A Guide to Social Science Research, (2005)
23. Wendimagegn Tadesse, 'Legal Research Tool and Methods in Ethiopia', Journal of Ethiopian Law, (Vol. 25, No 2)

1. Course Identification

Course Title: **Legal Ethics and Professionalism**
Course Code:
Course weight: 3 hrs/5ECTS
Prerequisite: None

2. Course Description

The course Legal Ethics discusses basic civil values such as acting with strict impartiality, the rule against taking part in decisions involving personal interest, the rule against accepting bribes and corruption, etc.

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The course will provide awareness and understanding of the meaning and requirements of ethical conduct of legal professionals in the administration of the law, the contributions which ethical professional conduct of officials can make to the realization of the rule of law and the practical ways of achieving these aims. In addition, it explores the meaning and nature of legal profession and the ethics of legal profession in connection with constitutional rights to counsel (FDRE: Art.20 (5)), legal aid and constitutional duty of courts to enforce fundamental human rights (FDRE: Art.13). The course also analyzes the federal and regional states' codes of conduct adopted for advocates, prosecutors and judges (if any).

3. Objectives and Competence Achieved

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding: the rules that govern legal professionals and the distinctions between ethical and unethical conduct: the liabilities of legal professionals for violating codes of conduct of legal professionals; basic civil values such as impartiality, independence, competence and diligence; constitutional principles underlying code of professional ethics; the nature of legal profession by defining and distinguishing it from other occupations; the basic principles of moral philosophy (ethics); the purposes and functions of ethics of the legal profession; the application of ethical rules (codes of conduct) and principles to practical cases; anti-social ethical practices in general, and particularly, corruption and fraud.

4. Methods of Delivery

Lectures, presentations, group discussions, individual and group assignments

5. Assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class attendance and Participation: 10%
- Presentations (10%) and Assignments (20): 30%
- Quiz: 10 (but there could be quizzes that may or may not be graded)
- Final Exam: 50%

6. Course Content

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Chapter One: Introduction to Legal Ethics

- Defining Ethics and Legal Ethics
- Code of Conduct
- Law and Ethics
- Introduction to Professional Ethics
- What is Profession: Distinguishing Features?
- Professional Ethics
- Models of Legal Ethics

Chapter Two: Advocates Ethics

- Source of Ethical Standards
- The Basics of Advocates Ethics
- Regulation of Advocates and Liability for Breach of ethical standards

Chapter Three: Judicial Ethics

- Sources of ethical standards
- Ethical standards in judicial practice
- Administration of Judicial Practice and Liability for Breach of Rules of judicial Conduct

Chapter Four: Ethics of the Public Prosecutors

- Sources of ethical standards
- Basic Ethical Principles for the Functions of Public Prosecutor
- Administration of Public Prosecutors and Liability for Violation of Ethical standards

Chapter Five: Legal Ethics in Practice

- Commercialization of the Legal Practice
- Tax issues in Advocacy services
- Regulation of advocacy service across National Borders

7. References

Books and Journal Articles

1. Abdi Jibril and Zenebe Adelahu Legal Profession and Ethics (Teaching Material)
2. Francesca Bartlett et al. (eds). Alternative Perspectives on Lawyers and Legal Ethics: Reimagining the Profession (Routledge, 2011)
3. Anthony D'Amato and Edward J. Eberle, Three Models of Legal Ethics, Saint Louis University Law Journal, Volume 27 (1983).
4. Eberle, Edward J. (2012) "Toward Moral Responsibility in Lawyering: Further Thoughts on the Deontological Model of Legal Ethics," *St. John's Law Review*: Vol. 64: Iss. 1,

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5. David Luban, Legal Ethics and Human Dignity (CAMBRIDGE UNIVERSITY PRESS, 2007).
6. Aiyar, P. R. et.al., Legal and Professional Ethics: Legal Ethics, Duties and Privileges of a Lawyer, New Delhi: Wadnwa Nagpur, 2003
7. Callahan, J.C. (ed.), Ethical Issues in Professional Life, New York, Oxford: Oxford University Press, 1988
8. Rai, K., Legal Ethics Accountability of Lawyers and Bench-Bar Relations, 7th ed., Allahabad: Centeral Law Publications, 2007
9. Mynene, S.R., Professional Ethics, Accountancy for Lawyers and Bench- Bar Relation, Hyderabad: Asia Law House, 2007
10. Schwartz, M.D. et. al., Problems in Legal Ethics, 5th ed., St.Paul, Minn: West Group, 2001
11. Pojman, L. Ethics , 4th ed., Canada , Eve Haward, 2002
12. Cooper, T., Handbook of Administrative Ethics, USA, Marcel Dekker, inc.1994
13. Head Michael and Scottman, Law in Perispective: Ethics, Society and Critical Thinking, India, Universal Law Publishing co., 2005
14. Pojam, L.P. Philosophy: the Pursuit of Wisdom 3rd ed, Canada, 2001
15. Midgley's Lawyers' Professional Responsibility, Textbook: Cannon, Ethics & Professional Responsibility for Legal Assistants, Current Edition; Aspen
16. Thomas, G. People, Practice, Attitudes and Problems in the Lower Courts of Ethiopia, JEL, Vol.VI No.2
17. Wan, W. Law, Judges and Justice, Australia, 1991
18. Ronald D. R., Professional Responsibility, 3rd ed., 1992
19. Howard, L., Being a Lawyer: Individual Choice and Responsibility in the Practice of Law, West Publishing Co., 1992

Legislation

1. The Justice Sector Personnel Training Center Establishment Proclamation No. 364/2003
2. Proclamation No. 1/1995, Constitution of the Federal Democratic Republic of Ethiopia, Federal Negarit Gazeta, 1st Year No. 1
3. Proclamation No. 199/2000, Federal Courts Advocates Licensing and Registration, Federal Negarit Gazeta, 6th Year No. 27
4. Proclamation No. 684/2010: Amended Federal Judicial Administration Council Establishment Proclamation

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5. Proclamation No. 25/1996, Federal Courts Proclamation, Federal Negarit Gazeta, 2nd Year No. 13
6. Federal Code of Judicial Conduct
7. ABA Model Code of Judicial Conduct
8. The Bangalore Principles of Judicial Conduct
9. Council of Ministers Regulations No 44/1988
10. Council of Ministers Regulations No 57/1999 to Provide for the Administration of Federal Prosecutors
11. Council of Ministers Regulations to provide for the Federal Court Advocate's Code of Conduct Federal Ethics and Anti-Corruption Regulation No. 4/2002
12. Criminal Procedure Code

1. Course identification

Course title: **Law of Contracts I**
Course Code:
Credit Hours: 3 Cr/Hr/5 ECTS
Prerequisite:

2. Description

Contract is an institution whereby people voluntarily assume proprietary obligation, and is basically premised upon principles of freedom of contract and equality of bargaining power. The purpose of the course is to study and assess the extent to which the law incorporates and enforces these two principles vis-à-vis other legitimate interests.

The Course shall begin with discussions about the meaning, sources and types of obligations in general. It shall also deal with the meaning of contract as one source of obligation and assess the purposes & scope of contract law as well as the economic analysis of contract law. It shall then discuss the pre-contractual negotiations, formation of contracts, the similarity and difference between various types of contracts, the effects of contracts including interpretation, variation and performance, non- performance and its remedies. Besides, the modes of extinction of obligation will also be covered. The study shall, in general, be made in a comparative discussion about theoretical foundations, legal principles and rules and landmark cases. An emphasis shall be made on contemporary issues emerging within the Ethiopian legal system, where

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the pertinent Cassation Decisions of Federal and Regional Supreme Court, if available, will be dealt.

3. Course Objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- Explain the basic principles of law of contracts and contract law;
- Discuss the theoretical foundations, legal principles, rules and land mark cases
- Discuss the types, sources and nature of obligations
- Pinpoint the pre-contractual negations and their respective effects comparatively
- Identify strengths and weaknesses of the civil code provisions dealing with formation and effects of contract,
- Understand the contract interpretation principles embodied in Ethiopian Contract law
- Appreciate the strength and recommend solution for the weaknesses and gaps
- Comprehend how the Ethiopian courts are interpreting contract rules and principles.
- Identify remedies of breach of negotiations and non-performance
- Know the modes of extinction of contracts under Ethiopian Law
- Explain land mark case interpretations

4. Teaching Methods

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions.

5. Mode of assessment

- Class Participation… 5%
- Chapter Reflections / Summaries… 15%
- Student Presentations 15%
- Assignments / Project/ Essays… 15%
- Final Exam… 50%

6. Attendance policy

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Students must attend minimum number of sessions or hours as per the University attendance policy.

7. Course Outline

Chapter I: Introduction

1:1 Definition & Nature of Obligation
1:2 Sources of Obligation
1:3 Definition & Nature of Contract
1:4 Types of Contract
1:5 Importance of Contract Law
1:6 Historical Development of Contract Law
1:7 Jurisdictions on Contract Law in Ethiopia
1:8 Economic Analysis of Contract law

Chapter II: Formation of Contract

2:1 Requirements of Contract 2:1:1 Capacity
2:1:1 General incapacity
2:1:2 Special Incapacity 2:1:3 Effects of Incapacity
2:1:2 Consent
2:1:2:1 Theories of Consent 2:1:2:2 Communication of Consent
- Pre-contractual negotiation
- Offer vis-à-vis intention to offer
- Acceptance vis-à-vis Defective Acceptance
- Theories of acceptance
- Withdrawal of Offer and Acceptance

2.1.2.2. Defects in Consent & Available Remedies
- Mistake
- Fraud
- Duress
- Misrepresentation
- Lesion

2:1:3 Object of Contract
2:1:3:1 Freedom of Contracts and its Limits
- Clarity
- Possibility
- Morality
- Legality

2:1:4 Form of Contract
2.2 Consequences of Non-fulfillment of Requirements of Contract

Chapter III: Effects of Contract

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3:1 Interpretation of Contract
3:2 Variation of Contract
3:3 Performance of contract
3:4 Consequences of Non-performance

Chapter IV: Non-Performance and its Consequences

4:1 Definition of Non-Performance vis-à-vis remedies for negotiation breach
4.2 Default Notice: Requirement and Exceptions
4:3 Remedies of Non-Performance
4:3:1 Specific Performance
4:3:2 Cancellations
4:3:3 Damages

Chapter V: Extinction of Contract

5.1 Performances of Contracts
5.2 Invalidation and Cancellation
5.3 Termination of Contracts
5.6. Remission of Debts
5.7 Novation
5.8 Set-off
5.9 Merger
5.10 Limitation of Actions
6. Current Developments

8. References

A.Required

1. Civil Code of the Empire of Ethiopia,1960 Artt.1675-1805
2. A Proclamation to Provide for the Authentication and Registration of Documents Pro. No. 922/2015
3. Paul Richards, 2017, Law of Contracts, Pearson (Thirteenth Edition)
4. George Krzeczunowicz, Formation and Effect of Contracts in Ethiopian Law, Addis Ababa University,1983
5. Rene David Commentary on Contracts in Ethiopia ,Hailesellasie I University, 1973
6. Addis Ababa,2002
7. M. Marcel Planiol & George Ripert, Treatise on the Civil Law (12th ed) Volume 2 part I (obligations)
8. Selected cases related to the Law of contract of the FDRE Supreme Court Cassation Decisions published in series of the volumes of the

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Court's occasional publications of its Cassation decisions (for example, volumes1-24).

B. Recommended

1. Constitution of the Federal Democratic Republic of Ethiopia
2. TilahunTeshome, Basic Principles of Ethiopian Contract Law (in Ahmaric),Federal Supreme Court,Addis Ababa, 1989
3. Richard Stone and James Devenley, (2015), The Modern Contract Law of Contract, (11th Ed), Routledge
4. S.K. Kapoor, The Law of Contracts , 8thed , Central Law Agency, 1999
5. Ryan, Introduction to Civil Law
6. Hussein Ahmed Tura, 2011, Interpretation of Contracts under Ethiopian Civil Code: Subjective or Objective Method?
7. Lantera Nadew, Void Agreements and Voidable Contracts: The Need to Elucidate Ambiguities of their Effects, Mizan Law Review Vol. 2 No.1, Jan 2008

C.Optional

1. BaşakBaşoğlu (Ed.), 2016, The Effects of Financial Crises on the Binding Force of Contracts - Renegotiation, Rescission or Revision, International Academy of Comparative Law, (Springer, Switzerland)
2. Jan M. Smiths, 2014, Contract law: a Comparative Introduction, USA
3. P.D.V. Marsh, Comparative Contract Law, England, French, Germany, Gower Publishing, USA, 1994
4. Ernest C. German Commercial Law, German American Chamber of Commerce.INC., 1956
5. G. Leroy Certoma, The Italian Legal System, Butterworths, London,1985
6. G.H. Treitel , The Law of Contract, 11th ,Sweet&Maxwell,2003
7. Kessler & Gilmore; Contracts, cases and materials, Second edition,
8. Merton Ferson; the Rational basis of Contracts and related Problems in Legal Analysis
9. Lon L. Fuller & Melvin Aron Eisenberg, Basic Contract law, Third Edition,
10. Arthur Linton Corbin, Corbin on contracts law, West Pblishing Co., 1952
11. David H. Vernon, Contracts: Theory and practice, Analysis and Skills Series, Times Mirror Books, 1991
12. Claude D. Rohwer and Anthony M. Skrocki, contracts in Nut Shell, 2000
13. J.C.Smith, The Law of Contract, London, Sweet & Maxwwell, 1989

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14. Samuel Williston and George J .Thomspson, Selections from Williston's Treatise on the Law of Contracts, Revised Edition
15. Schlesinger, Formation of Contracts, A Study of the Common Core of Legal system, 1968
16. Roberot W.Hamilton et al, Contracts, cases and Materials, American Casebook series, West Publishing Co., 1984
17. Walter L Ninxon, The Requisites and Effects Of Novation: Comparative Survey, 25 (10 Tulane Law Review
18. Hohen E pellier, Extinguishment of Obligations by Confusion, 36 (3) Tulane Law Review

1. Course identification

Course Name: **Law of Contracts II**
Course Code:
Course weight: 3 Cr/Hr/5 ECTS
Prerequisite:

2. Course Description

As a continuation of law of Contracts I, this course, law of Contracts II, examines the special terms of obligation of contracts. It raises issues related to time provisions, conditions, alternative obligations, Earnest and provisions as to liability. Furthermore, it discusses the case of plurality of debtors and creditors and their effects. Moreover, a remarkable place will be given to the Surety law and status of third parties in relation to contracts that include issues on stipulations for the benefit of third parties, assignment of rights, delegation of obligations, subrogation and creditors of the parties. Finally, it analyses issues related to proof in relation to contracts. In all cases, the discussions in the material presuppose equal protection of law given by the FDRE Constitution to everybody without discrimination to secure business transaction (Art. 25), right to use, own, transfer, and dispose of private property(Art.40(1&2)), freedom to engage in any economic activity of once own choice(Art.41(1)) etc.

3. Course Objectives

At the end of this course, students are expected to:

- Explain the rules dealing with plurality of debtors and/or creditors;
- Explain the special terms of obligations;

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- Distinguish joint and non-joint obligations;
- Surety and third party guarantees to contractual relations
- Analyse rules applied on third parties in relation to contracts;
- Explain burden of proof, admissibility of evidence and the role of presumption of payment.
- Discuss: alternative obligations, status of earnest and effect of liability clauses in contract;
- Differentiate between joint and non- joint obligations and their effect;
- Identify the treatment and effect of plurality of debtors and creditors comparatively
- Explain surety in comparison to other security devices
- Distinguish among various types guarantors degree of their guarantee;
- Distinguish among assignment, subrogation, and delegation;
- Discuss the rights of heirs and creditors of the parties;
- Explain up on whom shall burden of proof of contract lays;
- Understand the probative value of written evidence;
- Differentiate between period of limitation and presumption of payment.

4. Teaching Methods

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions

5. Methods of Assessment

Class Participation…	5%
Chapter Reflections / Summaries…	15%
Student Presentations 1…	15%
Assignments / Project/ Essays…	15%
Final Exam…	50%

6. Attendance Policy

Students must attend minimum number of sessions or hours as per the University attendance policy.

7. Course Outline

Chapter I: Special Provisions Relating to Contracts

- Time provisions
- Conditional Contractual Obligations
- Alternative Obligations

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- Earnest
- Penalty Clause

Chapter II: Joint and Several Liabilities

- Joint Obligations
- Joint and Several Obligations-General
- Joint and Several Obligations between or Among Co debtor
- Effects on/of:
- Res Judicata
- Default Notice
- Void and Voidable Obligations
- Limitation of Actions
- Remission of Debts
- Novation
- Set-off
- Merger
- Relations between or among co-debtors
- Relations between or Among co-creditors

Chapter III: Suretyship

- General
- Features of Suretyship
- Defenses available to the Surety
- Benefit of Discussion
- Benefit of Division
- Summons to proceed
- Surety debtor Relationship
- Relationship between or Among Sureties
- Types of guarantees

Chapter IV: Third Parties in Relation to Contracts

- Contracts for the Benefit of Third Party
- Subrogation
- Promise for Another
- Delegation of Performance
- Transmission of Obligations
- Heirs of the Parties
- Creditors of the Parties

Chapter V: Proof of Contracts

- Evidence in Contracts
- Onus of Proof and admissibility of Evidence
- The Role presumption
- Effects
- Presumptions of Payment

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- Solemn Contracts and Affiliated issues

8. References

A. Required

1. Civil Code of the Empire of Ethiopia,1960 Arts.1806-2026
2. Hary Cohen, Solidary Obligations, 25 (2) Tulane Law review
3. Artur L Corbin, Contracts for the Benefit of Third Parties, 25 Yale Law Journal
4. Jonathan A. Eddy, Payment with Subrogation under the Ethiopian Civil Code, 9(1) Journal of Ethiopian Law
5. TilahunTeshome: Basic Principles of Ethiopian Contracts Laws, 1996
6. o Rene David Commentary on Contracts in Ethiopia ,Hailesellasie I University, 1973
7. M. Marcel Planiol & George Ripert, Treatise on the Civil Law (12th ed.), Volume 2 part I (Proof)
8. Selected cases related to the Law of contract of the FDRE Supreme Court Cassation Decisions published in series of the volumes of the Court's occasional publications of its Cassation decisions (for example, volumes1-25).

B. Recommended

1. Girma W/Sellassie, Creditor-Guarantor Relationship Under Ethiopian Law, 13 Journal of Ethiopian Law
2. Jan Smits, 2014, Contract Law: A Comparative Introduction, Edward Elgar Publishing
3. BaşakBaşoğlu (Ed.), 2016, The Effects of Financial Crises on the Binding Force of Contracts- Renegotiation, Rescission or Revision, International Academy of Comparative Law, (Springer, Switzerland)
4. Paul Richards, 2017, Law of Contracts, Pearson (Thirteenth Edition)
5. Richard Stone and James Devenley, (2015), The Modern Contract Law of Contract, (11th Ed), Routledge

C. Optional

1. Girma Gizaw Ethiopian Contract Law, General Provisions Commercial Printing Press, Addis Ababa,2002
2. Jan M. Smiths, 2014, Contract law: a Comparative Introduction, USA
3. James Gordley (Ed.), The Enforceability of Promises in European Contract Law, Cambridge Studies in International and Comparative Law: the Common Core of European Private Law

1. Course identification

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Course title: **Federalism**
Course code:…
Course weight: 3 credit hours/5 ECTS
Course prerequisite:

2. Course Description

The origin of federalism as an idea of human political association dates back to the ancient times as far back as 1000 B.C.E. and throughout human history there had existed many polities with varying degrees of federal organization. However, modern federalism is the product of state organization and restructuring that began in late 18th century, then peaked up in the next two centuries and carried on in the 21st century. In fact, the modern and postmodern era have been witnessing the 'federalist revolution.' As a result, about 40 percent of the world's population and land is now found within polities that are formally federal, while another third of world population live in polities that espouse the federal idea in some form. Ethiopia has also joined the corpus of federal polities after officially adopting the system in 1995. The widespread reality of modern polities undergoing fundamental restructuring along federal principles (Ethiopia included), and the unique political and legal order with unique set of rights for the individual and the collective brought by such restructuring stress the importance of ‘Federalism.’

Among a number of federal arrangements, the common institutional manifestation of federalism is what is termed 'federation.' This "politico-legal" arrangement together with the federal idea underlying it, is what 'Federalism' is principally about. That being the case, what appeals to a law student in an undergraduate academic subject may be the analysis of existing legal structure (in this case, of federalism) in the prospective lawyer's lens. This by itself will do no harm and is definitely part of the exercise in this course because, as the student will learn, federations are laid down in constitutional law. But make no mistake, a federal system is a function of past and ongoing political negotiation among its federating units and a constitution is also a political, not merely legal, document that need to be placed in political context. In order to fully appreciate the formation, operation and evolution of a federal system the law student taking 'Federalism' must broaden her perspectives to account for non-legal factors such as historical forces and political practice. In fact, studies of 'political science' and 'law' combine to define

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the horizon of the course, and it is within such horizon that specific issues of federalism and federation are spelt out and dealt with.

Thus, beginning with an attempt to give the meaning of 'federalism' and 'federal system', the course outlines features that distinguish a federal system from a non-federal one and addresses the pros and cons of a federal system including whether federalism helps in managing conflicts. It endeavors to explore the various types of federations, explains the different historical factors that lead to the formation of federations, and spells out the general features observed in federations. Putting the existing Ethiopian federal project in central perspective, the course specifically addresses issues like what the historical antecedents of federalism in Ethiopia were, what the reality of political practice in the federation looks like and what (if any) factors are currently shaping it, and whether (and what) lessons could be drawn from other multinational federations. It uncovers how legislative and executive powers are divided between governmental levels in general, and examines the distribution of fiscal powers between levels of government in particular. It looks up the main institutions in a federation, and in particular highlights the role of second chambers in legitimating the central government and its process of decision-making. The course also delves into the matter of representation in a federation, with some attention to the systems of election in place and nature of political parties. The issue of secession is touched upon as well. The particular emphasis is, of course, on the Ethiopian federation and the ongoing debate concerning its evolution.

3. Course Objectives

Upon successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- meaning of federalism, the reasons for its adoption, and the various types of federations;
- the main features that distinguish federal systems from non-federal polities, and federations from the other federal polities;
- the institutions necessary for making a federation legitimate and operational;
- the distinction between nation-states and multination federations;
- the manner and techniques of dividing power and resources between national and subnational governments;
- the context in which the 1995 federal system of Ethiopia was instituted as well as its development since then;

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- the nature of past political crises and the challenges of building a multination state;
- the unique features of the Ethiopian federal system;
- the various mechanisms of federal umpiring as employed in different federal polities and the approach adopted in Ethiopia;
- basic approaches to the allocation of expenditure responsibilities and revenue powers between constituent units and the national government;
- the goals of intergovernmental financial transfer and the particular modes or instruments that help to achieve those goals.

4. Method of Delivery

To ensure that students attain the required learning levels and to enable them demonstrate their knowledge on practical situations, an integrated approach will be adopted in the delivery of this course. Besides active learning method (independent student study), other methods including the Socratic Method, lectures, group discussions, problem-solving assignments, as well as presentations will be utilized.

5. Mode of Assessment

Student learning will be assessed using an appropriate mix of a variety of ways on a continuous basis. As indicated in the AAU Senate Legislation and the National Revised Curriculum of the LL.B. Program, the various methods of continuous assessment shall together account for 50% of the total course grade while the balance is allotted for a written final exam administered at the end of the course delivery. The following is a tentative list of activities, along with their respective weights, that may be employed to measure student performance in the course and determine the student's final grade:

- Participation ---------- 5%
- Quiz ---------- 15%
- Chapter summarization ---------- 15%
- Assignment & presentation ---------- 15%
- Final exam ---------- 50%

6. Course Policy

Students must abide by the university's **code of conduct** throughout the course. Acts of academic dishonesty, such as cheating, fabrication, and plagiarism, will not be tolerated, and will be subject to both direct actions by the instructor and report to concerned bodies for action.

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Class activities may vary day-to-day, ranging from lectures to discussions. Students are demanded to actively participate in the course delivery process. Also they are expected to do, and do in time, all the learning tasks they are assigned with.

Note on class attendance and participation: **'be punctual,'** '**attend regularly'** and **'participate actively'** is the adopted policy. Attendance will be taken regularly throughout the semester to ensure student's actual presence during class and acquisition of requisite knowledge. Every unjustified absence would be subject to deduction of marks. Mind you, missing more than --% of attendance will bar you from earning pass credit in the course and you will earn a grade of Incomplete Attendance (IA), in accordance with the provisions under Art. --- of the AAU Senate Legislation. Active participation is an indispensable component carrying a reward of up to 5 marks. Late-coming destructs attention; it may amount to absence.

7. Course Content

Chapter I : Basic Overview of Federalism

1.1 Brief History of Federalism: General and Ethiopian
1.2 Contemporary Significance of Federalism
1.3 Meaning of Federalism and 'Federal System'
- Federalism: Meaning; Distinction from Other Principles of Dividing Political Power
- Federal System Distinguished from a Non-federal System

1.4 Different Kinds of Federal Systems and Federation as one Kind
1.5 Fundamental Features of a Federation

Chapter II : Formation and Evolution of Federations

2.1. Federation as a Deliberate Design of Political Association
2.2. The Various Historical Antecedents of Federal Organization
2.3. Differing Processes in Federal Formation and the Ethiopian Case
  2.3.1. "Coming Together" or Aggregative/Integrative Federations
  2.3.2. "Holding Together" or Devolutionary Federations
  2.3.3. Hybrid Federations
2.4. Centripetal and Centrifugal Catalysts in the Formation of a Federation; Implications for National Political Integration and Regional Autonomy
2.5. The Suitability of Federalism and the Capacity for Federal Governance
2.6. The Constituent Units of a Federation
  2.6.1. Brief Survey of Differing Nomenclature

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2.6.2. The Nature of the Building Blocks of Federations
2.6.2.1. Regional Distinctiveness and Political Salience
2.6.2.2. Territorial (Non-territorial?) Organization
2.6.2.3. Territorial Contiguity: Purely Geographical vs. Identity-oriented
2.6.2.4. The Building Blocks of the Ethiopian Federation
2.6.3. The Type, Number, Size, and Wealth of Constituent Units
2.6.4. Cities in Federations and the Status of Federal Capitals
2.6.5. Establishing and Changing Constituent Unit Boundaries
2.7. Evolution of Federations

Chapter III : Distribution of Powers in a Federation

3.1. Division of General Legislative and Executive Powers
3.1.1. The Basic Models: Dualist ('Coordinate') vs. Integrationist
3.1.2. Patterns of the Division in Federations and the Ethiopian Case
3.1.2.1. Exclusive, Concurrent, Framework, and Shared Powers
3.1.2.2. Enumerated and Residual Powers
3.1.2.3. Emergency or Override Powers
3.1.2.4. Delegated Powers
3.1.3. The Scope of Legislative and/or Executive Authority of the Governmental Levels: Authority in Respect of Particular Fields
3.1.3.1. The Pattern of General Authority's Scope in Federations
3.1.3.2. Guidelines for Particular Distribution?
3.1.3.3. Overview of Scope of Powers in Ethiopian Federation
3.1.4. Classification of Federations on the Basis of Scope of Legislative /Executive Authority of Governmental Levels
3.1.4.1. Legislative vs. Administrative Federations
3.1.4.2. Centralized vs. Decentralized Federations
3.2. Distribution of Judicial Powers in Federations and Structure of Courts
3.3. The Distribution of Fiscal Powers in a Federation
3.3.1. The Allocation of Expenditure Responsibilities
3.3.2. Assignment of Revenue Powers: Content, Patterns, and Guidelines
3.3.3. Vertical and Horizontal Fiscal Imbalances

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3.3.4. Types and Roles of Intergovernmental Transfers and Use of the Spending Power
3.3.5. The Mechanisms of Institutional Arrangement of Transfers

3.4. Symmetry and Asymmetry in the Distribution of Powers in Federations
3.4.1. De facto/Politico-economic/Informal Symmetry and Asymmetry
3.4.2. De jure/Constitutional/Formal Symmetry and Asymmetry
3.4.3. Symmetry and Asymmetry of Powers in the Ethiopian Federation

Chapter IV : Central Federative Institutions

4.1. The Importance of Shared Federal Institutions as Foci for Unity
4.2. Difference in Institutional Composition Based on Governmental Form
4.2.1. Parliamentary Federations
4.2.2. Presidential Federations
4.3. Representation in Federal Institutions
4.3.1. Popular Representation and Territorial Representation
4.3.2. The Impact of Electoral Systems and Nature of Political Parties
4.4. Second Chambers (Upper Houses) in Federations
4.4.1. Principle of Federal Bicameralism
4.4.2. Selection and Composition of Members
4.4.3. Powers and Roles of Second Chambers
4.5. Overview of Shared Institutions and Processes in Ethiopian Federation

Chapter V : The Constitutional Pillars of a Federation

5.1. Federation as a Constitutional Structure and Process
5.2. Approaches and Processes of Constitutional Arbitration and Review
5.2.1. Supreme Courts and Constitutional Courts
5.2.2. Popular Referendums
5.2.3. Political Organs as Federal Arbiters and the House of Federation in Ethiopia
5.3. Rights in Federal Constitutions
5.4. Provisions for Formal Secession in Federal Constitutions
5.5. Constitutional Amendment Procedures in Federations

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Chapter VI : Intergovernmental Relations (IGR) in Federations

6.1. Meaning and Significance of IGR
6.2. Vertical and Horizontal, Bilateral and Multilateral Dimensions of IGR
6.3. Varied Institutions and Processes of IGR in Federations: Formal and Informal
6.4. Some Attempts of Classifying Federalism on IGR Considerations
  6.4.1. Competitive vs. Cooperative Federalism
  6.4.2. Coercive vs. Consultative Federalism

8. References/Readings

A. Laws

1. The Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995, Federal Negarit Gazeta – 1st Year No. 1.
2. Declaration of the Establishment of the Federal Democratic Republic of Ethiopia, Proclamation No. 2/1995, Federal Negarit Gazeta – 1st Year No. 2.
3. Council of Constitutional Inquiry Establishment Proclamation No. 250/2001, Federal Negarit Gazeta, 7th Year – No. 40.
4. Consolidation of the House of the Federation and Definition of its Powers and Responsibilities Proclamation No.251/2001, Federal Negarit Gazeta, 7th Year – No. 41.
5. Proclamation Providing for the Intervention of the Federal Government in the Regional States.

B. Books

1. Alexander Hamilton, James Madison, and John Jay (J. R. Pole, ed., annot.), The Federalist (Hackett Publishing Inc.: Indianapolis/Cambridge, 2005).
2. Assefa Fiseha, Federalism and the Accommodation of Diversity: A Comparative Study (Revised Edition, Wolf Legal Publishers: Nijmegen, 2007).
3. Daniel Elazar, Exploring Federalism (University of Alabama Press: Tuscaloosa, 1987).
4. David Turton (ed.), Ethnic Federalism: The Ethiopian Experience in Comparative Perspective (James Currey Ltd.: Oxford, 2000).
5. Donald L. Horowitz, Ethnic Groups in Conflict (University of California Press: Berkeley/ Los Angeles/ London, 1985).
6. George Anderson, Federalism: An Introduction (Oxford University Press: Oxford/ New York, 2008).

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7. John Kincaid & G. A. Tarr (eds.), A Global Dialogue on Federalism: Constitutional Origins, Structure, and Change in Federal Countries (vol.1, McGill-Queen's University Press: Montreal, 2005).
8. Kenneth C. Wheare, Federal Government (4th ed., Oxford University Press: London, 1963).
9. Lidija Basta and Thomas Fleiner (eds.), Federalism and Multiethnic States: The Case of Switzerland (v.16, 2nd ed., PIFF, Helbing and Lichtenhahn: Fribourg, 2000).
10. Lovise Aelen, Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000 (Chr. Michelsea Institut: Bergen, 2002).
11. Merera Gudina, Ethiopia: Competing Ethnic Nationalisms and the Quest for Democracy 1960-2002 (Shaker Publishing, 2003).
12. Michael Burgess, Comparative Federalism: Theory and Practice (Routledge: London, 2006).
13. Mikhail Filippov, P.C. Ordeshook & O. Shvetsova, Designing Federalism: A Theory of Self-Sustainable Federal Institutions (Cambridge University Press: Cambridge/ New York, 2004).
14. Preston King, Federalism and Federations (The Johns Hopkins University Press: Baltimore, 1982).
15. Ramesh D. Dikshit, The Political Geography of Federalism: An Inquiry into Origins and Stability (Macmillan Ltd.: Delhi, 1975).
16. Ronald L. Watts, Comparing Federal Systems (3rd ed., McGill-Queen's University Press: Montreal/London/Ithaca, 2008).
17. Sarah Vaughan, "Ethnicity and Power in Ethiopia" (PhD Dissertation, University of Edinburgh, 2003).
18. Solomon Nigussie, Fiscal Federalism in Ethiopian Ethnic-based Federal System (2nd Ed., Wolf Legal Publishers, Utrecht, 2008).
19. Stephen Tierney, ed., Accommodating Cultural Diversity (Ashgate: Aldershot/ Burlington, 2007).
20. Thomas Goumenos, "The Pyrrhic Victory of Unitary Statehood: The Comparative Analysis of the Failed Federal Experiments in Ethiopia and Indonesia," in E. Kavalski & M. Zolkos, eds., Defunct Federalisms: Critical Perspectives on Federal Failure (Ashgate: Aldershot/Burlington, 2008).
21. Thomas O. Hueglin & Alan Fenna, Comparative Federalism: A Systematic Inquiry (Broadview Press: Peterborough, 2006).
22. Ugo M. Amoretti & Nancy Bermeo (eds.), Federalism and Territorial Cleavages (The Johns Hopkins University Press: Baltimore, 2004).

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23. Wayne Norman, Negotiating Nationalism: Nation-building, Federalism, and Secession in the Multinational State (Oxford University Press: Oxford/ New York, 2006).
24. Will Kymlicka, Multicultural Citizenship: A Liberal Theory of Minority Rights (Clarendon Press: London, 1995).
25. Wolf Linder, Swiss Democracy: Possible Solutions to Conflict in Multicultural Societies (2nd ed., St. Martin's Press: New York, 1998).

C. Articles

1. Addissie Shiferaw, "Federal Bicameralism and Second Chamber Powers in Parliamentary Form of Government: A Brief Analysis of the Ethiopian System," 2 Bahir Dar University Journal of Law 1 (2011).
2. Ahmed T. el-Gaili, "Federalism and the Tyranny of Religious Majorities: Challenges to Islamic Federalism in Sudan," 45 Harvard International Law Journal 503 (2004).
3. Alemante Gebresellasie, "Ethnic Federalism: Its Promises and Pitfalls for Africa," 28 Yale Journal of International Law 51 (2003).
4. Arend Lijphart, "The Future of Democracy: Reasons for Pessimism, but also Some Optimism," Scandinavian Political Studies, Vol.23, No.3 (2000).
5. Assefa Fisseha, "The System of Intergovernmental Relations (IGR) in Ethiopia: In Search of Institutions and Guidelines," 23 Journal of Ethiopian Law No.1 (2009)
6. ____, "Constitutional Adjudication in Ethiopia: Exploring the Experience of the House of Federation (HOF)," 1 Mizan Law Review 1 (2007).
7. Avi-Yonah R.S, "Globalization, Tax Competition and the Fiscal Crisis of the Welfare State," 113 Harv. L. Rev. 1575 (2000).
8. Bruce Ackerman, *The New Separation of Powers,* 113 Harvard Law Review 633 (1999-2000)
9. Charles E. Ehrlich, "Ethnicity and Constitutional Reform: The Case of Ethiopia," 6 ILSA Journal of International & Comparative Law 51 (1999).
10. Ivo Duchacek, "Antagonistic Cooperation, Territorial and Ethnic Communities," 7 Publius: Journal of Federalism (1977).
11. Jon Abbink, "Ethnicity and Constitutionalism in Contemporary Ethiopia," 41 Journal of African Law 159 (1997).
12. Neil Walker, "The Idea of Constitutional Pluralism," 65 Modern Law Review 317 (2002).

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13. Paul H. Brietzke, "Ethiopia's "Leap in the Dark": Federalism and Self-Determination in the New Constitution," 39 Journal of African Law 19 (1995).
14. Ronald L. Watts, "Foreword: States, Provinces, Lander, and Cantons: International Variety among Subnational Constitutions," 31 Rutgers Law Journal 941 (2000).
15. Simpson G.J, "The Diffusion of Sovereignty: Self-determination in the Postcolonial Age," 32 Stan. J. Int'l L. 255 (1996).
16. Thomas Fleiner, "The Yugoslav Crisis: Challenge for a New Theory of Federalism," 6 Cardozo Journal of International & Comparative Law 85 (1998).
17. Will Kymlicka, "Federalism and Secession: At Home and Abroad," 13 Canadian Journal of Law & Jurisprudence 207 (2000).

1. Course Identification

Course Name: **Law, Gender and Disability**
Course Code:
Credit Hours:3 credit hour/5 ECTS
Pre-requisites: None

2. Course Description

Gender and the law course deals with the complex relationship between gender and law. It in particular assesses how gender construct law and how law construct gender. The course discusses how feminist legal theory challenged the traditional way of thinking about law by questioning some of the basic premises of what constitute justice and equality. The course examines the main tents, methodologies, and controversies in feminist legal theory including, but not limited to, the meaning of equality, the public/private divide, the concept of objectivity and neutrality, and how law reinforce hierarchies while also having the ability to facilitate significant social change.

The main purpose of the course is to enable students to think broadly and critically about the interaction between gender and law and thereby allow them appreciate women's legal status in the actual gender order. Throughout the course students will be encouraged to address questions such as why there is a difference between law in books and law in reality and what consequences the gendered nature of law has had and still have for those trying to use law for securing their rights. The course

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also discuss the unique experiences of women with disability and the international and local laws regulating their interests.

3. Course Objectives

At the end of this course students are expected to:

- explain the theoretical approaches to the relationship between law and gender;
- discusshow law may be used in trying to solve societal problems;
- critically analyse how law is used when trying to solve problems in society;
- recognize the international instruments on the human rights of women and discuss their advantages and disadvantages;
- appreciate and critically question the legislative and institutional measures adopted by Ethiopian government in the past few year to address the existing gender related social problems in the country;
- identify and explain the various reasons for the existing difference between law in books and law in reality;
- discuss how the gendered nature of law affect those trying to use law for securing their rights

4. Teaching Methods

The following teaching methods will be used to teach this course. The methods are selected with a view to enhance students' engagements and participations.

- Introductory lectures on each studding issue
- Seminars
- Group discussions
- Case study
- Problem solving
- Student Presentations
- Project supervision

5. Assessment Methods

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation…10% (includes attending class, demonstrating that the students have completed the assigned readings, and

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engaging in class and group discussions, in-class writing, and other activities)

- project work …….15%
- Student Presentations…15%
- Assignment……..10%
- Exam(s)…50%

6. Class Attendance

As per the 2019 AAU Senate Legislation

7. Course Content

Chapter one: Gender theory and law

1.1. Approaches to gender and law
1.2. Gender theory
1.3. Conflict, integrationist and hermeneutic approaches
1.4. Feminist theory
1.5. Human rights of women and legal theory
1.6. Feminist legal jurisprudence

Chapter two: Gender equality and Human rights

2.1. Gender and human rights theory
2.2. History of human rights movements
2.3. International treaties and prohibition of gender based discrimination
2,4. Human rights, gender and disabilities

Chapter three: Gender and Family Law

3.1. Approaches to family law
3.2. Global family law
3.3. Equality in marriage
3.4. Equality in family relationship
3.5. The Concept of traditional values as applied to family
3.6. Gender and Spousal rights in Family
3.7. Gender parents and children
3.8. Gender and Property regimes
3.9. Adoption and gender-based issues
3.10. Disability, gender and family relationship

Chapter Four: Gender and Reproductive right

4.1.The concept of reproductive rights
4.2. Gender equality and reproductive rights
4.3. Family planning and international law and programs
4.4. Body control and male/female reproductive health

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4.5. Ethiopian laws and policies on reproductive rights and family planning

4.6. Reproductive rights of women with disabilities

Chapter Five: Gender equality and labour law

5.1. Gender equality and labour market

5.2. Labour rights and women's rights

5.3. Labour rights and the rights of women with disabilities

5.4. Gender based discrimination at the workplace

5.5. Legal Protection in the labour market

5.6. Healthy working environment

5.7. Sexual harassment in the workplace

Chapter six: Gender equality and criminal law

6.1. Feminist Criminology

6.2. Gender and criminal legal theory

6.3. Gender protection in criminal law

6.4. Gender and crime

6.5. Gender and penal polices

6.5. Gender, Crime and Disablities

Chapter Seven: Gender Based Violence

7.1. Approaches to gender based violence

7.2. Essentialism Vs constructivism in violence theories

7.3. International standards in GBV

7.4. GBV as a human rights issue

7.5. Different forms of GBV

7.6. GBV and disability

7.4. Access to justice for survivors of GBV

7. References

A. Books and articles

1. Antrobus P. The global women's movement: Origins, issues and strategies. – Zed Books Ltd., 2013.
2. Bartlett K. T., Rhode D. L., Grossman J. L. Gender and law: Theory, doctrine, commentary. – Wolters Kluwer Law & Business, 2016.
3. Cook, Rebecca J., ed. Human rights of women: National and international perspectives. University of Pennsylvania Press, 2012.
4. Dr. R. Dayanandan, Gender issues, sounds that reverberate in the highlands of Ethiopia, CLEAR IJRCM ,Vol-02, Issue-03, Jan-Jun 2012,
5. Gemma Burgess,A Hidden Hisory: Women's Activism in Ethiopia, Journal of international Women's studies, Vol. 14, Issue 3, 2013

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6. Grabe, Shelly, ed. Women's Human Rights: A Social Psychological Perspective on Resistance, Liberation, and Justice. Oxford University Press, 2017.
7. Jojarth C. Crime, war, and global trafficking: designing international cooperation. – Cambridge University Press, 2009.
8. Katharine T. Bartlett, Deborah L. Rhode, Joanna L. Grossman, and Samantha L. Buchalter. 2014. Gender, Law, & Policy. 2nd edition. Wolters Kluwer, Aspen College Series. ISBN: 978-1-4548-4128-9.
9. Merry S. E. Constructing a global law-violence against women and the human rights system //Law & Social Inquiry. – 2003. – Т. 28. – №. 4. – P. 941-977
10. Renzetti C. M., Bergen R. K. (ed.). Violence against women. – Rowman& Littlefield, 2005.
11. Ross, S. D. Women's human rights: the international and comparative law casebook / S. D. Ross. – Philadelphia: University of Pennsylvania Press, 2008.
12. TsehaiWeda, Abortion law in Ethiopia: a comparative perspective, Mizan Law Review Vol.2 No.1, Addis Ababa, St.Mary‘s University College, 2008
13. Tsehay Wada, Rethinking the Ethiopian Rape law, Journal of Ethiopian law Vol. 25 N0. 2, 2012
14. Wright Ain, Closing the gender gap: women’s rights in Ethiopia and Mexico. Global Majority E-Hournal, Vol. 11, No.1
15. Zhulzhik E. Violence against women in the family// Kontsept. - 2014. №5. URL: http://cyberleninka.ru/article/n/nasilie-nad-zhenschinami-vsemie
16. Zuykova E., Yeruslanova R. Feminology and Gender Politics. – Moscow, Dashkov Publishing, 201

B. International Laws

1. The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly at its 3rd session on 10 December 1948
2. The Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, or Equal Remuneration Convention. C100 ILO Convention Date of adoption 29 June 1951 5.
3. ILO Conventions No. 103 (1952) concerning Maternity Protection Convention (Revised)

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4. Convention on The Political Rights Of Women New York, 1952
5. The International Covenant on Civil and Political Rights (ICCPR) adoptedon 16 December 1966
6. The International Covenant on Economic, Social and Cultural Rights (ICESCR) adopted on 16 December 1966
7. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) adopted in 1979
8. The constitutive act of African Union, 2000.
9. African Union Gender Policy, 2009.
10. The Africa (Banjul) Charter on Human and People's Rights, 1981.
11. Protocol to the African Charter on Human and People's rights on the rights of women in Africa, 2003.
12. Protocol to the African Charter on Human and People's rights on the rights of people with disabilities, 2018
13. The African Charter on democracy, elections and governance, 2007,
14. Solemn declaration on gender equality in Africa, 2004.
15. The Ouagadougou action plan to combat trafficking in human beings, especially women and children, 2006.
16. The Maputo Plan of action for sexual and reproductive health and rights, 2006.
17. Cairo declaration for the elimination of female genital mutilation, 2003.

C. Ethiopian Laws

1. FDRE, Federal Civil Servants Proclamation No. 1064
2. FDRE, labour Proclamation No. 1156/2019
3. Prevention and suppression of Trafficking in persons and smuggling of migrants Proclamation N0. 909/205
4. The Civil Code of Ethiopia (1960)
5. The Constitution of the Federal Democratic Republic of Ethiopia (1995)
6. The Ethiopian electoral, political parties registration and election's code of conduct proclamation No. 1162/2019
7. The Federal Revised Family Code of Ethiopia (2000)

1. Course Identification

Course Name:Law of Succession
Course Code:

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Course weight:3 credit hour/5 ECTS
Pre-requisites: None

2. CourseDescription

The course acquaint students with the basic principles and rules governing the devolution of the inheritable rights of a person upon death. As a matter of rule,succession relates only to the disposition of the estate of a deceased; it hasnothing to do with the rights and obligations of a living person. The estate of a deceased person maydevolve to persons validly designated by him, or in default of suchdesignation, in accordance with the provisions of the law.

Generally, the course explores how the Ethiopian Law of Successionsstrives to strike a balance between two apparently contradictory objectives:the right of the deceased to dispose of his property in whatever lawfulmanner he thinks fit after his death and the interests of rightful successorsand creditors who have legitimate claims over the succession.In connection with testate successions, the course researches not only thepower of the deceased to stipulate the modalities for devolution of his ownsuccession, but also the types and validity requirements of wills, the powersof dishersion, the designation of recipients of inheritance and conditionsattached.

The course also presents on the manner in which the law regulates intestatesuccessions and possible scenarios of a partly testate and partly intestatesuccessions. The course also discusses in detail the law governing thewinding up of the deceased‘s affairs in which the assets and claims ownedare identified and collected, debts and taxes ascertained and paid,maintenance claims are entertained, and singular legacies ordered by thedeceased, if any, are paid before right of the inheritance is delivered tosuccessors.

Furthermore, the course looks into the prescriptions of the law on thetreatment of issues that may arise subsequent to liquidation, particularlyfocusing on the manner of partition of the property of the inheritance thatremains after the liquidation process.

2. Objectives/CompetenceAchieved

After a successful completion of the course, students are able to:

- Explain the meaning, time, place, and manner of opening of a succession;

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- Discuss the things that make up inheritance of a dead person and those thatdo not;
- Enumerate the types of successions recognized by law;
- Explain the meaning of capacity to succeed and the conditions required;
- Discuss the features of intestate succession and order of persons called to thesuccession of a person who died intestate;
- Describe the kinds and validity requirements of wills recognized by law;
- Explain the legal methods to prove the existence and contents of a will;
- Discuss the grounds for the partial or full invalidation of a will;
- Explain the meaning of liquidation of a succession, and the modes ofappointment, duties, liabilities and scope of power of a liquidator;
- Identify the types and modes of payment of debts of a succession;
- the meaning of partition and the manners of its conduct;
- the nature of conventions relating to inheritance and the rationale forthe prohibition of pacts on future successions; and
- the rights of women and children with respect to succession.

3. Teaching Methods

The following teaching methods are used in mixture:

- Lecture
- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies: mainly cases from the decisions of the cassation bench of the Federal Supreme Court;
- Interactive and group discussions.

4. Course Contents

Chapter I: Introduction and Devolution of Succession

- General considerations of devolution of a succession
- The Concept of patrimony
- Opening of a succession
- Things making up a succession
- Intestate succession
- Devolution according to the degree of relation
- Rule of ‗paterna-paternis, maternal-maternis‘

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- Escheat
- Representation and renunciation
- Wills: conditions for validity form and proof
- Revocation and lapse of wills
- Content and interpretation of wills
- Conditional legacies, charges, *substititio vulgaris*, entails anddisherison

Chapter II: Liquidation of Succession and Determination of Rightful Successors

- Liquidation and guiding principles
- The liquidator of a succession
- Identifying legitimate successors
- Administration of the succession
- Payment of debts claimed from the succession
- Order of payment of debts
- Funeral expense
- Expenses of administration and liquidation
- Debts of the deceased
- Debts relating to maintenance
- Payment of singular legacies
- Closure of liquidation

Chapter III: Partition of a Succession

- Community of hereditary estate
- Collation
- The modalities of partition
- The relation between co-heirs after partition
- Warranty due by co-heir
- Revision and annulment of partition
- The right of creditors coming after partition
- Conventions relating to inheritance
- Pacts on future successions
- Partitions made by donations
- Assignment of rights to a succession

6. Assessment

The final grade shall be determined based on the performance of students inthe following activities:

- Attendance and participation……5%
- Term papers/Projects and presentations ……25%
- Quiz/mid-exam……20%
- Final Exam……50%

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8. References

1. The 1960 Civil Code of the Empire of Ethiopia
2. The FDRE Constitution 1995
3. The Federal Supreme Court Cassation Decisions
   - Vol.3, No.17429;
   - Vol.4, No.22712;
   - Vol.5, No.32337;
   - Vol.7, No.30991;
   - Vol.8, N0.32817,No.37562;
   - Vol.10, No.4425, No.45587, No. 47957, No.49851, No.49831,
   - No.59268, No.53279, No.42691, No.47487, No.41893, No.43069,
   - No.42546;
   - Vol. 11, No.49713, No.50971, No.54385, No.57836, No.55648,No.58338;
4. Planiol, M. TraiteElemetare de Droit Civil, Vol.III, Part I;
5. አበረ አበበ፣መሠረታዊ የውርስ ሕግ ማብራሪያ፣2ኛ እትም (2000)
6. Law of Succession teaching material prepared by Justice and Legal Systems Research Institute (JLSRI) (2009)

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1. Course identification

Course Title: **Criminal Law I**
Course Code: …
Course weight: 3 credit hours/3ECTS
Prerequisite: None

2. Course Description

Substantive Criminal Law deals mainly deals with, types of acts – positive as well as negative or actions and omissions – that the legislature has determined as crimes and their consequences – punishments. The major sources of the Law are, the Criminal Code of Ethiopia and some pieces of legislation that contain penal provisions.

As the code is divided into two main parts, i.e., The General and the Special Part, the study begins with the basic features of these parts as well as their relationships. As a starter, the course begins with a walk into the Special Part of the code so that students are well acquainted with the place where a given crime is situated based on the right to be affected or jeopardized. This will be followed by constitutional

guarantees that may be affected by setting in motion the criminal justice system. Details are provided below in course contents.

3. Course Objectives, Competence Acquired

After a successful completion of this part of the course, students are expected to have a sufficient grasp of the following concepts:

- The distinction/s between criminal and civil law regimes;
- Interpretation of criminal statutes;
- Morality vs. Criminality;
- Prerequisites to criminal liability; and
- Degrees in the commission of a crime.

4. Methods of delivery

Lectures, seminars, students' presentations, group discussions, individual and group tutorials, assignments and project supervisions.

5. Assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class participation – 5%
- Chapter reflections/summaries – 15%
- Students/ presentations – 15%
- Assignments/project/essays – 15%
- Exam/s – 50%.

6. Course Contents

Chapter I – Introduction to Criminal Law

- General objectives of the criminal law
- Crime distinguished from civil Wrongs
- Morality vs. criminality
- Purposes of punishment
- A brief historical development of the Ethiopian criminal justice regime

Chapter II – Basic principles

- Principle of legality
- No crime or punishment without the law – *Nullum crimen sine legle* and *Nulla Poena sine lege*

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- Interpretation of criminal statutes and provisions
- Non – retroactivity
- The doctrine of double jeopardy

Chapter III – Prerequisites to criminal Liability

- The legal elements of a crime
- The moral elements of a crime
  . Intention - direct and indirect intention
  . Negligence – advertent and inadvertent
  . Strict liability
  . The consequences of accidental acts
- The material elements of a crime
  . Crimes of commission and omission.
  . Degrees in the commission of crimes: Preparation, attempt – complete and incomplete and completed crimes.

Chapter IV – **Concurrence and participation**.

- The principle of concurrence and its effects in the determination of guilt – Material and notional.
- Participation in the commission of a crime:
  . Material offender.
  . Moral offender.
  . Participation in secondary capacity – incitement, complicity, conspiracy and accessory after the fact.

8. References (References for Criminal Law II listed below also apply for this course.)

1. Course identification

Course Title: **Criminal Law II**
Course Code:
Course weight: 3 Credit Hours 5 ECTS
Prerequisite: A student who scored an F grade in Criminal Law I may not take Criminal Law II

2. Course Description

This course mainly deals with criminal law defenses, i.e. legal circumstances that exonerate an accused from criminal liability and Code of Petty Offences.

Though a person who has committed a crime under whatever capacity shall be found guilty and be punished, there are several circumstances that can exempt him/her from liability. These are known as “criminal law

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defenses". Given the complexity of the defenses, this part may take most of the time allotted for the second semester.

The Code of Petty offenses is a third part of the code that has many similarities with the other parts but also has its own unique features. The similarities and differences between the two will be studied in this part of the course.

Given the availability of time determination of punishment in light of the substantive criminal law as well as Punishment Guidelines may be touched upon.

3. Course Objectives, Competence Acquired

After a successful completion of the course, students are expected to:

- Analyze and apply the concepts involved in criminal law defenses, differences between justifications and excuses, and rationales behind each defense and
- Examine the differences between the third part of the Criminal Code, i.e. Code of Petty Offences and the other two parts.

4. Methods of delivery

Lectures, seminars, students' presentations, group discussions, individual and group tutorials, assignments and project supervisions.

5. Assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class participation – 5%
- Chapter reflections/summaries – 15%
- Students/ presentations – 15%
- Assignments/project/essays – 15%
- Exam/s – 50%.

6. Class Attendance

As per the 2019 AAU Senate legislation.

7. Course Contents

Chapter I – Criminal Responsibility

1.1 Criminal Responsibility and Irresponsibility

1.1.2. Insanity

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1.1.3. Absolute Irresponsibility
1.1.4. Limited Responsibility
1.1.5. Intoxication
1.1.6. Infancy
Chapter II: Affirmative Defenses
2.1. Lawful Acts
2.2. Justifiable and Excusable acts
2.3. Professional Duty
2.4. Consent as a Defense
2.5. Coercion/Duress
2.6. Absolute Coercion
2.7. Resistible Coercion
2.8. Superior orders
2.9. Necessity
2.10. Legitimate Defense
2.11. Mistake of fact and law.
Chapter III – Similarities and differences between criminal law defenses and extenuating circumstances /mitigations and exemptions in deciding on punishment may also be explored.

Chapter IV – Law of Petty Offenses.
4.1 - Legislative authority to enact petty offenses.
4.2 – major differences between the two types of laws regarding, *inter alia*: prerequisites to criminal liability - material, legal and moral – defenses, and punishments**.**

8. References

1. Philippe Graven, An Introduction To Ethiopian Penal Code, Addis Ababa, 1965
2. Lowenstein Stephen, Materials for Study of the Penal Law of Ethiopia,
   1965
3. Wayne R. Lafave, Criminal Law,West Publishing Co.2003
4. C.M.V. Clarkson and H.M. Keating, Criminal Law, Fourth Edition, 1999
5. Andrew Ashworth, Principles of Criminal Law, 5th Edition, Oxford University Press, Oxford, 2006
6. J.C. Smith and Hogen, Criminal Law, 1992
7. Andargatchew Tesfaye, The Crime Problem and its Correction, Vol. II 2004
8. Friedmann.W, Law in Changing Society, 2nd Edition, Sweet & Maxwell Ltd., UK, 2003

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9. Graven, J., The Penal Code of The Empire of Ethiopia, JEL Vol.I,No.2, 1964
10. Strauss, PL., Interpreting the Ethiopian Penal Code, JEL Vol.5, No.2, 1965
11. Lowenstein, S., The Penal System of Ethiopia, JEL Vol. II, No.2, 1965
12. Skir ,R ., Desire, Knowledge and Certainty, JEL Vol. VIII , No.2, 1972
13. Fasil, N., Punishment and Society: A Developmental Approach, JEL Vol .I, No. 2, 1982
14. Dejene Girma, Hand Book of Ethiopian criminal law,
15. Elias N.Stebeke, Ethiopian criminal law

1. Course identification

Course Title: **Human Rights Law**

Course Code:

Course weight: 3 Credit Hours/5 ECTS

Prerequsites:

2. Course Description

Human Rights Law is a branch of public international law that deals with international protection of human rights. The Course introduces human rights by explaining their meaning, history, classification, sources, characteristics, and justifications. It discusses norms, institutions and procedures designed for the promotion and protection of human rights at global and regional levels. At global level, the Course deals with mechanisms of protecting and promoting human rights on the basis of the United Nations Charter, human rights treaties adopted within the framework of the United Nations together with expert bodies monitoring their implementation, and procedures used by these treaty bodies. At regional level, the Course focuses on mechanisms of promoting and protecting human rights in Europe, Africa, and the Americas. It touches up on implementation of global and regional norms at national level with a particular focus on Ethiopia.

3. Course Objectives

At the end of this course, students will be able to:

- Analyse international human rights norms at global and regional levels
- Identify institutions established for the promotion and protection of human rights
- Discuss procedures used by global and regional human rights bodies

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- Explain domestic implementation of human rights.

4. Teaching Methods

Discovery based mode of delivery will be used with minimal use of expository method. Active learning methods such as exercises, small group discussions, problem-solving methods, presentations and independent activities will be used together with lecture.

5. Attendance Policy

Attendance is mandatory. A student who fails to attend a minimum number of classes required to complete the course may not sit for final exam. In addition, attendance may carry 10% of the total marks.

6. Assessment

- Students shall be assessed on the following basis.
- Class Attendance ---------10%
- Assignments----------30%
- Final Exam----------60%

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7. Course Content

Chapter 1: Introduction to Human Rights Law

1.1 Definition
1.2 Philosophical foundation & Historical Development of Human Rights
1.3 Classification
1.4 Characteristics
1.5 Sources of Human Rights
1.6 Universality
1.7 Human Rights Law & other branches of international law

Chapter 2: The United Nations Charter-Based Mechanisms

2.1 Introduction
2.2 Human Rights Council
2.2.1 Composition and mandates
2.2.1 Universal Periodic Review
2.2.1 Complaint procedures
2.2.1 Special mechanisms
2.3 Office of the High Commissioners for Human Rights
2.4 Other organs of the United Nations and their roles in human rights

Chapter 3: The United Nations Treaty-Based Mechanisms

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3.1 Introduction
3.2 Treaty bodies
3.3 Complaint procedures
3.3.1 Individual complaints
3.3.1 Inter-state complaints
3.4 Reporting procedures
3.5 Inquiry, on-site visits and others

Chapter 4: Substantive Rights

4.1 Limitations and suspensions
4.2 Civil and political rights
4.3 Economic, social and cultural rights
4.4 Women's rights
4.5 Children's rights
4.6 Indigenous peoples' rights
4.7 Rights of persons with disabilities, refugees and migrant workers,

Chapter 5: Regional Protection of Human Rights

5.1 The African Regional Human Rights System
5.2 European Systems for the Promotion and Protection of Human Rights
5.3 The Inter-American System for the Protection of Human Rights

Chapter 6: Human Rights, Development & Globalization

6.1 Human rights and Development
6.2 Human Right and globalisation

Chapter 7: Gross Violation of Human Rights

7.1 What Constitutes Gross Violation?
7.2 International Mechanisms of Dealing with Grave Violations
7.3 National Mechanisms of Dealing with Grave Violations

Chapter 8: Domestic Implementation of Human Rights

8.1 Domestic implementation in general
8.2 Implementation of international human rights in Ethiopia

8. References

Required Readings

1. Demelash Shiferaw & Yonas Tesfa Human Rights Law: Teaching Materials, Justice and Legal System Research Institute, 2009.
2. Henry J. Steiner, Philip Alston & Ryan Goodman, International Human Rights in Context, Law, Politics and Morals, Oxford University Press, 2007
3. Frans Viljoen, International Human Rights Law in Africa, Oxford: Oxford University Press, 2012.

Optional References

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Books and Journals Articles

1. Gudmundur Alfredsson & Asbjorn Eide, the Universal Declaration of Human Rights, A common Standard of Achievement, kluwer Law International, the Hague, Netherlands,
2. A.H.Robertson & J.G. Merrilis, Human Rights in the World, an Introduction to the study of international protection of human rights, Manchester University Press, 1992 1993
3. Jack Donnelly, International Human Rights, Dilemmas in World Politics,Westview Press,
4. Bhagabati prosad Banerjee & Dr. Ashish Kuman Massey, Human Rights in Constitutional Law, Second Edition, 2003
5. Mashood A.Baderin, International Human Rights & Islamic Law, Oxford, 2003
6. Steve Foster, Human Rights and Civil Liberties, Pearson Education Limited, Edinburgh, 2003
7. Mahmood Monshipouri et al, Constructing Human Rights in the Age of Globalization, prentice-Hall of India private Limited, New Delhi, India, 2004
8. Michael Freeman, Human Rights: an Interdisciplinary Approach
9. International Humanitarian Law, African Year Book, 2006
10. Office of the United Nations High Commissioner for Human Rights, Selected Decisions of the Human Rights Committee Under the Optional Protocol, Volume 4, New York & Geneva, 2004
11. International Review of the Red Cross, Vol.18 Number 862, June 2006
12. Makau Mutua, The African Human Rights System a Critical Evaluation'
13. He Zhipeng, The Derogation of Human Rights: Reasons, Purposes and Limits
14. Ian Brownlie and Guy S. Goodwin-Gill, Basic documents on human rights,4th ed. Oxford : Oxford University Press, 2002.
15. P.R. Ghandhi, Blackstone's international human rights documents,3rd ed. - Oxford : Oxford University Press, 2002.
16. Asbjørn Eide,Catarina Krause and Allan Rosas, Economic, social and cultural rights, Dordrecht : M. Nijhoff, 1995.
17. Forsythe, David P. David P. Forsythe, Human rights in international relations, New York, Cambridge University Press, 2000.
18. René Provost, International human rights and humanitarian law, Cambridge, Cambridge University Press, 2002.

1. Course identification

Course Title: Law of Civil Procedure I

Course Code: …

Course Weight: 3credit hours/5ECTS

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Pre-requisites: Laws of Contract, Extra-contractual Liability, Property, Family and Succession

2. Course Description

This course is an introduction to the basic concepts of the law of civil procedure as a foundation for advanced study in both civil procedure and other areas of substantive law. The course is conveniently taught in two parts. Civil Procedure I provides the student with an overview of procedure in a civil action. It examines in detail the current judicial system of Ethiopia and the division of judicial power between federal and state courts, the jurisdiction of federal courts, the rules of venue of action. The Course also discusses issues of the requirements to participate in civil suits as plaintiff(s), defendant(s) or third parties. The modern system of pleadings before courts of first instance jurisdiction as well as the institution of suits and services of summons is also covered by the Course. The course concludes with proceedings prior to the trail of a civil case.

3. Course objectives

The objective of this course is to introduce the student to the mechanics of pre-trial processes in a civil action: how a case proceeds from initiation until it is ripe for trial- the stage at which court hears the arguments and evidence of both parties and gives a final and binding decision on the merits of the case.

Specific objectives

At the end of this course, students should be able to:

- examine the current judicial setting of Ethiopia including the relationship between federal and state courts,
- explain the basis for characterizing a given civil case as federal or state jurisdiction,
- explain the vertical division of judicial power in the federal judiciary,
- identify the real party in interest(who can sue, whom to sue, who can/should join in the proceeding and at what stage),
- analyze the different modes of service of processes and
- examine major pre-trial proceedings.

4. Teaching Method

Basically Socratic with a fair mix of lecture and case methods will be used. Students must do their reading assignments prior to coming to class and are required to actively participate in classroom discussions

5. Assessment Method

Students will be assessed continuously throughout the semester that counts for 50% of their grades. The continuous assessment takes

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different forms including group and individual assignments, presentations, and tests. Students will also seat for a written final exam that carries 50% of their grades.

6. Attendance Policy

Students should attend a minimum of 80% of the total hours allotted. A student who does not meet this requirement is not eligible to sit for exam.

7. Course Outline

CHAPTER ONE: GENERAL INTRODUCTION TO THE SUBJECT MATTER OF THE LAW OF CIVIL PROCEDURE

- 1.1. Civil Procedure: Nature and Goal
- 1.2. Fundamental Procedural Rules
- 1.3. Models of Proceedings
  - 1.3.1. The Adversarial Procedure
  - 1.3.2. The Inquisitorial Procedure
- 1.4. Civil Procedure in Ethiopia
  - 1.4.1. Sources of Civil Procedure Law in Ethiopia
  - 1.4.2. Salient Feature of the 1965 Civil Procedure Code

CHAPTER TWO: STRUCTURE AND JURISDICTION OF COURTS IN ETHIOPIA

- 2.1. The Ethiopian Judicial System
- 2.2. Jurisdiction of courts
  - 2.2.1. Jurisdiction Defined
  - 2.2.2. Essential elements of Jurisdiction
- 2.3. The Division of Judicial Power in Federal Ethiopia.
    - 2.3.1.1. Federal Subject Matter
    - 2.3.1.2. State Subject Matter
  - 2.3.2. Matters Outside the Jurisdiction of Courts
- 2.4. Local Jurisdiction/The Rules of Venue
  - 2.4.1. The Basic Place of Local Jurisdiction
  - 2.4.2. Suits Regarding Specific Matters
- 2.5. Change of Venue and Removal/Withdrawal of Judges
- 2.6. Conflicts of Jurisdiction
  - 2.6.1. State to State Conflict: Ethiopia vis-à-vis Other countries
  - 2.6.2. Inter- states conflict of Jurisdiction
    - 2.6.2.1. Conflict between Federal and Regional States of Ethiopia
    - 2.6.2.2. Conflict between or among Regional States of Ethiopia
  - 2.6.3. Intra-state conflict
    - 2.6.3.1. Priority and Pendency

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a. Priority
b. Pendency

2.6.3.2. consolidation of suit

2.6.3.3. Res judicata

2.6.3.4. Splitting of claims

CHAPTER THREE: PARTIES TO AND THE DIMENSIONS OF SUITS

3.1. Parties to a Civil Suit

3.1.1. Party Plaintiff

3.1.1.1. The Requirements

3.1.1.2. Public Interest Litigation and its place under Ethiopian legal system

3.1.2. Party Defendant

3.2. Representation in Civil Suits

3.2.1. Legal Representation: Types and Requirements

3.2.2. Representative Class Suits: Requirements

3.3. Joinder of Parties and Joinder of Causes of Action

3.3.1. Joinder of Parties

3.3.1.1. Purpose and Significance

3.3.1.2. Forms and Types

3.3.1.3. Effects of Misjoinder and Nonjoinder

3.3.2. Joinder of Causes of Action:

3.3.3. What is a Cause of Action

3.3.4. Joinder of Causes of Action

3.4. Third Parties in Relation to a Suit

a. Interventions: Conditions and Types
b. Third- Party Practice (Impleader): Purpose, Requirements and Consequences
c. Interpleader: Conditions and Procedure
d. Change of Parties

CHAPTER FOUR: PLEADINGS, INSTITUTION OF SUIT, AND SERVICE OF PROCESS

4.1. Pleading

4.1.1. Definition and Purposes

4.1.2. General Pleading Rules: Requirements and Effects of Non-compliance

4.1.3. Major Types of Pleadings

4.1.3.1. Statement of Claim: Requirements and Contents

4.1.3.2. Statement of Defense: Purposes and Contents

4.1.4. Effects of Failure to Plead

4.1.5. Alternative and Subsequent Pleadings

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4.1.6. Amendments of Pleadings
4.1.6.1. Nature and Purpose
4.1.6.2. Grounds and the Process
4.1.6.3. Effects and Related Issues
4.2. Institution of suit and service of process
4.2.1. Institution of suit
4.2.2. Modes of service of Summons

CHAPTER FIVE: PROCEEDINGS PRIOR TO TRIAL

5.1. The First Hearing
5.2. Adjudication without Trial
5.3. Compromise and withdrawal

8. References

Primary Readings

1. The Ethiopian Civil Procedure Code of 1965
2. The FDRE Constitution
3. The Federal Courts Proclamation No.1234/2021

Other Basic Readings

1. Neil Andrews, *English Civil Procedure,* (2003) Oxford Univ Pr.
2. R.A.Sedler, *Ethiopian Civil Procedure* (1968)
3. Mulla, The *Code of Civil Procedure*
4. S.C.Sarkkar, *The Law of Civil Procedure* (8th ed. 1992), in two volumes.
5. Friendenthal, Kene &Milldf, *Civil Procedure* (2nd ed. 1993)
6. Stephen, C. Yeazel, *Civil Procedure* (1996)
7. Charles Alan Wright, *Law of Federal Courts* (1994)
8. Landers, Marthin and Yeazel, *Civil Procedure* (2nd ed. 1998)
9. James Hazard and Leubsdorf, *Civil Procedure* (4th ed. 1992)**.**
10. B. Kaplan, K.M. Clermont, et el, "Ordinary Proceedings in First Instance" International Encyclopedia of Comparative Law, Vol. XVI (Civil Procedure), Chapter 6.
11. Ernst J. Cohn, "Parties" International Encyclopedia of Comparative Law, Vol. XVI (Civil Procedure), Chapter 5
12. Arwed Blomeyer, "Types of Relief Available(Judicial Remedies)" International Encyclopedia of Comparative Law, Vol. XVI(Civil Procedure), Chapter 4

*** Relevant decisions of the Cassation Division of the Federal Supreme Court and Journal Articles will be distributed in due course**

1. Course identification

Course Title: **Law of Civil Procedure II**

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Course Code: …
Course Weight: 3 credit hours/5ECTS
Pre-requisite: Civil Procedure I; A student who has scored an F in Civil Procedure I shall not be permitted to do Civil Procedure II.

2. Course Description

Civil Procedure II is a continuation of Civil Procedure I. While Civil Procedure I prepares students to mainly master pre-trial processes, Civil Procedure II introduces them to the actual trial of a civil suit, and critical post-trial mechanics, such as the different forms of review of judgment as well as execution of a civil decree.

4. Course objectives

The objective of this course is to introduce students to the mechanics of trial and post-trial processes in a civil action: production and hearing of evidence on issues framed during a pre-trial process, examination of witnesses, writing judicial opinion/judgment, preparation of memorandum of appeal (determination of grounds of appeal and court of appellate jurisdiction), conducting appellate hearing, preparation of cassation petition (determination of fundamental error of law), cassation hearing, and execution of a decree.

Specific objectives

At the end of this course, students should be able to:

- Apply the techniques of trial of a civil case, acquire basic skills of witness examination and writing judgment,
- Identify errors of laws and/or facts in the judgment of a first instance court (grounds of appeal), prepare memorandum of appeal and cassation, argue before the court of appeal and the cassation bench, draft appellate/cassation decisions and
- Handle issues of execution of decree.

5. Teaching Method

Basically Socratic with a fair mix of lecture and case methods will be employed. Students must do their reading assignments prior to coming to class and are required to actively participate in classroom discussions.

6. Assessment Method

Students will be assessed continuously throughout the semester that counts for 50% of their grades. The continuous assessment takes different forms including group and individual assignments, presentations, and tests. Students will also seat for a written final exam that carries 50% of their grades.

7. Attendance Policy

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Students should attend a minimum of 80% of the total hours allotted. A student who does not meet this requirement is not eligible to sit for exam.

8. Course Outline

CHAPTER ONE: THE TRAIL OF A CIVIL CASE

1.5. Production of evidence
1.6. Conduct of the trial
1.7. Judgment and decree

CHAPTER TWO: REVIEW OF JUDGMENT: COURT OF RENDITION

2.7. Procedural irregularities
2.8. Newly discovered evidence
2.9. Opposition

CHAPTER THREE: REVIW OF JUDGMENT: APPEAL TO A HIGHER COURT

3.5. Right of appeal
3.6. Interlocutory appeals
3.7. Taking the appeal
3.8. Grounds of appeal
3.9. Procedure on appeal
3.10. Judgment on appeal
3.11. Second appeal
3.12. Restitution

CHAPTER FOUR: REVIEW OF JUDGMENTS: CASSATION

4.3. Jurisdiction in cassation: Focus on Federal Supreme Court
4.4. Fundamental error of law as a ground for cassation review
4.5. Procedure in cassation
4.6. Judgment on cassation
4.7. Precedent: the doctrine, determination of *ratio decidendi* and *obiter dicta*

CHAPTER FIVE: EXECUTION OF DECREES

5.4. Jurisdictional issues
5.5. Proceedings in execution
5.6. Attachment and sale

9. References

Primary Readings

1. The Ethiopian Civil Procedure Code of 1965
2. The FDRE Constitution
3. The Federal Courts Proclamation No.1234/2021

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Other Basic Readings

1. Neil Andrews, *English Civil Procedure,* (2003) Oxford Univ Pr.
2. R.A.Sedler, *Ethiopian Civil Procedure* (1968)
3. Mulla, The *Code of Civil Procedure*
4. S.C.Sarkkar, *The Law of Civil Procedure* (8th ed. 1992), in two volumes.
5. Friendenthal, Kene &Milldf, *Civil Procedure* (2nd ed. 1993)
6. Stephen, C. Yeazel, *Civil Procedure* (1996)
7. Charles Alan Wright, *Law of Federal Courts* (1994)
8. Landers, Marthin and Yeazel, *Civil Procedure* (2nd ed. 1998)
9. James Hazard and Leubsdorf, *Civil Procedure* (4th ed. 1992)**.**
10. Muradu Abdo(ed.) The Cassation Question in Ethiopia (2015)
11. Peter E. Herzog & Delmar Karlen, "Attacks on Judicial Decisions" International Encyclopedia of Comparative Law, Vol. XVI, Chapter 8-Civil Procedure
12. Kostantinos D. Kerameus, "Enforcement Proceedings," International Encyclopedia of Comparative Law, Vol. 10-Civil Procedure

*** Relevant decisions of the Cassation Division of the Federal Supreme Court and Journal Articles will be distributed in due course**

1. Course identification

Course title***:*** **Ethiopian Customary Laws and Institutions**

Course code: …

Credit weight: 3 credit hours/5ECTS

Pre-requisites; Jurisprudence, Ethiopian Legal Thoughts, Criminal Law, Property Law and Contract Law.

2. Course description

The course raises two principal issues. The first main issue is outlining the essential features of customary law. Simply stated, this is the issue of definition. The next key point of the course is whether customary law and institutions can and should co-exist with other sources of law such as mainly state originated law. This latter issue can be put as an issue of co-existence. The co-existence issue can be broken down into three sub-issues. The first sub-issue is the degree of co-existence between the customary laws and state laws. The second one is the tests of the co-existence of the two system of law. The third sub-issue outlines the justifications for being worrisome about the co-existence of customary

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law and state laws in the context of pluralistic countries such as Ethiopia.

Besides, the course analyzes provisions in the various federal and state legal instruments in Ethiopia providing a room for the operation of indigenous legal institutions. Further, it traces the development of customary laws in other legal traditions such as western legal traditions. Thus, the scope of coverage of the course is not limited to the examination of customary laws in the Ethiopia context. Yet, the course will not discuss customary international law (which is one of the sources of international law). Hopefully, customary international law will be covered in international law course.

It is hoped that the course would help students appreciate that the laws made by states in developing countries such as Ethiopia are not fully applicable; a large percentage of rural population in such countries regulates itself by customary laws. So the course hopefully disillusions students from the idea that state laws in developing countries have taken roots in the fabric of societies. In addition, the course would send the message that laws come from sources other than state institutions; state institutions are just one of the valid sources of laws, not the only source of laws. Hence, the course directs the attention of students to multiple sources of laws. The course could help students to enhance their sensitivity to diverse legal traditions.

3. Objectives

At the end of the course, students should be able to:

- Identify and explain concepts such as customary practice, legal pluralism and source sources of law,
- Analyze legal pluralism,
- Examine the nature of customary law,
- Explain the interplay between customary law and state made law,
- Evaluate some selected customary practices in the light of state laws and
- Assess the relationship between customary laws and human rights.

4. Teaching-learning methods

Teaching-learning should include a combination of lecture, presentations, term-paper writing and team learning.

5. Assessment methods

A continuous assessment using in-class participation, presentations, term-paper writing, and final exam consisting of a mix of essay type and objective questions.

6. Attendance policy

Students are required to adhere to the attendance requirements stipulated under the 2019 AAU Senate Legislation.

7. Course Outline

Chapter One:Foundational concepts
1.1 The definition of customary law, legal system and legal transplantation.

Chapter Two: Customary laws in Africa
- 2.1The common features of customary laws in Africa
- 2.2 The interplay between customary laws and state laws in Africa.

Chapter Three: The interaction between customary laws and state laws in the Ethiopian legal system.
Chapter Four: Legal pluralism

7. References

1. A.N. Allott (editor), ``Judicial and Legal Systems in Africa``, London: Butterworths (1962.)
2. Aberra Jembere, ``Legal History of Ethiopia 1434-1974: Some Aspects of Substantive and Procedural Laws`` (1998.)
3. Alan Watson, ``Legal Transplants: An Approach to Comparative Law``, England: London, the University of Georgia Press (1993.)
4. Alan Watson, ``the Evolution of Law``, Maryland: Baltimore, The Johns Hopkins University Press (1989.)
5. *Alan Watson*, An Approach to **Customary Law,** 1984 U. Ill. L. Rev. 561(1984)
6. Alice Tay, ``Legal Culture and Legal Pluralism in Common Law, **Customary Law,** and Chinese Law,`` 26 Hong Kong L.J. 194 (1996)
7. Bojosi Otlhogile, ``Criminal Justice and the Problems of a Dual Legal System in Botswana,`` the Rutgers University School of Law (1993).
8. Charles R. Cutshall, ``Justice for the People: Community Courts and Legal Transformation, Zimbabwe: University Publications (1991.)

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9. Daniel Haile, ``Law and Social Change in Africa: Preliminary Look at the Ethiopian Experience`, JEL
10. David M. Bigge & Amélie von Briesen, ``Conflict in the Zimbabwean Courts: Harvard Human Rights Journal (Spring, 2000)
11. Emmet V. Mittlebeeler, `` African Custom and Western Law: the Development of the Rhodesian Criminal Law for Africans, London: African Publishing Company (1976.)
12. George Krzeczunowicz, ``Code and Custom in Ethiopia``, EJL, Vol. II No. (2 Dec 1965)
13. George Krzeczunowicz, ``Putting the Legal Clock Back? The Law & Its Sources,`` JEL, Vol. III No. (2 December 1966.)
14. Jacques Vanderlinden, ``A Further Note on an Introduction to the Sources of Ethiopian Law``, JEL, Vol. III No. (2 December 1966)
15. Jill Zimmerman,``The Reconstitution of Customary Law in South African: Method and Discourse,`` Harvard Black Letter Law Journal (Spring, 2001)
16. John Griffths, ``What Is Legal Pluralism?`` 25 J Leg. Plu.1 (1986.)
17. Laurence Juma, ``Recognizing African Customary Law and Human Rights in Kenya: Making A Case for Institutional Reformation and Revitalizations of Customary Adjudication Processes,`` St. Thomas Law Review (Spring 2002)
18. *Loukas A. Mistelis*,Regulatory Aspects: Globalization, Harmonization, Legal Transplants, and Law Reform -- Some Fundamental Observations, 34 *International Lawyer* (2000.)
19. Lynn Berat, ``The Future of Customary Law in Namibia: A Call for Integration Model``, 28 Hastings Int`l & Comp. L. Rev. (1991.)
20. Lynn Berat,``Customary Law in A New South Africa: A Proposal,`` Fordham International Law Journal (1991).
21. Maryman, John, H. Clark, David, ``The Civil Law Traditions: Europe, Latin America & East Asia``, Verginia: the Michie Co. (1997.)
22. Rene David & John E. C. Brieley, ``Major Legal Systems in the World Today: An Introduction to Comparative Law``, 2nd ed.(1978.)
23. Rene David, ``Sources of the Ethiopian Civil Code``, JEL, Vol. IV No. (2 December 1967)
24. Steven Lowenstein, ``The Penal System of Ethiopia``, EJL, Vol. II No.2 (Dec. 1965)
25. The Ethiopian Civil Code, 1960
26. The Ethiopian Criminal Code, 2004
27. The FDRE Constitution, 1995
28. The Revised Family Code, 2000

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29. Vanderlinden, ``An Introduction to the Sources of Ethiopian Law, Vol. III No. 1 June (1966).
30. Peter Orebech, Fred Bossleman, Jes Bjarup, David Callies, Martin Chanock and Hanne Petersen, *The Role of Customary Law in Sustainable Development* (Cambridge: Cambridge University Press, 2005).

1. Course identification

Course title: **Administrative Law**
Course code:…
Course weight: 3 credit hours/5ECTS
Prerequisites:

2. Course description

This course deals with the roles of the state and government in the provision of direct services and also their roles in the regulation of private economic activities. Its tenet is that power, though justified on grounds of practical necessities, should be properly controlled in order to prevent its abuse by the government and violation of individual rights and freedoms. The central objective of the course on Administrative Law revolves around the theme of balancing power vs. liberty. Its purpose is expounding on the control of administrative powers so that individual liberty and freedoms are ensured and hence not violated by arbitrary and unjustified governmental actions. Although related to constitutional law, the course will focus on the body of detailed rules and principles guiding the multifaceted administrative decision-making, including rules-making, by the executive and its sub-divisions and functionaries. The principles such as rule of law in the realm of administration, legality, the doctrine of ultra-virus, openness, accountability, transparency in administration and administrative judicial review will be covered in the course. The course will focus mainly on Ethiopian administrative law issues.

3. Course objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- administrative law, its purpose and proper scope under the Ethiopian legal system;
- the role of administrative law in ensuring individual liberty and freedom by controlling unjust and arbitrarily action of the government;

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- how administrative law facilitates efficient and effective administration by providing rules, principles, and procedures

- the nature and development of administrative law in the common law and civil law legal systems, and the birth and development of the administrative state and administrative law in Ethiopia;
- the application of the various modalities of controlling administrative powers in a hypothetical and real situations;
- the various remedies available to a person adversely affected by an administrative action;
- the existence, scope, application and limitations of the doctrine of judicial review in Ethiopia;
- the practical problems of legislative and institutional modes of controlling executive power in Ethiopia.
guiding the exercising of governmental power;
- the administrative process and how it is affected by administrative law, including the role of law in shaping the process;
- the current situation and future roles of administrative law in Ethiopia, and the need to implement comprehensive system of administrative law;
- the different concepts and principles related to administrative justice and administrative law;
- the nature and development of administrative law in the common law and civil law legal systems, and the birth and development of the administrative state and administrative law in Ethiopia;
- the application of the various modalities of controlling administrative powers in a hypothetical and real situations;
- the various remedies available to a person adversely affected by an administrative action;
- the existence, scope, application and limitations of the doctrine of judicial review in Ethiopia;
- the practical problems of legislative and institutional modes of controlling executive power in Ethiopia.
- The interpretation and application of the Ethiopian Administrative Procedure Proclamation No. 1183/2020 or any of its future variations or replacement.

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4. Teaching-learning methods

Lectures imbued with what is commonly known as “Socratic method”, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions

5. Modes of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation...5%
- Chapter Reflections / Summaries...10%
- Student Presentations...10%
- Test/Quiz...10%
- Assignments / Project/ Essays/Mid-term exam...15%
- Exam(s)...50%

6. Attendance policy

A student must attend at least 80% of the lectures and complete all the assessment modalities in order to be credited for the course

7. Course outline

Chapter I: General Introduction

1. Historical development of administrative law and the modern welfare state
2. Definition, purpose, scope and sources of administrative law
3. Theoretical perspectives
4. Development of administrative law in civil and common law systems and in Ethiopia
5. Development of state/formal administration in Ethiopia
6. Federal and Regional Administrative law in Ethiopia

Chapter II: Constitutional Foundation and Limitation of Administrative Law

1. The relationship of administrative law with other concepts
2. Rule of Law and public administration
3. Separation of powers vis-à-vis administrative law
4. Administrative law and implementation of Human Rights
5. Accountability and Transparency of the executive and administrative agencies
6. public participation and administrative decision-making

Chapter III: Administrative Agencies and Subjects of Administrative Law

1. Nature and source of power

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2. Meaning, classification, structure, organization and purpose of administrative agencies
3. Power of administrative agencies
4. Meaning and purpose of enabling act/proclamation
5. Classification of powers of administrative agencies
6. Administrative agencies in Ethiopia

Chapter IV: Rule-Making Powers of Administrative Agencies

1. Meaning and justification for delegated legislation
2. Scope of delegated legislation
3. Form and classification of rulemaking
4. Rulemaking procedures
5. Controlling mechanisms
6. General overview on rule making procedures in Ethiopia
7. Rulemaking under the Administrative procedure proclamation no.1183/2012

Chapter VI: Judicial/Quasi-judicial Power of Administrative Agencies

1. Nature, meaning and forms of adjudication
2. Basic principles and system of Administrative decision/action
3. Administrative action under the Administrative Procedure Proclamation No.1183/2012Tribunals: meaning, nature and jurisdiction
4. Structure and organization of tribunals in France, Britain, Australia and Ethiopia
5. Qualification, appointment and dismissal of judges
6. Inquiries in Ethiopia

Chapter VII: Controlling Mechanisms

1. The Need for controlling powers of government
2. Controlling modalities: internal control and external control
3. Parliamentary control
4. Executive control
5. Control by administrative tribunals
6. Judicial control
7. Control by Human Rights Commission and ombudsman
8. Control by the Mass Media
9. Control by civil societies

Chapter VIII: Judicial Review of Administrative decision/action

1. Nature and meaning of judicial review
2. Judicial review vs. merit review
3. The Basis of the power of courts to review administrative action

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4. Grounds for judicial review
5. Limitations on judicial review

Chapter IX: Civil and Administrative Law Remedies

1. Government liability and types of remedies
2. Civil liability remedies
3. Administrative law remedies
4. Remedies available under the Administrative procedure Proclamation no.1183/2012

8. Available learning resources

1. The Ethiopian Constitution of 1995
2. The People's Democratic Republic of Ethiopia Constitution of 1987
3. The Revised Constitution of 1955
4. The 1931 Constitution of Ethiopia
5. Getachew Assefa: *Ethiopian Constitutional Law, Text Book* (2012).
6. Tadese Meleku, *Introduction to constitutional law* Vol.1
7. Tadesse Melaku, *Ethiopian Constitutional law past and present* Vol.2
8. James C.N. Paul and Christopher Clapham, *Ethiopian Constitutional Development (*vol 1, 1967) and Vol 2 (1972).
9. Abera Jembere, *An Introduction to the Legal History of Ethiopia 1434-1974*, 2nded., 2000.
10. Assefa Fiseha*, Federalism and the Accommodation of Diversity in Ethiopia: A Comparative Study*, Wolf Legal Publishers, 2006.
11. Heneric Scholler, Ethiopian Constitutional and Legal Development, Vol I and II
12. M. Ndulo, Presidentialism in the Southern African States and Constitutional Restraint on Presidential Power, *Vermont Law Review* Vol. 26, 2001-2002
13. A Proclamation To Provide For the Establishment of A provisional Military Government of Ethiopia, Proclamation No. 1, 1974
14. Definition of Powers of the Provisional Military Administration Council and Its Chairman, Proclamation No. 2, 1974.
15. Abraham and Desta, Administrative Law: Teaching Material, Addis Ababa, Justice and Legal System Research Institute, 2009
16. አብርሃም ዮሃንስ የአስተዳደር ሕግ መግቢያ (2013) አልፋ አሳታሚዎች
17. H.W.R. Wade & C.F. Forsyth, Administrative Law, 8thed, 2000

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18. Adler, John, General Principles of Constitutional and Administrative Law, 5thed., NY: Palgrave Macmillan, 2002
19. Assefa Fisaha and Getachew Assefa, Institutionalizing constitutionalism and the rule of law: towards constitutional practice, *Ethiopian Constitutional Law Series*, Vol. III, (Addis Ababa University Faculty of Law, 2010).
20. Hatchard, Ndulo and Slinin, Comparative Constitutionalism and Good Governance in Commonwealth: An Eastern and South African Perspective. NY: Cambridge University Press, 2004
21. Scholler, Heinrich, Ethiopian Constitutional and Legal Development, Rudiger Koppe Verlag, Volume I, 2005
22. I.P. Massey, Administrative Law, 5thed. 2001
23. Peter Leyland & Terry woods, Text Book on Administrative Law, 4thed., 2002
24. R.g. Lee & M. stall worthy, constitutional & Administrative law, 4thed. 1995
25. Robert N. cortey, et al. The legal and regulatory environment of business, 10th ed., 1996
26. Al.H. Ringleb Roger T. Meiners, Fraces L. Edwards, Managing in the legalenvironment 3rded., 1996
27. Stephen G. Breyer & Richand B. stewart, Administrative law and regulatory policy, 1997

1. Course identification

Course Title: **Property Law**_
Course Code: …
Credit hours: 4 credit hours/7ECTS
Prerequisites:

2. Course Description

The course on Property Law is designed to acquaint students with the principles, rules and institutions of the Ethiopian property-rights regime. The course will analyze the theoretical basis of fundamental legal concepts relevant to property law with particular emphasis on the Ethiopian law and practice. Starting with a discussion of the definition and nuances of the concept of 'property' in general, the Course will thereafter focus mainly on the 'private property' genre. 'Private property' is an indispensable feature of modern society and a measure of individual freedom that a particular political-legal order affords to subjects. The main questions to be addressed in this course, therefore, are these: What is property? What is the justification for the recognition and protection of 'private property'? Who may be holder of 'private

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property'? What can be objects of 'private property'? What are the prerogatives/rights that come with being holder of 'private property'? How is 'private property' acquired, transferred and extinguished? What limitations are imposed on the enjoyment of 'private property'?

The course will, thus, introduce students, with a focus on the Ethiopian property law regime, to the concept of 'property'; classifications of objects of property and the legal effects of the classifications; the protection of possession by law; the definition, attributes and types of ownership; and the manner of acquisition, transfer, extinction, and proof of ownership. The course will also address such important topics as joint ownership; dismemberments of ownership (eg. usufruct, servitude); the public domain; expropriation; and requirements of registration of property interests. The course will also highlight the major changes and continuities in the realm of Ethiopian property law since the second half of the 20th century.

3. Course Objectives and Competencies to be Achieved

General objectives

Upon successful completion of this course, students should be able to:

- ensure that students understand the types and nature of the various property rights protected by the law;
- enable students to acquire knowledge of the relevant concepts, rules and principles pertaining to property and governing property-related transactions;
- let students know the corpus of legal instruments and institutions that regulate property matters;
- ensure that students understand the importance of the recognition and protection of private property right to individuals in particular and to the country in general;
- let students appreciate the importance of an efficient and comprehensive property rights system for development; and,
- equip students with the skills necessary to apply property law in real-life situation.

Specific objectives

Upon successful completion of the course students should be able to:

- analyze the province of property law; distinguish it from other laws governing relations between persons in relation to objects of property;
- discuss fundamental property law concepts;
- explain key principles, concepts & terms relevant to property law;

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- examine the details of the principles, rules and institutions that govern property-based relationships;
- map the multitude of legislation that deal with the subject matter of property and be able to identify the relevant one for a particular issue;
- identify the institutions that are involved in the regulation and enforcement of property interests and understand their respective roles;
- explain the importance of property law and associated institutions to society;
- identify changes and continuities in the realm of property law since 1960 in general and the coming into force of the FDRE Constitution in 1995, in particular;
- demonstrate problem solving approach to hypothetical and real-life cases involving issues covered by property law;
- interpret and apply rules and principles in the analysis of real cases involving property and property-based relations and to provide appropriate legal solutions;
- advise clients, to draft contracts and other acts creating, transferring, extinguishing or restricting property rights; and,
- Be able to identify problems and gaps in the laws and the practice and suggest appropriate solutions.

4. Attendance policy

Students are required to attend classes regularly, participate actively, and accomplish course-related tasks assigned by the instructor. Students who miss 15% of the total classes will not be able to sit for the final exam. Attendance will be taken regularly. Each student is responsible for all class announcements and changes that may be made thereto.

5. Teaching-learning methods

The course will be delivered through a combination of class lectures and student-centred approaches, which require the students to take an active role in the teaching-learning process. Students are expected to read materials, books, cases and laws before every class and actively participate in class. Students will also be required to do individual and group assignments.

6. Assessment methods

The final grade of students will be determined based on the following activities:

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- Attendance and class participation 10%
- Assignments and presentation 20%
- Mid-term exam 20%
- Final exam 50%

7. Course Content

1. Introduction

1.1. Introductory Remarks
1.2. Rights Protected under the civil law and the concept of 'patrimony'
1.3. The concept of 'property'
1.4. Definition, scope and *raison d'être* of 'property law'
1.5. Property law in Ethiopia
   a. Overview of the Origins and Development of the Ethiopian property law
   b. Ethiopian Federalism and jurisdiction to legislate property law
   c. Sources and structure of property law in Ethiopia

2. Objects and Subjects of Property Rights

2.1. Subjects of Property: Who can be 'holder' of property rights?
2.2. Objects of property: Meaning and scope
2.3. Classification of the 'objects of property'
   a. Movable vs. Immovable
   b. Corporeal vs. Incorporeal
   c. Intrinsic elements vs. Accessories
   d. Private domain vs. Public domain
   e. Other subsidiary classifications

3. Possession

3.1. The Concept of Possession: its Definition & Elements
3.2. Justifications for protection of possession
3.3. Acquisition and transfer of possession
3.4. Effects of possession
3.5. Vices of possession and its effects
3.6. Protection of possession
3.7. Loss of possession

4. Ownership

4.1. Definition of ownership
4.2. Essence and Contents of ownership
4.3. Various forms of ownership and their justifications

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4.3.1. Private ownership
4.3.2. Public ownership
4.3.3. Collective ownership

5. Private Ownership (Individual)

5.1. Definition and features of private ownership
5.2. Justifications (theories) for private property
5.3. Acquisition and transfer of ownership
4.3.4. Original Acquisition
a. Occupation
b. Possession in good faith
c. Usucaption
d. Accession
4.3.5. Derivative Acquisition: Transfer of Ownership
4.4. Proof of Ownership
4.5. Extinction of Ownership

6. Joint Ownership

6.1. Characteristics of Joint ownership
6.2. Pros and cons of Joint ownership
6.3. Difference between Joint and other forms of shared ownership
6.4. Creation of joint ownership
6.5. Rights and obligations of a joint owner
6.6. Extinction of joint ownership
6.7. Special cases of joint ownership

7. Usufruct

7.1. Definition and nature of usufruct
7.2. Manner of creation of usufruct
7.3. Rights and obligations of the usufructuary
7.4. Rights and obligations of the (bare)owner
7.5. Special cases of usufruct
7.6. Termination of usufruct and its effects

8. Servitude

8.1. Definition and nature of servitude
8.2. Purpose of servitude
8.3. Manner of creation of servitude
8.4. Types of servitude
8.5. Rights and obligations
8.6. Extinction of servitude
8.7. Current application of servitude

9. Restrictions on Ownership

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9.1. Introduction
9.2. Theoretical justifications for putting limitations on ownership
9.3. Sources of limitations on ownership: *external and conventional restrictions*
9.4. Special cases of restrictions on ownership
9.4.1. Right of recovery
9.4.2. Promise of sale and right of pre-emption

10. Expropriation

10.1. Definition
10.2. Expropriation and other related concepts
10.3. Justification for the state's power to expropriate property
10.4. Nature of expropriation
10.5. Limits on the expropriation power of the state

11. Registration of Property

11.1. Introduction
11.2. Purpose of property registration: Economic & legal significance
11.3. Types of registration
11.4. The state of property registration in Ethiopia
a. The legal framework
b. The institutional set-up
c. Objects required to be registered
d. The formality requirements
e. Effect of (non-)registration

8. Reading Materials

A. Legislation

1. The Constitution of the Federal Democratic Republic of Ethiopia 1995.
2. The Civil Code of Ethiopia, Proclamation No. 165/1960.
3. The Condominium Proclamation No 370/2003.
4. Antiquities Protection and preservation Proclamation No 229/1966.
5. Rural Land Administration and Land Use Proclamation no. 456/2005.
6. Urban Land Lease Holding Proclamation no. 721/2011.
7. Urban Land Holding Registration Proclamation no. 818/2014.
8. Urban Land Holding Adjudication and Registration Regulations no. 324/2014.

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9. Federal Urban Real Property Registration and Information Agency Establishment Regulations no. 251/2011.
10. Urban Planning Proclamation no. 574/200.
11. Expropriation of Land Holdings for Public Purposes, Payment of Compensation and Resettlement Proclamation No 1161/2019.
12. Payment of Compensation for Property Situated on Landholdings Expropriated for Public Purposes Council of Ministers Regulations No 137/2007.
13. Government Ownership of Urban Land and Extra Houses Pro No 47/1975.
14. Government Ownership of Rural Land Proclamation no 35/1975.
15. Ethiopian Water Resources Management Proclamation No 197/2000.
16. Ethiopian Civil Aviation Authority Re-establishment Proclamation No 273/2002.
17. Bililign Mandefro, The Unofficial Translation of Book III of the Civil Code of Ethiopia, 1960, Unpublished, AAU.
18. Forest Development, Conservation and Utilization Pro No 542/2007.
19. Research and Conservation of Cultural Heritage Pro No 109/2000.
20. Ethiopian Wild Life Development and Conservation Proclamation, 541/2007.
21. Ethiopian Wild Life development and conservation Authority Establishment Pro No 575/2008.

B. Books and Articles

1. ***Reader on Property Law***, Justice and Legal System Research Institute, Unpublished, 2008.
2. Muradu Abdo***, Ethiopian Property Law: A Textbook,*** (USAID: Addis Ababa) 2012.
3. Muradu Abdo, Subsidiary Classification of Goods under Ethiopian Property Law, ***Mizan Law Review***, 2(1), 2008.
4. Muradu Abdo, The Subject Matter of Property Rights: Naming and Meaning, ***Ethiopian Journal of Legal Education***, 2(2), 2009.
5. Mekibib Tsegaw, Contracts Relating to Immovables and the issue of Form as a Contemporary Problem, ***Ethiopian Bar Review***, 2(1), 2007 (in Amharic).
6. Jermy Waldron, ***The Right to Private Property***, 1988.
7. A.W. Paton, ***Jurisprudence***, 3rd Ed., 1967.

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8. Aubry and Rau, **Droit Civil Francais**, Volume II Seventh Edition by Paul Esmein, West Publishing Corporation, 1966.
9. Dunning, H.C, ***Property Law of Ethiopia*** (Materials for the study of book III of the Civil Code).
10. Michele Graziadei & Lionel Smith (Eds), **Comparative Property Law: Global Perspectives**, Edward Elgar, 2017.
11. Eric Descheemaeker & Elspeth Reid (Eds), **The Consequences of Possession**, University of Edinburgh Press, 2014.
12. Planiol, M ***Treatise on the Civil Law***, Vol. I part, II 12th ed.
13. Larry May, Nancy E. Snow and Angela Bolte, ***Legal Philosophy, Multiple Principles***, Mayfield Publishing Corporation, London, 2000
14. Robert C. Ellickson, Carol M. Rose and Bruce A. Ackerman, ***Perspectives on Property Law***, Aspen publishers Inc, 2nd Ed., 1995.
15. Joseph William Singer, ***Property Law, Rules, Policies and Practices***, Aspen Publishers Inc , 1997.
16. G.W.F. Hegel, ***Elements of Philosophy of Rights***, ed. by Allen W. Wood, Cambridge University Press, 1991.
17. Cylke, Own, ***Property Law, Introductory Sources***, Vol.I and II, Law Faculty Publications.
18. Kruser Fr. Vinding, ***The Right of Property***, London: Oxford University Press, 1939.
19. Lawson E.H., ***Introduction to the Law of Property***, London: Oxford University Press, 1958.
20. Yianno-poulus, Louisiana Civil Law Treatise, Vol.II, West Publication Company, 1967.
21. Amos and Walton, Classification of property. (Unpublished).

1. Course Identification

Course Title: **Law of Criminal Procedure**

Course Code:…

Course weight: 3 credit hours/5ECTS

Prerequisite: Criminal Law, constitutional Law

2. Course Description

Traditionally viewed, criminal procedure is there for the proper and efficient enforcement of substantive penal law. The modern view is that enforcement of the substantive law is not the sole function of the law of criminal procedure. It is also meant for the enforcement of the rights of

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individual in the criminal justice system. Hence the criminal procedure law tries to balance the rights of individual and public interest.

The course on criminal procedure may be approached from two different perspectives. The first and the traditional approach is institutional approach: the criminal justice system involves three institutions, namely, the police as crime investigation institution, the public prosecutor as the prosecution institution and the court as an adjudicative institution. The discussion on the powers and responsibilities of these three institutions may not be helpful in fully grasping the purpose and function of criminal procedure law. Therefore the modern and the second approach to the study of criminal procedure law is to look at it as a process. Hence we look at the criminal justice administration from the time information is communicated to the police to the time the case is finally decided, and appeal and cassation, if any. In the process we always evaluate how the rights of the individual are balanced against the public interest.

The course has four parts. The first part deals with investigation; the second part deals with prosecution; the third with adjudication, the fourth with special procedures and post-judgment remedies. Each of these stages appear to be different phases in the criminal justice system but they are all integrated in one process in a given case.

3. Course Objectives

At the end of the study of this course you should be able to:

- Appreciate the significance of the procedure as a process instead of looking at the acts of the institutions involved;
- Identify the sources of and the ideologies of criminal procedure law;
- Identify flagrant offences and the legal consequences such classification;
- Identify the major activities of the investigating police officer;
- Discuss first appearance and its consequences;
- Discus the relationship between the investigating police officer and the public prosecutor during investigation;
- Discuss the grounds and procedure of arrest and mechanisms of securing the liberty of a person at each stage of the proceeding;
- Identify offences in respect of which preliminary inquiry may be held and why;
- Distinguish preparatory hearing from preliminary inquiry;

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- List and discuss elements and contents of a charge;
- Discuss errors and omissions in a charge;
- Explain scope and purpose of examination of witnesses;
- Analyse the contents of judgment;
- Identify and discuss the post judgment remedies;
- Discuss the procedure in the trial of a young person;
- Discuss default proceedings, the circumstances in which such hearing may be held and the procedure.

4. Mode of delivery

The mode of delivery of the course in basically lectures and discussions. However, students are advised and encouraged to take tour of courts and conduct interview with judges, public prosecutors, advocates and investigating police officers. They are in the mean time required to make case analysis and group discussion.

5. Mode of assessment

Students shall be assessed on the basis of the following activities

- Attendance and class participation 10%
- Assignments and presentation 20%
- Mid-term exam 20%
- Final exam 50%

6. Attendance Policy

As per the 2019 AAU Senate Legislation.

7. Course Content

Chapter One: Introduction

. Ideologies in, Significance and Efficacy of the Law on Criminal Procedure

<u>Part One</u>

Chapter Two: Setting Justice in Motion

1.1. Accusation

1.2. Complaint

1.3. Flagrant Offences

Chapter Three: Police Investigation

2.1. Arrest, Summons And Arrest Warrant

a. Arrest

b. Summons

c. Arrest with Warrant

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d. Arrest without Warrant
2.2. Arrest How Made
2.3. Use of Force
2.4. Interrogation
2.5. Preconditions for Confession
2.6. Confession
2.7. Search and Seizure
a. Search of Person
b. Search of Premises
2.8. Search with Warrant
2.9. Search without Warrant
2.10. Execution of Search
Chapter Four: Procedure after Arrest
3.1. Bail
3.2. Remand
Chapter Five: Illegal Activities During Investigation and Their Remedies
4.1. Criminal and Civil Liability of the Police
4.2. Disciplinary Responsibility of the Police
4.3. *Habeas Corpus*
4.4. Exclusion of Illegally Obtained Evidence

Part Two
Chapter Six: Decisions and Powers of The Public Prosecutor
5.1 Preliminary Inquiry
5.2 Ordering further investigation
5.3 Decision not to prosecute
5.4 Charging the Accused/the Suspect - *Selective Prosecution*
5.4.1. The Charge
a. Alternative Charges
b. Charging for Aggravated Crimes
c. Joinder of Charges
d. Joinder of Offences
5.4.2. Error or Omission in the Charge
Chapter Seven: Private Prosecution
Part Three
Chapter Eight: Jurisdiction, Change of Venue and Withdrawal of Judges
7.1. Jurisdiction
7.1.1 Judicial Jurisdiction
Structure of Courts
7.1.2 Jurisdiction over Offences
7.1.3 Local Jurisdiction

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7.2. Change of Venue and Withdrawal of Judges
7.2.1 Change of Venue
7.2.2 Withdrawal of Judges

Chapyter Nine: The Trial

8.1. Aspects of Fair Trial
a. The Right to Counsel
b. Trial in Open-Court
c. The Right to Speedy Trial
d. Pre-trial Access to Evidence
e. Presumption of Innocence
8.2. The Hearing
8.3. Judgment and sentencing

Chapter Ten: Other Procedures

9.1. Trial in Absentia
9.2. Procedure in respect of young persons
9.3. Setting Aside Judgments Given in Default
9.4. Joinder of Civil and Criminal Cases

Part Four

Chapter Eleven: Post-Judgment Remedies

10.1. Appeal
10.2. Cassation
10.3. Reopening of a Case after Final Judgment

8. Some References

A. Books, Articles and Contributions

1. Simeneh Kiros Assefa (2010) The Law of Criminal Procedure: Principles, Rules and Practices (text-book)
2. Wondwossen Demissie Kassa (2011) Ethiopian Criminal Procedure
3. Fisher, S. Z. (1969) Ethiopian Criminal Procedure, A sourcebook
4. Simeneh Kiros Assefa (2010) "The Normative, Institutional and Practical Challenges in the Administration of the Criminal Justice in Ethiopia" in *Ethiopian Human Rights Law Series Vol. III*
5. Fisher, S.Z., “Some Aspects of Ethiopian Arrest Law” JEL Vol. 3 No. 2.
6. Wondwossen Demissie (2009) "The Right to Bail in Ethiopia: Respective Roles of the Court and the Legislature" in *23 JEL No 2*
7. Wondwossen Demissie (2010) "Reflective Analysis of Procedural and Evidentiary Aspects of the Ethiopian Anti-Terrorism Law" in *Ethiopian Human Rights Law Series Vol. III*
8. Graven, P. “Criminal Offences Punishable only up on Complaint” JEL Vol. 2 No. 1

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9. Worku Yaze Wodage (2010) "Presumption of Innocence and the Requirement of Proof Beyond Reasonable Doubt: Reflections on Meaning, Scope and their Place under Ethiopian Law" in *Ethiopian Human Rights Law Series Vol. III*
10. Tsehai Wada (2010) "Timely Disposition of Criminal Cases in Ethiopia" in *24 JEL No 1*
11. Sedler, R. A. “Criminal Jurisdiction in Ethiopia” JEL Vol. 2, No. 2
12. Galligan, D. J. (ed) Procedure

B. III. Laws

1. FDRE Constitution.
2. The 1961 Criminal Procedure Code of Ethiopia.
3. Anti-Terrorism Proclamation No 625/2009.
4. The Revised Proclamation to Provide for Special Procedure and Rules of Evidence on Anti-Corruption, Proclamation No 434/2005.
5. Vagrancy Control Proclamation, Proclamation No. 384/2004.
6. The 2013 Draft Criminal Procedure Code of Ethiopia.
7. The FDRE Criminal Code, 2004.
8. Federal Ethics and Anti-corruption Commission Establishment Proclamation, Proclamation No. 235/2003.
9. Federal Police Commission Proclamation, Proclamation No. 313/2003.
10. Addis Ababa City Police Commission Establishment Regulations, Regulation No 96/2003.
11. Federal Police Commission Administration Council of Ministers Regulation, Regulations No. 86/2003.

C. IV. Other Materials

1. Universal Declaration of Human Rights, 1948.
2. International Covenant on Civil and Political Rights, 1966.
3. African Charter on Human and Peoples’ Rights, 1981.
4. Code of Conduct for Law Enforcement Officials, Adopter by the General Assembly, Resolution 34/169 of 17 December 1979.
5. Guidelines on the Role of Prosecutors, adopted by the United Nations Congress on the Prevention of Crime and Treatments of Offenders, Havana, Cuba, 27 August to 7 September 1990.

1. Course Identification

Course Name:**Law of Evidence**

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Course Code:…
Course weight:3 credit hours/ 5 ECTS
Pre-requisites**:**Students need to take all the substantive and procedural laws before they take the law on evidence. This is particularly true in our context because, evidentiary provisions are found scattered throughout the various codes and other legislations. Unfortunately, the course sequencing in the new curriculum is not helpful.

2. Course description

The law of evidence deals with the production, admission and evaluation of evidence for the proof of facts in dispute both in civil and criminal matters. As such, the law of evidence appears to be principally applicable at the trial stage. Because investigation, preliminary inquiries (preparatory/pre-trial hearings), evidence discovery, and negotiations for settlement come before the trial, certainly, the law on evidence is applicable also for procedures before the trial.

The law of evidence addresses four fundamental questions: (1) what are those facts a party needs to prove before the court of law in order to win a case; (2) what modality of evidence is admissible in respect of a particular fact; (3) which party to the case has the obligation to prove a particular fact; and (4) what value does the trier of fact (the judge) attach to a particular item of evidence and the evidence presented as a whole.

Unlike other adjective laws, the law of evidence has concepts like relevancy, admissibility and standards of proof. Some of those concepts, such as, admissibility of evidence, are subject to legal rules while others, such as, relevancy and standard of proof are not. They are rather subject to the rules of logic, common sense and life experience. Despite its relatively young age, there is a bulk of literature on the law on evidence. For lack of systematic and uniform approach to the subject it is easy for students to get lost in ocean of details. Your study, therefore, should focus on answering those four fundamental questions.

The sources of evidence law in Ethiopia are both the procedural and substantive codes as well as the FDRE Constitution. In the Civil Code, for instance, there are provisions dealing with proof of will, ownership and contract; in the Family Code, there is proof of marriage and proof of filiations; the procedural codes govern the modality of proof, the burden of proof, and procedure for the production of and objections to evidence. The Constitution provides the kinds of evidence that are admissible and that are not, particularly in criminal matters. Special

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procedural rules also provide on admissibility of evidence and standards of proof.

This said, there is no a code devoted to evidence in the Ethiopian legal system. There seems to be one in the pipeline - for a long time. Yet the point whether Ethiopia needs to have a separate code on evidence is not answered affirmatively for various reasons. The draft criminal procedure code drawn by the Federal Attorney General's Office contains a book on evidence.

The provisions as are found throughout the Codes are far from sufficient. The study of the law of evidence in Ethiopia is therefore two types: one is based on the laws in force by giving them some flesh including in the discussion on Evidence Law. The other approach, which we will employ in this course, is making logical and commonsensical discussions on evidence and proof. Where the law in force is found insufficient, making necessary and logical suggestions in order to fill the gap because, evidence law is so essential that justice may not be done without the proper proof of facts.

3. Course Objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- the various situation in which proof without evidence is possible;
- what relevance and admissibility mean
- demonstrative and documentary evidences;
- the burden of proof and persuasion in civil and criminal cases and the standard of proof required in each case;
- constitutional values which guide law of evidence;
- the nature, development, and application of evidence law in criminal and civil cases in civil and common law legal system including Ethiopia;
- admission, judicial notice and presumptions as means of proof without evidence;
- rebuttable and irrebuttable presumptions;
- the policy considerations and prohibitions for admissibility of some relevant facts as evidence;
- who could be a witness and the grounds of incompetence in witnesses, privileges, and rules on hearsay;
- the various types of privileges;
- the status of hearsay evidence and its constitutionality in Ethiopia;
- demonstrative evidence and the various considerations in assigning it weight;

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4. Teaching methods

Principally the course is a lecture course. However, because of the nature of the course students are encouraged to examine court cases and attend trials. In their effort students are required to see what was the issue, what modality of proof were presented, which ones were admitted by the court and which ones were not; which party presented the evidence, what were the objections to the admission of the evidence, what ruling has the court entered in respect of the objection, what value has the court given to that particular evidence, and what is the overall outcome of the case after evaluation of the whole evidence. Accordingly, to assist such activity each student will be assigned to work on a particular case. In the case the student is expected to address the particular issue relevant as is assigned to her.

5. Mode of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation and attendance…5%
- Mid Exam/Test/Quiz……25%
- Individual and group assignments/ Presentation…20%
- Final Exam……50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

I. The Core Basics in Evidence and Proof

1. Principles of Proof -
   a. The Rationalist Model and Its Assumptions in Evidence Law
   b. Rules in Evidence, Logic and Inferences
   c. The Probative Process in Evidence and Proof
   d. Reasoning - abduction, induction, deduction and generalisation

2. Fact and Fiction in Evidence and Proof---- probability and proof

3. Conceptual framework in evidence law --- relevancy, admissibility and standards of proof

4. Stages of Application of Evidence Law –

5. Evidence in Civil and Criminal matters ---

II. What is to be proved?

1. Facts that need to be proved in a court:
   a. Facts in issue
   b. Relevant facts to the fact in issue

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i. General Consideration of Relevancy ii. Relevant facts:

2.1 Facts forming part of the same transaction (*res gestae*)

2.2 Cause and Motive

2.3 Conduct and Preparation

2.4 Occasion and Opportunity

2.5 Effect and State of things

2.6 Similarity of Occurrences

2.7 Facts that show state of mind

2.8 Facts not otherwise relevant (e.g. alibi)

2. Facts that need no proof

a.Admitted facts

i. Admission/confession

ii. Judicial vs. extra-judicial admission

b. Judicial notice (permissive vs. mandatory)

III. Modality of Proof

1. Oral Evidence (Testimony)

a. Competency of witnesses (*laying the foundation*)

i. Lay witnesses (witnesses of fact) - general competence

ii. Expert witnesses - special competence

b. Privileges

c. Examination of witnesses

i. Order of witnesses

ii. Oath, affirmation and unsworn evidence

iii. Examination - in-chief

iv. Cross - examination

v. Re - examination

vi. impeachment of witnesses

2. Documentary Evidence

a. Authentication (*laying the foundation*)

b. Primary and secondary evidence

c. The Best Evidence Rule

d. Parole evidence Rule

3. Real Evidence

a. Authentication (*laying the foundation*)

b. Exhibits

c. Laboratories and forensic examinations 4. Demonstrative Evidence

IV. Burden of Proof

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1. Burden of proof
2. Presumptions
3. Standards of Proof.

V. Analysis of Evidence
   1. The Probative Process - PA, OD, OR, OE and PC
   2. Methods of analysis of evidence

8. References

A. Laws

1. FDRE Constitution Proclamation No 1/1995
2. The Draft Criminal Procedure and Evidence Code (2016) (In Amharic)
3. The 1960 Civil Code of Ethiopia (selected provisions)
4. The 1965 Civil Procedure Code of Ethiopia
5. The 1961 Criminal Procedure Code of Ethiopia
6. The Revised Family Code (selected provisions)
7. The (Revised) Anti-Corruption Special Procedure and Rules of Evidence Proclamation
8. Anti-Terrorism Proclamation No 652/2009
9. The 1967 Draft Evidence Rule
10. FDRE Evidence Law (title in Amharic, first draft 2004) prepared by the Justice and Legal System Reform Institute
11. (The 1872 Indian Evidence Act)
12. (The Federal Rules of Evidence)

B. Books and other materials

1. Melin, R. A., *Materials on Evidence Law,* (A.A.U, not published) 1972 (text-book)
2. Best, A., *Evidence, Examples and Explanations,* (Little Brown and Co.) 1994
3. Cleary, E.W. and Strong, J.W., *Evidence Cases, Materials, Problems*, West Publishing, 1969
4. Twining, W. and A. Stein, *Evidence and Proof* (Dartmouth) 1992.
5. Singh, A.., *Principles of the Law of Evidence* (Central Law Publishers) 1998.
6. Mueller, C. B. and L. C. Kirkpatrick, *Evidence: Practice under the Rules 4th ed*. (Aspen publisher Inc.) 2000
7. Rothstein, P. F., *Evidence, State and Federal Rules in a Nutshell, Second Ed*., West Publishing, 1993
8. Rice, P., *Evidence: Common Law and Federal Rules of Evidence* 3rd ed. (Matthew Bender and Co.) 1996

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9. Simeneh Kiros Assefa "The Principle of Presumption of Innocence and Its Challenges in the Ethiopian Criminal Justice System" *6 Mizan L. Rev. No 2*
10. Simeneh Kiros, “The Need and Choice of Evidence Law” Law Students Bulletin, 2000.
11. ---------- *Federal Rules of Evidence Handbook 1996/1997 ed*. (Anderson publishing Co.)
12. Any textbook on the Indian Evidence Act
13. Any textbook on American Federal Rules of Evidence
14. Any material on American Realism school of thought (Jurisprudence).

1. Course identification

Course title: **Public International Law**
Course weight: 4 credit hours/7 ECTS
Course code:
Prerequisites:

2. Course description

Public International Law traditionally deals with the laws that affect the political relations amongst nations. The past decades, however, have witnessed international law expanding its scope and embracing new international actors that have emerged at the international plane. International Law, therefore, is no longer just a law for states. ‘It impacts upon individuals, corporations, and non-governmental organizations.’ Nevertheless, the basic units in the international system remain to be the states which act similar to the way an individual acts under national law. International law generally addresses issues and events arising from the interdependence of the international community.

Public international law has increased in use and importance vastly over the twentieth and twenty-first century, due to the increase in global trade, armed conflict, environmental deterioration on a worldwide scale, awareness of human rights violations, rapid and vast increases in international transportation and a boom in global communications. The course Public International Law is offered with a view to introducing students with the fundamentals of international law and to enable them understand how the international legal system works. To this effect, a wide range of issues (from sources, relationship between international law and municipal law, subjects of international law, jurisdiction, immunity, state responsibility, state succession, the law of treaties and

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dispute settlement to the UN system and Peaceful settlement of international disputes) will be covered.

3. Course objectives

At the end of this course, students should be able to:

- Analyze the basic features of international law
- Identify the primary & secondary sources of international law
- Analyze the inter-relationship between municipal and international law
- Base their legal arguments on one or more of the sources of international law
- Determine the scope and applicability of international law
- Identify the traditional as well as the modern subjects of international law
- Explain international law rules and principles on jurisdiction
- Explain the concept of immunity
- Examine the notion of state responsibility
- State the principal organs of the United Nations
- Differentiate the jurisdictional types of the ICJ
- Appreciate how international law helps maintain international peace and security
- Examine the rules prohibiting the threat or use of force

4. Teaching Methods

Delivery shall involve the Socratic Method with active student engagement. It shall combine lecture session & case study. Supplemental reading assignments, and special questions/problems for research and reflection will occasionally be distributed in class. Class discussions will frequently focus upon the international legal aspects of current events, therefore students will be expected to follow the relevant developments in a major newspaper.

5. Methods of Assessment

The instructor adopts continuous form of assessment, for example by asking students questions and encouraging students to think critically about events relating to international law & international law cases. The following is a list of possible criteria for evaluation of students:

- Attendance & participation ---------- 10% of the final grade
- Mid-term exam/term paper ---------- 40% of the final grade
- Final exam ----------.. 50% of the final grade

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6. Class Attendance

As per the 2019 AAU Senate Legislation

7. Course Outline

Chapter One: The nature & Development of International Law

- Definition of International Law
- Characteristics of International Law
- General and Regional International L.
- Scope of International Law
- Brief History of International law
- Theories of International Law: The Natural law & Positive law Schools

Chapter Two: Sources of International Law

- Treaties
- International Custom & its elements protest, acquiescence & change in customary law
- General principles of law
- Judicial decisions
- Learned writers
- Other possible sources
- Hierarchy of sources & *jus cogens*

Chapter Three: International Law & Municipal Law

- The Theories
- The role of municipal rules in int. law
- International law before municipal courts

Chapter Four: The Subjects of International Law

- International legal personality
- States as typical legal persons - Creation of statehood
  - Recognition (of states & governments)
  - Extinction of statehood
  - International organizations, individuals, companies and groups as international legal persons

Chapter Five: The Law of Treaties

- The making of treaties, entry in to force, reservation and application of treaties
- The amendment & modification of treaties
- Interpretation of treaties
- Termination of treaties

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Chapter Six: Jurisdiction & Immunities from Jurisdiction

Jurisdiction of states
Bases of jurisdiction
State/sovereign immunity
Diplomatic immunity
Immunities of International organizations
Waiver of immunity

Chapter Seven: International Responsibility & Remedies

The nature of state responsibility
State responsibility & the treatment of aliens
Consequences of an international wrongful act

Chapter Eight: The UN & its Charter

The charter of the UN
The UN as an International Legal Person
The UN system (the principal organs of the UN)
Practice and Membership
Organs of the UN
The UN and Peace & Security
Pacific Settlement of Disputes
Collective Security & Enforcement
UN Peace keeping

Chapter Nine: The Peaceful Settlement of Disputes

Diplomatic methods of dispute settlement
Legal methods of dispute settlement
Introduction to the ICJ
-Contentious Jurisdiction
-Advisory Jurisdiction

Chapter Ten: The Use of Force in International Law

The use of force in history
The prohibition of the use of force in the UN,
Categories of force
-The right of Self-defense
Intervention in civil wars
Terrorism & International law

4. References

1. Peter Malanczuck, Akehurst's Modern Introduction to International Law, Rutledge, New York & London, (1997) Seventh Revised Edition

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2. Malcolm N. Shaw (2008). International Law, Cambridge University Press (Six Edition (2009)).
3. Martin Dixon and Robert McCorquodale, International Law,Cases and Materials 4th edition
4. Martin Dixon, Textbook on International Law, 6th edition
5. Alina Kaczorowska, (2002) Public International Law, Old Bailey Press.
6. George Schwarzenberger, International Law, Volume I, (1957)
7. Ian Brownlie, Principles of international law, 1973
8. www.un.org (For General Assembly & Security Council Declarations, Resolutions, Reports)
9. www.icj.org (For decisions and advisory opinions delivered by the ICJ)
10. International and Comparative Law Quarterly, British Institute of International and Comparative Law (Can be searched using JSTOR)
11. www. *un.org/**law/ilc**/*Website of the International Law Commission

1. Course identification

Course title**: Land Law**
Course code**: …**
Course weight: 3 credit hours*/5ECTS*
Pre-requisite: Property Law

2. Course description

Legal rights including rights over land may be approached in terms of five broad questions. These are: (1) who is the right bearer (subjects)? (2) What is the subject matter over which the right is established (object of the right)? (3) What is the nature of the right (features of the right)? (4) Are there some restrictions over the right (restrictions)? (5) Why do we confer this right (justifications) on subjects? The course follows this analytic framework to examine rights over land in Ethiopia. The course does not give an in-depth consideration to communal landholdings, urban land tenure, state landholdings as well as lands under possession of investors even if it touches upon issues of corporate farming and urban land law. Peasant`s landholding is give prominence due to the immense economic, social and political significance of rural land.

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3. Objectives

The objectives of the course are to:

- examine the questions of the subject, the objects and the nature of land rights,
- analyze restrictions imposed on land rights,
- explain theoretical justifications for land rights
- evaluate land cases decided course specially those rendered by the Federal Supreme Court Cassation Division and House of Federation
- apply land law provisions to cases.

4. Teaching and assessment methods

Lecture and discussion will be used. There will be at least one group assignment out of 30%, 20% goes to attendance and in-class participation and students will sit for a close book final exam for the remaining 50%.

5. Course outline

Chapter One: An Overview of Land Rights

- The Subject matter of land rights
- The bearers of land rights

Chapter Two: Rural land rights

- Land policy framework for Ethiopia & beyond
- Land tenure reform models : Ethiopia's tenure system

Chapter Three: Peasants' land rights

- The constitutional nature of peasants' land rights
- Joint usufruct nature of land rights of peasants
- Historical development of peasants' land rights & security of land rights
- Peasants' land rights under informal social practices
- Peasants' land rights V land rights of agricultural investers
- rural land rights v urban land rights
- Restricting peasants' land rights

Chapter Four: Current issues of land rights

6. Main references

1. Amhara Regional State Rural Land Administration and Use Proclamation No. 133, 2006

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2. Appropriation of Land for Government Works and Payment of Compensation for Property Proclamation No. 401, 2004
3. Baker, Edwin (1985-1986), ‘‘Property and its Relation to Constitutionally Protected Liberty’’, *Pal. L. Rev*., vol., 134.
4. Beni-shangul Gumz Regional State Land Administration and Use Proclamation No. 85, 2010
5. Berhanu Abegaz (2004), ‘‘Escaping Ethiopia`s Poverty Trap: The Case for a Second Agrarian Reform’’, *Journal of Modern African Studies*, 42:1.
6. Council of Ministers Regulations on License for Agricultural Activities No. 7, 1990
7. De Schutter, Olivier (2011), ‘‘The Green Rush: The Global Race for Farmland and the Rights of Land Users’’, *Harvard International Law Journal* 52:2.
8. Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691, 2010
9. Dessalegn Rahmato (1999), “Revisiting the Land Issue: Options for Change”, *Economic Focus* 2:4
10. Dessalegn Rahmato (2009), *The Peasant and the State: Studies in Agrarian Change in Ethiopia 1950s`-2000s`* (Ethiopia: Addis Ababa, Addis Ababa University Press).
11. Elias N. Stebek (2011), ‘‘Between ‘Land Grabs` and Agricultural Investment: Land Rent Contracts with Foreign Investors and Ethiopia`s Normative Setting in Focus’’ Mizan Law Review, 5:2.
12. Expropriation of Landholdings for Public Purposes and Payment of Compensation Proclamation No. 455, 2005
13. Federal Rural Land Administration and Land Use Proclamation No. 456, 2005
14. Government Ownership and Control of the Means of Production Proclamation No. 26, 1975
15. Government Ownership of Urban Lands and Extra Houses Proclamation No. 47, 1975
16. Hardin, Garrett (1968), ‘‘The Tragedy of the Commons’’, *Science,* vol. 162
17. Hussein Jema (2001), ‘‘The Debate over Rural Land Tenure Policy Options in Ethiopia: Review of the Post-1991 Contending Views’’, *Ethiopian Journal of Development Studies*, 23:2.
18. Investment Proclamation No.769, 2012

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19. Katz, Larissa (2008), ‘‘Exclusion and Exclusivity in Property Law’’, *University of Toronto Law Journal* 58:3.
20. Merrill, Thomas W. and Smith, Henry E. (2001), ‘‘What Happened to Property in Law and Economics?’’ *Yale Law Journal,* 111: 2.
21. Molla Mengistu (2008), ‘‘Rural Land Tenure System in Ethiopia: Legal Rights and Its Implementation in Amhara National Regional State’’ (in Amharic), *Eth. J.L.,* 22:2.
22. Muradu Abdo (ed.) (2009), *Land Law and Policy in Ethiopia since 1991*: *Continuities and Changes*, *Ethiopian Business Law Series* vol. 3 (Addis Ababa: Addis Ababa University, Faculty of Law)
23. Oromia Rural Land Administration and Use Proclamation No.130, 2007
24. *Muradu Abdo, Urban Land Question of Ethiopia: Focus on Access to Justice and Dispute Resolution (Ed.) (2020), Ethiopian Civil and Commercial Law Series, Vol. 11. 15-51.*
25. Expropriation and Valuation, Compensation and Resettlement, Council of Ministers Reg. No 472 of 2020.
26. Expropriation of Land Holdings for Public Purpose, Payment of Compensation and Resettlement of Displaced People Proclamation 1161 of 2019.
27. Payment of Compensation for Property Expropriated for Public Purposes, Council of Ministers Regulations No. 135, 2007
28. Penner, James E. (1996), ‘‘The “Bundle of Rights” Picture of Property’’, *UCLA Law Review vol.* 43
29. Public Ownership of Rural Lands Proclamation No. 31, 1975
30. Southern Regional State Rural Land Administration and Use Proclamation No. 110, 2007
31. The Constitution of the Federal Democratic Republic of Ethiopia Proclamation No. 1, 1995
32. Tigray Regional State Land Administration and Use Proclamation No. 136, 2007
33. Urban Landholding Registration Proclamation No. 818, 2014
34. Urban Lands Lease Holding Proclamation No. 721, 2011
35. Urban Planning Proclamation No, 574, 2008

1. Course identification

Course Name: **Law of Extra-Contractual Liability**
Course Code:

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Credit Hours: 3 Cr/Hr/5 ECTS
Prerequisite:

2. Course Description

It is assumed that, by now, from your legal studies of the previous years, you have already gained an idea on the concept of “liability” which is a mechanism of holding someone socially accountable for one’s conduct (actions or omissions) so that social relation would move forward in an orderly manner. The manner of accountability may have multiple dimensions. Leaving aside the other aspects of accountability through political and administrative process, broadly speaking, legal liability is divided into Criminal and Civil liability.

In your studies on “Criminal Law”, you discussed what criminal liability is; the sources thereof; and the manner of managing such a liability. Similarly, in your studies on “Law of Contracts”, you had the opportunity to examine and determine when contractual liability kicks in and the possible remedies thereto. In general terms, violation of any or many of the criminal law provisions with the requisite mental state brings about criminal liability; while failure to keep contractual promise results in contractual liability.

Criminal liability regulates the offender’s obligation towards the state and public order and hence it is in a sense an obligation towards the state and society at large. Thus it is a public obligation.

Contractual liability, on its part, regulates an individual’s obligation towards his/her promises and commitments and hence it is an obligation towards the other contracting party. As a result it is a private (civil) liability. It must be noted however, that contractual liability is one, but not the only, form of civil liability.

With this general information at the back of your mind, you will, in this course, be introduced to another branch of liability technically known as “Extra-contractual liability or Non-contractual liability or Torts”. This branch of liability possesses certain attributes of both criminal (public) and contractual (private) liability. It is therefore a mixed zone. However, at the level of simplification, it must be admitted that it is more of a private liability than public. The fact that it is within the framework of the Civil Code is one indication to its private nature as the Civil Code regulates private relations.

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The law of non-contractual liability tries to attain two socially relevant goals: namely insurance goal and deterrence goal. Under its insurance goal it tries to make damages good (compensate) in a sense it undertakes rational way of loss distribution (distributive justice). In its deterrence goal it attempts to regulate human behaviour by prescribing socially acceptable conduct and sanctioning adverse deviation from it. Partly, it is an aspect of corrective justice. In the sense that non contractual liability tries to compensate (distribute) losses and deter socially unacceptable behaviour.

In terms of course delivery, this module will handle the subject matter at two levels. At level one, it will first examine the nature of Extra-contractual liability and how it is different from and similar with the other two headings of liability mentioned above. Second, it will identify the societal relevance of this branch of law and how it tries to attain the goals it is intended to achieve.

With these objects in view, we will first determine the sources of non-contractual liability in which we will try to answer the question: “when is someone to be held non-contractually liable?” (Existence of liability); for this purpose, the three headings of liability namely: fault based liability, strict liability and vicarious liability will be considered.

Once existence of liability is affirmatively established, the next task will be determining the quantum (amount) of liability (extent of liability). This will take us towards examining the nature of compensable damages and the modality of assessing and remedying them.

In a separate note, the procedural mechanisms for instituting court action with a view to obtaining compensation will be discussed. Although the Civil Procedure Code is relevant for this purpose, the Civil Code on extra-contractual liability has also special provisions that should be complied with in addressing procedural matters in this regard.

3. Course Objectives

Having completed this course, students will be able to attain the following general objectives:

- Discuss the place of the law of non-contractual liability in the Ethiopian legal system;
- Identify the sources of non-contractual liability;
- Understand the extent and mode of compensation;

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- Comprehend the procedural mechanisms to bring action for damages and
- Identify the elements for damage assessment

4. Teaching Methods

The manner of delivery for this course will be a fair combination of lectures, class discussions and group works. Principally, the method to be employed will be an 'active learning' and 'student centered' approach in that students will be provided with an opportunity and conducive atmosphere to speak up in class. To make this arrangement a fruitful exercise, students will be expected, in fact will be required, to make advance preparations for each class session by conducting the prescribed readings prior to coming to class. Thus under preparedness will have adverse consequences in terms of gaining meaningful understanding of the course's objective.

5. Methods of Assessment

Regular class attendance and participation shall carry 20% of your achievement for the module. Mid-exam shall carry 30% of your achievement in the course. The remaining 50% shall be earmarked for the final exam. Grading will take into account achievements in continuous assessment and be administered in a transparent manner and based upon clearly defined tools of assessment.

6. Attendance Policy

Reporting for class on time is advisable as no one will be allowed to check in after the expiry of the first 10 minutes of the class session. Class attendance shall be compulsory. Random check of attendance by calling names may be undertaken. Each recorded absence shall entail a reduction of grade points. In case of absence beyond 25% of the class sessions, no grade (NG) shall be entered.

7. Course Outline

Chapter one: Introductory Remarks

1.1. Nature of Non contractual liability
1.2. Its relation with contractual and criminal liability
1.3. Scope of application

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Chapter two: Liability arising out of Fault (*fault based liability*) (Arts.2028-2065)

2.1. Definitional elements of fault
2.2. Standard of evaluation of fault
2.3. Nominate faults (Arts. 2038-2065)
2.3.1. Interference with human liberty
2.3.2. Interference with property rights
2.3.3. Interference with marital life
2.3.4. Interference with business affairs
2.3.5. Interference with honour and reputation
2.4. Defense against fault based liability

Chapter three: Liability irrespective of fault (*strict liability*) (Arts.2066-2089)

3.1. Source of liability
3.1.1. Activity
3.1.2. Possession or ownership
3.1.3. Manufactured Products
3.2. Defense against strict liability

Chapter four: Liability for the action of others (*vicarious liability*) (Arts.2124-2136)

4.1. Source of Liability
4.1.1. Liabilty for the action of Minors
4.1.2. Liability for the action of Employees
4.1.3. Liability for the action of Authors
4.2. Defense against vicarious liability

Chapter five: Mode and Extent of Compensation (Arts. 2090-2123)

5.1. Mode of Compensation
5.1.1. Pecuniary Compensation
5.1.2. Other modes of Compensation
5.2. Extent of Compensation
5.2.1. The Compensation equals to Damage equation
5.2.2. The Concept of Future Damage

Chapter Six: Action for Compensation (Arts.2137-2161)

6.1. Parties to an extra contractual suit
6.2. Burden of proof

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6.3. Extra-judicial (outside of court) settlement
6.4. Joinder of criminal and civil claims
6.5. Effect of criminal proceeding on non-contractual suit
6.5. Period of limitation to bring an action

Chapter Seven: Current Developments

8. References

A. Laws

1. The FDRE Constitution of 1995
2. The Civil Code of the Empire of Ethiopia of 1960
3. The Criminal Code of Ethiopia of 2004

B. Books and Journals

1. George Krezeczunowicz, The Ethiopian Law of Extra Contractual Liability, (1970)
2. George Krezeczunowicz, The Ethiopian law of Compensation, (1977)
3. George Krezeczunowicz on Product liability, Journal of Ethiopian Law, Vol.12
4. Michael John, A text book on torts (3rd Ed,1996)
5. Kionka Edwards J. Torts in a net shell, (3rd Ed.1999)
6. Markesinis,B.s. A Comparative Introduction to the German law of torts, (1994)
7. Nigatu Tesfaye, Non contractual liability and Unjust Enrichment (in Amharic, 1996 E.C).
8. Mehari Redae, Damage Assessment under Ethiopian Civil Code (in Amharic):1998E.C.

C. Some Federal Supreme Court Cassation Division Decisions: Source: Please Google: *Ethiopian legal Brief: click; Cassation Decisions*

1. Ethiopian Insurance Company vs. Aregash Kebede; File No. 16062: Vol.3
2. Awassa Agricutural Development vs. Mehari Mata; File No. 16270: Vol. 3
3. Yilkal Bewketu vs. Seyum Abadi; File No.24818: Vol.5
4. Ethiopian Electric and Power Authority-Northern Region vs. Dinqua Amene; File No. 30442: Vol.5
5. Ministry of Agricultural and Rural Development vs Alsha Siraj; File No.32144: Vol.5
6. Ayele Admassu vs Ajebu Shumie; File No. 42962:Vol.5
7. Netherland Development Organization vs Wubet Adbaru; File No.21296:Vol.5 24818

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8. Tendaho Agricutural Development vs. Nishan Alemayehu; File No.31099: Vol.5
9. Asnakech W/Mariam vs. Kebede tesema and Shewangizaw Ketema; File No.32250:Vol.5
10. Bizunesh H/yohanes vs. Sintayehu Eshetie; File No.31721:Vol.9
11. Ethiopian Road Authority vs. Temegnehu Endeshaw; File No.38457: Vol.9
12. Government Housing Agency vs. Shell Ethiopia; File No. 33201: Vol.9
13. Ethiopian Development Bank vs. Gezahegn Mengistu ; File No.42962: Vol.10
14. National Information and Security Agency vs. Shalom Tesfaye et al; File No.43843: Vol.10
15. Alemnew Abebe vs.United Insurance Company; File No. 58920: Vol. 11
16. Merry Stops International Ethiopia vs. Senait Alemayehu; File No. 64590: Vol.11
17. Asnakech Woldemariam vs. Alemayehu Ahmed; File No. 24643: Vol.11
18. Abrar Sabir vs. Alemtsehay Wossenie et al; File No.55228: Vol.11
19. Yilma Dejenie vs. Medina Ditamo; File No.53598:Vol.11
20. Awash Insurance Company vs.Mohammed Aba Ali and Zehra Abanur; File No. 69428:Vol.13

1. Course identification

Course Name: **Law of Agency**
Course Code:
Course weight: 2Cr/Hr/3 ECTS
Prerequisite:

2. Course Description

The law of agency covers rules applicable when one acts through another in juridical relations either because the agent‘s expertise is called for or because the principal cannot act himself. The relationship that gives rise to the power of acting on behalf of another, the relationship that the representative creates in dealing with third parties on behalf of the principal and the rules governing this complex two-tier relationship would be the central focus. Law of agency covers issues such as the difference sources of agency, authority of an agent, the fiduciary and other duties of an agent, the duties of the principal

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towards his agent and third parties, and termination of agency relationship and its causes.

3. Course Objectives

By the end of this course, it is expected that students will be able to:

- Define the role of the agent and give example of such relationships
- Illustrate ways in which agency relationships can be created and terminated.
- Define authority of the agent
- Describe the fiduciary relationship that exists between an agent and his principal
- Distinguish between different types of agents,
- Explain the rights of the agent and principal
- discuss the potential liability of both principal and agent
- develop the required professional skills for drafting and preparing contracts of agency and for solving problems emanating from the interpretation and enforcement of laws and contracts of agency

4. Teaching Methods

The following teaching methods will be used to teach this course.

- Lectures
- Seminars
- group discussions
- assignments; and
- presentations

5. Methods of Assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation…5% (includes attending class, demonstrating that the student engaging in class and group discussions)
- Student assignment and Presentations…15%
- Midterm Exam 30%
- Final exam (s)…50%

6. Attendance Policy

As per the 2019 AAU Senate Legislation

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7. Course Outline

Chapter 1: The Concept of Agency
1.1. Definition of agency
1.2. Theories and Historical development of agency
1.3. Importance of agency
1.4. Source of Agency
Chapter 2: Contractual Agency under Ethiopian Law
2.1. Scope of authority
2.2. Authorities of an Agent
2.3. Modes of representation
Chapter 3: Effects of Agency
3.1. Rights and duties of the agent and the principal
3.2. The interrelationships between the principal, the agent and third parties
Chapter 4: Extinction of Agency Relationship
4.1. Termination by act of the parties
4.2. Termination by the operation of the law
4.3. Liability to one another and to third parties
Chapter 5: Special Agency / Agency in Trade
5.1. Commission agent
5.2 Forwarding agent
5.3. Commercial travellers

Chapter 6: Current Developments

8. References

1. The Civil Code of Ethiopia, 1960
2. The Commercial Code of Ethiopia, Proclamation No. 166/1960
3. The New Ethiopian Commercial Code Proclamation No. 1243/2021
4. David, Rene, Commentary on Contracts in Ethiopia, Hailesellasie I University, Addis Ababa, 1973
5. Larry Church, a commentary of law of agency representation, journal of Ethiopian law, Volume 3, 1966
6. Willaim L. Church, A Commentary on the Law of Agency Representation in Ethiopia, JEL Vol.3, No.1
7. Wolfram Müller-Freienfels, Legal relations in the law of agency: power of agency and commercial certainty, The American Journal of Comparative Law Vol. 13, No. 2 , 1964

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8. ZekariasKeneaa, Basic Features of the Ethiopian Law on Commission Agency, JEL Vol. XXII, No. 2, 2008
9. Zekarias Kenna, Material for the Study of Law of Sales and Security Devices (compilation), Addis Ababa University

1. Course identification

Course Name: **Legal Clinics** I and II [Still under construction]
Course Code:
Credit Hours: 4 credit hours/7 ECTS
Pre-requisite: Constitutional Law, Criminal Law, Criminal Procedure, Civil Procedure, Legal Ethics, Legal Writing, Legal Research Methods, Law of Extra-Contractual Liability, Law of Contracts, Family Law, Law of Succession, Property Law, Criminal Law, Criminal Procedure Law, Law of Evidence, lawyering skills, Pre trial skill and trial Advocacy, legal Profession and Ethics, Employment and Labor Law, and Human Rights Law

2. Course description

The legal clinics course combines regular classroom instruction with specially tailored exercises and simulations designed to instil the basics of good legal practice. In class, students will explore many important lawyering issues through the lens of their cases.

In the practical aspect of the course, the legal Clinic offers students an opportunity to represent indigent persons in a variety of substantive areas, such as civil litigation, criminal law and labour disputes. In the course of representing clients, students will develop knowledge and skills relating to substantive and procedural civil and criminal law, and factual research and investigation.

In addition to client representation, research and writing, the clinics fosters the development of other fundamental lawyeing skills, such as interviewing, and counselling clients, fact investigation and development, legal drafting and oral advocacy. To further bridge theory and practice, the clinic provides students with hands-on experience working on active legal cases and projects.

3. Objectives

The general objectives of this Clinic include:

- Enriching the students with practical legal skills;

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- Understand institutions
- Enabling students to assume responsibility;
- Creating a sense of voluntarism or willingness;
- Serving the community ;
- Supporting the constitutional right of “Access to Justice”; and
- Enabling students to develop the self-confidence required to practice law effectively in a competitive, fast-paced field.

4. **Outcomes**
    - Identify the legal regime relevant to cases;
    - Improve his/her ability to represent clients by mastering, in the content of relevant laws, skills that are important to effective problem-solving and wise lawyering;
    - Draft documents at the request of eligible clients, focusing on writing that is precise, economical, and comprehensive to their clients;
    - Develop the abilities to critique own work, learn from experience and understand how personal feelings, background, personal values affect ones performance in a professional role;
    - plan, execute and reflect on lawyering skills such as interviewing, counselling and drafting;
    - build up the expertise to work collaboratively on legal problems;
    - Develop good professional working habits;
    - Learn to accept constructive criticism;
    - Improve time management skills to gain control over work and to enhance ability to work under time pressure; and

5. **Teaching Methodology**

This clinical course has two components. These are: class work, and casework/ placement in Law Clinics. The class work should be undertaken before students engage in their clinical works and its purpose is preparing students to see clients and represent them effectively. Thus, the class work should focus on refreshing the memories of the students on the relevant courses they have previously taken. It should also aims at giving preliminary introduction on certain practical aspects of the program and revising the theoretical and legal issues applicable to course.

Once the class work is finalized, students will be placed to Law Clinics and commence their regular practical legal service task followed by close supervision and feedback from the Clinical Supervisor or legal aid provider of the Law Clinic.

6 **The responsibilities of the student and the supervisor**

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In teaching-learning process, both teachers and students bear certain responsibilities. But in relation to courses like clinical programmes, the balance of such responsibility tilts towards the students. In any case, the following two sections depict the respective responsibilities of both students and their supervisors.

A. Students' Responsibility

Students will be responsible for performing the interviewing, counseling, drafting and other tasks necessary to assist their clients and will in general make all the lawyers' decisions on their cases. They will also be responsible for scheduling their work so as to meet any client deadlines and to complete their matters no later than the end of the clinical programme. The supervisor will help students prepare for and analyze their work, but the primary responsibility for the cases will be on the students.

B. Role of the Supervisor

The role of the supervisor is a balancing act. On the one hand, students are practicing law under this clinic course and the supervisor is ultimately responsible for making sure that the clients are well-served. On the other hand, it is believed that students will learn most effectively if they function as lawyers for their clients rather than serving as 'associate' with the supervisor as senior partner.

7. Mode of Assessment

Each and every aspect of the clinical program will be graded on a continuous assessment basis. The performance of the students will be assessed both individually and as part of a team. In addition, there should be immediate feedback on the performance of the students. Attendance, overall performance in the clinics, submission of written regular & final reports and evaluation by host institution will be taken into account in grading. The breakdown shall be as follows:

- Attendance (30%)
- Regular Bi-weekly reports (20%)
- Final report and reflection (20%)
- Evaluation by host institution (30%)

Total: 100

8. Attendance Policy

Students are expected to attend, and be on time for, every seminar, clinical class or meeting, and to do the reading assigned for each class. Any absences must be approved by the course supervisor and the student shall arrange time to remedy clinics class or meeting with a

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client. You should not schedule any client meetings that conflict with seminars.

9. Course outline

Chapter One:Overview of Clinical Legal Education

1.1 Definition and Concept of Clinical Education
1.2 Historical development of Clinical Legal Education
1.3 Basic Features and components of clinical legal Education
1.4 The Significance and objectives of Clinical Legal Education

Chapter Two: Techniques and Application of Clinical Legal Education

2.1. Identifying Problems and understanding their context, nature, and background
2.2. Participatory and client-centered lawyering/counseling
2.3 Reflective learning
2.4 Non-directive Teaching
2.6 Innovating Solutions and enhancing future development of Legal educations

Chapter Three: **Basic Skills in Clinical Legal Education**

3.1. Interviewing and Counseling
3.2. Preparation of Claims and pleadings
3.3. Legal Research and analysis
3.4. Ethics, discipline and professional responsibility
3.5 Current developments

10. References

A. **Books and articles**

1. L Bleasedale, B Rizzotto, R Stalker, L Yeatman, Law Clinics: What, why and how?, 2020
2. Bodenstein, J, et al, Clinical law in South Africa, Durban, LexisNexis Butterworths, 2004.
3. Brayne H, Grimes R., The Legal Skills Book: A Student's Guide to Professional Skills (2nd ed) London Butterworths 1998.
4. Brayne, H, Duncan, N, & Grimes R., Clinical legal education: active learning in your law school, Blackstone Press Limited 1998.
5. Chavkin D. F, Clinical legal education: a textbook for law school clinical programs, Cincinnati, Ohio, Anderson Publishing Co., 2002.
6. ES Milstein, Clinical legal education in the United States: In-house clinics, externships, and simulations, J. Legal Educ., 2001.

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7. K Fletcher, Law Clinics Educating for Complexity Through Integrative Learning, Australian Journal of Clinical Education, 2019
8. Moliterno J.E, & Lederer F.I., An introduction to law study and the lawyer's role, Durham North Carolina, Carolina Academic Press, 1991.
9. MJ Ross, A Systems Approach to Clinical Legal Education, Clinical L. Rev., 2006.
10. Napley David, The Technique of Persuasion, London, Sweet & Maxwell, 4th ed., 1991.
11. Palmer Robin, et al, Becoming A lawyer: Fundamental skills for students, Durban LexisNexis, Butherworths, 2003.
12. Shaffer, T.L, & Elkins J.R, Legal interviewing and counselling, US, 2005, Thomson/West, 2005.

B. Laws

1. The Constitution of the Federal Democratic Republic of Ethiopia, proc no 1/1995.
2. The Civil Code of the Empire of Ethiopia (1960)
3. The Criminal Procedure Code
4. FDRE Criminal Code, 2004
5. The Revised Family Law of Federal Democratic Republic of Ethiopia, proc no. 213/200.
6. Labor Proclamation No. 1156/2019.
7. Federal Courts Proclamation No 1234/2021
8. Federal Prison Proclamation No 1174-2019

1. Course Identification

Course Name: **Trial and Appellate Advocacy**
Course Code:
Credit Hours: 2 credit hour/ 3ECTS
Pre-requisites**:** None

2. Course Description

The course introduces the lawyering and advocacy skills at pretrial, trial and appellate stages. The pre-trail phase of the course involves litigation planning, fact investigation and legal investigation which deal with legal problems and issues communicated by clients, identification of client needs, priorities, potential claims, remedies and sources of proof, and examination of potential defenses and counter claims of the other party. It also deals with case evaluation, counseling litigation

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strategy, preparation of pleadings and other skills. Trial advocacy constitutes the latter part of the course. By engaging in simulated courtroom situations followed by feedback and recommendations for improvement, students learn to present persuasive opening statements and closing arguments, to conduct forceful direct and cross examination of fact and expert witnesses, and to successfully introduce evidence. Students also become familiar with the technical, ethical, evidentiary, procedural, and substantive aspects of litigation. The course will emphasize practical solutions to typical problems that litigators encounter in the presentation of a case. The course does not, however, cover issues of procedure and evidence, other than making use of the inputs laid down by the various prerequisite courses.

3. Objectives

After a completion of the course, students are expected to:

- Differentiate pretrial and trial phases of client representation and litigation; the structure fact investigations;
- Conduct effective client and witness interviews;
- Carryout investigation of relevant substantive and procedural laws;
- Conduct effective case evaluation and strategy;
- write pleadings and motions;
- effectively handle pre-trial negotiations and conflict settlements;
- Undergo various phases of the trial process in civil and criminal cases;
- carryout the analysis and application of material facts, legal issues and relevant legal provisions;
- develop the skill of writing persuasive analysis of legal issues in trial practice;
- conduct direct examination, re-examination and cross-examination of witnesses.

4. Teaching Methods

The principal methodology employed in this course is a synthesis of introductory lectures, guest speeches and learning by doing. Cases (both real and hypothetical) are used as inputs for classroom discussions. Course delivery is learner centered and requires prior reading, active participation, simulations and discussions. To such end, off-campus activities involving watching of pre-trial works and survey of legal documents at law firms, legal departments, public prosecutor

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offices and submission of observation reports, trial court watching (with particular focus on direct examination, cross examination and redirect examination) would be utilized

5. Course Content

Chapter 1- Introductory Discussion On Lawyering Skills And Legal Writing

- Introduction
- Basics of legal writing
- The attorney-client relationship
- Client‘s needs and priorities
- Elements of potential claims and remedies
- Elements of potential defenses and counter claims
- Sources of proof

Chapter 2- Informal Fact Investigation

- Introduction
- Structuring fact investigation
- Client interviews
- Acquisition of material evidence
- Witness interviews and expert review

Chapter 3- Legal Investigation

- Introduction
- Choice of law
- Determining claims, remedies, defenses
- Parties in the litigation
- Jurisdiction and venue

Chapter 4- Case Evaluation

- Introduction
- Taking the case
- Establishing the terms of the client-lawyer agreement
- Declining representation
- Planning the litigationAttendance Requirement
- Pre-filing requirements

Chapter 5- Pre-Trial Negotiation And Settlement

- Introduction
- Pre-trial negotiation
- Settlement

Chapter 6- Pleadings

- Introduction
- General pleading requirements
- Statement of claim

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- Criminal charge
- Responses
- Counterclaims, cross-claims, interpleade

Chapter 7- The Trial Process, an Overview

- Introduction
- The trial process of criminal cases, an overview
- The trial process of civil cases, an overview
- Pleading writing skills
- Persuasive oral presentation in opening statements

Chapter 8- Witness Examination and Objections

- Introduction
- Direct and redirect examination
- Elements of direct examination
- Refreshing the recollection of witnesses
- Redirect examination
- Cross examination
- When to cross-examine
- Objections
- When to make objections during trial
- How to make objections during trial
- Evidentiary objections

Chapter 9- Closing arguments and Final Round Simulations

- Introduction
- Strategic considerations
- Content and organization of effective closing arguments
- Rebuttal
- Persuasive closing statements

Chapter 10: Appellate Advocacy

- Structure of the appellate court system
- The Federal appellate system
- Regional appellate systems
- Appellate review on questions of facts and law
- Cassation review on basic errors in law;
- Scope of appellate review
- Appellate review of erroneous factual findings
- Appellate review of erroneous findings on issues of law
- Appellate review of mixed questions of law and fact
- The harmless error doctrine
- The role of appellate counsel
- Effective assistance of appellate counsel
- Assigned defense counsels

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Chapter 11: Appellate Brief

- Introduction
- Research and identifying the audience
- Research on relevant laws, Federal Supreme Court Cassation decisions and secondary authority
- Research into previous decisions of the appellate court
- Current jurisprudence of interpretation
- Selecting issues for appeal
- Identifying the strongest issues
- Determining the sequence of issues
- Principles of good brief writing
- Clarity: Paragraphs, sequence and coherence
- Diction and tone
- Brevity
- Sample briefs
- Writing the appellate brief (in civil and criminal cases)
- Preliminary preparations to write the appellant‘s brief
- Preliminary preparations to write the respondent‘s brief
- Statement of facts
- Summary of arguments
- Writing up the argument
- Appellate Moot Court (Submission of appellate briefs)

Chapter 12: Oral Argument

- Introduction
- Brief introduction of the appellate court system
- Knowledge of facts and relevant laws
- Selection of points for oral argument
- Anticipation of different questions during oral argument
- Adequate research

6. Attendance

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

7. Assessment

- Class attendance and participation (5%),
- Reading assignment evaluation through oral exams, oral presentations and written tests (20%),

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- Pre-trial work watching and report (10%),
- Drafting criminal charges, statement of claim or a statement of defense, (15%)
- Trial and appellate court watching and report (10%),
- Group assignments, individual assignments and simulations (40%)

8. Reading Materials

1. Dickerson, R., The Fundamentals of Legal Drafting, Boston, Toronto: Little Brown and Company,1986
2. Goldblatt, A. Introduction to Legal Method in Ethiopia, HSIU
3. Mauet, Thomas A., Pretrial, 6th Edition, Aspen Publishers, 2005
4. Mauet, Thomas A., Trial Techniques, 6th Edition, Aspen Publishers, 2002
5. Rogers, Haydock et al., Fundamentals of pretrial Litigation. (3rd ed.), WestPublishing Co., 1994
6. Roger, John and John, Sonsteng, Trial: Theories, Tactics, Techniques, WestPublishing Co., 1990
7. Mauet, Thomas A. & Warren, Wolfson D., Materials in Trial Advocacy:
8. Problems and Cases (2nd ed), Little, Brown and Company, 1987
9. Bentele, Ursula & Eve Cary, Appellate Advocacy Principles and Practice, 2ndEdition, Cincinnati: Anderson Publishing, 1995
10. Martineau, Robert J. Fundamentals of Modern Appellate Advocacy, LawStudent and Moot Court Edition,1985
11. Horstein, Alan D. Appellate Advocacy in a Nutshell, 2nd Edition, 1998
    Mauet, Thomas A., Trial Techniques, 6th Edition, New York: AspenPublishers, 2002
12. Snape, John & Gary Watt, How to Moot: A Student Guide to Mooting,
    Oxford University Press, 2004

1. Course Identification

Course Name: **Environmental Law**
Course Code:
Credit Hours:2 credit hour/3 ECTS
Prerequisites: none

2. Course Description

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Currently, the issue of protection of the natural environment is gaining global attention. It is more decisive for countries like Ethiopia whose people's livelihoods and the economy mainly depends on the natural environment. In addition to losing vital environmental aspects, such as forests, topsoil, wildlife and wetlands,the country is being affected by solid, liquid and gaseous pollutions. This course covers ethical issues such as why we need to protect the environment via dealing with Earth centered justice for understanding and protection of the life support system of the environment. Moreover, the major legal and institutional frameworks that are put in place for the protection of the environment shall be considered. The course is designed to supply information on the present environmental conditions of Ethiopia and to discuss the roles of policies, laws and institutions in preserving the natural environment for the purpose of ensuring sustainable livelihood for citizens in a sustainable environment. The course also focuses on the study of legal and administrative regulations, procedures and remedies dealing with the protection and preservation of the natural environment and human health. The course will also involve discussions on relevant and latest jurisprudence on the matter.

3. Course Objectives:

Upon the completion of this course, the student will be able to:

- Explain the meaning of the word environment and its relevance to the life support system;
- Comprehend the underlying policies and principles behind environmental laws;
- Identify the actions proscribed under existing laws;
- Gain familiarity with procedural rules and remedies in the prosecution of actions involving violation/s of existing environmental laws;
- Discuss the general and specific objectives of the policy documents relevant in the study of this course;
- Describe the general principles on which the Ethiopian environmental laws are based;
- Identify the most serious environmental law problems in Ethiopia.

4. Teaching Methods

The following teaching methods are used in mixture:

- Lecture

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- Video show (Related to: (1) environmental ethics, e.g. Earthlings; (2) global climate change, e.g. An Inconvenient Truth; (3) loss of biodiversity;
- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies: mainly on pollution;
- Interactive and group discussions.

5. Course Content

Chapter One: General Background of Environmental Law

- Environmental Ethics
- Concepts of the Environment
  1..1. What is Environment?
  1..2. Development of Environmental Law
- Some Serious Environmental Problems
  1..1. Population explosion
  1..2. Industrialization and the advent of high level of consumption and pollution
  1..3. Change in lifestyle of the people
  1..4. Loss of biodiversity and species extinction
  1..5. Rapid economic growth
  1..6. Others
- Basic Principles in Environmental Law
  1..1. Sovereign rights over natural resources
  1..2. The right to live in a healthy and clean environment
  1..3. Sustainable development
  1..4. Duty to conduct environmental impact assessment
  1..5. Polluter pays principle
  1..6. Precautionary principle
  1..7. Principle of Preventive Action (Prevention)
  1..8. The principle of cooperation and common but differential responsibilities
  1..9. The principle of integration
  1..10. The principle of state responsibility and liability

Chapter Two: Survey of Ethiopian Environment Related Policies and Strategies

- Environmental Policy of Ethiopia, 1997
- Biodiversity Policy of Ethiopia, 1998
- Conservation Strategy of Ethiopia, 1997
- Other Strategic Documents

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Chapter Three: Survey of Environment Related Legislation of Ethiopia

- Environmental and Social Impact Assessment Laws
- Pollution Control and Waste Management Laws
- Hazardous Waste Management and Control Laws
- Forest Laws
- Wildlife Laws
- Land Administration and Utilization Legislation
- Mining Legislation
- Water Resources Laws

Chapter Four: International Environmental Instruments

- Non-legally Binding International Instruments
  1..1. Stockholm Declaration
  1..2. The World Charter for Nature
  1..3. Documents of the Rio Earth Summit
- Legally Binding International Environmental Instruments
  1..1. Framework Convention on Climate Change, the KyotoProtocol and the Paris Agreement
  1..2. Convention on Biological Diversity,the Cartagena Protocol andthe Nagoya Protocol
  1..3. Convention to Combat Desertification and other instruments

Chapter Five: Environmental Litigation, Remedies and Enforcement

- Environmental Litigation
  1..1. Legal Procedures
  1..2. Public Interest Litigation
- Remedies and Enforcement
  1..1. Criminal sanctions
  1..2. Administrative measures
  1..3. Civil measures
  1..4. Economic instruments and self-regulation

6**. Assessment**

- Mid-term exam: 20%
- Assignment: 20%
- Presentation: 5%
- Attendance and Participation: 5%
- Final Examination: 50%

7. Attendance Requirement

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance

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of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

8. References

A. Books

Required Materials

1. Mellese Damtie (2010), *Teaching Materials on Environmental Law*, Eclipse Press
2. Tsegai Berhane &Merhatbeb Teklemedhn (2009), *Environmental Law Teaching Material*, available at: www.chilot.me
3. Philippe Sands et al, (2012) 3rd ed., *Principles of International Environmental Law*, Cambridge University Press
4. Patricia Birnie, Alan Boyle and Catherine Redgwell (2009) International Law and the Environment, Oxford University Press
5. Policies and laws to be provided in due course

Recommended Materials

1. Dejene Girma Janka, Remedies for Environmental Wrong-doings in Ethiopia
2. Daniel Bodansky (2010), The Art and Craft of International Environmental Law, Harvard University Press

1. Course Identification

Course Name:**Tax Law**

Course Code:…

Credit Hours:3 credit hours/ 5 ECTS

Pre-requisites:….

2. Course description

In our modern world, a government of a given country is expected to discharge various and complicated responsibilities. To mention but some of them, a government should distribute resources, allocate resources, stabilize the economy, put in place necessary infrastructure, maintain peace and security, defend the country, combat environmental problems and the like. In order to accomplish all these lofty tasks, the government should raise public revenues as doing so is a matter of necessity, not a matter of choice. Public revenues are of two types. These are tax revenues and non-tax revenues. In many countries of the world, tax revenues account for the significant portion of public revenues though this might not be true in underdeveloped economies where there are poor legal and institutional frameworks for the proper administration of tax.

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Because the issue of taxation is an important concern, students of law should be exposed to the basic principles of taxation. That is why this course is designed to be offered to Ethiopian students of law. To this end, this course has been divided into six chapters. The first chapter of the course deals with general principles of taxation while the second chapter deals basic principles of the new Income Tax Proclamation of Ethiopia. Chapter three of the course covers VAT. Under this chapter, attempt will be made to critically analyze the basic features of VAT. In doing points such as meaning and nature of VAT, historical development of VAT, types of VAT, methods of computing VAT, advantages and disadvantages of VAT, features of Ethiopian VAT, taxable supplies, taxable activities, taxpayers, tax rates, exemptions, time, place and value of supply, registration and deregistration and other procedural issues will be dealt with. Chapter Four of the course is devoted to the analysis of the basic futures of other indirect taxes such as TOT, excise tax, customs duties and stamp duties. The last chapter shall deal with basic principles of tax administration under the new Ethiopian Tax Administration Proclamation.

3. Course objectives

Having completed this course, students should be able to:

- Identify sources of public revenues;
- Define tax and analyze its basic features;
- describe theories and canons of taxation and evaluate their application to modern tax systems in general and the Ethiopian tax system in particular;
- Analyze the classification of taxes and discuss the significance of classification;
- Discuss division of power of taxation under the FDRE Constitution;
- acquaint themselves with the history, evolution, and development of Ethiopian tax system in general;
- identify the major types of taxes prevailing in Ethiopia both at the federal and regional levels;
- Familiarize themselves with salient features of the Ethiopian income tax system.
- Grasp the basic features of the Ethiopian VAT system;
- Grasp the application of the Turnover Tax (TOT) for small businesses, and the peculiar features of the TOT.
- identify the various forms of other indirect taxes such as excise taxes and stamp duties;
- analyze the basic principles and procedures of Ethiopian Customs laws;

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- discuss the basic features of the Ethiopian system of tax administration;

3. Teaching methods

The teaching method will involve the lecture method focusing on analysis and description of concepts, theories and principles, legal provisions and cases. Real cases will be raised in class and discussed by students. In addition, hypothetical problems will be developed to illustrate technical issues and throw light on the provisions of tax laws of Ethiopia. Therefore, students should at all times remain alive to the issues raised and the problems tackled in class.

4. Mode of assessment

there will be group assignments, presentations, quizzes, mid-semester exams and final examination. The group assignment (including presentation), the quiz and the mid semester exam shall together account for 50%. The remaining 50% of the total grade for the course shall be accounted for by the final exam.

5. Attendance policy

Students should attend at least 85% of the total hours allotted to the course. A student who does not meet this requirement is not eligible to sit for exam.

6. Course outline

CHAPTER ONE: INTRODUCTION TO TAXATION

1.1. Introduction to Public Revenues: Tax sources and Non-tax sources of Public Revenues

1.2. Definition and Classification of Taxes

1.2.1. Definition

1.2.2. Classification: Classification on the Basis of Shiftabilty (Direct vs. Indirect Taxes), Classification on the Basis of Rate and Classification on the Basis of Components of the Tax System(Single Tax System vs. Multiple Tax System; Advalerom Tax v Specific Tax

1.3. Objectives of Taxation

1.4. General Theories and Canons of Taxation

1.4.1. Theories of Taxation: The Efficiency Theory, the Socio-political Theory, the Benefits Received Theory, the Cost of Service Theory and the Ability-to Pay Theory

1.4.2. Principles of Taxation (Canons of Taxation): Canons of Equality of Benefit, Canon of Convenience, Canon of Certainty, Canon of Economy and Other Canons of taxation

1.5. Some General Principles in Relation to Tax Laws

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1.5.1. Tax Legislative Process
1.5.2. Power to Make Tax Laws and the Legal Framework
1.5.3. General Principles and Limitations on Power to make Tax Laws
A. Principle of Equality
B. Principle of Fair Play (Public Trust in Tax Administration)
C. Principle of Proportionality and Ability to Pay
D. Principle of Non-retroactivity
1.5.4. Interpretation of Tax Laws

1.6. Taxation in Ethiopia: An Overview

I.1. History of Taxation in Ethiopia
I.2. The Ethiopian Tax Policy
I.3. Tax Reforms in Ethiopia
I.4. Major Types of Taxes in Ethiopia
I.5. Sources of Ethiopian Tax Laws

CHAPTER TWO: THE ETTHIOPIAN INCOME TAX SYSTEM

2.1. Definition of Income, Gross Income, Taxable Income, Global and Schedular Tax System

2.2. Income Tax Jurisdictions in Ethiopia

2.2.1. Scope of Application of the Income Tax Law
2.2.2. The Nationality Principle
2.2.3. The Territoriality Principle: Source Principle vs. Residence Principle

2.3. The Problem of International Double Taxation

2.3.1 Juridical Double Taxation versus Economic Double Taxation
2.3.2. Causes of Juridical Double Taxation
2.3.2.1. Source-Source Conflict
2.3.2.1. Source-Residence Conflict
2.3.2.3. Residence-Residence Conflict
2.3.3. Double Taxation Relief Methods: Unilateral and Treaty Based Relief Methods
2.3.3.1. The Exemption Method
2.3.3.2. The Deduction Method
2.3.3.3. The Foreign Tax Crediting Method
2.3.3.4. Treaty Based Methods

2.4. Fundamental Changes Introduced by the New ITP

2.4.1. Inclusion of Taxation of the Extractive Industries
2.4.2. Defining Sources of Income

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2.4.3. Change Tax Rates
2.4.4. Residual Tax Rates
2.4.5. Focus on Substantive Provisions
2.5. The Income Tax Schedules
2.5.1. General Features of the Schedules
2.5.2. Schedule A (Employment Income) Base and Rates
2.5.3. Schedule B Rental Income): Base, Rates and deductions
2.5.4. Schedule C (Business Income):Base, Rates and Deductions
2.5.5. Schedule D (Miscellaneous Income): Bases and Rates
2.5.6. Schedule E: Exemptions
2.6. Some Conspicuous Procedural Issues under the New ITP

CHAPTER THREE: THE VALUE ADDED TAX LAW IN ETHIOPIA
3.1. Introduction to Consumption Taxes
3.2. Meaning and Features of Value-Added Tax
3.3. Historical Background of Value-added Tax (VAT)
3.4. Types of Value-added Tax, Methods of Computing VAT Liability
3.5. Features of VAT in Ethiopia: Consumption Type, Destination Principle and the Credit Method
3.6. Taxpayers, Supply of Goods and Services and Taxable Activities under the Ethiopian VAT
3.6.1. Taxpayers: Registered Persons, Importers and Reverse Taxation
3.6.2. Supply of Goods or Services
3.6.3. Mixed Supplies
3.6.4. Taxable Activity (Transaction)
3.7. Rates of VAT and Transactions Exempt From VAT
3.7.1. Rates of Tax
3.7.2. Zero-Rating
3.7.3. Exempt Transactions
3.8. Place, Time and Value of Supplies
3.8.1. Place of Supply
3.8.2. Time of Supply
3.8.3. Value of Supply
3.9. Registration for VAT: Voluntary Registration and Compulsory Registration
3.10. Calculation of VAT Payable and Tax Crediting under the Ethiopian VAT
3.10.1. Calculation of VAT
3.10.2. Tax Crediting

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CHAPTER FOUR: OTHER INDIRECT TAXES: TOT, EXCISE TAX, CUSTOMS AND STAMP DUTY LAWS OF ETHIOPIA

4.1. Introduction
4.2. Turnover Tax (TOT)
    4.2.1 General Remarks
    4.2.2. Scope of Turnover Tax
    4.2.3. Rate of Turnover Tax and Exemptions
    4.2.3. Declaration, Assessment and Payment of TOT
4.3. Excise Taxes
    4.3.1. General Introduction
    4.3.2. Rate, Base and Payment of Excise Tax
    4.3.3. Exemptions
4.4. Stamp Duty
    4.4.1. Instruments Chargeable with Stamp Duty
    4.4.2. Rates of Stamp Duty and Mode of Valuation
    4.4.3. Liability, Time and Manner of Payment
    4.4.4. Exemptions
5.5. Customs Duties
    5.5.1. History
    5.5.2. Objectives
    5.5.3. Basic Principles
    5.5.4. Valuation Methods
    5.5.5. Other Procedural Matters

CHAPTER SIX: TAX ADMINISTRATION IN ETHIOPIA

6.1 General introduction
6.2 Introduction to tax administration
6.3 Introduction to the new FTA
6.3.1 Scope
6.3.2 Major components
6.3.3 New features
6.4 Tax enforcement mechanisms under the Ethiopian tax system
6.5 Administrative penalities and rewards
6.6 Offenses and their punishment under the Ethiopian tax laws
6.7 The Ethiopian tax dispute settlement system
    6.7.1. The Review Department
    6.7.2. The Tax Appeal Commission
    6.7.3. The Regular Courts
    6.7.4. Can ADR be of Some Help to Settle Tax Disputes in Ethiopia?
    6.7.5. Does Tax Ombudsman Work in Ethiopia?

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A. Mandatory Reading Materials

1. Amanuel Assefa, 'Ethiopia's Tax Treatment of Expatriate Academic Staff: Study of the Legal Regime and Practice in the Public Higher Education Institutions,' in Taddese Lencho and Kyle Logue (eds.), Ethiopian Tax System: Some Contemporary Issues and Problems, Ethiopian Business Law Series, Vol.VI, 2014, pp. 27-51.
2. Aschalew Ashagre, 'Power of Taxation over Income of Employees of Public Enterprises Owned by the Federal Government of Ethiopia: A Case Comment,' Bahir Dar University Journal of Law,Vol.3, No.2, July 2013.
3. Aschalew Ashagre, Some Notes on Ethiopian Tax Laws, Unpublished, available with the author and to be distributed in class in due course of time.
4. Aschalew Ashagre, የታክስከፋይቅሬታዎችአፈታትሥርዓትበኢትዮጵያ, 2014, Mizan Law Review, Vol.8, No. 1.
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6. Aschalew Ashagre, Review of the Ethiopian Tax Appeal System: Practice Oriented Study(2015, unpublished available with the author)
7. Aschalew Ashagre, A Note on Resolution of Tax Disputes Arising from DTTs and Implications for Developing Countries, Mizan Law Review,Vol.13, No.3,2019.
8. Aschalew Ashagre Byness, 'Adjudication of Tax Disputes within the Tax Authority in Ethiopia: Critical Reflections on the Law and the Practice' (2020) 11 Bahir Dar U JL.35.
9. Aschalew Ashagre, Tax Appeal Proceedings before the Tax Appeal Commission in Ethiopia: Critical Reflections, Mizan Law Review, Vol.14,No.2, 2019.
10. Bekele H/Sellassie, "Ethiopia: The Constitutional Law of Taxation and its Implication for Federal-State Relations" (LL.M thesis, University of Wisconsin Law School, unpublished, 1999) [Available at Archive, Law Faculty, AAU].
11. Bekele Haileselassie, "Limitation of Action in Relation to Recovery of Taxes on Income from Sources Chargeable under Schedule "C" of the Ethiopian Income Tax Proclamation" J.Eth. Law, vol. 16

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12. Bekele Haileselassie, “The Salient Features of Ethiopian Income Tax” J. Eth. Law, Vol. 15
13. Bereket Fetene, ‘Tax Evasion and Avoidance in the Tax Incentives Regime in Ethiopia: The Law and the Practice,’ in Taddese Lencho and Kyle Logue (eds.), Ethiopian Tax System: Some Contemporary Issues and Problems, Ethiopian Business Law Series, Vol.VI, 2014, pp. 53-92.
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15. Kinfemichael Yilma, ‘On Tax Foreclosure Rules and Taxpayers’ Rights to Privacy and and Access to Justice,’ Ethiopian Journal of Human Rights, Vol. 1, March 2013.
16. Misganaw Gashaw, ‘*The Room for Alternative Dispute Resolution (ADR) Process in Tax Disputes: A Message to the Ethiopian Tax Administrations*,’ in Yazachew Belew (ed.), The Resolution of Commercial/Business Disputes in Ethiopia: Towards Alternatives to Adjudication? Ethiopian Business Law Series, Vol.5.
17. Taddese Lencho and Hanna Arayaselassie, ‘*Divided over Dividends: The Recent Controversies over the Meaning and Scope of Dividends and Lessens from Comparative Experience*’, in Taddese Lencho and Kyle Logue (eds.), Ethiopian Tax System: Some Contemporary Issues and Problems, Ethiopian Business Law Series, Vol.VI, 2014, pp. 147-182.
18. Taddese Lencho, ‘*Articulating Ethiopia’s Current Tax Policy: Sources and Fundamental Objectives*,’ in Taddese Lencho and Kyle Logue (eds.), Ethiopian Tax System: Some Contemporary Issues and Problems, Ethiopian Business Law Series, Vol.VI, 2014, pp. 1-26.
19. Taddese Lencho, ‘The Ethiopian Tax System: Cutting through the Labyrinth and Padding the Gaps, Journal of Ethiopian Law, Vol. 25, No1, 2011.
20. Taddese Lencho, ‘Towards Legislative History of Modern Taxes in Ethiopia (1941-2008),’ Journal of Ethiopian Law, Vol. 25, No 2, 2012.
21. Taddese Lencho, “Income Tax Assignment under the Ethiopian Constitution: Issues to Worry About”, Mizan Law Review, Vol. 4, No 1, 2010.

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22. Wollela Abehodie, 'Value added Tax Administration in Ethiopia: A Reflection of Problems,' eJournal of Tax Research, Vol. 6, No. 2, pp.145-168.
23. Yitayal Mekonnen, '*Taxation of Directors' Remuneration in Ethiopia*,' in Taddese Lencho and Kyle Logue (eds.), Ethiopian Tax System: Some Contemporary Issues and Problems, Ethiopian Business Law Series, Vol.VI, 2014, pp. 93-222.
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25. Zerihun Asegid, 'Standard Assessment of Small Business in Addis Ababa City: Legal and Practical problems in Focus,' in Taddese Lencho and Kyle Logue (eds.), Ethiopian Tax System: Some Contemporary Issues and Problems, Ethiopian Business Law Series, Vol.VI, 2014, pp. 123-145.

B. <u>Recommended Reading Materials</u>

1. Assefa Fisseha, Federalism and the Accommodation of Diversity in Ethiopia: A Comparative Study, Wolf Legal Publishers, 2005/2006.
2. Eshetu Chole (ed), Fiscal Decentralization in Ethiopia, 1994.
3. Eshetu Chole, Underdevelopment in Ethiopia, 2004.
4. Eshetu Chole,' Income Taxation in Pre-and Post-Revolution Ethiopia: A Comparative Review, Ethiopian Journal of Development Research, Vol. 9, No. 1 (1987)
5. Eyerusalem Ejigu, The Foreign Tax Credit System: Its Limitations and Computation Methods under Proclamation No286/2002, Senior Thesis, unpublished, Faculty of Law, A.A.U, 2006.
6. Fuli Cao, Corporate Income Tax Law and Practice in the People's Republic of China, Oxford University Press, 2011.
7. Gebreamlak Gebregiorgis, Types of Tax Exemptions and Their Respective Scopes of Application in Ethiopia, Senior Thesis, unpublished, Faculty of Law, A.A.U, 1998.
8. Gebrie Worku, Tax Accounting in Ethiopian Context, 1st Edition, 2006
9. Kalkidan Negash, Taxation of Multinational Enterprises in Ethiopian Law, Senior Thesis, unpublished, Faculty of Law, A.A.U 2005.
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has contained 23 chapters on various aspects of taxation in general.

C. Other Reading Materials

1. A. B. Atkinson,Optimal Taxation and the Direct versus Indirect Tax Controversy, *The Canadian Journal of Economics / Revue canadienne d'Economique*, Vol. 10, No. 4. (Nov.1977), pp. 590-606.
2. Alan Schenk, Value Added Tax: A Model Statute and Commentary, A Report of the Committee on Value Added Tax of the American Bar Association Section of Taxation, 1989;
3. Alan Shenck and Oliver Oldman, Value Added Tax: A Comparative Approach: with Materials and Cases, Transnational Publishers, Inc., 2001
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8. B. Q. Posin, Federal Income Taxation of Individuals, 2nd Edition, 1993
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13. Cox and Ross, Capital Gains on Businesses, 1992.
14. Diamond, International Tax Treaties of All Nations (several volumes)
15. Dieter Endres, Elemens Fuest, Chrstoph Spenegal (eds.), Company Taxation in Asia- Pacific Region, India and Russia, 2010.
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[4] Students are highly encouraged to consult regional tax laws.

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30. OECD Transfer Pricing Guidelines for Multinational Enterprises and Tax Administrations, 22 JULY 2010.
31. OECD Model Tax Convention on Income and Capital, July 2010.
    a. United Nations Hand book on Selected Issues in Administration of Double Tax Treaties

E **Selected Court Cases decided by the Cassation Division of the Federal Supreme Court**

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- File No. 39574 (Rental Income Tax)
- File No. 54061(Criminal Responsibility of a manager)
- File No. 49889 (Powers and Responsibilities of ERCA)
- File No. 48621 (Time of Appeal to the TAC)

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- File No. 57100 (Priority right of ERCA over the assets of the taxpayer)
- File No. 64819 (contraband)
- File No. 56266 (Temporary importation)
- File No. 60400 (contraband)
- File No. 65656 (contraband)
- File No. 65330 (Income Tax Exemption)
- File No. 59711 (Appeal to the regular court)
- File No. 51090 (VAT Offense)
- File No. 59851(VAT Registration)

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- File No. 64115 (customs offense)
- File No. 66474 (Income Tax Exemption)
- File No. 69677(Rental Income Tax withholding)
- File No. 66350 (Time of Tax Appeal)
- File No. 69921 (Tax Assessment by Estimation)
- File No. 68422(VAT Offense)
- File No. 65361(Rental Income Tax)
- File No. 72824 (Category of Taxpayer)

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1. Course identification

Course Name: **Employment Law**
Course Code:
Credit Hours: 3 Cr/Hr/5 ECTS
Prerequisite:

2. Course Description

The Ethiopian employment regime has two broad categories. These are the Labour Law regime and the Civil Service regime. The Labour Law regime mainly regulates the employment relations in the private sector while the Civil Service is intended to govern the civil service sector of employment.

[5] Additional cases decided later in time by the Tax Appeal Commission and the regular Courts will be indicated in due course, as appropriate.

Since the enactment of a labour code is constitutionally allocated to the federal jurisdiction, the labour law regime is being governed by a single federal proclamation. The Civil Service regime, however, has instruments of Federal and Regional nature. The Federal Civil Service Proclamation regulates the employment relations of the federal civil servants; while the regional instruments govern the employment relations of the respective Regions with respect to their civil servants. Nevertheless, it is important to note that the basic principles for both the federal and the regional civil service are substantially the same.

Be that as it may, this course will mainly focus on the labour law employment regime. The reason for this approach is mainly time constraint; as both regimes cannot be fairly treated by allocating 5 ECTS or 3 Credit hours. Therefore there is a need to make choice. In making choice, in our view, the civil service employment regime is more of an administrative law type than a contractual relation. Most, if not all, its conditions of work are legislatively determined without giving room for bargaining and flexibility. It is almost take it or leave it style of relationship. Thus it is less controversial and less litigated in the world of practice.

The labour law employment regime, for its part, follows a different pattern. Many of the terms of employment are left to private ordering and what is legislatively determined is minimal. It thus provides space for negotiation, flexibility and give and take modus operandi. As a result, it is a source of controversy and litigation in the world of work. Therefore it demands special attention and consideration. In fact, in earlier times, in this school, the course was being offered purely as labour law focusing exclusively the labour law regime. The civil service employment regime had been marginally treated under the course on “Administrative Law”.

This does not mean that the civil service employment regime will be ignored altogether. There will be rooms for its consideration here and there; and where appropriate. In fact, in order to acquire a comparative insight an attempt will be made to pin point the similarities and differences of the Labour and the Civil service employment regimes. With this purpose in view, the two main regulatory instruments Labour Proclamation (i.e. No. 1156/2019) and the Federal Civil Servants’ Proclamation (i.e. No.1064/2017) will be frequently consulted throughout the semester. Furthermore the FDRE Constitution and the

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relevant ILO legal instruments will also be items of consultation in due course.

As regards to chapterization, the first chapter will commence by briefly introducing the historical development of employment law in Ethiopia. It is well know that it is difficult to appreciate the present and anticipate the future without having an idea on when and how it developed over time. From this perspective, understanding history is important.

The second chapter will be dealing with the contract of employment and the elements thereto together with the legal effects of the relationship; and how it differs from other "ordinary" contracts. The peculiar nature of the relationship, the rights and obligations of the parties and other related issues will be addressed as well. Moreover, concepts such as temporary suspension of rights and obligations of the parties together with the grounds of suspension shall be considered.

The third chapter will be devoted towards analyzing termination of a contract of employment. Various grounds of termination and the effected associated with such termination will be dealt. Moreover, issues of unlawful termination alongside with their effects will be considered as well.

The fourth chapter will be about the so called "special category of employee's" and their treatment under the law. Issues of youth employment, gender and disability will be entertained in this chapter. Treatment of foreign employees in the domestic labour market will also be handled. The fifth chapter is devoted towards elaborating the minimum working conditions the so-called "floors of rights" stipulated by law under both employment regimes.

The sixth chapter handles issues of formation of industrial associations, procedure of registration and obtaining of legal personality to engage in lawful activities will be examined. Procedure for the dissolution of associations and organs empowered to pronounce dissolution will be relevant subjects under this chapter. As formation of associations is not an end by itself, the seventh chapter will examine a closely related issue which is collective bargaining. Collective bargaining for its part leads towards the conclusion of collective agreements. Finally collective agreements together with their status, duration and scope of application will be entertained. The eighth chapter, which is the final chapter for

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the course is devoted to examining employment dispute management and resolution mechanisms.

3. Course Objectives

Having completed this course, students will be able to attain the following general objectives:

- Discuss the historical development of employment law in Ethiopia;
- Identify the forms and contents of contract of employment and their peculiar features;
- Outline the special categories of employees and the need for their special treatment;
- Explain the concept of minimum working conditions and their significance;
- Understand the need for cooperation rather than confrontation between employers and employees;
- Compare and contrast the labour and civil service employment regimes;
- Identify the necessary procedures for collective bargaining and agreements;
- Pin point the modalities for dispute resolution if and when it arises;
- Reflect on the role of employment law in maintaining industrial peace, and fruitful employer-employee relationships;

In addition to these, **specific objectives** spelt out hereunder will be some of the learning outcomes of this course will be:

- Outline the historical development of Ethiopian labour law;
- Identify the essential definitional elements of employment relation;
- Briefly overview the historical development of civil service law in Ethiopia;
- Define what suspension is and the grounds thereto and its effects;
- Spell out the grounds for termination of contract of employment;
- Enumerate the respective legal consequences for lawful and unlawful terminations;
- Describe the treatment accorded to the so called “special categories of employees” and the rationale of such differential treatment;
- Identify the items of minimum employment conditions;

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- Outline the collective bargaining process leading towards collective agreement;
- Understand the legal status of collective agreements;
- Enumerate the various organs empowered for employment dispute resolution together with their respective jurisdictions;
- Explain the concept of industrial action and the procedures for implementing it.

4. Teaching Methods

The manner of delivery for this course will be a fair combination of lectures, class discussions and group works. Basically, the method to be employed will be participatory and student centered in the sense that students will, to the extent practicable, be provided with sufficient time and favourable environment to express their views on issues under consideration. To this end, students will be expected to make the necessary advance preparation for each session by undertaking the prescribed (recommended) readings on the relevant laws, textbooks and cases prior to class sessions.

5. Methods of Assessment

Regular class attendance and participation shall carry 20% of your achievement for the module. Mid-exam shall carry 30% of your achievement in the module. The remaining 50% shall be earmarked for the final exam. Grading will take into account achievements in continuous assessment and be administered in a transparent manner and based upon clearly defined tools of assessment.

6. Attendance Policy

Coming to class on time is strongly advisable; as no one will be allowed to check in after the expiry of the first 10 minutes of the class session. Class attendance shall be compulsory. Random check of attendance by calling names may be undertaken. Each recorded absence shall entail a reduction of grade points. In case of absence beyond 25% of the class sessions, no grade (NG) shall be entered.

7. Course Outline

Chapter One: Introduction

1.1 Nature and Definition of Employment Law
1.2 Development of employment law in Ethiopia
1.3 Sources of employment law
1.4 Scope of Application of employment law

Part One: Individual Employment Relations

Chapter Two: Contract of Employment

2.1 Formation of the relations

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2.1.1. Under the Labour Proclamation
2.1.2. Under the Civil Service
2.1.3 Exclusions
2.2 Obligation of the parties
2.3 Suspension of a contract of employment
2.3.1 Valid grounds of suspension
2.3.2 Effect of suspension
2.3.3 Expiry of suspension and its effects

Chapter Three: Termination of a contract of Employment

3.1. Lawful Grounds of Termination
3.1.1. Termination by the operation of law
3.1.2. Termination by the agreement of the parties
3.1.3. Termination upon the initiation of the employer (dismissal)
-Extra-ordinary dismissal
-Ordinary dismissal
-Group dismissal (reduction of labour force)
3.1.4. Termination upon the initiation of the employee (resignation)
-Ordinary resignation
-Extra- ordinary resignation
3.2. Effects of lawful termination (separation package)
3.3. Unlawful termination
3.3.1. Procedural unlawfulness
3.3.2. Substantive unlawfulness
3.4. Effects of unlawful termination

Chapter Four: Special categories of employees

4.1. Employees under probation
4.2. Young employees
4.3. Female employees
4.4. Employment of persons with disability
4.5. Non Ethiopian employees

Chapter Five: Legally stipulated minimum labour conditions

5.1. Minimum wage
5.2. Employment Security
5.3. Regular working hours, weekly rest day, Holidays and Leaves
5.4. Safe and healthy working condition
5.5. Liability for employment injury
5.5.1. Existence of liability
5.5.2. Extent of liability

Part II: Collective Employment Relations

Chapter Five: Freedom of Association

6.1. Legal framework for industrial associations

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6.2. Trade union and Employer's Associations
6.3. Formation and Operation of industrial associations
-minimum union membership
-"mono union policy" vs "plural unions policy"
6.4. Suspension and dissolution of associations

Chapter Seven: The Collective Bargaining Process and Collective Agreement

7.1. The Bargaining Process (representation)
7.2. The duty to bargain in good faith
7.3. The concept of "the most representative union" as "an exclusive bargaining agent"
7.4. Conclusion and registration of collective agreements
7.5. Legal status and duration of collective agreements

Chapter Eight: Employment Dispute Settlement mechanisms

8.1. **Organs of Dispute settlement**
- 8.1.1. Organization
- 8.1.2. Composition
- 8.1.3. Jurisdiction

8.2 **Modalities of Dispute Settlement**
- 8.2.1. Arbitration and Conciliation
- 8.2.2. Disciplining
- 8.2.3. Adjudication
- - Labour Relations Board
- -Labour division of the Regular Courts
- -Administrative Courts
- 8.2.4. Industrial Action (self-help measure)

9. Current Developments

8. References

A. Laws

1. Labour Proclamation No. 1156//2019
2. Federal Civil Servants' Proclamation No. 1064/ 2017
3. FDRE Constitution of 1995
4. Title XVII of the Civil Code
5. Federal Civil Servants Disciplinary and Grievance Procedure Regulation No. 77/2002
6. The Rights of Persons with Disability to employment Proc. 568/2008
7. Private Organization Employees' Pension Proclamation No. 715/2011 (with amendment)

B. Books

1. Marco Guadagni, Ethiopian Labour Law Hand Book (1972)

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2. Employment Law, Horn Book, West Publishers
3. Mehari Redae, Simplified Guide to Ethiopian Labour Law, published by ILO Eastern Africa Regional Office, (2008)
4. Mehari Redae, "Privatization in Ethiopia: the challenge it poses to unionization and collective bargaining" (PhD thesis: 2015) Google search; available at: http://wrap.warwick.ac.uk

C. ILO Documents

1. ILO Constitutions, ILO Office, 2001
2. The Employment Relationships, ILC, 95th session, (2006)
3. Equality in Employment and Occupation, ILC, 83rd session (1996)
4. Equal Remuneration, ILC, 72nd session (1986)
5. Protection against unjustified dismissal, ILO (1995)
6. Freedom of Association, ILO, Fourth ed. (1996)
7. ILO Conventions No. 87, 98, 158

D. Few Federal Supreme Court Cassation Division decisions

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2. Telecom Corporation *vs* Tiegist Worku; File No. 11924: Vol. 3
3. Arsi Agricultural Development *vs* Solomon Abebe; File No. 15815: Vol. 3
4. Ethiopian Electric and Power Authority (ELPA) *vs* Anley Neway; File No. 16648: Vol. 3
5. Tilahun Asfaw *vs* Addis College; File No. 25526: Vol. 4
6. Ethiopian Light and Power Authority *vs* Adugna Gemeda: File No. 15533:P Vol. 4
7. Ethiopian Electric and Power Authority (EELPA) vs Dereje Woldekidan; File No.34585: Vol.6
8. Commercial Bank of Ethiopia vs. Haile G/Silassie; File No.22275: Vol. 6
9. Hamere Worke St. Mary Church *vs* Deacon Mihret Birhan & et al. File No. 18419:Vol. 8
10. Filwuha Services *vs* Bereket Teklemariam; File No. 39543: Vol. 8
11. Mamie Asseffa et al *vs* National Tourism Agency; File No. 42752: Vol. 8
12. Yerer Ber Misrak Tsehay Kidus Raguel Church *vs* Kes Sefinew Desalegn & et al. File No. 39650; Vol 8
13. Midroc Construction Plc. Vs Ato Moges Shiferaw ; File No.41115: Vol.8
14. Addis Ababa Cultural Restruant vs Yewubdar Tilahun; File No. 37256: Vol.8

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15. Ethiopian Electric and Power Authority vs. Kebede Abunetie; File No.42292: Vol.8
16. SOS Children's Village vs. Kebede Kumsa et al*;* File No.38435:Vol.8
17. Selam Technical vs Vocation Training Centre and Kebede Seifu; File No.37454: Vol.8
18. Gosh and Ergib medium level transport service and Tessema Hailu; File No.49931: Vol.9
19. Ghion Travel and Tours *vs* Daniel Asfaw; File No. 49958: Vol. 9
20. Salini Construtori SPA *vs* Ato Tiglu Firew: File No. 46363; Vol. 9
21. Ethiopian Postal Service *vs* Tilahun Kuma; File No. 53358; Vol. 9
22. Addis Abeba Hilton Hotel vs Yonas Tilahun ; File No.50009: Vol.: 9
23. Dashen Bank vs Zenebe Dinkesssa; File No. 53985: Vol.11
24. Ethiopian Electric Corporation vs Getnet Mekonnen; File No. 64079: Vol.11
25. World Vision Ethiopia vs Ato Mezemir Mekbib; File No. 79105: Vol.13
26. Abjata Soda Ash Share Company vs Martha Abebe; File No.82336: Vol.14
27. Holy Angels vs Melkamu Alemayehu: File No. 82335: Vol.14
28. Ethio-Telecom South-Western Gambella Region and Saba Mengesha; File No.94102: Vol. 16

1. Course Identification

Course Name:**Law of Traders and Business Organizations**
Course Code:…
Credit Hours:4 credit hours/ 7 ECTS
Pre-requisites:None.

2. Course description

The course on the Law of Traders and Business Organizations deals with a body of laws that apply to the rights, relations and conduct of persons engaged in commerce, merchandizing, trade and sales. The course examines laws regulating operation of trading activities by sole proprietors and business organizations as enshrined in the Commercial Code of Ethiopia and other relevant laws. The course also explores laws regulating consumer protection and bankruptcy proceedings. This course focuses on Titles of Book I and II of the Commercial Code of

Ethiopia that deal with traders and business organizations, covering the definition and concepts related to trading activities, traders and the rights and obligations of persons with the status of a trader. It shall also deal with the protection of consumers. The concept of business, elements of business, sale and mortgage of business, the concept of business organization and its distinction from sole proprietorship and other civic associations, types of partnerships, the formation and management of partnerships, liability of partners, dissolution and winding-up shall also be discussed. The last parts shall expound the definition and nature of share companies, the formation formalities of share companies, the roles, rights and liabilities of founders, the definitions of shares and debentures, the forms and transfer of shares, forms of debentures, classes of shares and rights conferred on shareholders, rights and duties of shareholders, the administration of a share company, procedures for changing companies, the formation and regulation of private limited company, and the liability and reorganization and liquidation of business organizations.

3. Course objectives

At the end of this course, it is expected that students will be able to:

- Understand the definition, rights and duties of traders
- Understand different forms of business organizations and legal principles on the nature, formation, administration and dissolution of business organizations;
- categorize persons who have the status of a trader and their rights and obligations;
- Advise traders as to their rights and obligations under the Commercial Code and other relevant legislations;
- Have a comprehensive understanding on the existing laws regulating consumer protection in Ethiopia and basic procedures for handling consumer disputes
- Draft partnership agreements for each type of business organization;
- Counsel founders on formalities in forming business organizations and their rights and liabilities as founders;
- Render decisions on business disputes involving persons and business organizations;
- identify the legal lacunas witnessed in the Commercial Code in the regulation of corporate entities;
- acquaint with the types of business organizations recognized under the Commercial Code of Ethiopia;

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- Understand the dissolution and winding up of business organizations. –
- List and apply the cardinal and subsidiary principles of bankruptcy to different practical cases; and compare and contrast bankruptcy and winding up;
- Enumerate and discuss the grounds for the judgment of bankruptcy effects of the judgment;

4. Teaching methods

Lectures, student presentations, group discussions, individual and group assignments and project work

5. Mode of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation and attendance…5%
- Mid Exam/Test/Quiz……..25%
- Individual and group assignments/ Presentation…20%
- Final Exam……50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter I: General Introduction

1.1. The civil v. commercial law dichotomy
1.2. Definition of Trader and Exclusion from the Definition of Traders
1.3. Rights and Duties of Traders
1.4. The Concept of Business and Definition of Business under Ethiopian Law
1.5. Elements of Business

Chapter II: Consumer Protection and Trade Competition

2.1 Introduction to consumer protection law and policies: historical development

2.2Legislative, institutional and policy framework on consumer protection in Ethiopia

2.3 Anti-competitive and unfair trade practice and their effects

2.4 Emerging issues on consumer protection and law

Chapter III: Business Organizations

3.1 Definition of business organizations

3.2 Types of business organizations

3.3 Comparing partnerships with companies

Chapter IV: General Partnership

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4.1.Contribution and management
4.2Rights and duties of partners
4.3.Distribution of profit
4.4.Control of partnership
4.5.Duty to good faith, diligence and non-competition
4.6.Partnership‘s relations with third parties
4.7.Dissolution and winding-up

Chapter V: Joint Venture

5.1 Basic characteristics of joint venture
5.2 Formation, administration and dissolution

Chapter VI: Limited Partnership

6.1. General features
6.2. Transfer of shares
6.3. Management
6.4.Dissolution and winding up

Chapter VII Limited Liability Partnership

7.1 General features
7.2 Management
7.3 Dissolution and winding up

Chapter VIII: Share Company

8.1 Definition and nature
8.2 The fiction theory of legal personality
8.3 Formation of share companies
8.4 Kinds of formation
8.5 Promotional activities
8.6 General and special formation formalities
8.7 Defective formation and its effects
8.8 Founders: rights and liabilities
8.9 Securities and security holders
8.10 Definition and nature of shares
8.11 Types of shares
8.12 Transfer of shares
8.13 Definition and nature of debentures

Chapter IX: Governance of Share Company

9.1.Governance by a body of shareholders
9.2.Procedures for conduct of company meetings
9.3.Business conducted at company meetings
9.4.Governance by the board of directors
9.5.Appointment of directors
9.6.Powers of board of directors

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9.7.Rights of a company directors
9.8Duties and liabilities of directors
9.9Amendments of company constitutional documents

Chapter X: Private Limited Company

10.1 Nature, formation and management
10.2 Shares of PLC
10.3 Dissolution and winding up of share
10.4 Companies and PLC

Chapter XI: One-Member Private Limited company

11.1 Features of OMPLC
11.2 Formation requirements
11.3 Governance of OMPLC
11.4 Dissolution and winding up

Chapter XII: Structural changes and groupings

12.1 Conversion from one to another form
12.2 Merger, acquisition, division and spin-off
12.3 The creation and regulation of corporate groups

8. References

1. Commercial Code of Ethiopia 2021
2. Civil Code of Ethiopia 1960
3. Commercial Registration and Business Licensing Proclamation No. 980/2016
4. Trade Competition and Consumer Protection Proclamation No. 813/2013
5. Food and Medicine Administration Proclamation No. 1112/2019
6. Elias N. Stebek, Consumer Protection Law in Ethiopia: The normative regime and the Way Forward,
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8. Advertisement proclamation No. 759/2012
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11. Davies Paul, Principles of Company Law, 1997
12. Denis Keenan, Company Law, 2005
13. Fekadu Petros G.meskel, Ethiopian Company Law (Amharic), 2nd edition, Far East Trading plc, Addis Ababa, November 2016
14. Fekadu Petros Gebremeskel, Emerging Separation of Ownership And Control in Ethiopian Share Companies: Legal And Policy Implications, 4 MizanL. Rev., 2010

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15. GetahunSeifu, Revisiting Company Law With The Advent of Ethiopian Commodity Exchange: An Overview, 4(1) Mizan Law Rev. 103, 2010
16. GetahunWalelign, Exit Rights of Minority Shareholders in Closely held Corporations: Comparative Study of England, Germany and Ethiopian Laws, Fukouka Japan, 2012 (unpublished)
17. Goldberg Everett, An Introduction to the Ethiopian Commercial Code: Companies Limited by Shares, AAU, Law Faculty (unpublished)
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23. Kenneth W. Clarson et al, West‘s Business Law: Alternate UCC Comprehensive Edition, 1981
24. Melvin Aron Eisenberg, Contractual Freedom in Corporate Law: Articles and Comments,89 Colum. L. Rev. 1461, 1989
25. Powell Smith, V., the Law and Practice Relating to Company Directors, 1969
26. Ronald Anderson et al., Business Law and The Regulatory Environment: Principle and cases, 1998
27. SeyoumYohannes, On Formation of Share Company, Journal of Ethiopian Law, Vol.22 No.2, 2008
28. Robert R. Pennington, Pennington‘s Company Law, 7th ed., Butterworth, London, Dublin and Edinburgh, 1995
29. Anderson, Fox and Twomey, Business Law Principles, Cases, Environment 8th ed., UCC, Southwestern Pub. Co., Cincinnati Ohio, 1983
30. Andrew Muscat, The ability of Holding Companies for the Debt of Insolvent Subsidiaries, Aldershot, Brookfield, USA, Dartmouth, 1996
31. Koen Grens and Bart Sarvees, Corporations and Partnerships in Belgium, Int‘l BruxellesBruyelent, 1997
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36. Ethiopian Insurance Compnay Vs Radia International PLC and Yasin Mohammed, Federal First Instance court, Civil case No. 70/89 of 2000
37. Mamo Telila, Federal First Instance Court, Civil Case File No. 106/92
38. Mr. Zang de KuanVs Get Yan PLC and members, Federal Supreme Court, Civil Case Appeal No. 28921 of 2000
39. Habib KebirVs Daniel Egu, Imperial Supreme Court, Civil Case Appeal No. 533- 60
40. Mr.Zang De kaunVs Get yan PLC and et al, Federal First Instance court, Civil case No. 53642 of 2006
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Legal Clinics II (under construction)

1. Course Identification

Course title: **Exit Exam I and II**
Course code:
Course weight: 6 credit hours/10 ECTS
Prerequites:

2. Course Guidelines (adapted from the National LL.B. Exit Exam Guideline, 2017)

Preamble

Recognizing the existence law exit exam administered nationally following the implementation of the harmonized modular curriculum;

Cognizant of the adoption and application of the revised national law exit examination Guidelines over the past years & the need to contextualize such guidelines by incorporating unique features;

Mindful of the ongoing LL.B curriculum revision nationally and at our School;

Recognizing the importance of comprehensive guidelines at the School level outlining the responsibilities of the School, the staff and the students

Recognizing the adoption of such guidelines will effectively contribute towards students success /performance;

Now, the School of Law has adopted the following Exit Examination Guidelines.

Part I: General Provisions

1. Short Title

These Guidelines may be referred to as the Addis Ababa University Law School Exit Examination Guidelines.

2. Definition

Unless their contexts dictate otherwise, the following words or expressions shall have the meanings given herein-under.

2.1. Law School shall mean the Law School oF Addis Ababa University

2.2 University shall mean Addis Ababa University

2.3. Agency shall mean National Educational Assessment and Examination Agency.

2.4. Center shall mean Education Strategy Center.

2.5. Exit Examination shall mean the yearly national exit examination prepared for graduating LL.B students in Ethiopia and it shall include re-examination for failing students.

2.6. Steering Committee shall mean the steering committee established as per the National Exit Exam Guidelines.

2.7. Consortium of Law Schools shall mean the consortium that includes all law schools of Ethiopian Higher Education Institutions.

3. Objectives of Exit Examination

The national law exit examination shall have the following objectives:

3.1 Monitoring whether the graduate profile of LL.B curriculum has been achieved;

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3.2 Monitoring levels of achievement in the learning outcomes of courses under the LL.B curriculum;
3.3 Facilitating the efforts of students to revise the core learning outcomes of the courses covered by the exit examination;
3.4 Ensuring that only lawyers competent to meet the needs of prospective employers graduate from law schools;
3.5 Creating a constructive competitive spirit among law schools in Ethiopia with a view to encouraging them to give due attention to quality and standards of legal education.

4. Scope of Learning Domains to be assessed in the Exit Exam

4.1. The exit exam shall assess the following learning domains:
a) Knowledge and comprehension;
b) Application, analysis, synthesis and problem solving;
c) Critique and evaluation;
d) Written communication (with due attention to accuracy, brevity, clarity and coherence).
4.2. The terms used in the learning outcomes of the syllabi and course materials represent the following learning domains in addition to which presentation in writing is taken into account:

Taxonomy of categories	Sample verbs stating specific learning outcomes
Knowledge	Identifies, names, defines, describes, lists matters, selects, outlines
Comprehension	Classifies, explains, summarizes, converts, predicts, distinguishes between
Application	Demonstrates, solves, modifies, arranges, relates
Analysis	Differentiates, separates, infers
Synthesis	Combines, creates, formulates designs, constructs, revises
Evaluation	Judges, criticizes, compares, justifies, concludes, supports

5. Emphasis of Learning Domains based on nature of courses

5.1. The learning outcomes of courses stated in the various syllabi and course materials shall determine the percentage of focus to the domains of learning outcomes stated in the preceding provision.

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5.2. Predominantly concept-focused courses shall give more focus to the knowledge and comprehension learning domain.
5.3. Skill oriented courses shall give more weight to the presentation, application and problem solving domains.
5.4. Courses that mainly involve substantive and procedural laws shall fairly cover all domains of learning without neglecting anyone of them.

6. Parts of the Exit Examination

6.1. Based on similarity of their natures, courses that are covered by the exit examination shall be divided into the following four parts.
a) Part I- Private Laws
b) Part II- Public Laws;
c) Part III- Laws of Procedure and Skills
d) Part IV – Miscellaneous Laws

7. Examination Time and Weights of each parts

7.1.Each part of the examination shall be administered in three hours.
7.2.The weights attached to each part of the examination shall be reckoned based on the number of courses they cover and the ECTS they are attached to.

8. Courses covered by Exit Examination

8.1. Exit examination questions shall be prepared based on the following courses.

Part I : Private Laws	Part II: Public Laws	Part III: Laws of Procedure and Skills	Part IV:Miscellaneous Laws/courses/
Law of Family	Constitutional Law	Law of Criminal Procedure	Employment Laws
Law of Successions	Federalism	Law of Civil Procedure	Gender and the Law
Law of Contracts	Criminal Law	Evidence Law	Legal Ethics
Law of Extra-contractual liabilities	Tax Law	Conflict of Laws	Jurisprudence
General Property Law	Public International Law		
Law of Traders & Busi. Org.	Human Rights Law		

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	Environmental Law		

9. Programs covered by Exit Examination

9.1. All undergraduate law students shall sit for exit examination regardless of the modalities of the programs they attend (regular, extension, summer, and distance programs).

9.2. There shall be no preferential treatment for students attending different programs in matters relating to exit examination.

10. Computation of Results for Courses in Exit Examination

The parts of the exit examination shall be computed based on the following weights.

10.1. Part I-30%

10.2. Part II-35%

10.3. Part III-20%

10.4. Part IV-15%

Part II: Setting, Administration, Correction and Security of Exit Examination

11. Nature of the Exit Examination

In accordance with the National Law Exit Exam,

11.1. All exit examinations shall be closed-book except for clean copies of legal documents (laws and Ethiopian cases).

11.2. Notwithstanding the above provision, the consortium of law schools may determine examination that shall be administered as open-book examination.

12. Setting Exam Questions

12.1. The exam shall consist of objective (like multiple-choices and matching) and subjective (short answers, essays and cases) type questions.

12.2. Exit examination questions shall be designed in a way that requires examinees to establish interrelationship among different areas of law.

12.3. Weights shall be assigned to questions in part of the examination as follows:

a) For part I, II, and III, objective questions shall constitute 40% of the questions (multiple choices 30%, Matching 10%) whereas subjective questions shall constitute 60% (case 30%, essay 20%, and short answer 10%).

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b) For part IV, objective questions shall constitute 35% of the questions (multiple 6 choice 25%, Matching 10%) where as subjective questions shall constitute 65% (case 25%, essay 25%, short answer 15%)
c) In all parts, the items under column B for matching questions may not be necessarily more than the items under column A.

17. Eligibility for Exit Exam

17.1. Students shall complete all mandatory courses to sit for exit examination even if some mandatory courses are not covered by the exit examination.
17.2. Notwithstanding the above provision, students shall be allowed to sit for exit examination before they complete their externship.
17.3. The Law School may allow a student who, at the time of the examination, has an F grade or F grades in mandatory course(s) provided there is a possibility for such student to remove the F grade(s) before graduation.
17.4. Non-completion of elective course(s) or F grade(s) in elective course(s) shall not in itself bar a student from sitting for exit examination.
17.5 A student shall complete all tutorial classes offered by the Law School. Failure to attend tutorial without good cause may bar a student from sitting for exit exam.
17.5. A student who is unable to take or who discontinues the exit exam for valid reasons may take it again when it is administered next time provided such reasons are accepted by the Law School.

a) Matters relating to cost of re-sit for such students shall be covered by Law School.

b) If convinced by the reasons presented, the Law School may treat them as students who did not sit for the exam not taken or is discontinued.

18. Re-examination

18.1. A student may sit for re-examination without limit.
18.2 A student sitting for re-examination shall attend special classes arranged by the Law School.
18.2. Make-up examination may be organized for students who fail to pass the examination.
18.3. A student may sit for re-examination when make-up examination is organized or when exit examination is administered as part of the regular exit exam program.

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18.4. Where a major curriculum revision has taken place, the concerned exam administering body may prohibit a student from re-taking exit examination without taking such number of courses as might be required under the circumstances.
18.5. A student who passes some parts of the exit examination shall not be required to re-sit for these parts of the examination. Without prejudice to the mandate of the Steering Committee to determine higher or lower passing marks for each part, a student who scores 50% and above in any part shall not be required to repeat that part if he/she fails in the other parts.
18.6. Notwithstanding the above provision, such a student may opt for sitting for all parts of the examination.
18.7. When a student opts for sitting only for the parts of the examination he/she has not passed, he/she will receive a pass mark based on the average results of all the four parts relying on the new passing mark determined by the steering committee. The previous year's passing mark shall not be used for this purpose.
18.8. For the purpose of reckoning the passing mark of a student who takes different parts of the examination at different times, only the result of the last three years will be considered.

19. Registration for Re-examination

19.1. In consultation with the Agency and law schools, the Center shall set time to register students for re-examination.
19.2. Such time shall be adequate to allow students sufficient time to receive information and complete the registration process.
19.3. In consultation with the Center and the Agency, law schools may extend such time for good reasons.
19.4. Only students who are registered within the time set by the center and/or their law schools shall sit for re-examination.
19.1 The Law School shall ensure the registration of students for re-examination in accordance with the schedule set by the Center
19.5. The Law school shall ensure that students registering for re-examination meet the requirements of these Guidelines and other conditions they set in accordance with these Guidelines such as payment of exam costs.

20. Persons with Special Needs/ Disability

20.1. Visually impaired students shall be offered due services during the examination such as appropriate exam room, exam assistant, exam reader and additional examination time of up to 20 minutes per hour.
20.2 The Law School shall verify exam readers are non-lawyers and communicate their list to the Agency.

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20.2. Persons with other disabilities shall be provided with examination rooms and other facilities convenient to their needs.

21. Time of Exit Examination

In accordance with the Revised National Exit Exam Guidelines,

21.1. Exit exam shall be administered in the last semester of the last year of students' study.

21.2. Exit examination shall be administered once in a year between the last week of Yekatit and the first week of Megabit.

21.3. Notwithstanding the above provision, the Consortium of Ethiopian Law Schools may change the above date of examination for good cause in consultation with the Center and the Agency by taking into account:

a) The time needed for externship;

b) The time needed for exam preparation, administration, correction and release of exit results;

c) The time needed for students' preparation for the exam;

d) The date of graduation.

21.4. The consortium, in consultation with the agency and the center, may arrange re- examination to be administered once in a year in the last week of Tikimit.

21.5. Notwithstanding the above provision, and in consultation with the Center and the Agency, the Consortium of Law Schools may change the date of re-examination for good cause.

21.6. All examinations (regular or re-examination) shall be administered on the same date and at the same time in all law schools.

23. Cost of Examination

23.1. Cost of examination for students sitting for the first time shall be covered by the Law School.

23.2. Students who sit for re-examination shall cover the cost of re-examination as set by the appropriate organ.

23.3. In consultation with the center and the Law School, the Agency shall determine and collect the costs of re-examination through the Law School.

24. Effect of the Examination

24.1. The exit exam shall be graded as either pass or fail.

24.2. The passing mark of the examination shall be determined by the Steering Committee by taking the average results of all the four parts.

24.3. The Steering Committee shall take into account, inter alia, the overall performance of students on the examination, the need of the justice sector, and the degree to which students have acquired the

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required knowledge and skill during their training to determine passing marks.

24.4. The steering committee may determine a different passing mark for disabled students.

24.5. Only students who are able to score the passing marks set by the Steering Committee are eligible to receive his/her degree.

24.6. Without prejudice to the above provision, a student who is unable to score the passing mark shall have the right to receive a document which specifies the courses he/she has taken during his/her stay in the law school.

24.7. Notwithstanding the provision of art. 24.6, law schools shall explicitly indicate in the document they issue to a failing that such student has not received his/her LL.B degree.

24.8. A uniform format of the document to be given to failing students agreed upon by the Consortium of Ethiopian Law schools is attached to theNational Guidelines as ANNEX 2.

24.9. The Law school should give due attention for exit exam in time of recruitment of law instructors.

25. Correction of Examination and Determination of Passing Marks

In accordance with the National Law Exit Exam Guidelines,

25.1. Correction of the examination shall be made anonymously.

25.2. In consultation with the Center and the Agency, the Consortium of Law schools may determine detailed procedures for exam correction.

25.3. Students shall use examinee registration numbers during the exit exam, which is coded by the Agency before correction begins.

25.4. The Law school shall select exam correctors on the basis of the following criteria from their staff.

a) A minimum rank of lecturer;

b) A minimum of two years teaching experience;

c) Professional integrity in accordance with the specific requirement of the Agency;

25.5. The points earned by an examinee shall be reckoned out of one hundred for each part and then converted to the weight attached to each part as per this Guideline.

25.6. The average point earned by an examinee shall be indicated in the certificate of exit exam or in student’s transcript, as the case may be.

27. Exam Results Communication

27.1. Once the correction of the examination is completed, the Agency shall ensure that exam results are communicated to Law School in 15 days.

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27.2. The Agency shall ensure that the Steering Committee determines the passing marks in not more than 15 days from date of completion of exam correction.
27.3. The Center shall send exam results through emails to the Law School within the determined date.
27.4 The Law School shall communicate exam results to students within two working days of receipt of the results.

Part III: Institutional Arrangement for Exit Examination Administration

28. Consortium of Ethiopian Law Schools

28.1. The Consortium of Law Schools which consists of all deans of law schools and a representative from the Center shall be the central organ for matters relating to exit examination.
28.2. In particular, the Consortium shall have the responsibility to request the Ministry of Science and Education to notify universities to implement its decisions that can be implemented at university level.
29. Steering Committee
29.1. The Steering Committee shall have the following members: a) Minister of Science and Education, b) Minister of Justice, c) Federal Supreme Court, d) Justice and Legal System Research Institute, e) Education Strategy Sector, f) Chairperson of Consortium of Ethiopian Law Schools
29.2. The Steering Committee shall have the responsibility to determine the passing mark for exit examination as soon as possible.
29.3. The Steering Committee shall determine the level of preferential treatment students with visual impairment shall obtain in relation to passing mark.

30. Role of the Law School

30.1. The Law School shall distribute copies of teaching materials for the courses covered in exit examination at least a year before the examination.
30.2. The Law School shall arrange tutorials/revision sessions for its students who are preparing for exit exam. Such sessions may include preparation and administration of model exams and exercises.
30.3 All law instructors shall have a duty to deliver tutorial classes on courses normally falling under their competence/specialization.
30.4. Tutorial classes can be delivered in class-room session or through online sessions.

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30.4. The Law School shall ensure that tutorial classes are conducted in like manner with evening classes and instructors shall be remunerated as though they were handling evening program classes.
30.4. Students who sit for re-examination shall benefit from tutorials/revision sessions arranged by the law school upon payment of appropriate fees determined by law schools.
30.5. The Law School shall prepare and administer model exit examinations for its students at the end of the first semester of the fifth year.
30.6. The model exam shall, as much as possible, be similar to the exit examination both in terms of coverage and rigor.
30.7. Students who sit for re-examination shall be allowed to sit for model exam upon payment of appropriate fees determined by the Law School.
30.8. The Law school shall be responsible to provide the necessary legal instruments and documents for its students.
30.9. The Law School shall facilitate the administration of the exit exam by making available exam halls and, where necessary, recruiting non-law instructors for invigilation.
30.10. The Law school shall be responsible for assigning, when requested, academic staff to undertake exam marking.
30.11. The Law school shall play an intermediary role in transmitting information relating to the exam between its students and other pertinent organs.
30.12. The Law School shall provide academic staff profiles to the Agency when so requested.
30.13. The Law School shall abstain from issuing degrees to students who have not passed the examination.
30.14. The Law School shall ensure that all eligible students are registered for examination in accordance with schedule determined by the Center, Agency and/or the Consortium of Ethiopian Law Schools.
30.15. The Law School shall prepare exit examination handbook which contains packages of information about the examination.

31. Roles of the University

31.1. The Addis Ababa University shall facilitate the smooth administration of the exit exam in its campuses, where necessary.
31.2. In particular, it shall provide exam halls, effect timely payment for the examination, and provide appropriate security services.

Part IV: Complaint Handling

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36. Lodging Complaints

36.1. Students shall have the right to lodge complaints relating to the result of their exit examination to the Agency.

36.2. Unless prevented by unforeseen circumstance, no complaint shall be entertained by the Agency unless it is presented in 30 days from the date of release of results by the Agency.

37. Handling Students' Complaints

37.1. The Agency shall respond to students' complaint in 15 days.

37.2. The answer given to the complainant by the Agency shall be final.

37.3. The Agency shall set criteria to screen legitimate complaints from non-legitimate ones.

37.4. If the complainant requests the re-marking of his/her examination script and the complaint is deemed worth entertaining based on its criteria, the Agency shall select four persons for the work which shall be completed in 15 days.

38. Effect of Re-marking

In accordance with the National Law Exit Exam Guidelines,

38.1. Given the subjectivity of exam correction, the result obtained by re-marking shall be adopted and used to determine the complainant's status only if it is greater than the original result.

38.2. Regardless of whether or not it is adopted, the result obtained by the re-marking team shall be final.

Part V: Disciplinary Measures

39. Violation of Exam Regulations by Students

In line with the National Law Exit Exam Guidelines,

39.1. Students sitting for exit examination shall comply with the rules and regulations of Addis Ababa University and that of the Agency in respect of national examination.

39.2. Any student who fails to comply with such rules and regulation shall be sanctioned in accordance with the relevant rules and regulations of Addis Ababa University and the Agency.

40. Disciplinary Breaches by Invigilators

In accordance with the National Law Exit Exam.

40.1. Exam invigilators shall invigilate exit examination in accordance with Addis Ababa University rules and regulations.

40.2. Invigilators who breach the rules and regulations of Addis Ababa University in respect of invigilation shall face disciplinary measures there under.

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Part VI: Miscellaneous Provisions

41. Implementation of the Guidelines

41.1. The Law School shall make decisions necessary for the implementation of these Guidelines.

41.2. The Law School may adopt more detailed rules to implement any section of these guidelines.

41.3. All concerned organs of the University, in particular the Law School, shall strictly apply these guidelines for matters relating to exit examination.

42. Effective Date

42.1. These guidelines shall be effective immediately after its adoption by the Law School.

43. Amendment of the Guidelines

43.1. These Guidelines or any part thereof may be amended by the Law School at any time.

43.2. In particular, the Law School may amend these guidelines if there are changes/amendments to the National Law Exit Exam guidelines.

44. Retroactivity of the Guidelines

44.1. These Guidelines shall not apply retroactively to the detriment of students.

44.2. Notwithstanding the above provision, matters not regulated by the previous Guidelines may be handled in accordance with these Guidelines.

45. Repealed and Inapplicable rules

45.1. No rules inconsistent with these Guidelines or the National Law Exit Exam Guidelines shall be applicable to matters regulated by the Guidelines.

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1. Course identification

Coursetitle:

Externship[6]

Course code:…

Course weight: 3 credit hours/5ECTS

Prerequisites:

[6] Students will be assigned to institutions and start the practice during summer break. And, during the semester, they work 1 day per week.

2. Course Description

An externship is an opportunity for a student to engage in practice based learning, by actively participating in a field of interest. The student typically trails an experienced member of an institution while he or she performs daily tasks under close supervision. The student's supervisor must submit an evaluation, and the student must also demonstrate that he or she learned during the externship. Externship is a type of program where students are placed in different law related institutions, off campus, to learn the actual practice of the law in real life.

This course is designed to provide an experiential learning environment that allows law students to develop their skills and values as novice lawyers. It is also designed to develop students' research, writing and analytic skills through intensive work on a variety of assignments, give students the opportunity to study legal process through their participation in the work of a legal institution, permit students to gain experience in specialized areas of the law through practical experience, and enrich the student's classroom experience upon return to the law school. Though not educational value, it can incidentally serve as an advertisement for future employment by making themselves more marketable to prospective employers.

3. Course Objective

At the end of the course, a student should be able to:

- Develop and improve professional skills;
- Develop the ability to solve legal problems in real-life situations;
- Reflect on values and responsibilities of the legal profession;
- Adjust to the role of the legal professional; and
- Learn how to learn from experience.

Legal Analysis: Students should further develop the ability to select pertinent factual data and analyze relevant legal principles in order to assess and justify the merits of alternative legal positions. Students should enhance their research and writing skills in meeting

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this objective. Students should also develop the ability to expeditiously and effectively use appropriate research materials within the context of analyzing specific legal problems.

Problem Solving/Negotiation: Students should further develop their abilities to find a common ground among competing points of view and work toward a solution acceptable to diverse interests.

Professional Responsibility: Students should be able to develop the ability to recognize the ethical considerations that come into play as a practicing attorney or judge. Students should appreciate the sometimes-conflicting role of an attorney both as an advocate and as an officer of the court.

Self-Awareness: Students should be able to see themselves as productive members of the legal profession. Through their externship experience students can more closely focus upon those aspects of law practice in which they have an interest in order to help determine career paths.

Communication Skills: Students should have the opportunity to improve their ability to communicate both orally and in writing. As the audience changes, students should develop the facility to control and vary communication based on the particular audience (e.g., judge, client, staff, attorney).

4. Writing Requirements

1. Students are also required to keep a record of their activities, which must be signed by the supervising attorney or judge and turned in to the placement supervisor assigned by the SoL. Students may be asked by the SoL assigned supervisor to submit interim report that must reflect the legal work performed by the student. Specifically, the student should describe and discuss the substantive legal and procedural issues on which they are working. At the conclusion of the program, students should produce written reports on their externship experiences. The reports should include a brief summary of the activities they performed in their externship.

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The report should be keyed to the educational objectives of the externship and the student should discuss his/her experience in terms of each objective. Copies of work product that were developed during the semester should accompany the report.

2. Students may redact confidential information from their work product, if necessary. The students should also discuss their own observations of the legal and/or judicial system at work. Additionally, the students should discuss the legal challenges encountered and if and how they were overcome.

5.Externship evaluation

At the conclusion of the externship program, students will be responsible for evaluating the program. The evaluation will be submitted to the SoL assigned supervisor on forms provided for that purpose.

Gradin g

- Field-Supervisor = 60%
- Placement-Supervisor = 40%

The Externship instructor on the side of the SoL shall grade the report of the extern in light of the following criteria:

No.	**Criteria**	**Maximum Marks**	**Score**
1	Summary of activities (including evidence in the annex)	5%	
2	Identifying procedural legal issues	5%	
3	Identifying substantive legal issues	5%	
4	Description of one's own observation of legal and/or judicial system	5%	
5	Identifying legal challenges and proposed solutions	5%	
6	Conventional formatting (introduction, conclusion, editing, layout, etc)	5%	
7	Presentation of report (explanation of works performed, responses to	10%	

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	questions, time management, etc)		
	Total	**40%**	

6.Supervision
Roles

The responsibilities of placement-supervisor are:

- **Preliminary Responsibilities:** the Placement-Supervisor must meet with each extern under his/her supervision to review the goals and objectives of the externship before entering into the Statement and approval.
- **Orientation Component**: the Placement-Supervisor shall give orientation to externs before their scheduled departure to their respective organization. The purpose of the orientation component of the externship is to focus on themes, issues, skills, and experiences of common interest to students and other logistical issues
- **Evaluate Externs**: Placement-Supervisor must evaluate and grade each extern's performance in the course.
- **Communicate with the field supervisor**: The Placement-Supervisor must communicate with the field supervisor at three times during the externship. The first communication will be before the start of the externship to set the terms of the Statements; the second meeting will be during the semester for an interim progress report; and, the final meeting will be at the end of the externship for a final evaluation of the extern. It is the Placement-Supervisor's responsibility to initiate these communications.
- **Evaluate the field placement and field supervisor**: at least once per semester, placement-Supervisors will prepare a short written evaluation of each field placement used by their externs. These evaluations shall be submitted to the SoL.

The responsibilities of the Field-Supervisor are to:

- provide the students with an educational experience through which they will come to understand in a significant way the legal system at work and to foster a real appreciation for the role which practicing attorneys and judges play in our legal institutions. It is imperative, therefore, that students work directly under the

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supervision of an attorney or judge and other legal professionals and those supervisors be fully informed of the educational objectives of the program.

- **Ensure that s**tudents are given the opportunity to perform legal tasks, such as research, analysis, investigation, counseling or legal writing. Non-legal clerical or other tasks must be avoided. Students should be provided with an opportunity to discuss legal issues of concern in the externship with attorneys, judges, and other legal professionals at the placement. Students should be provided with an opportunity to meaningfully observe the inner workings of the legal system. The Field-Supervisor shall ensure such undertakings.
- Should introduce students to the work and role of the externship office, to the working environment, to available support resources, and to the attorneys, judges, and other legal professional's staff with whom the student will be working. The Field-Supervisor in every externship placement is required to be responsible for seeing that all work assignments of students are properly supervised. Proper supervision requires that each student be given adequate, appropriate, and considered direction in work assignments, including a sufficiently detailed description of the problem assigned, the time within which the work should be completed, some initial guidance, access to the appropriate resources, and the availability of the Field-Supervisor for further guidance if necessary. Although students are expected to be resourceful and take the initiative, students must not be assigned a project and then isolated. Substantial access to the Filed-Supervisor for guidance and advice must be an integral part of every externship experience.

- Give periodic constructive review of their performance in the program from the Filed-Supervisor, along with an opportunity to discuss broader issues that may go beyond the specifics of a single work assignment. At the completion of the externship period, Field- Supervisors are responsible for providing evaluations of the student's work on forms provided for that purpose. Such evaluation shall be submitted to the Externship Program Director and shall be shared with the student. In addition, it is advisable that an exit interview between the student and the Field-Supervisor take place to review all that has been accomplished

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during the program.

Externship Costs

No extern may be paid for his/her credited externship work. Out of pocket expenses may be reimbursed if approved by the SoL.

Code of Conduct

Regular Attendance

1. All externs have the responsibility to regularly attend all hours of work during the whole period of the externship program as determined by this guideline.
2. No absenteeism is tolerated unless excused. Unexcused absence, as reflected from the weekly time sheet, shall result in reduced marking by the placement- supervisor.
3. All externs have the responsibility to notify the host institution about their absence in advance.
4. All externs have the responsibility to record hours missed and hours attended in the weekly time sheet attached in this guideline.

Punctuality

1. All externs have the responsibility to be on time for their externship work as determined by the host institutions working hours.
2. All externs are expected to respect working hours and break times of the host institution and maintain punctuality at any time

Work Habits

1. All externs have the responsibility to demonstrate the good character of professional traits while undertaking their externship works in the host institution. Externs during externship shall consider themselves as professional lawyers not students.
2. All externs shall respect the working rules and procedures of the host institution and shall at all time maintain professional ethics as prescribed by the host institution and respective government regulations for each category
3. All externs shall develop a collegial atmosphere in their respective host

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institution. Professional ethics and other work habits are part of the evaluation criterion by the Field-Supervisor.

Respect for Self and Others

1. All externs shall maintain at all time during the entire externship program their good character and personality.
2. All the externs have the responsibility to treat others in the host institution with respect and honesty. They shall maintain special relationship with the Field-Supervisor.
3. All externs have the responsibility to respect the rights of others in the host institution.

Respect for Property

1. All the externs have the responsibility to treat host institution property and the property of others with respect and to act in a way that does not interfere with the rights of others and is not harmful to the health and safety of others in the host institution.
2. All externs shall respect host institution rules and procedures on the use of institutions' property for official work.

Confidentiality

In your placement, you will have access to confidential and privileged information and materials. You are expected to hold in strictest confidence all information and materials received in the course of the externship placement that are not matters of public record and to adhere fully to the standards of professional conduct set forth in the Code of Professional Responsibility and the Rules of Professional Conduct legislations issued by the federal government and state governments.

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Syllabi for elective courses

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1. Course identification

Course title: **Intellectual Property Law**
Course Code:
Course weight: 3 credit hours /5 ECTS
Prerequisite:

2. Course Description

The course on Intellectual Property Law will analyze the nature of intellectual property rights, their legal protection and challenges in enforcement. It covers the justifications for protection of intellectual property and its pertinence to countries like Ethiopia, the subject matters protected, requirements for protection, nature of rights accorded, limitations on the rights, procedures for enforcement, remedies for infringement, and institutions involved in the administration and enforcement of rights in the fields of copyright, patent, utility model certificates, industrial designs, trademark, geographical indications, plant breeders' rights and industrial secretes

3. Course Objectives

Upon successful completion of the course, students should be able to:

- Explain meaning and classification of intellectual property, philosophical foundations, and the international legal protection of intellectual property;
- Explain the historical development of Ethiopian intellectual property protection in Ethiopia;
- Explain subject matters protected, requirements for protection, exclusive rights accorded, limitations to exclusive rights, and enforcement of rights relating to copyright and neighboring rights, patents, utility model certificates, and industrial designs, ;
- Explain the need for protection on community cultural expressions and traditional knowledge;

4. Teaching Methods

Lectures, student presentations, and group discussions will be used to deliver the course.

5. Methods of Assessment

Student performances will be assessed on continuous basis. Hence, students will be graded based on class participation (5%), tests (30%), assignments (15 %) and final examination (50 %).

6. Attendance Policy

A student must attend at least 85% of the lectures and complete all the assessment modalities in order to be credited for the course

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7. Course Outline

Chapter One: Understanding intellectual property

1.1. Definition and classification of Intellectual Property

1.2 Emergence/History of Intellectual Property Rights

1.3 Justifications and Critiques of Intellectual Property

1.4 Development of International Legal Protection of Intellectual Property Rights

Chapter Two: BRIEF OVERVIEW OF ETHIOPIAN INTELLECTUAL PROPERTY LAW

2.1. Historical Aspects of Intellectual Property Rights in Ethiopia

2.2. Recognition of Intellectual Property Rights in the Existing Constitutional Scheme of Ethiopia and Search for the Underlying Philosophical Justification

2.3. Legislative and Administrative Authority under the FDRE Constitution

2.4. The Domain of the Existing Intellectual Property Law of Ethiopia

Chapter Three: THE LAW OF COPYRIGHTS AND NEIGHBORING RIGHTS

3.1. subject matter protected, excluded subjects and eligibility for protection

3.2 Requirements for protection

3.3 Rights accorded by copyright: economic and moral

3.4. Duration of protection

3.5 Ownership of copyright

3.6 Limitations to copyright

3.7 Licensing and Assignment of economic rights

3.8. Neighboring Rights

3.8.1. Justification for protection

3.8.2. Beneficiaries of protection: performers, producers and broadcasting organizations

3.8.3. Connecting Factors for Protection under Ethiopian Law

3.8.4 Rights accorded to performers, produces of sound recordings and broadcasting organizations

3.4.8. Exceptions and Limitations on Neighboring Rights

3.9. Enforcement of Copyright and neighboring rights: court jurisdiction, procedures and remedies

3.10 Regulation of copyright collecting societies .Chapter FourLAW OF PATENTS, Utility models and industrial designs

4.1. Justification and subject matter of patent protection

4.2. Subject matter protected and excluded subject matters

4.3 Requirements of patentability

4.3.1. Novelty and the Determination of Prior Art

4.3.2. Non-obviousness/Inventive step

4.6.1.3. Utility/Industrial Applicability

4.4 Application and examination

4.5. Ownership of Patent,

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4.6 Exclusive Rights accorded by patent
4.6. Limitations on Patent rights
4.7. Utility Model Protection
4.8 Industrial design protection
4.9. Some Patent-Related Rights and Regimes
Chapter Five TRADEMARK LAW
5.1. Meaning of Trademark
5.2. Purposes of Trademark Protection
5.3. Types of Trademark and Distinctions from Related Concepts (such as GIs)
5.4. Requisites for Trademark Protection
5.4.1. objective grounds of refusal of registration
5.4.2subjective grounds for refusal of registration
5.5. Application and examination
5.6. Rights of the Trademark Owner and Limitations on Rights
5.7. Transfer of Trademark Ownership: Assignment and Licensing
5.8. Duration of Protection of Registered Trademark and Renewal of Registration
5.9. Renunciation, Invalidation, and Termination of Trademarks
5.10. Enforcement of Trademarks
Chapter Six: Protection of plant breeders
Protection of traditional knowledge and community cultural rights
Chapter Seven: Current Developments

8. References

Laws (Ethiopian)

1. Civil Code of the Empire of Ethiopia, Proclamation No. 165/1960 (as amended), Negarit Gazetta, Extraordinary Issue - 19th Year No.2.
2. Commercial Code of the Empire of Ethiopia, Proclamation No. 166/1960 (as amended), Negarit Gazetta Extraordinary Issue - 19th Year No. 3.
3. The Criminal Procedure Code of the Empire of Ethiopia, Proclamation No. 1/1961, Negarit Gazetta Extraordinary Issue - 21st Year No.7.
4. The Civil Procedure Code of the Empire of Ethiopia, Decree No. 52/1965, Negarit Gazetta Extraordinary Issue - 25th Year No.3.
5. Transfer of Technology Council of Ministers Regulations, Regulations No.12/1993, TGE Negarit Gazeta - 52nd Year N0. 53.
6. A Proclamation Concerning Inventions, Minor Inventions and Industrial Designs, Proc. No. 123/1995, TGE Negarit Gazetta - 54th Year No. 25.
7. The Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995, Federal Negarit Gazeta – 1st Year No. 1.
8. Federal Courts Establishment Proclamation, Proc. No. 25/1996 (as amended), Federal Negarit Gazetta-2nd Year No. 13.

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9. Ethiopian Intellectual Property Office Establishment Proclamation, Proc. No. 320/2003, Federal Negarit Gazetta - 9th Year No. 40.
10. Copyright and Neighboring Rights Protection Proclamation, Proc. No. 410/2004, Federal Negarit Gazetta - 10th Year No. 55.
11. The Criminal Code of the Federal Democratic Republic of Ethiopia, Proclamation No. 414/2004.
12. Plant Breeders' Right Proclamation, Proc. No. 481/2006, Federal Negarit Gazeta - 12th Year No. 2.
13. Access to Genetic Resources, Community Knowledge and Community Rights Proclamation, Proc. No. 482/2006, Federal Negarit Gazetta - 13th Year No. 13.
14. Trademark Registration and Protection Proclamation, Proc. No. 501/2006, Federal Negarit Gazetta - 12th Year No. 37.
15. Commercial Registration and Business Licensing Proclamation, Proc. No. 686/2010 (as amended by Proc. No. 731/2012), Federal Negarit Gazetta - 16th Year No. 42.

Recommended

1. Trade Practice and Consumers' Protection Proclamation, Proc. No. 685/2010, Federal Negarit Gazeta - 16th Year No. 49. [Recommended]
2. Trademark Registration and Protection Council of Ministers Regulations, Regulations No. 273/2012, Federal Negarit Gazeta - 19th Year N0. 10.
3. Copyright and Neighboring Rights Protection (Amendment) Proclamation, Proc. No. 872/2014, Federal Negarit Gazeta - 21st Year No. 20.
4. Proclamation to provide for rights of plant breeders No 1067/2017
5. Access to genetic resources and community knowledge, and community rights proclamation No 482/2006

Laws (International Treaties)

1. Paris Convention for the Protection of Industrial Property, March 20, 1883 (with its six revisions and one amendment to date)
2. Berne Convention for the Protection of Literary and Artistic Works, September 9, 1886 (with its two completions, five revisions, and one amendment to date)
3. Madrid Agreement Concerning the International Registration of Marks, April 14, 1891 (with its revision of July 1967 and amendment of September 1979).
4. Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods, April 14, 1891 (with its four revisions to date).
5. Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks, June 15, 1957 (with its two revisions and one amendment to date) [Optional]

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6. International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (The 'Rome Convention'), October 26, 1961 (with two other special conventions).
7. Convention Establishing the World Intellectual Property Organization (WIPO), Stockholm, July 14, 1967 (as amended on 28th September 1979). [Optional]
8. Nairobi Treaty on the Protection of the Olympic Symbol, September 26, 1981. **[Optional]**

1. Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks, Madrid, June 27, 1989 (with its amendments of October 2006 and November 2007). [Optional]
2. Trademark Law Treaty, Geneva, October 27, 1994. [Optional]
3. Agreement on Trade-Related Aspects of Intellectual Property Rights (The TRIPS Agreement), Annex 1C of the WTO Agreement, Marrakech, April 15, 1994 (Entered into Force on January 1, 1995).
4. WIPO Copyright Treaty, Geneva, December 20, 1996.
5. WIPO Performances and Phonograms Treaty, Geneva, December 20, 1996.

Textbooks (Required)

1. Balew Mersha & Gebrehiwot Hadush, "Teaching Material on Law of Intellectual Property" (Justice and Legal System Research Institute, Addis Ababa, 2008)
   Fikremarkos Merso (PhD), A Textbook on the Ethiopian Law of Intellectual Property Rights: Copyrights, Trademarks, Patents, Utility Models, and Industrial Designs (AAU School of Law: Addis Ababa, 2012)
2. Articles (Ethiopian Sources) [All 'Required' unless indicated otherwise]
3. Alemayehu Fentaw, "Some Observations on Ethiopian Unfair Competition Law," 2 Ethiopian Journal of Legal Education No.1 43 (2009). [Optional]
4. Aschalew Ashagre, "Some Worrisome Issues Surrounding the Ambit of the Copyright and Neighboring Rights Law of Ethiopia," 4 Bahir Dar University Journal of Law No.1 108 (December 2013).
5. Biruk Haile, "Human Rights Perspectives of Intellectual Property: A Few Lessons for Ethiopia," 1 Ethiopian Journal of Legal Education No.1 41 (2008). [Optional]
6. _____, "Scrutiny of the Ethiopian System of Copyright Limitations in Light of International Legal Hybrid resulting from (the Impending) WTO Membership: Three-Step Test in Focus," 25 J. Eth. L. No.2 159 (September 2012).
7. Everett F. Goldberg, "Protection of Trademarks in Ethiopia," 8 Journal of Ethiopian Law 130 (1972).

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8. Fikremarkos Merso, "A Critical Reflection on the Legal Framework Providing Protection for Plant Varieties in Ethiopia," 25 J. Eth. L. No.1 113 (September 2011).
9. _____, "Intellectual Property, Access to Genetic Resources and Benefit Sharing in Ethiopia," Information Society Project, Yale Law School [Optional]
10. Fikremarkos Merso and Imeru Tamrat, "Some Thoughts on the Benefits and Costs of the Regulatory Framework on Access to Genetic Resources and Benefit Sharing in Ethiopia," 24 J. Eth. L. No.1 124 (July 2010). [Optional]
11. Getachew Mengiste, "The Impact of the International Patent System on Developing Countries," 23 J. Eth. L. No.1 161 (August 2009)
12. Hailegabriel G. Feyissa, "European Influence of Ethiopian Antitrust Regime: A Comparative and Functional Analysis of Some Problems," 3 Mizan Law Review No.2 271 (2009). [Optional]
13. Mandefro Eshete and Molla Mengistu, "Exceptions and Limitations under the Ethiopian Copyright Regime: An Assessment of the Impact on Expansion of Education," 25 J. Eth. L. No.1 159 (September 2011).
14. Harka Haroye, "Competition Policies and Laws: Major Concepts and an Overview of Ethiopian Trade Practice Law," 2 Mizan Law Review No.1 33 (2008). [Optional]
15. Mary O'Kicki, "Lessons Learned from Ethiopia's Trademarking and Licensing Initiative: Is the European Union's Position on Geographical Indications Really Beneficial for Developing Nations?," 6 Loyola University Chicago International Law Review 311 (2009).
16. Muradu Abdo, "The Subject Matter of Property Rights: Naming and Meaning," 2 Ethiopian Journal of Legal Education No.2 119 (2009).
17. Peter Winship, "Industrial Property Rights in Ethiopia," 9 Journal of Ethiopian Law 357 (1973).
18. Seble G. Baraki, "Analysis of Ethiopia's Draft Sui Generis Geographical Indications Laws in Light of their International Protection," 26 J. Eth. L. No. 1 237 (September 2013).
19. Shiferaw Kebede, "Parallel Imports and the Exhaustion of Copyrights: Impacts on the Expansion of Education in Ethiopia," Student Law Review V.1 No.2 65 (2010) (School of Law, Addis Ababa University).
20. Takele Soboka, "Fair Use under the Ethiopian Copyright Law," The Law Student Bulletin, V.1 No.2 28 (2001) (Faculty of Law, Addis Ababa University).

1. Course Identification

Course title:**International Trade Law**

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Course Code:…
Credit Hours:3 credit hours/ 5 ECTS
Pre-requisites:None.

2. Course description

The International Trade Law course deals with contemporary theories and laws applicable to trade relations between nations. The course introduces students to major multilateral WTO laws - with a special emphasis laid on how the laws relate to the interests of developing countries. Major topics covered range from the historical foundation of the GATT-1947 and the WTO to the specialized WTO agreements (laws) dealing with trade in goods, services and intellectual property rights. The course also presents an account of the nexus between trade and contemporary issues of human rights, environment and investment. Against these backdrops, Ethiopia's accession process to the WTO and the opportunities and challenges thereof shall be discussed. Through a wide variety of cases, texts, and exercises, students will be exposed to the language of international trade law, and to a proper theoretical and problem-solving skills that allow them evaluate the wisdom of international trade policies.

3. Course objectives

At the end of the course, students are expected to achieve basic knowledge and competence regarding:

- the theoretical foundations of international trade law and the basic laws and institutions regulating international trade- mainly in the World Trade Organization (WTO);
- the role of international trade law in economic development;
- the interplay of such laws with contemporary issues of human rights, environment and investment;
- the skills required for dealing with international trade issues both in domestic and international settings; and
- the opportunities and challenges posed to Ethiopia's accession to the WTO

4. Teaching methods

Lectures, student presentations, group discussions, individual and group assignments and project work

5. Mode of Assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation and attendance…5%
- Mid Exam/Test/Quiz……..25%
- Individual and group assignments/ Presentation…20%

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- Final Exam……50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter I: Introduction

- Meaning of International Trade
- The Free Trade Debate
- Introduction to the General Agreement on Tariffs and Trade 1947 & 1994
- Structure and functions of the World Trade Organization

Chapter II: Core Principles and Obligations Under WTO

- Disciplines on Market Access
  - Tariff and Non-Tariff Barriers
- Non-Discrimination:
  - Most Favored Nation Treatment and National Treatment
- Exceptions to Core Obligations
  - General Exceptions
  - Security Exceptions
  - Regional Economic Integration
  - Exceptions for Balance-of-Payments Protection
  - Economic Development Exceptions

Chapter III: Dispute Settlement in the World Trade Organization

- Historical Background
- The WTO Dispute Settlement Body
- Substantive and Procedural Rules
- Enforcement Mechanisms
- Recent Developments in WTO Dispute Settlement System

Chapter IV: Trade Remedies

- Dumping
  - Substantive and Procedural Rules
  - Anti-dumping Investigation and Measures
- Subsidies
  - Substantive and Procedural Rules
  - Countervailing Measures
  - Subsidies and the Agreement on Agriculture

Chapter V: Trade in Services

- Meaning and Historical Background

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- Basic Modes of Supply under the General Agreement on Trade in Services
- Basic Obligations under GATS
- GATS and Developing Countries

Chapter VI: Regional Trade Integration in Africa

- **Regional Economic Communities**
  - COMESA
  - IGAD
  - COMESA-EAC-SADC Tripartite FTA
- **Continental Level:** AfCFTA

Chapter VII: Contemporary Issues in International Trade

- Trade and Human Rights
- Trade and Environment
- Trade and Investment

Chapter IX: Ethiopia's Accession to the World Trade Organization

- The Process of Accession to the WTO
- Opportunities, Challenges and Prospects
- State of Play in Ethiopia's Accession

8. Reference

1. *The Legal Texts: The Results of the Uruguay Round of Trade Negotiations*, Cambridge University Press, 1998
2. Trebilcock and Howse, *The Regulation of International Trade*, 3rd ed., Routledge, 2005
3. Van den Bossche, *The Law and Policy of the WTO*, 2nd ed., Cambridge University Press, 2008
4. Peter John Williams*, A Hand Book on Accession to the WTO,* Cambridge University, 2008
5. WTO, *A Handbook on the WTO Dispute System*, Cambridge University Press, 2004
6. Jackson, John H., Davey, William J., and Sykes, Alan O., *Legal Problems of International Economic Relations,* 4th ed., 2002, West Group.
7. Paul B. Stephen, Julie A. Roin, & Don Wallace Jr., *International Business and Economics, Law and Policy,* 3rd ed., 2004, Lexis Nexis
8. Jenny Schultz and Rachel Ball, 'Trade as a Weapon? The WTO and Human Rights-Based Trade Measures' 42 *Deakin Law Review*, vol 12 No 1, 2007
9. Gudrun Monika Zage, WTO and Human Rights: Examining Linkages and Suggesting Convergence, IDLO Voices of Development Jurists Paper Series Vol. 2. No. 2, 2005

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10. Oppong, Richard Frimpong, The African Union, The African Economic Community and Africa's Regional Economic Communities: Untangling a Complex Web, (2010), 18(1*) Af.J.I.C.L. (*92-103)
11. Gathii, James Thuo, 'African Regional Trade Agreements as Flexible Legal Regimes', (2010), *35 N.C.J. Int'l L. & Com Reg,* (571-667)
12. Dirar, Luwam, 'Common Market for Eastern and Southern African Countries: Multiplicity of Membership Issues and Choices'. (2010), *18(2), Af.J.I.C.L. (*217-232)
13. Bienen, Derk, Ethiopia's WTO Accession at the Crossroads, in Yihdego et al (eds), *Ethiopian Yearbook of International Law,* 2016
14. MelakuGeboye Desta, Ethiopia's Reluctant Move to join the WTO: a Preliminary Look at Legal and Institutional Implications of Accession, *Journal of Ethiopian Law*, Vol 22 Issue 1, July 2008
15. Brazil (EC-Tube or Pipe Fittings), WT/DS219/AB/R Canada - Certain Measures Affecting the Automotive Industry, WT/DS139/AB/R
16. Canada - Certain Measures Concerning Periodicals, WT/DS31/AB/R
17. China - Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products, WT/DS363/R and WT/DS363/AB/R
18. EC - Measures Affecting Asbestos and Asbestos Containing Products, WT/DS135/AB/R
19. EC - Conditions for the Granting of Tariff Preferences to Developing Countries, WT/DS246/AB/R
20. EC - Measures Concerning Meat and Meat Products (Hormones),WT/DS26/AB/R
21. EC - Regime for the Importation, Sale and Distribution of Bananas (EC - Bananas III), WT/DS27/AB/R, pars. 132 – 138
22. EC - Regime for the Importation, Sale and Distribution of Bananas, WT/DS27/AB/R
23. Indonesia - Certain Measures Affecting the Automobile Industry, WT/DS54/R
24. Japan - Taxes on Alcoholic Beverages, WT/DS8/AB/R
25. Korea - Measures Affecting Imports of Fresh, Chilled and Frozen Beef, WT/DS161/AB/R
26. Spain - Tariff Treatment of Unroasted Coffee, BISD 28S/102
27. United States- Measures Affecting the Cross-Border Supply of Gambling and Betting Services, WT/DS258/R and WT/DS258/AB/R
28. United States - Import Prohibition of Certain Shrimp and Shrimp Products, WT/DS58/AB/R United States - Section 110(5) of the US Copyright Act, WT/DS160/R

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1. Course Identification

Course title: **Maritime Law**
Course Code:
Credit Hours: 3 credit hour/ 5ECTS
Pre-requisites: None

2. Course Description

Maritime law is a body of law governing private shipping activities. The course on Maritime Law covers nearly the whole of modern shipping law- including ownership and registration of ships, maritime mortgage, maritime liens, maritime employment, ship-owner's limitation of liability, carriage of goods by sea (including carriage of goods by multimodal transport system), marine insurance, general average, collision and salvage in light of the Ethiopian maritime laws. Apart from the 1960 Maritime Code of Ethiopia, recently enacted legislations including the Multimodal Transport of Goods Proclamation and the Maritime Affairs Administration Proclamation will be considered. Wherever appropriate, international maritime conventions would also be studied.

3. Objectives

After a completion of the course, students are expected to:

- Explain the relevance of maritime legislation for land-locked shipping countries like Ethiopia;
- Discuss the nature and scope of maritime law;
- Appreciate the different international and national requirements for owning Ethiopian ships, and the importance and legal effects of the same;
- List the contractual and non-contractual principles involved in maritime law;
- Develop the skills needed to solve problems involving maritime matters;
- Explain the universal aspects of laws on international shipping;
- Discuss recent developments in the area of maritime commerce and, in turn, in maritime law;
- Demonstrate the required competence for making out rules and their exceptions for the various maritime problems;
- Describe the importance of the enforcement of rights in rem relating to ships (maritime mortgage and maritime liens);
- list the different international and national maritime labor standards;
- Develop the skills required to distinguish the duties and rights of ship owners and charterers in charter parties; carriers and consignees in

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contract of carriage supported by bill of lading; and MTO and consignee in and MT Contract.

4. Teaching Methods

The following teaching methods are used in mixture:

- Lecture
- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies

5. Course Content

Chapter I: Introduction to Maritime Law

- Definition, Scope, and Characteristics of Maritime Law
- Historical Development of Maritime Law
- Ethiopian Maritime Law: a look at its continued relevance

Chapter II: Nationality, Registration and Ownership of ships under Ethiopian law

- Ownership and Nationality of Ships
- Registration of Vessel and Rights in rem
- Rights in rem relating to the Ship and their Enforcement
- Maritime Liens and Mortgages
- Enforcement of Maritime Liens and Ship Mortgages

Chapter III: Labor and Other Relations of the Ship owner

- Maritime Labor Law
- The Captain/Master and the Ship owner
- Ship owner‘s Limitation of Liability

Chapter IV: The law on Carriage of Goods by Sea

- Charter Parties
- Carriage of Goods by Sea under Bill of lading
- The Ethiopian Law on Multimodal Transport

Chapter V: Marine Insurance and Other Maritime Matters

- Maritime insurance
- Maritime collision
- salvage and General Average
- legislation

6. Attendance Requirement

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

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7. Assessment

- Mid-term exam: 20%
- Assignment: 20%
- Presentation: 5%
- Attendance and Participation: 5%
- Final Examination: 50%

8. Reading Materials

1. William Tetley's Glossary of Maritime Law Terms, 2nd Ed., 2004
2. The Interest of Land-locked States in Law of the Seas, 9 San Diego L. Rev. 1971
3. An Appraisal of the Right of Access to the Sea Accorded to Landlocked States under the 1982 United Nations Convention on the Law of the Sea (UNICLOS III),1 JimmaUniv.J. of Law, Oct.2007
4. H. Willes, International Business Law: Environment and Transaction, 2005
5. ErlingS.,Towards Strict Ship-owner Liability: Recent Trends in Norwegian Law on Maritime Torts, 1970-71Hill C., Maritime Law, 2nd ed. London: Lloyd's of London Press ltd., 1985
6. Dubovec M., The Problems and Possibilities for Using Electronic Bills of Lading as Collateral, 23 Ariz.J.Int. & Comp. Law, 2006
7. Hurd H., Law and Practice of Marine Insurance, Calcutta, Eastern Law House pvt.ltd., 1970
8. Faber D. et al, Multimodal Transport, Avoiding Legal Problems, London, New Edition, 1995
9. Parks A., Marine Insurance Principles: Contract Formation and Interpretation, 1977
10. Nekeatibeb B., Maritime Collision Under Ethiopian Law (Unpublished undergraduate theses, AAU), 1986

1. Course identification

Course Title: **International Humanitarian Law**
Course Code
Course weight: 2 credit Hrs/ 3 ECTS
Prerequisite: None

2. COURSE DESCRIPTION

This course focuses on the laws applicable to international and non-international armed conflicts. International Humanitarian Law, sometimes referred to as the law of armed conflicts, is a branch of international law limiting the use of violence in armed conflicts by sparing those who do not or no longer directly participate in hostilities and by limiting the use of violence

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to the amount necessary to achieve the aim of the conflict, which is to weaken the military potential of the enemy.

The law consists of principles and rules designed to protect certain categories of persons and property from the effects of hostilities and regulate the conduct of parties to war or armed conflict.

The course shall begin with discussion of the concept, purpose, historical development and philosophy of international humanitarian law as well as the sources and principles of this body of law. It shall also discuss the relationship between human rights law and humanitarian law. It shall then discuss the protections provided under the four Geneva Conventions of 1949 and the additional protocols both in international and non-international armed conflicts. It shall also discuss the means and methods of warfare: discussions shall particularly focus on the prohibited/restricted use of weapons and prohibited methods of warfare. It shall also discuss the controversies surrounding the regulation of modern "armed conflicts" through international law. In addition, it shall address the mechanisms for the implementation of international humanitarian law including the modalities of holding states and individuals accountable for violations. Finally, the status and application of IHL rules under Ethiopian legal regimes will be discussed.

3. Course objectives

General Objectives

The general objective of the course is to offer students the opportunity to analyze and apply the principles, rules and institutions that are designed to regulate armed conflicts.

Specific Objectives

At the end of this course, students will be able to:

- Analyze the concept and purpose of IHL;
- Explain the fundamental distinction between the notions of *Jus ad bellum v jus in bell*o Jus;
- Explain the two basic ideas of IHL: humanitarian considerations and military necessity;
- Identify the difference between International Armed Conflicts (IACs) and Non-International Armed Conflicts (NIACs);
- Understand the “vertical relation” between parties to the conflict and persons in their control; i.e. persons not or no longer participating in hostilities;

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- Explain the various categories of persons deprived of liberty in International Armed Conflict (IAC) and Non-International Armed Conflict (NIAC), including Prisoners of War (PoW) and fighters detained in a NIAC;
- Explain the meaning of humane treatment, in particular the concept of non-discrimination;
- Understand the “horizontal relation” between parties to the conflict and the principles applicable to the conduct of hostilities; in particular distinction, proportionality and precautions;
- Identify and explain the difference between civilians and combatants in IAC and persons with a continuous combat function in NIAC;
- Identify and explain the difference between civilian and military objects;
- Explain the mechanisms of enforcement of International Humanitarian Law;
- Analyze how IHL can be applied to temporary warfare such as autonomous weapons and cyber-attacks; and
- Explore challenges to IHL posed by contemporary armed conflicts

4. Teaching methods

The most effective method of teaching this course will be one that stimulates students with practical project work involving the preparation and presentation of term papers. Practical project work should be coached and lectured by guest lecturers from different stakeholders concerned. Generally, such **active-learning** methods like group discussion, role-playing, individual and group work shall be employed as methods of instruction. As a result, the expected mode of learning will be **interactive, student - centered** and **practice - oriented**.

Moreover, handouts, course materials or texts and references may be reserved at students’ disposal in order to implement and assist the aforementioned modes of learning. Therefore, students are highly required to read the materials in advance.

5. Modes of assessment

The evaluation of students’ performance shall reflect the teaching-learning process with the application of continuous assessment. Students’ performance shall be evaluated as follows:

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Class Participation.....10%
Individual Assignment....20%
Group Assignment.....20%
Final Exam.....50%

6. Attendance Policy

The 2019 AAU Senate Legislation shall apply.

8. Course outline

Chapter I: Introduction to International Humanitarian Law

1.1 Definition of IHL: balancing humanitarian considerations and military necessity
1.2 Fundamental Principles of IHL
1.3 IHL in the International Legal Order: *jus in bello v jus ad bellum*
1.4 Underpinning idea of IHL
1.5 Sources of IHL
1.6 A brief history of IHL
1.7 Interaction between IHL and International Human Rights Law (IHRL)

Chapter II: Scope of Application of IHL

2.1 Relevance and definition of the term "armed conflict"
2.2. Typology of Armed Conflicts (Distinction between international and non-international armed conflict)
2.3. International armed conflicts; incl. occupation
2.4. Non-international armed conflicts
2.5. Armed conflicts subject to foreign intervention
2.6 The Challenges of Contemporary" armed conflicts"

Chapter III: The Conduct of Hostilities

3.1. Protection of the civilian population
3.2. Protection of civilian objects, and of certain areas and institutions
3.3. Proportionality, precautions and presumptions
3.4. Methods of warfare
3.5. Means of warfare
3.6. Specific issues arising in non-international armed conflicts

Chapter IV: General Rules Regarding Persons in the Power of One Party to the Conflict

4.1 Humane treatment and non-discrimination
4.2. Obligation to address the needs of the persons
4.3. Humanitarian assistance

Chapter V: The Wounded and the Sick and the Medical Mission

5.1The wounded, the sick and the shipwrecked
5.2. Medical and religious personnel

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5.3. Medical units and transports
5.4. Hospital, safety and neutralized zones
5.5. The distinctive emblems
5.6. The missing and the dead
5.7. Specific issues arising in non-international armed conflicts

Chapter VI: Detention and Internment

6.1 The relevance of "status" in the context of detention
6.2 Internment of prisoners of war
6.3. Specific issues arising in non-international armed conflicts

Chapter VII: Implementation and Enforcement of IHL in Ethiopia

7.1 Factors influencing compliance with IHL
7.2. Duty of belligerents "to respect and to ensure respect":- Domestic Measures to Implement IHL
7.3. Ensuring respect at international level:- Role of States and International Organizations
STATE RESPONSIBILITY AND REPARATIONS
7.4. INDIVIDUAL CRIMINAL RESPONSIBILITY FOR VIOLATIONS OF IHL
7.5. JUDICIAL ENFORCEMENT
7.6. NON-JUDICIAL ENFORCEMENT
7.7. SPECIFIC ISSUES ARISING IN NON-INTERNATIONAL ARMED CONFLICTS
7.8. EMBLEM PROTECTION
7.9. IHL Implementation in the Ethiopian Context

Chapter VIII: The Special Role of ICRC

8.1 The Purpose and status of the ICRC
8.2. The Legal basis for ICRC action
8.3. The ICRC as the "Guardian of IHL"

Chapter IX: IHL and Challenges of Contemporary Conflicts

9.1. Urban Warfare
9.2. New Technologies of Warfare
9.3. IHL and Non-State armed groups
9.4 Counter-Terrorism Measures and IHL

9. References

1. IHL textbook: *International Humanitarian Law: A Comprehensive Introduction*
2. Antoine, A. B. *How Does the Law Protect in War: Cases, Documents and Teaching Materials on Contemporary Practice in International Humanitarian Law*, Volumes I and II, Geneva, 2006.
3. IHL casebook: *How Does Law Protect in War*
4. IHL journal: *The International Review of the Red Cross*
5. Hans-Peter, G. *Introduction to International Humanitarian Law.* 1993

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6. Frits, K. and Liesbeth, Z. *Constraints on the Waging of War: An Introduction to International Humanitarian Law*. March 2001
7. ICRC Database on Treaties, States Parties and Commentaries (http://www.icrc.org/ihl)
8. ICRC Database on Customary IHL(https://www.icrc.org/customary-ihl/eng/docs/home)
9. ICRC Database on IHL national implementation
10. African Year Book on International Humanitarian Law
11. Byron, C. Armed Conflicts: *International or Non-international*. 2001, Oxford University
12. James, T.J. Maintaining the Protection of Non-Combatants. 2000, Journal of Peace Research
13. Waldemar, A. S. *Development of the Protection of the Wounded, Sick and Shipwrecked Under the Protocols Additional to the 1949 Geneva Conventions*
14. Louis, D. S. and Sylvain, V. *International Humanitarian law and Human Rights Law*
15. Francois, B. *Humanitarian Law and the Protection of Refugees*. 2005
16. The Four Geneva Conventions of August 12, 1949
17. Protocols Additional to the Geneva Conventions of 12 August 1949 (Protocols I, II, and III)
18. Convention on Prohibitions or restrictions on the Use of certain Conventional Weapons Which may be deemed Excessively Injurious or to have Indiscriminate effects, Geneva, 1980
19. Convention for the Protection of Cultural Property in the Event of armed Conflicts, the Hague, 1954
20. Convention on the prohibition of the development, Production and Stockpiling of bacteriological (Biological) Toxin Weapons and on their Destruction, 1972
21. Protocol for the Prohibition of the Use in War of asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, Geneva 1925
22. Convention on the prohibition of the development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993
23. Convention on the prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 1997

1. Course identification

Course Title: **Introduction to Comparative Public Law[still under construction]**

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Course code: …
Course weight: 3 credit hours/5ECTS
Pre-requisites: Criminal Law I & II, Criminal Procedure Law, Ethiopian Legal Thoughts, Constituional Law I & II

2. Course description

The course introduces students to concepts and principles of comparative law, its historical development, aims, functions and methods with focus on public law in comparative perspective. It also examines classification of legal systems into legal families, the comparison of substantive and procedural laws of major legal systems, as well as the different approaches towards providing solutions to issues and problems in public law. In addition, the course considers the unity and differences of public law and civil law, introduction to constitutional law, criminal law, administrative law and criminal procedure emphasizing selected jurisdictions (e.g. France, Germany, Switzerland, UK, India, Nigeria, South Africa) from common law, civil law and hybrid legal systems through to have affinity with the Ethiopian modern legal system.

3. Course objectives

Upon successful completion of this course, students should be able to:

- explain concepts and principles of comparative law, its historical development, aims, functions and methods with focus on public law;
- analyze classification of legal systems into legal families,
- compare substantive and procedural laws of major legal systems,
- examine different approaches designed to provide solutions to issues and problems in public law focusing on constitutional law, administrative law, criminal law and criminal procedure;
- analyze the unity and differences of public law and civil,
- explore international business transaction including mechanisms of doing business by means of the documentary credit and the use of international commercial terms;
- identify and evaluate major trends in comparative and foreign public law; nd
- relate major modern trends in public law to selected public law issues in the Ethiopia.

4. Teaching-Learning methods

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Lectures, seminars, student presentations, group discussions and assignments

5. Assessment methods

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation…5%
- Chapter Reflections/Summaries…15%
- Student Presentations…15%
- Assignments/Project/Essays…15%
- Exam(s)…50%

6. Attendance policy

As per the 2019 AAU Senate Legislation

7. Course outline

Chapter I: Introduction

- Basic questions in comparative law
- Elements and roots of comparative law
- Rationale for the Study of Comparative Law
- Functions and Purposes of comparative Law
- History of Comparative Law

Chapter II: The Legal Families of the World

- Basic issues on the theory of legal families
- Legal traditions and legal systems
- Criteria for classification of legal systems
- Evolution of the two major legal families of the modern world
- The Civil Law Legal Family
- The Common Law Legal Family

Chapter III: Major issues and trends in comparative constitutional law
Chapter IV: Comapartive trends administrative law
Chapter V: Principal trends in Criminal Law
Chapter VI: Issues and challenges in Criminal Procedure in selected jurisdictions
Chapter VIII: Lessons learned from comparative survey regarding constitutional, administrative law, criminal and criminal procedure laws of other countries

8. References

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1. Konrad Zweigert and Hein Kotz, ***Introduction to Comparative Law,*** Third Revised Edition 1998.
2. Rudolf B. Shlesinger, ***Comparative Law: Cases-Text-Materials***, Fourth Edition, 1980, pp. 1-45.
3. W. J. Kamba, ***Comparative Law, A theoretical Framework,*** 23 *The International and Comparative Law Quarterly*, No. 3, 1974.Stephanos Bibas (2012), *The Machinery of Criminal Justice* (New York: Oxford
4. University Press); S. Schulhofer (1991), "Plea bargaining as disaster" *Yale Law Journal* Vol. 101, p. 1979.
5. Maximo Langer (2005-06), "Rethinking Plea bargaining: The Practice and Reform of Prosecutorial Adjudication in American Criminal Procedure", 33 *Am. J. Crim. L.* Vol.33
6. S. J. Schulhofer (1988), "Criminal Justice Discretion as a Regulatory System", *Journal of Legal Studies,* Vol.17
7. Alemu Meheretu (2014)*, Introducing Plea bargaining in Ethiopia: Concerns and Prospects* (PhD thesis, University of Warwick, UK)
8. W. J. Stuntz (2006), "The Political Constitution of Criminal Justice", *Harv.L. Rev*, Vol. 119
9. Jenny McEwan (2011), "From Adversarialism to Managerialism: Criminal Justice in Transition", *Legal Studies* Vol. 31
10. Günter Bierbrauer, (1994), "Toward an Understanding of Legal Culture: Variations in Individualism and Collectivism between Kurds, Lebanese, and Germans", *Law & Soc'y Rev.*, Vol.*28*

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1. Course Identification

Course title:**Bankruptcy Law**

Course Code:...

Course weight: 2 credit hours/3 ECTS

Pre-requisites: Law of Traders and Business Organizations, Law of Banking, Law of Security Devise,Law of negotiable instruments and payment systems

2. Course description

The course on Bankruptcy Law deals with the legal regime governing the fate of individuals or organizations who have been declared unable or whose ability to pay creditors has been impaired. Creditors may file a bankruptcy petition against a debtor (involuntary bankruptcy) in an effort to recoup a portion of what they are owed; in the majority of cases, however, bankruptcy is initiated by the debtor (a voluntary bankruptcy), filed by a bankrupt individual or organization.

The course presents and discussions multifaceted issues on two related but distinct possibilities: reorganization and liquidation. In reorganization, creditors will work with a bankrupt debtor in order to make the business viable again, preserving jobs, investments, and repayment capacity. They may forgive some of the debt or simply reschedule it for future repayment in order to improve their chances of obtaining the rest of the debt. When it is clear that the debtor cannot repay the debt, even after reorganization, then liquidation is used. Under the regime of liquidation, the emphasis is on the defaulting company which would be closed and its assets distributed or sold. In this context, the course on bankruptcy law and practice presents the important roles of the law in limiting the risks of credit for lenders by establishing the rights of each type of lender and the obligations of the debtor in the event of default.

3. Course Objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- the powers and functions of the court, the commissioner, trustees, creditors' committee and other persons responsible for carrying out bankruptcy proceedings;
- the cardinal and subsidiary principles of bankruptcy to different practical cases;
- the comparison and contrast between bankruptcy and winding up;
- the procedures and requirements for the debtor to be adjudged bankrupt;
- the measures required with a view to affixing seals and making inventory;
- how debts are proved and the procedures and requirements for proposal and approval of the schemes of arrangement;
- the effects of adjudication on bankruptcy of the debtor;
- the conservatory and provisional measures to be taken;
- the scope of bankruptcy under Ethiopian law;
- the persons entitled to appeal against the judgment of bankruptcy;
- the practical cases in relation to the judgment in bankruptcy;

4. Teaching methods

Lectures, seminars, student presentations, group discussions, individual and group assignments

5. Mode of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation...5%
- Chapter Reflections / Summaries...15%

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- Student Presentations...15%
- Assignments / Project/ Essays...15%
- Exam(s)...50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter I: Introduction to Bankruptcy Law

- Definition, scope and evolution of bankruptcy law
- Principles of bankruptcy law
- Bankruptcy compared to winding up
- Conditions of bankruptcy

Chapter II: Judgment of Bankruptcy and Effects

- The Judgment of bankruptcy
- Effects of judgment on the debtor and the creditors
- Administration of properties of the debtor
- Enforcement of judgment

Chapter III: Persons Responsible for Conducting Bankruptcy Proceedings

- The role and power of the court and the commissioner
- The role and power of the trustees and the creditors committee

Chapter IV: Measures in Relation to Assets of the Debtor

- Conservatory measures
- Provisional measures

Chapter V: Proof of Debts

- Procedures of proof
- Parties jointly liable with the bankrupt person
- Rights of creditors
- Rights of creditors secured by movables
- Rights of creditors secured by immovable
- Recovery

Chapter VI: Settling the Bankruptcy

- Composition
- Definition, conditions& persons responsible for conducting composition
- Compulsory winding up
- Closure of bankruptcy proceeding

Chapter VII: Scheme of Arrangement

8. References

DRAFT

1. Commercial Code of the Federal Democratic Republic of Ethiopia, 2020
2. United Nations Commission on International Trade Law (UNCITRAL), Legislative Guide on Insolvency, New York, 2005
3. USAID, Ethiopian Commercial Law and Institutional Reform and Trade Diagnostic, January 2007
4. Private Sector Development Hub/Addis Ababa Chamber of Commerce and Sectoral Association, Position of the Business Community on the Revision of the Commercial Code of Ethiopia, Addis Ababa, July 2009
5. Lynn M. LoPucki& Christopher Mirick, Strategies for Creditors in Bankruptcy Proceedings, 5th ed., Aspen Publisher
6. MesfinTaddesse, Rights of Secured Creditors of a Bankrupt Trader in the Commercial Code of the Emperor of Ethiopia of 1960, Addis Ababa, H.S.I.U, 1960
7. SeyoumG.Egziabher, Some Aspects of Ethiopian Bankruptcy Law of 1960, Addis Ababa, H.S.I.U, 1971
8. Solomon Berhe, Composition and Schemes of Arrangement under Ethiopian Bankruptcy Law, Addis Ababa, Haile Sellassie I University, Faculty of Law, 1973
9. Thomas J. Salerno & Jordan A. Kroop, Bankruptcy Litigation and Practice: A Practitioner's Guide, 4th ed., Aspen Publishers
10. TaddeseLencho, Ethiopian Bankruptcy Law: A Commentary, Part I, Journal of Ethiopian Law, Vol. XXII, No.2, December 2008
11. TaddeseLencho, Ethiopian Bankruptcy Law: A Commentary, Part II, Journal of Ethiopian Law, Vol. XXIV, No.2, December 2010

1. Course Identification

Course title:**Investment Law**
Course Code:…
Course weight: 3 credit hours/ 5 ECTS
Pre-requisites:Law of Traders and Business Organizations

2. Course description

Attracting private investment has been a key economic development strategy of Ethiopia for the past three decades. Policy and legal frameworks were designed and continuously updated with a view to establish a conducive environment for investment. Such policy reforms had a direct impact on Ethiopia’s successful journey in attracting foreign direct investment (FDI) making Ethiopia one of Africa’s highest recipients of FDI.

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With such growth in investment, the demand for professional services in areas of business and investment has dramatically increased, requiring well trained and experienced lawyers. It is of vital importance, therefore, that law students and Ethiopian lawyers are provided with legal training that will enable them to proffer informed advice and legal assistance to clients operating in the Ethiopian market.

This course will begin by examining the international law of investment tracing its evolution and growth in the 20th century. As a member of the international community and signatory to several Bilateral Investment Treaties (BITs), understanding Ethiopia's obligation under international investment law is of paramount importance. The course will then delve into national policies and laws regulating investment. Ethiopia's recent economic reform program has seen the introduction of a number of new legislations. Key among these are the Investment Proclamation and Investment Regulation that came into force in 2020. The course will examine, in depth, the objectives of the new laws, the shifts in principles, changes introduced and alignment with existing international norms and Ethiopia's treaty commitments. The course will examine the regulatory and institutional framework on investment admission, investor obligations, protections and incentives as well as dispute settlement mechanisms.

3. Course Objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- the international legal regime regulating foreign direct investment
- Key international sources and principles of foreign investment
- Bilateral Investment Treaties concluded by Ethiopia and their significance
- The economic justifications for investment
- Investment regulatory regime in Ethiopia
- the institutional framework for the admission and facilitation of investment in Ethiopia; and
- Investment dispute settlement mechanisms

4. Teaching methods

Lectures, seminars, student presentations, group discussions, individual and group assignments

5. Mode of assessment

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The final grade shall be determined based on the performance of students in the following activities:

- Class Participation...5%
- Chapter Reflections / Summaries...15%
- Student Presentations...15%
- Assignments / Project/ Essays...15%
- Exam(s)...50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter ONE: GENERAL OVERVIEW

- Definition and Nature of Investment
- Types of Investment
- Factors that affect the Direction of Foreign Direct Investment
- Investment in Developing Countries

Chapter UNIT TWO: ECONOMIC THEORIES OF INVESTMENT

- The Classical Theory
- The Dependency Theory
- The Middle Path
- The Liberal Consensus

Chapter THREE: INTERNATIONAL LAW ON FOREIGN INVESTMENT

- International Efforts to Regulate Foreign Investment
  - The Havana Charter of 1948
  - UN Charter and UN Resolutions (1950-1990).
  - The World Bank (ICSID, MIGA)
  - The OECD Multilateral Agreement on Investment (MAI)
  - The WTO and Trade Related Investment Measures (TRIMS)
- The Draft Pan-African Investment Code
- Regulation of Investment Under Bilateral Investment Treaties (BITs)
  - Features of Bilateral Investments Treaties
    - Most Favored Nation Treatment
    - National Treatment
    - Fair and Equitable Treatment
    - Taking of Property
  - BITs Concluded by Ethiopia

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Chapter FOUR: INVESTMENT REGULATION IN ETHIOPIA

- **Investment Regulation in Ethiopia**
  - History (1930 – 2019)
  - Economic and Investment Law Reform (2020)
  - Current Regulatory Framework
    - Scope of Application
    - Definition of Investment
    - Definition of Investors
    - Entry Requirements
    - Areas of Investment (“Negative List”)
    - Minimum Capital
    - Form of Investment
    - Investment Permit (Greenfield Investments)
    - Special Permit (Brownfield Investments)
  - Substantive Protections
    - Guarantee against Expropriation
    - Right to Repatriation of Funds
    - Right to Obtain External Loans
    - Employment of Expats
  - Investment Incentives
    - Duty Free Imports
    - Income Tax Exemptions
    - Ownership of Immovable Properties
  - Investor Obligations
    - Environment
    - Labour& Training
    - Technology Transfer

Chapter FIVE: INVESTMENT ADMINSTRATION IN ETHIOPIA

- Investment Administration Organs
  - Ethiopia Investment Commission
  - Ethiopian Investment Board
  - The Inter-Governmental Council
  - Regional Investment Bureaus
  - Agencies with Delegated Powers
- Investment Application and Admission
  - One-Stop Service
- Complaint and Grievance Handling
  - Grievance against Decisions of the Investment Commission
  - Complaint against Decisions of Federal Executive Bodies.
  - Appeal to Investment Board
- Investment Dispute Resolution

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- Cases and Resolution of Investment Disputes Involving Ethiopia

Chapter SIX: OTHER AREAS OF LAWS RELATED TO THE LAW OF INVESTMENT

- Industrial Park Laws
- Banking and Insurance Laws
- Communication Law
- Energy and Geothermal Laws
- Mining Laws
- PPP Laws
- Communication Laws
- Media/Broadcasting Laws
- Commercial Code
- Tax and Customs Laws

9. References

1. M. Sornarajah (3rded, 2010) *The International Law on Foreign Investment, Third Edition*, Cambridge University Press

   Won Kidane (2018), Contemporary International Investment Law Trends and Africa's Dilemmas in the Draft Pan-African Investment Code*, The George Washington International Law Review*
2. UNCATD, *Most Favored Nation Treatment,* (UNCTAD series on issues in international investment agreements II (New York and Geneva: United Nations, 2010) (available at www.unctad.org/en/docs)
3. UNCATD, *Fair and Equitable Treatment,* (UNCTAD series on issues in international investment agreements II (New York and Geneva: United Nations, 2012) (available at www.unctad.org/en/docs)
4. UNCATD, *National Treatment,* (UNCTAD series on issues in international investment agreements II (New York and Geneva: United Nations, 1999) (available at www.unctad.org/en/docs)

   Ethiopia Investment Commission (2019), Ethiopian Investment Report, http://www.investethiopia.gov.et/images/Covid-19Response/Covid-19Resources/publications_May-20/EIC-Investment-Report-2019.pdf
5. Ethiopia Investment Commission (2017), *An Investment Guide to Ethiopia,* https://www.investethiopia.gov.et/images/pdf/An%20Investment%20Guide%20to%20Ethiopia,%202017.pdf
6. United Nations Conference on Trade and Development (UNCTAD) (2004), *Investment Guide to Ethiopia,* https://unctad.org/system/files/official-document/iteiia20042_en.pdf
7. Won L. Kidane (2019), "The Legal Framework for Protection of Foreign Direct Investment in Ethiopia" in FantuCheru, Christopher Cramer,

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ArekebeEqubay, editors, *The Oxford Handbook of the Ethiopian Economy,* Oxford University Press, pp. 742 -762
8. Investment Proclamation No. 1180/2020
9. Investment Regulation No. 474/2020
10. Investment Regulation No. 270/2012
11. Ursula Kriebaum, (2007), Regulatory Takings: Balancing the Interests of the Investor and the State, *Journal of World Investment and Trade*, Vol 8, pp. 717-744.
12. Ursula Kriebaum, (2007), Partial Expropriation, *Journal of World Investment and Trade*, Vol 8, No. 1, pp. 69-84.
13. Thomas J. Westcoot, (2007), Recent Practice on Fair and Equitable Treatment, *Journal of World Investment and Trade*, Vol 8, No 3, pp. 409-430.
14. Martha B. and Tilahun E, (September 2014), Rethinking Ethiopia's Bilateral Investment Treaties in light of Recent Developments in International Investment Arbitration, *Mizan Law Review* Vol 8 No 1
15. Martha B., (December 2014), Standard of Compensation for Expropriation of Foreign Investment in Ethiopia: The Tension between BITs and Municipal Law, *Journal of Ethiopian Law*, Vol 26 No 2
16. Martha B., (October 2013), *"Investment Policy of Ethiopia"* Localized teaching material on 'the Economic and Legal Aspects of Foreign Direct Investment', available online at http://vi.unctad.org/resources-mainmenu-64/teaching-materials-mainmenu-65/71-vi-training-package-on-economic-and-legal-aspects-of-international-investment-agreements
17. Martha B, (December 2012), "Good Faith (Lack of) in Investment Arbitration and the Conduct of the Ethiopian Government in the Salini Case: Exercise of Legitimate Right or "Exhibit A" for Guerrilla Tactics?" in YazachewBelew (ed.), The Resolution of Commercial/Business Disputes in Ethiopia: Towards Alternatives to Adjudication? *Ethiopian Business Law Series,* Vol.5
18. Martha B and Zeray Y. (2018), The Law and Policy of Foreign Investment Promotion and Protection in Ethiopia: An Appraisal of Theories, Practices and Challenges, *Ethiopian Yearbook of International Law 2017*
19. Selected BITS concluded by Ethiopia

1. Course identification

Course title: **Law of Banking and Payment Systems**
Course Code:
Course weight: 2 Cr/Hr/3 ECTS
Prerequisite:

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2. Course Description

This course will focus on the relationship between depository bank and its customers. It covers such banking activities as accepting money, valuable things and documents on deposit, lending money accepted on deposit, depositing and managing securities, buying and selling foreign exchanges, gold and silver bullions, and discounting commercial instruments and transferable securities having a future maturity date. In addition, it covers other modern payment systems and mechanisms electronic cheques, electronic cards, internet and mobile banking, ATM payments, credit and debit cards, Bitcoins, and infrastructure and processes underlying such systems and mechanisms.

3. Course Objectives

Up on completion of this course students will be able to:

- Explain the blueprint of banks, banking transactions and major banking operations;
- Explain the specific legal requirements for the establishment and operation of banking business;
- Explain the various types of banking transactions or operations such as deposit of funds, bank transfers, deposit and management of securities, lending, deposit of valuable things and documents, discount of commercial instruments and securities;
- Explain the law governing modern payment system
- Explain the economic significance of banks, the various types of banks, i.e., commercial banks and central or national banks and their functions, the powers and duties of central or national banks

4. Teaching Methods

The course delivery shall consist of lectures, interactive discussion and student presentations. In light of the subject's fast-moving nature, course instructors shall actively encourage students to follow-up new developments as well as devise group and individual presentations of such developments.

5. Methods of Assessment

The course shall be assessed through a mixture of term-papers, group presentations and a final exam. Class participation and attendance shall form part of the continuous assessment.

6. Attendance Policy

Students are required to attend 85 % of class lectures.

7. Course Outline

1.1. Definitions

1.2. The Development of Banking Systems

1.3. Types of Banks

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1.4. Functions of banks
1.5. Major banking transactions
1.6 Regulation of payment systems
1.7. Establishment and operation of banking business
1.8. Regulation of banks and banking transaction
1.9 Recent Developments

8. References

1. B.M. LallKingam, Banking Law and Practice, Vikas Publishing House PvtLtd, 1986
2. David Cox, Success in Elements of Banking, Fourth Ed.1988
3. Fasil Alemayeu and Merhatbeb Teklemedhn, Law of Banking, Negotiable Instruments and Insurance (Teaching Material) (Justice and Legal System Research Institute,2009)
4. J. Milnes Holden, The law and practice of banking, Vol. 1, Banker andCustomer, The Pitman Press, Bath, 1970
5. J.E. Kelly, Practice of Banking, Second Ed. 198
6. P.J.M. Fidler, Sheldon and Fidler's Practice and Law of Banking, EleventhEd., 1982
7. The Civil Code of the Empire of Ethiopia, Proclamation No 165/1960
8. The Commercial Code of the Empire of Ethiopia, Proclamation No166/1960
9. Banking Business Proclamation No. 592/2008
10. Banking Business Proclamation (Amendment) No 1159/2019
11. National Payment systems proclamation No 718/2011

1. Course identification

Course title: Law of Sales and consumer protection
Course Code:
Credit Hours: 2 Cr/Hr/3ECTS
Prerequisite:

2. Course Description

This course deals with the body of rules governing sales transaction. It examines the various legal regimes applicable to sales transaction. The course will discuss rules applicable to sale of movable and immovable things and special movables. Accordingly, the course will cover topics like the nature of sales contracts vis-à-vis related transactions, formation of sales contract, obligations of parties to contract of sale of goods, transfer of risk, and non-performance of contract of sale and remedies.

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After examining sales as a basis for consumer transactions, the course examines the degree to which the state intervenes upon freedom contract with a view to protecting consumers and its impact on freedom of contract and its implication on the cost of transaction between parties.

3. Course Objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- Distinguish sales from original modes of acquiring titles to goods;
- Describe requirements for formation of ales contracts, rights and obligations of parties and remedies available in the event of non performance;
- Develop an understanding the regulation of consumer protection schemes relating to sales transactions;
- Develop an understanding of how state and federal agencies deal with consumer complaints.
- Outline protective measures businesses can take to limit risks associated with consumer protection complaints

4. Teaching Methods

Lectures, student presentations, and group discussions will be used to deliver the course

5. Methods of Assessment

Student performances will be assessed on continuous basis. Hence, students will be graded based on class participation (5%), tests (30%), assignments (15 %) and final examination (50 %).

6. Attendance Policy

A student must attend at least 80% of the lectures and complete all the assessment modalities in order to be credited for the course

7. Course Outline

Chapter One: Modes of acquiring ownership title to goods distinguished

a. Original modes
b. Derivative modes

Chapter Two Introduction to Sales Transaction

Chapter Three:Legal Regimes Governing Sales Transactions in Ethiopia/ Structure of the civil code sales regime

DRAFT

Chapter Four: Sales Transaction Defined : elements of contract, parties to contract; subject matter; main undertakings
Chapter FiveThe 'thing'
Chapter Six: Main Obligations of Parties to contract of sale
a. Obligations of the buyer
-Obligation to pay price (determination of price)
-Obligation to Receive delivery
-Other obligations
b. Obligations of the seller
-Obligation to deliver
-Warranty against Dispossession (transfer of ownership)
-Warranty against Defects
-Warranty against non-conformity
-Other obligations
c. Common obligations of both parties
-expenses
-Preservation of the Thing
Chapter Seven: Transfer of Risk
Chapter Eight: Non Performance of Contract of Sale and Remedies
a. Specific performance
b. Cancellation (Unilateral and court Ordered)
c. Damages
Chapter Nine: Some issues in international sales transactions
Chapter Ten: Overview of sources of consumer protection law in Ethiopian
Chapter Eleven: Consumer rights in sales transactions: Right to safety; Right to be informed; Right to choose; Right to be heard and assured; Right to redressal; Right to consumer education
Chapter Twelve: Emerging issues in consumer protection: WTO and Consumer Protection; E-Commerce and Consumer Rights; Role of Civil Society in Consumer Protection; Access to justice and Consumer Laws; ADR in resolution of Consumer disputes; Data protection

Chapter Thirteen: Current Developments

8. References

A. Laws

1. The Civil Code of the Empire of Ethiopia (1960)
2. Trade Competition and Consumer Protection Proclamation No. 813/2013

B. Books and Articles

1. Zekarias Kene'a, Materials on the Law of Sales and Security Devices (A Compilation, AAU- Faculty of Law)

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2. Benjamin, J.P., A Treatise on the law of Sale of personal Property with Reference to French Civil Code and Civil Law
3. Bridge, M.G., The Sale of Goods, (Oxford University Press, 1997)
4. Burdick, F.M, The law of sale of personal Property, (1901)
5. Enderlein, Fritz, International Sales Law, (oceana, 1992)
6. Daniels, W.G., The German Law of Sales; Some Rules and Some Comparisons
7. Benjamin's Sale of Goods (Sweet &Maxwell, 2002)
8. Stockton, J.M., Sales in a Nutshell, 1981
9. Atyah, Ps. The Sale of Goods (9th Edition, Pitman Publishing, 1995)
10. Mekbib Tsegaw, Contracts Relating to an Immovable and Question of Form – Current Issues, Ethiopian Bar Review, Vol. 2 No. 1, 2007
11. Saharay H.K., Textbook on Consumer Protection Law (2010)

C. Senior Research Papers

1. Belayneh Achenef, Damages as Regulated under the Ethiopian law of Sales: A Case Oriented Analysis (Senior Essay, AAU, Faculty of law, 2007)
2. Jiregana lemessa, Warranty against Defect in the Thing Under the Ethiopian law of Sales, Senior Essay, AAU, Faculty of law, 1990)
3. Mekonnen Hailu, Rights of Unpaid Seller Against the Things under the Ethiopian Sales Law, Senior Essay, AAU, Faculty of law, 1984)
4. Surra Saketa, Breach of Warranty and its Remedies under the Ethiopian Law of Sales; A Case Oriented Analysis ((Senior Essay, AAU, Faculty of law, 2002)
5. Yonas Tesfa, The Role of Delivery in Transfer of Ownership and Risk in Sale of Corporeal Chattles under Ethiopian Law, (Senior Essay, AAU, Faculty of law, 2002)
6. Lake Alamerew, Warranty Against Dispossession in Contract of Sale under the Civil Code of Ethiopia, (Senior Essay, AAU, Faculty of law, 1995)
7. Yazachew Belew, The Law and the Practice Relating to Sale of Motor Vehicles in Ethiopia ((Senior Essay, AAU, Faculty of law, 1998)

D. Cases

Required readings on the Supreme Court Cassation decisions will be communicated in due time.

1. Course identification

Course title: **Competition Law**

Course Code:

Course weight: 2 Cr/Hr/3 ECTS

Prerequisite:

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2. Course Description

This course is designed to provide an introductory overview of the main principles of competition law and their application in today's global economy. This course addresses the concept and need for market competition, the impact of anti-competitive behavior in the market, and the elements of competition policy and law. It examines the international, regional and national developments in the field of competition policy and law making and enforcement, including the theories, goals, subject matters, approaches, instruments and mechanisms of enforcement of competition policy and law. The major contents to be covered include the law, economics and politics of competition, the interplay between competition, trade and investment policies and laws, the process of internationalization of competition policy and law including the developments within OECD, ICN, UNCTAD, WTO, AU and the African Regional Organizations, the competition policy and law making in developing countries, and the competition policy and law making in Ethiopia. The discussions will be analytic and comparative, i.e. comparing the developments in Ethiopia with the international, regional and national developments.

3. Course Objectives

Upon completion of this course, students should be able to:

- Understand the rationale and the role of competition law in free market;
- Demonstrate the knowledge of, and ability to apply, competition rules in a practical economic situation;
- Understand and explain various conducts that constitute violation of completion regime; and
- Understand and analyse the interplay between competition law and economics

4. Teaching Methods

The course delivery shall consist of lectures, interactive discussion and student presentations. In light of the subject's fast-moving nature, course instructors shall actively encourage students to follow-up new developments as well as devise group and individual presentations of such developments.

5. Methods of Assessment

The course shall be assessed through a mixture of term-papers, group presentations and a final exam. Class participation and attendance shall form part of the continuous assessment.

6. Attendance Policy

Students are required to attend 85 % of class lectures.

7. Course Outline

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1. History and Development of Competition Law (in Ethiopia and Elsewhere)
2. Understanding of law of market structure and of unfair competition law;
3. Economics and politics of competition
4. Anticompetitive Agreements
5. Regulation of abuse of dominant position
6. Regulation of combinations (merger, acquisition, take-over, and amalgamation)
7. Enforcement mechanisms
8. Current developments

8. References

1. Completion and consumer protection proclamation No. 813/2013
2. Suresh T. Vishwanathan, Law and Practice of Competition Act. Bharat
3. Richard Whish, Competition Law, Oxford University press, 2008
4. Mark Furse, Competition Law at the EC and UK, 6th – 2008, Oxford University Press
5. M. Dugar, Commentary on MRTP Law, Competition Law & consumer Protection Law, 4th ed. – 2006, Wadhwa Nagpur
6. Abir Roy & Jayant Kumar, Competition Law in India, Eastern Law House, New Delhi
7. Satyanarayana Prasad, Competition Law and Cartels, Amicus Books, ICFAI University Press, 2007
8. Kristy Middleton, Barry Rodger & Angus Mac Culloch, Cases and Materials on UK and EC Competition Law, Oxford University Press, 2003
9. Vinod Dhall (ed.), Competition Law Today, Oxford University Press, 2007
10. Philips E. Areeda & H. Hovenkoup, Fundamentals of Anti-Trust Law, ASPEAN Publications, 2006
11. Ramappa, Competition Law in India: Policy, Issues and Developments, 3rd ed.- 2013, Oxford University Press, New Delhi
12. Varun Chhachhar “Competition Law and Telecom Sector in India”, 1st– 2013, VLMS Publishers, New Delhi.

1. Course identification

Course title: **Law of Security Devices**
Course Code:
Course weight: 2 Cr/Hr/3 ECTS
Prerequisite:

2. Course Description

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This course introduces students to the Ethiopian law of secured transactions, i.e., transactions between a debtor and secured party (creditor). Secured transactions are necessary to the conduct of business and the financing of corporations as well as consumption. Secured transactions reduce the risk of non-payment by the debtor because the secured creditor can turn to his or her security (collateral) for repayment. In a secured transaction security is taken by the creditor to ensure that a debtor performs her or his obligation arising from the law or contractual dealings. The course explores the different kinds of security interests available under Ethiopian law, the creation and perfection of security interests, priorities affecting security interests, and the enforcement of security interests (certain rights and remedies) in the event of default. The course focuses mainly on mortgage, pledge antichresis, financial guarantee and the like. Bear in mind that surety is also one important form of security device. However, it cannot be covered under this course because it was covered under the course Law of Contracts.

3. Course Objectives

Upon a successful completion of the Course, students will:

- Be able to appreciate the essence and importance of security devices in a market economy;
- Identify and explain security devices under Ethiopian law;
- Determine whether a given asset/property is capable of being taken by security and the type of security that can be created thereon;
- Explain the concepts of pledge, mortgage and antichresis as security devices;
- Analyze the requirements for the creation, perfection, transfer, and enforcement of security interests;
- Explore other forms of security interests under Ethiopian law;
- Advise clients on issues of taking security under Ethiopian law;
- evaluate whether Ethiopia has a modern secured transaction law and identify areas for law reform.

4. Teaching Methods

The course will be delivered through lectures, discussions, individual and group assignments accompanied by presentations.

5. Methods of Assessment

Students will be assessed continuously that goes to 50% of their grades. They also take one written final exam that carries the remaining 50%.

6. Attendance Policy

Students are expected to attend minimum of 85 % of lecture class.

7. Course Outline

Chapter One: Underlying Points

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- Essence of and Classification of Security Devices
- Purposes of Security Devices
- Obligations to be Secured by Security Devices
- Contractual Obligations
- Legal Obligations
- Extra-contractual Obligations

Chapter Two: Mortgage and Antichresis

- Definition
- Creation of Mortgage
- Perfection Mechanics
- Effects of Mortgage
- Enforcement of Mortgage
- Extinction of Mortgage
- Antichresis: A Special Kind of Mortgage?
- Antichresis distinguished from Mortgage
- Creation, perfection, and enforcement of Antichresis

Chapter Three: Pledge

- Definition
- Creation/ Establishment
- Perfection
- The Rights and Duties of Parties to a contract of pledge
- The Enforcement of pledge
- Extinction of Pledge
- Summation: Comparison between the Civil Code and the New Pledge Proclamation

Chapter Four: Other Forms of or Alternatives to Security Liens

- Sale with Ownership Reserved
- Sale with Right of Redemption
- Financial Guarantee Bond
- Chapter Five: Current Developments

8. References

A. Laws

1. The FDRE Constitution,1995.
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3. The Commercial Code of Ethiopia (1960)
4. Maritime Code of the Empire of Ethiopia of 1960.
5. The Civil Procedure Code of Ethiopia, 1965.

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6. Property Mortgaged or Pledged With Banks Proclamation No.97/1998 (as amended and now partially repealed)
7. The Business Mortgage Proclamation No.98/1998(now repealed).
8. Civil Code (Amendment) Proclamation, Proclamation No. 639/2009.
9. Movable Property Security Rights Proclamation, Proc. No.1147/2019.

B. Books, articles and other materials

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4. Asress Adimi Gikay, Rethinking Ethiopian Secured Transactions Law through Comparative Perspective: Lessons from the Uniform Commercial Code of the US; Mizan Law Review, Vol. 11, No.1 September 2017.
5. Asres Admi Gikay,Ethiopian Law of Security Rights in Movable Prperty, 2021.
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12. Grant Gilmore and Allan Axelrod, Chattel Security I: The Yale Law Journal, Vol. 57, No. 4 (Feb., 1948), pp. 517-548.
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14. John M. Kriz, Ship Mortgages, Maritime Liens, and Their Enforcement: The Brussels Conventions of 1926and 1952. Part One, Duke Law Journal, Vol. 1963, No. 4 (Autumn, 1963), pp. 671-695.

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15. Joseph J. Norton and Mads Andenas (eds.), Emerging Financial Markets and Secured Transactions (Kluwer Law International Ltd., London, 1998), Chapters 1,2,3 &7
16. Mebrhatom Fitiwi , Legal and Economic Glitches of Proclamation No. 639/2009, Mekelle University Law Journal Vol.1 No.1, 2010.
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18. Michael Bridge and Robert Stevens (eds.), Cross-border Security and Insolvency (Oxford Univ. Press, 2001), Chapters 3-6.
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30. Frederique Dahan, John Simpson, Secured Transactions Reform And Access To Credit (Elgar Financial Law),2009
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33. Jack Guttentag, The Mortgage Encyclopedia: The Authoritative Guide to Mortgage Programs, Practices, Prices and Pitfalls, Second Edition,2010.
34. GG Castellano & M Dubovec, 'Bridging the Gap: The Regulatory Dimension of Secured Transactions Law Reforms, Uniform Law Review (2017)
35. Giuliano G. and Castellano, Marek Dubovec Global Regulatory Standards and Secured Transactions Law Reforms: At the Crossroad between Access to Credit and Financial Stability, Fordham International Law Journal, Volume 41, Issue 3 2018

1. Course Identification

Course title: **Alternative Dispute Resolution**
Course Code:...
Credit Hours: 3 credit hours/ 5 ECTS
Pre-requisites: None.

2. Course description

Article 37(1) of the FDRE Constitution declares that everybody has the right of access to justice. This is an affirmation of the ***formal*** access of ***justice for all***. The Constitution also envisages the ***formal state machineries*** charged with the administration of justice. These include regular courts (of state and federal) and other institutions duly authorized by law. The Constitution also recognizes religious and customary courts as additional avenues of administration of justice. The question is whether justice is ***effectively/actuallyaccessiblefor all*** as is formally declared under the Constitution. This question cannot be answered in the affirmative for any nation of the world, Ethiopia included. In a historical context, the shift from the ideology of laissez-faire state (which was content with formal access to justice) to the nation state (which required effective access to justice), the hitherto dogmatic, formalistic approach to law and legal scholarship has changed; the role of law and lawyers redefined. Entrenched cultures of dispute management have been subjected to re-examination and challenge. For instance, civil justice as administered through the state-sponsored judiciary is said to be in crisis; that justice is said to be inaccessible for the majority, let alone for all citizens. Delay, cost, excessive procedural formality, etc are said to have marred the adversarial model of litigation of the Common law world thereby denying effective access to the judiciary.

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This led to attempts at renovating or reforming the judiciary. Legal aid and class action procedures were championed by the World-wide Access to Justice Movement of the 1960s and 1970s to fix economic and procedural problems of accessing justice. But from mid 1970s onwards the focus of discussion changed from renovating the judiciary to a search for, and realization of, 'complementary' and 'alternative' forms to adjudication before regular courts. The debate was about the disadvantages of adjudication in an adversarial context and the real or perceived advantages of its 'alternatives'.

This debate about 'alternatives' to adjudication began to take institutional shape, at least in the Anglo-American common law world, in a range of disparate experimental procedures sharing the common label of 'alternative dispute resolution', with its universal acronym ADR. Many different things are going under the ADR label; it stands for almost anything from the most general way of life-an orientation towards 'settlement'-to the range of specialist techniques marketed by private corporations for disputes in the commercial sphere.

The Course "Alternative Dispute Resolution" (ADR) must have emerged, at least in the Anglo-American common law world, as the extension of the effort to search for and realization of those 'complementary' and 'alternative' forms of settling civil disputes against the central backdrop of a legal culture particular to the Anglo-American common law world. This legal culture is characterized by adjudication before courts as the paradigm (main dispute resolution mechanism) and a dominant legal profession that claims monopoly control over dispute management using litigation as a vehicle for pursuing strategies of late settlement.

There is no doubt that courts in Ethiopia are state-sponsored, and the 1965 Civil Procedure Code adopted the adversarial model of Anglo-American. Adjudication before these courts using the Civil Procedure Code is far more formalistic; effective access to civil justice before these courts has long been put under spot light-we have witnessed attempts at reforming the Ethiopian judiciary so that they can be effective, accessible and efficient. Despite these common traits between adjudication in Ethiopia and its Anglo-American counterpart, the entrenched culture of dispute management in the latter may not equally serve as the central backdrop for the study of the Western ADR in the context of Ethiopia. Are courts the paradigm (the main dispute settlement) in Ethiopia? What comes to the mind of an average Ethiopian when s/he gets locked in a dispute? State-sponsored courts or some other informal mechanism? Is adjudication in Ethiopia dominated by the legal profession? How many litigants are represented by lawyers? Are

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they the majority or the minority? Do the majority of court cases end in settlement in Ethiopia? Do lawyers press for settlement or judgment in Ethiopia once they take cases to court?

The course covers some of the most important forms of settling civil disputes out of court: negotiation, mediation/conciliation, arbitration and some hybrid (mixed) forms as they pertain to Ethiopian legal system.

3. Course Objectives

After a successful completion of the course, students are expected to :

- Appreciate the role of ADR in settling disputes in domestic, regional and international disputes;
- Appreciate the debate about civil justice and the movement towards procedural innovation in the Anglo-American world and reflect on its relevance to the Ethiopian context
- Understand and analyze the nature and types of negotiation, the place of power in negotiation and strategies in negotiation
- Understand and analyze the nature of mediation/conciliation, explain the role of the mediator, and appreciate the effects of power imbalance in the mediation process
- Understand and explain the legal framework of arbitration process in Ethiopia
- Appreciate some forms of hybrid (mixed) process of settling disputes
- Explain the relationship between lawyers and ADR.

4. Teaching methods

Lectures, simulation exercises, student presentations, group discussions, individual and group tutorials, assignments and project supervisions

5. Mode of assessment

Students' assessment would focus less on traditional written evaluations, particularly in the form of time-constrained exams; greater emphasis shall be placed on assessment instruments that measure students' abilities to use the material they have learned in live situations. The assessment modality will be formative and informal, undertaken continuously as an integral part of the teaching-learning process (as opposed to one or two examinations at the end of a term), and involves student reflections, presentations, formal exams and paper works. Therefore, there will be simulation exercises on mediation and negotiation part of the course. The assessments will also be criterion-referenced, in contrast to norm-referenced, so that students' performance would be compared against pre-determined criteria, with possibilities for

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feedbacks and improvements. The final grade shall be determined based on the performance of students in the following activities:

- Class Participation…5%
- Simulation exercises 30%
- Presentations 15%
- Exam(s)…50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter One: Introduction

1. The Debate about Civil Justice and the ADR Movement
2. The three broad forms of dispute resolution
   - Interest based –Contractual Mechanisms
   - Right based-Adjudication
   - Power based- Self-help, Election

Chapter Two: Negotiation

2.1 Defining negotiation

2.2 The three crucial variables for success in negotiation

- Power
- Information
- Time

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2.2 Basic Conceptual Tools in Negotiation

a. The Concept of Best Alternatives to Negotiated Agreement (BATNA)
b. Reservation Value
c. Zone of Possible Agreement
d. Negotiation Preparation Checklist

2.3 Approaches to negotiation

2.4.1 Problem solving negation
2.4.2 Competitive negotiation
a. Basic characteristics of competitive negotiators
b. Techniques to deal with competitive negotiators

2.4 Multi Party Negotiations (MPN)
2.5Lawyers in Negotiation
2.6 Ethical Issues in Negotiation

Chapter Three: Mediation

3.1The Nature of Mediation
3.2 Types of Mediation

- Facilitative Mediation
- Evaluative Mediation
- Transformative Mediation

3.3 Preparing to mediate

- Mediation as a structured process
- Opening a mediation process
- Setting and enforcing ground rules
- Presentation by the parties
- Identifying issues
- Caucusing: generating options
- Closure of the mediation
- Drafting the mediation agreement

3.4 Ethical Issues and Problems of Regulation
3.5 Mediation and the Community

Chapter Four: Arbitration

4.1 Arbitration-a privately administered adjudication
4.2 Some peculiar issues in arbitration

- The arbitration agreement
- Jurisdiction
- Arbitrability
- Separability

4.3 The Establishment and Organization of an Arbitral Tribunal
4.4 The arbitral proceeding

- The procedure applicable in arbitration

- The arbitral tribunal's power on the parties
- Issues of third-party joinder, intervention and opposition
- The role of courts in arbitration

4.5 The Arbitral award

- Review of arbitral awards
- Setting aside of awards

4.6 Recognition and Enforcement of Foreign Arbitral award

8. References

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2. Arthur, W. Ravine Contemporary issues in international mediation and arbitration, The Fordham Papers, 2007
3. Vesna Lazić Steven Stuij, International Dispute Resolution Vesna Lazić Steven Stuij Editors Short Studies in Private International Law Selected Issues in International Litigation and Arbitration, Springer 2018
4. Jerome T. Barrett, with Joseph P. Barrett, A History of Alternative Dispute Resolution The Story of a Political, Cultural, and Social Movement, Jossey Bass, 2004
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18. Julian D M Lew, —Does National Court Involvement Undermine the International Arbitration 70 Processes?‖ American University International Law Review, Volume 24, No. 3, 2009 – Institute for transnational Arbitration, World Arbitration and Mediation Review,2012, vol. 6 No.3
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23. Robert Allen Sedler, Ethiopian Civil Proceure , Ethiopia, Haileselassie University,1968
24. Tecle Hagos Bahta, Recognition and Enforcement of Foreign Arbitral Awards in Civil and Commercial Matters in Ethiopia
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26. Proclamation No 1184-2020 - Proclamation to Ratify the Convention on Recognition and Enforcement of Foreign Arbitral Awards The Federal Negarit Gazeta,

27. Proclamation No. 1234/2021- Federal Courts Proclamation
28. Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID), Washington Convention, 1965).
29. ICC rules; Arbitration and ADR rules of English.
30. United Nations, the UNCITRAL Model Law on international commercial arbitration, 1994
31. The ICSID convention, regulation and rules; ICSID 15 April 2006 United Nation Convention on International Commercial Arbitration on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention), 1958.
32. ICC rules; Arbitration and ADR rules of English.
33. United Kingdom Organization, London Court of International Arbitration, LCIA Arbitration rules, 1998.
34. UNIDROIT Principles of International Commercial Contract

1. Course identification

Course title: **Law of Insurance**
Course Code:
Course weight: 2 Cr/Hr/3 ECTS
Prerequisite:

2. Course Description

This course deals with the definition and types of insurance, the requirements for the formation of a valid contract of insurance, the requirements for the establishment and operation of an insurance business, the basic principles governing insurance contracts and the rights and duties of the parties to the insurance contract. It begins with a highlight on laws regulating the establishment and operation of the insurance business, and proceeds to sections that deal with the law determining the rights and duties of the insurer and insured in insurance contracts as embodied in the Ethiopian Commercial Code.

3. Course Objectives

Upon completion of this course, students should be able to:

- Read, analyse, and explain Insurance Law cases in all fields of insurance coverage;
- Explain the regulation of insurance business in Ethiopia

- explain how to address the moral hazard and adverse selection problems endemic to each line;
- Explain various categories of insurance coverage;
- Explain the valid creation of insurance contracts, rights and obligations of parties,
- Apply the conventional rules of insurance contract interpretation; and
- Explain the underwriting process and the role of price discrimination, risk spreading, risk pooling, and risk allocation.

4. Teaching Methods

The course delivery shall consist of lectures, interactive discussion and student presentations. In light of the subject's fast-moving nature, course instructors shall actively encourage students to follow-up new developments as well as devise group and individual presentations of such developments.

5. Methods of Assessment

The course shall be assessed through a mixture of term-papers, group presentations and a final exam. Class participation and attendance shall form part of the continuous assessment.

6. Attendance Policy

Students are required to attend 85 % of class lectures.

7. Course Outline

Chapter One: Introduction to Insurance in General

1.1 The notion of Insurance
1.2 Significance of Insurance
1.3 Basic principles of Insurance
1.4 Types of insurances
1.5 Contract of insurance and insurance policy
1.6 Parties to contract of insurance
1.7 General obligations and rights of the parties

Chapter Two: Regulation of Insurance and Insurance of objects

2.1 Who may insure an object?
2.2 Scope of risks covered
2.3 Scope of compensation
2.4 Liability insurance in general
2.5 The compulsory third party liability vehicle insurance
2.6Payment and right of substitution in insurance of damages

Chapter Three: Life Insurance

3.1 Insurable interest
3.2 The nature and scope of risks insured
3.3 Designation of beneficiaries

3.4 Rights and obligations of parties
3.5 Insurance against illness and accident
Chapter four: Reinsurance
Chapter Five: Current developments
8. References

1. Colinvaux Raoul, The Law of Insurance Volume 1&II 3rd ed, Sweet&Maxwell
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3. Hailu Zeleke, Insurance in Ethiopia, Historical Development, Present Status and Future Challenges, August 2007
4. John, F Dobbyn, Insurance Law in a Nutshell, Third Edition, West Group,1996.
1. The Civil Code of the Empire of Ethiopia, Proclamation No 165/1960
2. The Commercial Code of the Empire of Ethiopia, Proclamation No166/1960
3. The Licensing and supervision of Insurance Business Proclamation No 521/2008
4. The Maritime Code of the Empire of Ethiopia, Proclamation No 164/1960
5. The Monetary and Banking Proclamation No 592/2008

Proclamation No. 690/2010 Social Health Insurance Proclamation

6. Proclamation No. 746/2012 a Proclamation to Provide for Insurance Business
7. Proclamation No. 1163/2019 a Proclamation to Amend Insurance Proclamation No. 1163/2019 A Proclamation to Amend Insurance Business Proclamation
8. Proclamation No. 799/2013 a Proclamation to Provide for Vehicle Insurance against Third Party Risks

1. Course identification
Course title: **Law of Negotiable Instruments**
Course Code:
Credit Hours: 2 Cr/Hr/3 ECTS
Prerequisite:
2. Course Description
This course covers the nature and function of negotiable instruments. The law that governs negotiable instruments address issues relating to documents or papers incorporating various types of rights that are transferred by registration, endorsement and delivery or by mere delivery of a document. In particular, it deals with commercial instruments (bills of

exchange, promissory notes, checks, travellers‘ checks); transferable securities (shares or stocks, bonds); and documents of title to goods (bills of lading and other types of way bills, ware house goods‘ deposit certificates). The negotiation of such instruments, the rights conferred by such instruments and the procedures and remedies for enforcement of the rights in the instruments will be dealt with.

3. Course Objectives

After a successful completion of the course, students should be able to :

- Understand and explain the legal aspects of negotiable instruments, the definition and types of negotiable instruments;
- Explain the similarity and differences between and among bills of exchange, cheques, and promissory notes;
- Explain economic significance of negotiable instruments; the formal requirements for the issuance and circulation of valid negotiable instruments; the mode of transfer of negotiable instruments; the definition, form and effect of endorsements;
- Explain he definition, form and effects of acceptance, acceptance for honor and payment or acceptance by intervention of negotiable instruments;
- Explain the rights and duties of the parties to negotiable instruments the performance of obligations arising out of negotiable instruments; the remedies available to holders of negotiable instruments in cases of non-performance.

4. Teaching Methods

The course delivery shall consist of lectures, interactive discussion and student presentations. In light of the subject’s fast-moving nature, course instructors shall actively encourage students to follow-up new developments as well as devise group and individual presentations of such developments.

5. Methods of Assessment

The course shall be assessed through a mixture of term-papers, group presentations and a final exam. Class participation and attendance shall form part of the continuous assessment.

6. Attendance Policy

Students are required to attend 85 % of class lectures.

7. Course Outline

Chapter One: Introduction To The Law Of Negotiable Instruments

1.1 Introduction
1.2 Historical overview
1.3 Definition, nature and parties to negotiable instruments
1.4 Types of negotiable instruments
1.5 Characteristics of negotiable instruments
1.6 Presumptions as to negotiable instruments

Chapter Two: The Form And Parties To Commercial Instruments (Bill Of Exchange)

2.1 Introduction
2.2 Essential elements of a bill
2.3 Issue, Negotiation, Delivery and Endorsement
2.4 Presentment and Acceptance of Commercial Instruments
2.5 Maturity of Commercial Instruments
2.6 Payment of Commercial Instruments
2.7Dischargeof Commercial Instruments
2.8Dishonour of Commercial Instruments

Chapter Three: Promissory Notes

3.1 Introduction
3.2 Definition of Promissory Notes
3.3 Essential elements of Promissory Notes
3.4 Functions of the Promissory Note
3.5 Parties to Promissory Notes

Chapter Four: Cheques

4.1 Definition and Essential Elements of Cheques
4.2 Characteristics of Cheques
4.3 Negotiation and Certification
4.4 Types of Cheques
4.5 Travelers‘ Cheques

Chapter Five: Enforcement of Instruments

5.1 Person Entitled To Enforce Instrument
5.2 Defences and Claims in Recoupment
5.3 Enforcement of Lost, Destroyed, or Stolen Instrument
5.4 Lost, Destroyed, or Stolen Cashier's Check, Teller's Check, or Certified Check
5.5 Right of recourse of a holder of commercial instruments
5.6 Loss of Right of Recourse and Alternative Remedies to a Holder

Chapter six: Current Developments

8. References

1. Bradford Stone, Uniform Commercial Code in a Nutshell, Fourth Edition, West Group 19952. Dudley Richardson, Guide to Negotiable Instruments and the Bills of Exchange Acts,London Better worths, 7th ed.,1983
3. Hashim Tewfik, Defenses on Negotiable Instruments under the Ethiopian Commercial Code, senior thesis,1988
4. Richard E. Speidel and Steve H. Nickles, Negotiable Instruments and Check Collection, Fourth Ed.1993

1. Course identification

Course Title: **Construction Law**
Course Code: …
Course Weight: 2Credit hours/3 ECTS
Pre-requisites: …

2. Course Description

This course is an introduction to the law that applies to the undertaking of construction projects, focusing mainly on the legal issues involving construction contract. The Course generally introduces students to the construction industry by highlighting the construction process, how it operates, who the players are and their roles in the construction industry. Construction contract being the principal component of the Course, issues of formation, interpretation and performance of construction contract will be critically examined. The construction industry is reputed for being litigious. Thus, the course highlights the mechanisms for avoiding, managing and resolving construction disputes. With a view to addressing concerns of public health and safety, the Course also covers regulatory issues in construction industry.

3. Course Objectives

Upon the successful completion of the course, students should be able:

- appreciate the construction process;
- explain the different forms of construction contract;
- discuss the procurement methods available for a construction contract;
- identify parties to a construction contract and explain their rights and obligations under the contract;
- analyze the role of international (FIDIC) and national (PPA) general conditions of contact in construction contracts;
- resolve legal issues arising from contraction contract and advice clients as to an effective dispute resolution mechanism; and

- explain issues of regulation in the construction industry and the regulatory tools at the disposal of the regulator.

4. Teaching-learning methods

A fair mix of lecture, guest speaker, seminar, and case method will be used.

5. Assessment Method

Students will be assessed continuously throughout the semester that counts for 50% of their grades. The continuous assessment takes different forms including group and individual assignments, presentations, and tests. Students will also seat for a written final exam that carries 50% of their grades

6. Attendance policy

As per the 2019 AAU Senate Legislation

7. Course outline

1. Introduction

1.1 The Subject matter and sources of construction law
1.2 Construction contract: Definition
1.3 Types of construction contracts
1.4 Contracting Parties and third parties (Stakeholders) in Construction Contracts
1.5 Risk and Risk distribution in construction contract

2. Formation of Construction Contracts

2.1 Negotiation
2.2 Competitive Bid
2.3 Types of Bid
2.4 Procurement Methods/ Routes
2.5 Bid and Contract Documents

3. Interpretation of Construction Contracts

3.1 General
3.2 Priority of Documents
3.3 Contra proferentum Rule
3.4 Industry Practice
3.5 Binding Decisions of Federal Supreme Court Cassation Division

4. Performance of Construction Contracts –Time

4.1 Time in Construction Contracts
4.2 Programme
4.3 Time Extension

4.4 Liquidated Damage
4.5 Time at Large

5. Performance of Construction Contracts –Price

5.1 Price and Methods of Payment
5.2 Price Escalation
5.3 Variation

6. Performance of Construction Contracts –Quality

6.1 Quality Standards
6.2 Defects
6.3 Provisional and Final Acceptance
6.4 Warranty and Decennial Guarantee

7. Claims in Construction Contracts

7.1 Definition/Concept
7.2 Types of Claims
7.3 Grounds of Claim
7.4 Claim Procedure

8. Termination

8.1 General
8.2 Termination by Law and Contract
8.3 Termination by the Employer
8.4 Termination by the Contractor
8.5 Termination for Convenience
8.6 Effect of Termination

9. Disputes and Dispute Resolution Mechanisms

9.1 What is Dispute
9.2 Engineer's Quasi Judicial Power
9.3 Adjudication/Dispute Review Board
9.4 ADR , Arbitration and Court

10. Regulation of the Construction Industry

10.1 Who regulates?
10.2 Issues of Regulation
10.3 Regulatory Tools

8. References

1. The Civil Code of Ethiopia (1960) Arts. 2610-2631; 3019-3040;3131-3206;3244-3249
2. Ethiopian Building Proclamation No. 624/2009
3. Council of Ministers Building Regulations No.243/2011

4. Urban Planning Proclamation No.574/2008
5. Public Procurement and Property Administration Proclamation No.649/2009
6. Public Procurement Directive of the Ministry of Finance and Economic Development, June 2010
7. Public Procurement and Property Administration Agency Conditions of Contract
8. FIFIC (International Federation of Consulting Engineers) Red Book 1999 and FIDIC Harmonized Version, 2006
9. Directive for the Registration of Construction Professionals and Contractors, No.19/2013, Ministry of Urban Development and Construction
10. John Uff, Construction Law (10th ed., Sweet & Maxwell, 2009)
11. John Murdoch and Will Hughes, Construction Contracts: Law and Management (3rd ed., Spon Press, 2000)
12. Michael Gunta, *Particular Features of Construction Contracts* (in Amharic with English synoptic catchwords), Ethiopian Bar Review, Vol.1, No.1 (2006)
13. Kenenisa Ketema, *Time At Large Under Ethiopian Law* (unpublished)
14. Kenenisa Ketema, *Salient Features of the PPA General Conditions of Contract for Works* (unpublished)

1. Course identification

Course topic: **Law of Public Enterprises, Cooperatives and Micro Small and Medium Enterprises**

Course Code:

Course weight: 3 Cr/Hr/5 ECTS

Prerequisite:

2. Course Description

This work will cover the regulatory and institutional framework affecting public enterprises, cooperatives and micro, small and medium enterprises. It will address major topics on the subject including economic rationale for public enterprises and cooperatives; formation, operation and dissolution of public enterprises in Ethiopia; and policy environment for MSMEs in Ethiopia.

3. Course Objectives

Up on completion of this course, students will be able to:

- Explain the public sector economy and the role of public enterprises and cooperatives in developing countries;

- Explain the historical account of regulation of public enterprises and cooperatives in Ethiopia;
- Explain the legal and institutional framework for the creation, operation, and dissolution of public enterprises and cooperatives;
- Critically elaborate the strengths and weaknesses of privatization of public enterprises in Ethiopia;
- Explain the role of MSMEs in Economic Development; and
- Explain the national and regional policy and institutional framework for promotion of MSMEs in Ethiopia;

4. Teaching Methods

Combination of lecture, Socratic Method, case study, problem based method, and field study will be used to deliver the course.

5. Methods of Assessment

To assess student performance on continuous bases, tests, individual and group assignments, filed works, and presentations will be required. This will cover 50 % of the total mark for the course. Final examination will cover 50 %.

6. Attendance Policy

Class attendance is compulsory. Students are required to attend minimum of 85 % of the lectures for the course and participate in all field works that may be prescribed by the course instructor.

7. Course Outline

Part I: **Law of Public Enterprises**

1. Introduction to Public sector economy and public enterprises
2. Understanding public enterprises: private and public dimensions
3. Historical overview of regulation of public enterprises in Ethiopia: Imperial regime, Dergue regime, and past 1991 regime
4. Establishment of public enterprises
5. Structure, Management, and control of public enterprises
6. Amalgamation, Division, conversion, and dissolution of public enterprises
7. Privatization of public enterprises

Part II: **Law of Cooperatives**

1. Understanding cooperatives: meaning, purpose, and classification of cooperatives
2. Historical account of cooperatives regulation and development in Ethiopia: Imperial period, Dergue regime, and past 1991period
3. Cooperatives and millennium development goals (MDG) in Ethiopia
4. Principles of cooperatives under Ethiopian law
5. Formation of cooperatives under the Ethiopian law

6. Rights and duties of members of cooperatives
7. Regulation of various categories of cooperatives in Ethiopia: Housing cooperatives, retailers' cooperatives, workers cooperatives, producer cooperative, worker cooperative, consumer cooperative, agriculture cooperative, and creditor cooperative
8. Management, auditing and supervision of cooperatives
9. Dissolution of cooperatives

Part III: Micro Small and Medium Enterprises (MSMEs)

1. Understanding MSMEs and their role in Economy
2. National and Regional MSMEs Policies in Ethiopia
    - FDRE Planning and Development Commission, Ten Years Development Plan: A Pathway to Prosperity (2021-2030)
    - Growth and Transformational Plan (GTP II)
    - Industrial Development Strategic Plan (2013-
    - TVET Sector Growth and Transformation Plan (2015-2020/5)
    - Micro and Small Enterprise Development Strategy
    - National Entrepreneurship Strategy
    - Other Policy Documents
    - Regional Policies
3. MSME Related Institutions in Ethiopia : Federal and Regional
4. MSME Related Programs in Ethiopia

8. References

1. Civil code of Ethiopia; 1960
2. Commercial code of Ethiopia; 1960
3. Proclamation 241 of 1966
4. Proclamation 71 of 1975
5. Federal Medium and Small Manufacturing Industry Development Agency Establishment Council of Ministers Regulation No 373/2016
6. Public Enterprises Proclamation, Proclamation No. 25/1992
7. Privatization of Public Enterprises Proclamation, Proclamation No. 146/1998,
8. Privatization and Public Enterprises Supervising Authority Establishment Proclamation (No. 412 of 2004)
9. Abebe Eshetu, Organization and Management of Public Enterprises: Autonomy Versus Control in Light of Proclamation No. 25/1992
10. Arnold Banners; British Cooperation, Manchester, 1970.
11. B.A. Voungjohms; Cooperative Organization, An Introduction; London, 1965.
12. B.B. Mukerjee; The Law and principles of Cooperative, calcuta, 1959.

13. B.J. Surridge and Margaret Dig by ; A Manual of Cooperative Law and Practice; Cambridge; 1970
14. Boris Topomin; The New constitution of the U.S.S.R; progress publisher, Moscow, 1977.
15. E. Cheknari; The soviet political system under socialism; progress pub. Moscow, 1997.
16. E.F.L. Bred; The principle and practice of Management; London, 1968.
17. G. Fauquet; Cooperative Union, Manchester, 1970
18. H. Calvet; The Law and principles of cooperatives; 1959.
19. Hatta Mohammed; The cooperative Movement in Indonesia, Ithaca, 1902
20. Agricultural producers cooperatives internal Rules Article 21.
21. Henry. H. Bakken; Basic concepts, principles and practice of cooperation; London, 1963
22. H. L. John Morley; British Agricultural cooperative; London, 1958
23. Konrad Engelman; Building cooperatives Movements in Developing Countries; London, 1968
24. Krishman M.Maini; Cooperatives and Law with Emphasis on Kenya; Nairobi, 1972 Kurt R. Anschel; Brannon and smith;
25. Agricultural Cooperatives in developing countries; NY, 1963
26. Lajos Ficzere; The socialist state Enterprise; Budapest, 1974
27. Lajos Torak; The socialist system of state control; Budapest, 1974
28. Preuss Walter, Cooperation in Israel and The world; Jerusalem; 1966
29. S.A. Sosna, Public Enterprises in Developing Countries: Legal Status, Moscow, 1983
30. Stephan Supranowitz, The Law of State-owned Enterprises in a Socialist State, Law and Contemporary Problems, Vol. 26, 1961
31. Yash Ghai, Law in the Political Economy of Public Enterprise: African Perspectives, Uppsala,1977
32. Kibebew Daka, The Co-operative Movement In Eth. Addis Ababa University, 1978)
33. Mekonen Andualem, Legal Status & Management of Co-operatives with Special Emphasis on Agricultural producers Co-operatives.(Senior paper, Faculty of Law Library Achieves, Addis Ababa University, Addis Ababa. 1970).
34. Calvert, H; The law and principles of Co-operation (5th ed..Thanerspink and co. pvt. Ltd., Calcutta, 1959.)
35. Ricardo R Pinto, Assessment of Ethiopian MSME Policies and Institutions (GIZ), (2019)

1. Course identification

Course title: **Media Law**
Course weight: 3 Credit Hours/5 ECTS
Course code: Prerequisites: Constitutional law, Criminal law, Torts and Human Rights

2. Course Description

Freedom of expression and the media is considered as a lifeblood of a democratic constitutional order. It enables citizens to effectively participate in public affairs and contribute in democratic building and development. But the media can also have counterproductive political outcomes unless regulated properly. The media can play a role in fomenting violence, increasing hate speech and disinformation as well as compromising the good will and reputation of individuals. In accordance with the Constitutional guarantee of freedom of expression and the media, Ethiopia has adopted different laws and regulations including the revised media proclamation, the revised criminal code, the hate speech and disinformation prevention proclamation and other relevant laws and regulations. The course will discuss the constitutional guarantee of freedom of expression and the media and the various laws and regulations that have a bearing on the media. Moreover, it will discuss the growing influence of social media as well as other online platforms and how the law is responding to this merging “new media” in the particular context of Ethiopia, by takin the comparative experiences of other states.

3. Course Objectives

The general objective of the course is to familiarise students with the meaningand extent of freedom of expression as well as the legitimate restrictions upon itsexercise. In doing so, it is expected that students shall be able to considerfreedom of expression as a principle and restrictions as exceptions; that the mediahave duties and responsibilities attached to the right; and they should alsoidentify the various types of media and their shifting significance to freedom ofexpression.

Within this framework students should be able to:

- Understand the legitimate aims of restrictions;
  Have good judgment as to whether the restrictions are necessary in a Democracy;

- Understand the essence of democracy and the level of tolerance and broadmindedness required by it;
- Identify classifications of speech, the value of these to a democratic society and the related level of protection accorded to each type of speech;
- Get to know both theory and experience of well-developed democracies
  in the regulation of media;
- Analyse the existing regulatory environment in Ethiopia for media such as press law and broadcasting proclamations, with the aim of building a
  democratic society and a responsible, informative as well as pluralistic media.
- Know the meaning and type of media.
- understand the interpretation of freedom of expression
- Identify the meaning and type of media and how they ought to be Regulated
- Develop the skills to interpret press (journalistic) freedom and regulation
- Identify the means of regulation of broadcasting media
- Acquire the appropriate knowledge and skill to provide for freeexpression to audio-visual media and the internet

4. Course Content

Chapter one: Freedom of Expression and the Media: Theoretical and Conceptual Underpinnings

1.1. Theoretical Justifications for Freedom of Expression and the Media
1.2. The Regulation of Freedom of Expression and the Media: International and Comparative
Perspectives
1.3. Current Trends and Controversies

Chapter Two:Media Regulation in Ethiopia

2.1. History and Development of Media Regulation in Ethiopia
2.2. Media Regulation in Ethiopia
2.3. Content Regulation of Media and Freedom of Expression
2.3 Media Self-Regulation and Code of Conduct

Chapter Three : The New Media and Regulation

3.1. The Digital Age and the Emergence of Social Media
3.2. The Pros and Cons of Social Media
3.3. How is the law responding to the regulation of this new media
3.4. The Evolution of Technology and Law

5. Methods of delivery

In this course, the teaching methods to be employed, particularly to enhance active student participation, are:

- Group discussion
- Presentation
- Lecture
- Project work

6. Assesement methods

This course employs mainly a continuous assessment technique to make the
necessary follow-up with regard to students‘ progress by providing them:

- Assignment and presentation, which constitute 20% of the grade
- Mid exam or project work 20%
- Final exam (50%)
- Regular class attendance and participation will have 10%

7. Attedancy policy

As per the 2019 AAU Senate Legislation

8. References

1. Nicol, G. Millar and A. Sharland, Media Law and Human Rights, Blaksone press, 2001
2. ARTICLE 19 –The legal Framework for Freedom of Expression in Ethiopia, www.article19.org.
3. Article 19, the article 19 freedom expression manual; international law and comparative law, standards and procedures, the bath press, 1993
4. Barfod v. Denmark, (1989) A 149
5. Castells v. Spain, (1992) A 236
6. Commercial Code of Ethiopia Proclamation No 1243/2020
7. Council of Europe publ., X, Media and democracy, 1998
8. Cumpana and Mazare v. Romania, 17 December 2004
9. De Haes and Gijssels v. Belgium, 24 February 1997, Reports 1997-I
10. Eric Barendt *Freedom of Speech* (Oxford, 2005)
11. European Court of Human Rights
12. FDRE Constitution

13. G. Robertson and A. Nicol, On Media Law, Sweet & Maxwell, 2002
14. Gaweda v. Poland, 14 March 2002
15. Goodwin v. United Kingdom, 22 February 1996, Reports 1996-II
16. Handyside v. United Kingdom, (1976) A 24
17. *Importing the First Amendment, Freedom of Speech and Expression in Britain, Europe and the USA*
18. Professor I. Loveland ed. (Oxford, Hart Publishing, 1998)
19. Iris Plus collection: Going horizontal; Legal observations of the European audiovisual observatory, 2003
20. J S Mill *On Liberty* (1859).
21. Jersild v. Denmark, (1994) A 298
22. Lingens v. Austria, (1986) A 103
23. Mass Media Law, Pember, 18th edition (2013)
24. Media Proclamation No. 1238/2021
25. Meiklejohn, A., *Political Freedom: The Constitutional Powers of the People* (Oxford, OUP, 1965)
26. Milton, J., 'Areopagitica: A Speech for the Liberty of Unlicenced Printing (1644)' in *Prose Writings* (London, Everyman edn, 1958).
27. Observer and Guardian v. United Kingdom, (1991) A 216
28. Overbeck, W. G., Belma, G. & Shepard, J.M. (2019). Major Principles of Media Law: 2019 Edition.
29. Scanlon, T, 'Freedom of Expression and Categories of Expression' (1979) 40 *U Pittsburgh Law Review* 519
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31. Shimelis Bonsa, –The State of Private Press in Ethiopia‖, in Bahru Zewde and Siegfried Pausewavg eds., *Ethiopia: the Challenge of Democracy from below;* Nordiska Afrikainstitute: Uppsala and Forum for social studies: Addis Abeba; 2002
32. Stanly Fish, There‘s no such thing as free speech and it‘s a good thing, too, Oxford University Press, 1994

Legal Clinics III for Business Law Stream (Under preparation)

1. Course identification

Course Title: **Introduction to Comparative and International Commercial Law**
Course code: …

Course weight: 3 credit hours/5ECTS
Pre-requisites: Law of Contract I and II, Law of Traders and Business Organizations, Law of Agency and Law of Property

2. Course description

The course introduces students to concepts and principles of comparative law, its historical development, aims, functions and methods with focus on the law of commerce. It also examines classification of legal systems into legal families, the comparison of substantive and procedural laws of major legal systems, as well as the different approaches towards providing solutions to issues and problems in the law of commerce. In addition, the course considers the unity and differences of Civil and Commercial Law, introduction to international business transaction including the intricacies of doing business by means of the documentary credit and the use of international commercial terms, explores the move towards unification of the law relating to international business and the exercise of standardization of international contract instruments and relates major modern trends in comparative law in the light of selected topics in the Ethiopian law of obligations and the law of commerce.

3. Course objectives

Upon successful completion of this course, students should be able to:

- explain concepts and principles of comparative law, its historical development, aims, functions and methods with focus on the law of commerce;
- analyze classification of legal systems into legal families,
- compare substantive and procedural laws of major legal systems,
- examine different approaches designed to provide solutions to issues and problems in the law of commerce;
- analyze the unity and differences of civil and commercial law,
- explore international business transaction including mechanisms of doing business by means of the documentary credit and the use of international commercial terms;
- evaluate trends towards unification of the law relating to international business and standardization of international contract instruments; and
- relate major modern trends in comparative law to selected topics in the Ethiopian law of obligations and the law of commerce.

4. Teaching-Learning methods

Lectures, seminars, student presentations, group discussions and assignments

5. Assessment methods

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation...5%
- Chapter Reflections/Summaries...15%
- Student Presentations...15%
- Assignments/Project/Essays...15%
- Exam(s)...50%

6. Attendance policy

As per the 2019 AAU Senate Legislation

7. Course outline

7.1 Introduction

1. Basic questions in comparative law
2. Elements and roots of comparative law
3. The Rationale for the Study of Comparative Law
4. Functions and Purposes of comparative Law
5. History of Comparative Law
6. The Old and new New *Lex Mercatoria*

7.2 The Legal Families of the World

1. Basic issues on the theory of legal families
2. Legal traditions and legal systems
3. Criteria for classification of legal systems
4. Evolution of the two major legal families of the modern world
5. The Civil Law Legal Family
6. The Common Law Legal Family

7.3 Civil Law and Commercial Law

1. The Place of Commercial Law within the Larger Realm of Civil Law
2. Historical factors for the growth of Commercial Law as a Separate Area of the Civil Law
3. The Unique Features of Commercial Law

4. Public Law Aspects of Commercial Law
5. The Utilities of the Law Relating to Commerce

7.4 Trends towards Convergence of Legal Systems

1. The United Nations Convention on Contracts for International Sale of Goods
2. The UNIDROIT Principles of International Commercial Contracts 2010
3. The Principles Of European Contract Law 2002
4. The Uniform Commercial Code

7.5 Standardized Contract Provisions

1. Development in internationalization of contracts
2. The distinction between public international contracts *(treaties)* and private international contracts *(civil contracts)*
3. Reasons for internationalizing contracts
4. Aspects unique to international contracts
5. Advantages of internationalization of contracts
6. Issues to be considered before internationalizing a contract

7.6 Inco-terms and the Documentary Credit

1. Definition and nature of international commercial terms
2. Categorization of international commercial terms
   a) The E-term: EXW (EX WORKS
   b) The F-terms: FCA, FAS and FOB.
   c) The C-Terms: CPT, CIP, CFR and CIF
   d) The D-Terms: DAT, DAP and DDP
3. The documentary credit
   a) The Core Problem
   b) Parties related by the documentary credit
   c) Steps in the transaction process
   d) Required documents
   e) The Uniform Customs and Practices (UCP) of the ICC
   f) The Scenario in Ethiopia

8. References

1. Konrad Zweigert and Hein Kotz, ***Introduction to Comparative Law,*** Third Revised Edition 1998.
2. Rudolf B. Shlesinger, ***Comparative Law: Cases-Text-Materials***, Fourth Edition, 1980, pp. 1-45.
3. W. J. Kamba, ***Comparative Law, A theoretical Framework,*** 23 *The International and Comparative Law Quarterly*, No. 3, 1974.

4. Barry Nicholas, ***Rules and Terms: Civil Law and Common Law,*** 48 *Tulane Law Review*, 1973-74.
5. A.M. Honore, ***The Background to Justinian's Codification,*** 48 Tulane Law Review, 1973-74.
6. Andre Tunk, ***The Grand Outlines of the Code Napoleon,*** 29 Tulane law Review, 1955.
7. Rene David, ***A Civil Code for Ethiopia,*** 37 *Tulane Law Review*, 1963.
8. Tilahun Teshome, *The Affinity between the Sale of Goods Provisions of the Fetha Nagast and Modern Lex Mercatoria,* 22 Journal of Ethiopian Law, 2009.
9. Rene David, ***The International Unification of Private Law,*** In II *The International Encyclopedia of Comparative Law*, 1971, chapter 1.*
10. G. Gregory Letterman, ***UNIDROIT Rules in Practice: Standard International Contracts and Applicable Rules,*** Kluwer Law International, 2001, Chapter 1 (Introduction), Chapter 2 (The Setting: The United Nations Convention on the International Sale of Goods/ CISG/), and Chapter Three (UNIDROIT Principles of International Contracts-The Text).
11. Some important international contract instruments,
    a) The United Nations Convention on the International Sale of Goods, 1980, full text, available on the Internet.
    b) UNIDROIT Principles of International Commercial Contracts, 1994, available on the Internet.
    c) The Principles of European Contract Law, 2002, available on the Internet.
    d) OHADA treaty on the Harmonization and Unification of Commercial Law, available on the Internet.
    e) International Commercial Terms (INCOTERMS), 2010, ICC.

    *More materials will be supplied by the Instructor in due course.

1. Course Identification

Course Name: **African Regional Integration Law**
Course Code:...
Credit Hours:2 credit hours/ 3 ECTS
Pre-requisites:None.

2. Course description

Regional integration, regionalism and the search for greater unity among Africans is not a new phenomenon. Regional Integration in Africa dates back to the immediate post-independence period. This course provides a forum for

students to study the ways in which the law has been used to shape and direct regional integration processes in Africa as well as the development of concept of 'community law' within the African regional integration schemes. The course begins with a discussion of theories of regional integration, followed by an overview of the historical trajectory of integration on the continent. In this regard, analysis of the legal basis and characters of regional institutions will be one area students will dwell on.The various efforts at integration on the continent including the AfCFTA, AU, COMESA, EAC, ECOWAS, SADC etc., will be identified and analysed for their strengths, weaknesses and challenges.The role of regional institutions like the regional courts will also be covered in the course.

3. Course Objectives

After a successful completion of the course, students are expected to:

- Understand the approaches to regionalism
- Understand the drivers of Africa's efforts towards regionalism
- Understand the historical evolution of the ideas of pan-African Unity
- Appreciate the various regional communities in Africa
- Assessing the regional integration model used in light of translating the objectives of integration into tangible benefits to Africans.
- Analyse the balance sheet of the process and efforts towards regional integration in Africa
- Analyse the role of law and regional institution (regional courts) in driving Africa's regionalism
- Identify and critically analyse the legal and otherwise challenges of regionalism in Africa

4. Course evaluation

The course will be evaluated at the end of every academic year. Students will evaluate the course by filling in a questionnaire that requires them to respond to specific questions about the content and manner of delivery of the course, as well as giving them the opportunity to make free-form (open ended) comments on the merits and shortcomings of the course. The relevant organs will process the responses and a report on the evaluation of the course is compiled pointing out strengths and weaknesses.

5. Teaching Method

Lectures, seminars, student presentations, group discussions, individual and group assignments

6. Mode of Assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation...5%
- Chapter Reflections / Summaries...15%
- Student Presentations...15%
- Assignments / Project/ Essays...15%
- Exam(s)...50%

7. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

8. Course outline

Chapter One: General Overview

- Theories and approaches to regionalism[developmental regionalism, new regionalism theory]

Chapter Two: Regionalism in Africa: Historical overview

- Pan Africanism-from antiquity to the present

Chapter Three: Economic Integration in Africa: Some Introductory Points

- The four Pillars of the Regional Economic Integration in Africa
- The Abuja Treaty and African Economic Community

Chapter Four: Regional Economic Communities

- The AU recognized RECs: some introductory points on nature and mandate
- Trade liberalization commitments and Time Framework
- Multiple Membership in the RECs

Chapter Five: Continental Level Economic Integration: The AfCFTA

- The Road leading to the AfCFTA
- Structure, Mandate, Scope

Chapter Six: African Regional Trade Arrangements and their Judiciaries

- Access to the Judiciaries
- Jurisdiction of the Courts

Chapter Seven: Regionalism and Peace and Human Security in Africa

- Human Security in Africa
- Regionalism and Peace in Africa: Role of AU and RECs
- Regionalism and migration in Africa:

Chapter Eight: Addressing Challenges of Regional Integration in Africa

9. References

1. African Union Passports in 2020, 55(6) *Africa Research Bulletin: Political, Social and Cultural Series,* (June 2018), available at <https://onlinelibrary.wiley.com/doi/epdf/10.1111/j.1467-825X.2018.08299.x>
2. AmaBiney, (2008), The Legacy of Kwame Nkrumah in retrospect, *The Journal of Pan African Studies*, Vol 2, No 3
3. Colin McCarty, (2011), African Regional Economic Integration is the Paradigm Relevant and Appropriate? In Christoph Herrmann and Phillipp (eds.), *European Year Book of International Economic Law*
4. Daniel H Levine and Dawn Nagar (eds), (2016), *Region-Building in Africa: Political and Economic Challenges*, Palgrave Macmillan
5. DejoOlowu, (2003), Regional Integration, Development and The African Union Agenda: Challenges, Gaps and Opportunities, *13 Transnational Law and Contemporary Problems*
6. Emmanuel Ugirashebuja et al (eds), (2017), *East African Community Law: Institutional, Substantive and Comparative EU Aspect*, Brill Nijhof
7. Fredrik Soderbaum and Timothy M Shaw (eds), (2003), *Theories of New Regionalism: A Palgrave Reader*, Palgrave Macmillan
8. Henry Onoria, (2010), *Locus Standi* of Individuals and Non-state Entities before Regional Economic Integration Judicial Bodies on Africa, *18 African Journal of International and Comparative Law*
9. James ThuoGathii, (2011), *African Regional Trade Agreements as Legal Regimes*, Cambridge University Press
10. LiisaLaakso, Beyond the notion of Security Community: What Role for the African Regional Organizations in Peace and Security?,*The Round Table*, Vol. 94 Issue 381
11. Martin Welz, (2013), *Integrating Africa: Decolonization's Legacies, Sovereignty and the African Union*, Routledge, London and New York
12. Melaku G. Desta and Guillaume Gerout, (2017), The Challenge of Overlapping Regional Economic Communities in Africa: Lessons for the Continental Free Trade Area from the Failures of the Tripartite Free Trade Area, in Yihdego et al (eds), *Ethiopian Yearbook of International Law*
13. Richard Frimpong Oppong, (2011), Legal Aspects of Economic Integration in Africa, Cambridge University Press
14. UNECA, (2017), *Assessing Regional Integration in Africa VIII: Bringing the Continental Free Trade Area About*, Addis Ababa
15. UNECA, (2019), *Assessing Regional Integration in Africa (ARIA) IX: Next Steps for the African Continental Free Trade Area*, Addis Ababa

16. Action Plan on Boosting Intra-African Trade and a Framework for the Continental Free Trade Area, Road Map, Architecture", African Union Commission and Economic Commission for Africa, 2011
17. African Union Commission, (2015), Agenda 2063 The Africa We want: Framework Document
18. African Union, Decision on the Moratorium on the Recognition of Regional Economic Communities, *Assembly/AU/Dec.112(VII)*, 2006
19. Agreement Establishing the African Continental Free Trade Area
20. Decision on Boosting Intra-Africa Trade and Fast Tracking the Continental Free Trade Area, Assembly/AU/Dec.394 (XVIII), 18th Ordinary Session of the Assembly of Heads of State and Government, Addis Ababa, January 29-30, 2012
21. Decision on Free Movement of Persons and the African Passport, Assembly/AU/Dec.607 (XXVII)
22. Decision on the Launch of Continental Free Trade Area Negotiations, Doc. Assembly/AU/11 (XXV), [Assembly/AU/Dec.569(XXV)]
23. Declaration on Boosting Intra-Africa Trade and Fast Tracking the Continental Free Trade Area (CFTA), Assembly/AU/Dec.1(XVIII), 18th Ordinary Session of the Assembly of Heads of State and Government, Addis Ababa, January 29-30, 2012
24. Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment, available at https://au.int/sites/default/files/treaties/36403-treaty-protocol_on_free_movement_of_persons_in_africa_e.pdf
25. Solemn Declaration on the 50th Anniversary of the OAU/AU, Assembly/AU/Decl.3 (XXI). See also IOM, (2018), p 16
26. Treaty Establishing the African Economic Community, (Abuja Treaty), adopted June 3, 1991 (entry in to force May 11, 1994), available at <http://www.uneca.org/itca/ariportal/abuja.htm>
27. Treaty Establishing the Common Market for Eastern and Southern Africa (COMESA), available at https://www.comesa.int/wp-content/uploads/2020/07/Comesa-Treaty.pdf
28. Treaty Establishing the East African Community, available at https://www.eacj.org/?page_id=33
29. Treaty Establishing the Southern African Development Community

1. Course Identification

Course title:**Legislative Drafting**

Course Code:...
Credit Hours:2 credit hours/ 3 ECTS
Pre-requisites: None.

2. Course description

The Course on Legislative Drafting introduces the drafting process and the tools in legislative drafting. It presents drafting as a tool for social change and as a means of resolving social problems and therefore looks at the drafting process in relation to substantive policy. Furthermore, the course discusses legislative theory and methodology, the research process as an early stage in drafting, and looks into professional responsibility of the drafter as the principal actor in the drafting process. It also covers issues of legislative syntax and techniques in drafting, stressing on the use of simple, clear, coherent, and consistent language in the production of legislative tools. Finally, the course presents on the use of language in multi-lingual drafting's in federal systems like Ethiopia.

3. Course objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- the steps involved in the drafting process;
- the role of the drafter in the legislative process;
- the necessary skills on researching and drafting bills so as to give solutions to social problems;
- the skills of drafting that ensure effective implementation of draft bills;
- the importance of language usage in the drafting a process;
- the unique features of different legislations and drafting in a federal and multilingual nation like Ethiopia;
- the limits in drafting like drafting within the constitution and without violating vested rights.
- legal reading, writing, analysis and research skills;
- writing clearly, concisely and without inadvertent ambiguity;
- the drafting of bills with readable structure;

4. Teaching methods

Lectures, student presentations, group seminars, individual and group assignments and project work

5. Mode of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation…5%
- Chapter Reflections / Summaries…15%
- Student Presentations…15%
- Assignments / Project/ Essays…15%
- Exam(s)…50%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter I: Introduction

- Distinguishing legislative drafting from other forms of legal writing
- Legislative drafting as a tool for social change
- Policy translations
- Problem solving approach to drafting

Chapter II: The Research Process

- The roles of the drafter
- Ethical responsibility of the drafter
- Writing the research report
- Developing a check list
- Prioritization and others
- Comparative analysis of the legislation and legislative processes
- Types of legislations
- Legislative processes

Chapter III: Techniques in Drafting

- The structure of legislation
- Using diagram logic trees to organize ideas
- The problems of grouping and ordering
- Overall organization and style
- Substantive content
- Consistency with international principles and human rights

- Conformity with other aspects of the constitution
- Conformity with other laws of the country

Chapter IV: Linguistic Problems in Drafting

- The plain language movement
- General principle
- Ambiguity and vagueness
- Other problems
- Legislative syntax
- Legal and preferred usage
- The use of particular words

Chapter V: Drafting Particular Provisions

- Drafting social legislation
- Drafting penal legislation
- Drafting delegated legislation

Chapter VI: Drafting in a Federal and Multilingual State

- The special issues of drafting in a federal state
- Drafting in multilingual states
- Similarity in structure and substantive content

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22. Margery Perham, The Government of Ethiopia, Faber and FaberLimited, London, 1969
23. Reed Deickerson, Fundamentals of Legal Writing, Boston: LittleBrown & Co.1965
24. Ann Seidman, et al, Legislative Drafting for Democratic SocialChange, Kluwer International, London

1. Course identification

Course Title: **Refugee and IDP Law**

Course Code:

Course weight: 2

Prerequisite: None

2. Course Description

International Refugee Law aims at protecting the rights of refugees by striking a balance between the two competing principles, namely the principles of state sovereignty, territorial supremacy and self-preservation on the one hand, and humanitarian principles deriving from international law and treaty practices on the other hand. The course presents the international

legal framework for refugee and asylum protection, and assesses its evolution with a view to helping students attain knowledge of the principal regional protection regimes. It also covers the legal, policy and institutional frameworks regarding refugee protection in Ethiopia- where national standards on refugees shall be contrasted with international and regional protection regimes. The course shall likewise consider the relationship of refugee and asylum laws with other areas of international law, and most notably the international human rights and humanitarian laws. Progressive issues such as internally displaced persons and the so called development/environmental refugees shall also be presented.

2. Course Objectives

2.1 General objectives

At the end of this course, students are expected to:

- understand the concepts of, migrants, immigrants, internally displaced persons and refugees
- recognize the principles and theories of International Refugee Law (IRL) and major international policy developments concerning refugees
- understand the national legal and policy framework on refugee protection in relation to the Constitution of FDRE, the 2019 Refugee Proclamation (Proclamation 1110/2019) and other policy documents
- comprehend alternative ways of refugee protection at regional and international level
- understand the nexus between refugee protection, development and peace and security of countries of origin and refugee/host
- develop skills needed for providing appropriate legal and policy advice for refugees, government agencies, international organizations, non-governmental agencies and other non-state actors on the issue of refugee protection

2.2 Specific objectives

At the end of this course, the students are expected to:

- Discuss the historical antecedents of the law of forced displacement
- Explain the inclusion, exclusion and cessation clauses of refugee definition
- Analyze the principles and process of refugee status determination
- Explain the grounds of persecution and fleeing under the UN and OAU refugee conventions
- Synthesize the main principles of refugee law
- Establish the development and humanitarian nexus and paradigm shift of refugee protection

- Appraise the international, continental, sub-regional and national framework for refugee protection
- Clarify the scope of the right to enjoy asylum under Ethiopian refugee law
- Differentiate between standards for the treatment, degree of attachment and comparator/reference groups of MFN
- Identify and discuss the four objectives of the Global Compact on Refugees
- Synthesize the international, regional and national protection of the rights of Internally Displaced persons (IDPs)

3. Teaching Methods

In this course, the following major methods of teaching are employed to enhance student's active participation:

- small group discussion
- pair-work
- problem-solving
- role-playing
- simulation
- presentation
- independent activity
- project work

4. Modes of assessment

Students will, depending on the class size, be evaluated for their final grades on the following bases:

- Class attendance and active participation in classroom discussions (10%),
- Case report assignment (15%),
- Mid-semester exam or test (25%),
- Other assignments or homework activities (10%)
- Final exam. (40%).

5. Attendance Policy

Attendance is mandatory. Rules of many higher education institutions require students to attend at least 75% of the classes, but 100% attendance should be the aim of students. Once the formal class has been commenced, students are expected to keep the decency and decorum of the institution. Moreover, make-up of justifiably missed and hence excused exams and assignments can be rearranged in due course.

In case the instructor be unable to conduct a class for reasons beyond his control, students are to be given prior notice, and make-up classes will be arranged.

6. Course evaluation

The course will be evaluated at the end of every academic year. Students will evaluate the course by filling in a questionnaire that requires them to respond to specific questions about the content and manner of delivery of the course, as well as giving them the opportunity to make free-form (open ended) comments on the merits and shortcomings of the course. The relevant organs will process the responses and a report on the evaluation of the course is compiled pointing out strengths and weaknesses. Feedback and issues arising from the evaluation, as well as the action taken to address these, are conveyed to the instructor and students at the earliest possible time.

7. Course outline

Chapter I: Historical Antecedents of the Law of Forced Displacement

1.1 The Concepts
1.2 The Theories
1.3 The Actual Movements

Chapter II: The Legal and Institutional Framework for Refugee Protection

2.1 The Evolution of International Refugee Regime
2.2 The Universal Standard: the Geneva Convention, Definition of Refugees and the Statute of the UNHCR
2.3 Contemporary Alternative Refugee Definitions
2.3.1 Africa
2.3.2 Latin America
2.3.3 Europe
2.4 Institutions and Actors in International Law Relevant to Refugee Law

Chapter III: International and Continental Framework for Refugee Protection

3.1 Principles and Concepts of Refugee Law
3.1.1 Asylum
3.1.2 Protection
3.1.3 *Non-refoulement*
3.1.4 Non-discrimination
3.1.5 Family Unity
3.1.6 Durable Solutions
3.1.7 International Cooperation

3.2 The 1951 Refugee Convention
3.2.1 Historical Context
3.2.1.1 Prior Definitions: Group Specific, Geographically and Temporally Limited
3.2.1.2 The 1951 Convention: Universal Applicability, Optional Geographical and Temporal Limits
3.2.1.3 Expansion via the 1967 Protocol
3.2.2 Definition of Refugee: Inclusion, Exclusion and Cessation Clauses
3.2.2.1 Alienage
a) Outside the Country of Nationality
b) Owing to Fear is Unable or Unwilling to Avail of Self of Protection of Country of Nationality
c) Dual or Multiple Nationalities
d) Stateless
3.2.2.2 Well-founded Fear
3.2.2. 3 Persecution
a) Acts of Persecution
b) Agents of Persecution
c) Five Grounds: Race, Religion, Nationality, Social Group, Political Opinion
3.2.3 Groups with Special Needs
3.2.3.1 Women
3.2.3.2 Children
3.2.3.3 Persons with Disabilities (PWDs)
3.2.3.4. Older Persons
3.2.4 Exclusion from Conventional Refugee Status
3.2.5 Internal Protection Alternative
3.2.6 Reception
3.2.7 Detention
3.2.8 Recognition as Refugee
3.2.8.1 Procedures
3.2.8.2 Establishing the Facts
a) Standards of Proof
b) Credibility
c) Special Issues

3.3. 1969 OAU Convention Relating to Specific Aspects of Refugee Problems in Africa
3.4. The Kampala Declaration on Jobs, Livelihoods and Self-Reliance for Refugees, Returnees and Host Communities in the IGAD Region
Chapter IV: Overview of National Legal Framework, Institutions, and Actors
4.1 The Interface between International Law and National Law
4.2 The Revised 2019 Refugee Proclamation: its Salient and Unique Features
4.3 Asylum Cycle in Ethiopia
Chapter V: The Right to Enjoy Asylum in Ethiopia
5.1 Standards of Treatment
5.1.1. The Standard of National Treatment
5.1.2. The Standard of the Most-Favoured National (MFN) Treatment
5.1.3. The Standard of Treatment Accorded To Aliens Generally
5.2. Comparator or Reference Groups for MFN
5.2 Degree of Attachment with Country of Asylum
5.3. The Right to Enjoy Asylum in Ethiopia
5.3.1. Juridical Status
5.3.2. The Right to Acquisition and Transfer of Property
5.3.2.1. Artistic Rights and Industrial Property
5.3.3. The Freedom of Association
5.3.4. Right to Access to Justice
5.3.5. The Right to Work
5.3.5.1. Wage-Earning Employment
5.3.5.2. Self-Employment
5.3.5.3. Liberal Professions (Professional Practice)
5.3.5.4. The Right to Engage in Specific Projects Designed to Benefit Refugees and Ethiopian Nationals (Joint Projects)
5.3.6. Welfare
5.3.6.1. Rationing
5.3.6.2. Access to Housing
5.3.6.3.Access to Education
5.3.7. Access to Health Care Services
5.3.8. Refugees' Access to Social Security
5.3.9. Administrative Measures
5.3.10. Freedom of Movement and Choice of Residence
5.3.11. The Right to Stay in Ethiopia
5.3.12. Documentation
5.3.12.1 Identity Papers and Travel Documents

5.3.12.2 Vital Events Registration
5.3.12.3 Driver's Qualification Certification License
5.3. 13 Fiscal charges
5.13.1 Taxes and Duties
5.13.2 Charges/Fees
5.3. 14 Access to Banking and Financial Services
5.14.1 Access to Banking Services
5.14.2 Access to Microfinance Institutions
5.14.3 Access to Insurance Services
5.3. 15 Access to Telecommunication Services
5.3. 16 Family Reunification
5.3.17 Special protection to Refugees with Specific Needs
5.4. Durable Solutions
5.4.1. Local Integration
5.4.2 Resettlement
5.4.3. Naturalization
Chapter VI: Other Forms and Instruments of Protection
6.1 Human Rights Instruments and Mechanisms
6.1.1 Universal Declaration of Human Rights and the International Covenant for Civil and Political Rights
6.1.2 The UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatments or Punishment
6.1.3 The UN Convention on the Rights of the Child
6.1.4 The Geneva Conventions and Protocols: Minimum Standards in Times of War
6.2 Special Forms of Protection and Complementary Pathways:
6.2.1 Subsidiary and Temporary Protection
6.2.2 Complementary Pathways
a) Humanitarian admission
b) Community sponsorship
c) Humanitarian visas
d) Family reunification
e) Third country employment opportunities
f) Third country education opportunities
g) Other entry or stay options
Chapter VII: Regional Frameworks for Refugee Protection
7.1 The African Union
7.2 The Organization of American States

7.3 The European Union

Chapter VIII: The Law of Internal Displacement

8.1. African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention)

8.2. UN Guiding Principles on Internal Displacement (GPID)

8.3. Kampala Convention Ratification Proclamation (Proclamation 1187/2020)

8.4 Prevention, Protection and Durable Solutions for IDPs

Chapter IX: Institutional Framework for the Protection of the Rights of Refugees and IDPs in Ethiopia)

9.1 Legislative, Judicial and Quasi-Judicial and Administrative Mechanisms

9.2. The Federal Ministry of Peace

9.3. Agency for Refugee and returnee Affairs (ARRA)

9.4. National Disaster Risk Management Commission

9.5. The Role of the United nations High Commissioner for refugees (UNHCR) and the Cluster Approach

9.6 Other Agencies and Their Interaction

Chapter X: Recent Developments in International Refugee Protection

10.1 The “Arab Spring” and Influx of Refugee from Middle East to Europe

10.2 The Rise of Right-Wing Anti-Refugee Political Fronts in the Global North: BrExit, the Trump Era, and Reaction of EU

10.3 The New York Declaration and the Global Compact on Refugees: The Development and Humanitarian Nexus

10.4 Refugee Protection vs. Development and Political Stability in Countries of Origin and Host Communities

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3. Hathaway, J. The Rights of Refugees under International Law
4. Gowlland-Debbas, V., (ed.) The Problem of Refugee in the Light of Contemporary International Law Issues, Martinus Nijhoff, The Hague, 1995
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6. Garcia-Mora, M.R. International Law and Asylum as Human Rights Public Affairs Press , Washington D.C., 1956
7. UN General Assembly, New York Declaration for Refugees and Migrants

8. The Kampala Declaration on Jobs, Livelihoods and Self-Reliance for Refugees, Returnees and Host Communities in the IGAD Region
9. Inter-government Authority on Development's (IGAD) Nairobi Declaration on Durable Solutions, IGAD Declaration on Durable Solutions for Somali Refugees and Reintegration of Returnees in Somalia
10. Nairobi Comprehensive Plan of Action for Durable Solutions for Somali Refugees
11. Djibouti Declaration on Refugee Education
12. Roadmap for the Implementation of the Federal Democratic Republic of Ethiopia Pledges and the Practical Application of CRRF in Ethiopia in August 2017
13. UNHCR, CRRF Ethiopia (Briefing Note)
14. The Global Compact on Refugees
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16. International Covenant on Civil and Political Rights (adopted 16 December1966, entered in to force 23 March 1976) 999UNTS 171.
17. Universal Declaration of Human Rights (adopted 10 December 1948 UN GA Res 217A (III).
18. ILO, ILO Declaration on Fundamental Principles and Rights at Work, June 1988
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24. UNHCR Executive Committee of the High Commissioner's Programme, Conclusion on Local Integration Conclusion on Local Integration No. 104 (LVI) – 2005, 07 October 2005
25. UNHCR. (2019). Refugee Education 2030: A strategy for Refugee Inclusion. Copenhagen: UNHCR Education Section

1. Course identification

Course Title: **Law of International Organizations**
Course Code:
Course weight: 2Cr Hrs/3 ECTS
Prerequisite: Public International Law

2. Course Description

The law of International Organizations is a branch of public international law that comprises the key legal principles, rules and institutions governing international organizations. After presenting an overview of the nature and functions of international organizations, the course deals with the legal personality of international organizations. It also discusses conceptual issues facing international and regional organizations, such as competence of organizations, responsibility of international organizations, privileges and immunities, membership, dissolution and succession of international organizations.

Furthermore, the course explores questions relating to the role of the United Nations in the enforcement of international law. It concentrates, in particular, on the role of global and regional organizations for the maintenance or restoration of international peace and security under the UN Charter. To make the course more relevant to the professional needs and practical interests of students, the African Union, other African regional and sub-regional organizations are included to form specific areas of study. Key and relevant subject matters or issues relating to Ethiopia will be dealt with throughout the course delivery.

3. Objectives of the course

2.1 General Objectives

Having completed this course, students will be able to:

- Identify rules of international law governing international organizations;
- Apply these rules to actual practice;
- Familiarize with current trends in the development of international institutional law; and
- Discuss the effects of membership to international organizations in the Ethiopian context.

3.2 Specific objectives

At the end of this course, students, *inter alia*, will be able to:

- Define the concept of international organization;
- Discuss functions of international organizations;
- Identify types of international organizations;
- Explain the acquisition of legal personality by international organizations;
- Sort out powers of international organizations;
- Outline grounds of termination of membership to international organizations;
- Compare and contrast powers and responsibilities of different organs of the UN;
- Explain the nature of specialized organs of the UN;
- Identify the role of regional and sub-regional organizations under the auspices of the UN; and
- Solve specific international disputes by applying laws of international organizations;

4. Teaching Method

The mode of delivery for this course will be a combination of lectures, class discussions and group works. Mainly, the method to be employed will be participatory and student centered in that students will be provided with sufficient time and an enabling environment to actively participate in the class. To that effect, students will be expected to make the necessary preparation for each class session by undertaking the prescribed reading on the relevant legislation, textbooks and cases prior to class sessions.

5. Attendance Policy

Attendance will be taken regularly and will be considered towards the final grade of the course. Thus, absence of up to five classes will be tolerated under pain of loss of the marks allocated for attendance (10%). However, absence in excess of 20% of the total classes results in an automatic NG on the academic record of the student. Irregular absence not exceeding 20% of the total attendance shall be tolerated if caused by unforeseen circumstance or for medical reason.

6. Evaluation Of Student Performance

There shall be a progressive evaluation of students' performance based on the following criteria

- Attendance 10%
- Assignment 20%

- Mid exam 30%
- Final exam 40%

1. Course Content

CHAPTER ONE: - Introduction
1.1 Meaning and scope of international organizations
1.2. The Historical development of international organizations
1.2.1 The rise of modern organizations
1.3 Approaches to international institutions
1.4 Chief functions of international organization:
1.5 Classification of international organizations
1.5.1 Classification based on functions
1.5.2 Classification based on Membership
1.5.3 Classification based on the kind of contracting parties
1.5.4 Classification based on Intergovernmental or supranational
CHAPTER TWO: - Common Institutional Issues
2.1International Personality
2.1.1 Legal personality in municipal law
2.1.2 Which law governs transactions of an international organization when it acts in national jurisdictions?
2.2 Powers of International Organizations
2.3 Privileges and Immunities
2.4The Law governing the activities of international organizations
2.5 Responsibility of International Organizations
2.6 Succession of international organizations
2.7 Membership to international organizations
2.7.1 Admission and its procedure
2.7.2 Withdrawal from membership
2.7.3 Expulsion from membership
2.7.4 State succession and membership
2.8 Dissolution of international organizations
Unit summary
Review questions
CHAPTER THREE: -The United Nations System
3.1 Origin
3.2 Purposes of the UN
3.3 principles of the UN
3.3.1 Sovereign equality
3.3.2 Fulfillment of obligations
3.3.3 Obligations to settle disputes peacefully

3.3.4 Prohibition of use of force
3.3.5 Assistance in preventive or enforcement action
3.4 membership of the UN
3.5 Amendment of UN Charter
3.6. Organs of the United Nations
3.6.1. The General Assembly
3.6.2. The Security Council
3.6.3. The Economic and Social Council
3.6.4. The Trusteeship Council
3.6.5. The Secretariat
3.6.6. The International Court of Justice
3.6.6.1 A brief history of international adjudication
3.6.6.2 Composition and voting procedure of the ICJ
3.6.6.3 Jurisdiction of the ICJ
3.6.6.3.1 Contentious proceedings
3.6.6.3.2 Advisory opinions
Unit summary
Review questions
CHAPTER FOUR: - Specialized Agencies of the United Nations
4.1 The General Nature of Specialized Agencies
4.2 Comparative Survey of the institutional provision
4.2.1 Membership
4.2.2 Organs
4.3 The “legislative” Processes of the specialized Agencies
4.4 Interpretation of Constitutional texts
4.5 Sanction and enforcement Procedures
4.6 Development of International Laws by Specialized Agencies
4.7 Some Specialized Agencies
4.7.1. World Bank Group
4.7.2. World Health Organization
4.7.3. Food and Agriculture Organization
4.7.4. Others
CHAPTER FIVE: - Regional Organizations
5.1 Introduction: Chapter VIII of the UN Charter- Regional organizations
5.2 Regional and global Security
5.3 European organizations
5.3.1The Council of Europe
5.3.2 The North Atlantic Treaty Organization
5.3.3 Western European Union

5.3.4 The organization for Economic Cooperation and Development (OECD)
5.3.5 European Free Trade Association
5.3.6 The European Communities
5.3.6.1 European Coal and Steel Community
5.3.6.2 European Economic Community
5.3.6.3 European Atomic Energy Community
5.3.7 European Union
5.3.8 Communist Information Bureau (Cominform)
5.3.9 The Warsaw Treaty Organization
5.3.10 Council for Mutual Economic Aid (Comecon or CMEA)
5.4The American organizations
5.4.1 The Organization of American States (OAS)
5.4.2 Organization of Central American States
5.4.3 Central American Common Market
5.4.4 The LATIN AMERICAN INTEGRATION ASSOCIATION (LAIA)
5.4.5 Latin American Economic System
5.4.6 The Caribbean Community
5.4.7 The treaty for Amazonian Co-operation
5.4.8 The Andean Community of Nations
5.5 The Middle East
5.5.1 Arab League
5.6 Asia and the Far East
5.6.1 The ANZUS Council
5.6.2 The Afro-Asian Solidarity Conference
CHAPTER SIX: - African Organizations
6.1 The Organization of African Unity (OAU)
6.2 The African Union (AU)
6.2.1 The OAU becomes the African Union
6.2.2 Objectives of the AU
6.2.3 Principles
6.2.4 Structure of the AU
6.3 The New Partnership for Africa's Development (NEPAD) and Peer Review
6.4 African sub-regional organizations
6.4.1 Economic Community of West African States (ECOWAS)
6.4.1.1 History and background
6.4.1.2 Objectives
6.4.1.3 Structure
6.4.2 Common Market for Eastern and Southern Africa (COMESA)

6.4.2.1 History and background
6.4.4.2 Priorities and objectives
6.4.2.3Institutions
6.4.3 Intergovernmental Authority for Development (IGAD)
6.4.3.1 History and background
6.4.3.2 Objectives
6.4.3.3 Structure
6.4.4 Southern African Development Community (SADC)
6.4.4.1 History and background
6.4.4.2 Objectives
6.4.4.3 Institutions

8. REFERENCES

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2. C.F. Amerasinghe *Principles of Law of International Organizations* (1996), Cambridge.
3. Clyde Eagleton *International Organizations* (1957).
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8. Brownlie *Principles of Public International Law* (1979), 3rd ed., New York: Oxford University Press.
9. J. G. Merrills *International Dispute Settlement* (1998), 3rd ed., Cambridge: Cambridge University Press.
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12. K. Richard Gardiner *International Law* (2003) Essex: Pearson Education Limited.
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2. E. Lautherpatcht 'The Development of the Law of International Organizations by the Decisions of International Tribunals' 152 *Hague Academy of International Law* 137.
3. Franciso Wilcox 'Regionalism and United Nations' (1965) *Journal of International Organizations* 789.
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5. K.D. Magliveras and G. J. Naldi 'The African Union- a new dawn for Africa?' (2002) 51 *International and Comparative Law Quarterly* 415.
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C. Treaties

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2. Charter of the Organization of American States.
3. Constitutive Act of the African Union (2000/2001).

4. Protocol of Amendment to the Charter of the Organization of American States (Protocol of Buenos Aires).
5. Rome Statute of the International Criminal Court.
6. Statute of the International Court of Justice.
7. Treaty of the European Union.
8. United Nations Charter (1945).
9. Vienna Convention on the Law of Treaties.

D. Table Of Cases

1. *Advisory Opinion on Reparation for Injuries* (1949) ICJ Report 174.
2. *Advisory Opinion on the Legality of the Threat or Use of Nuclear Weapons* (1996) ICJ Report 226.
3. *Case Concerning Armed Activities on the Territories of Congo (DRC v Rwanda)*, Provisional Measures 2002 ICJ Reports 219.
4. *Certain Criminal Proceedings in France Case* 2003 ICJ Reports 102.
5. Corfu Channel Case, preliminary Objection 1948 ICJ Reports 15.
6. *Kasikili/Sedudu Island Case* 1999 ICJ Reports 1045.
7. *Legal Consequence for States of the Continued Presence of South Africa in Namibia (South West Africa)* (1971) ICJ Report 16.
8. *Nicaragua v US* (1986) ICJ Reports 14.
9. *Nuclear Test Cases* (New Zealand v France) 1995 ICJ Reports 288.
10. *Reparation for Injuries Suffered in the Service of the UN* (1949) ICJ
11. Reports 174.
12. *South West Africa Cases* (1996) ICJ Reports 6.

1. Course Identification

Course topic: **Conflict of Laws**
Course Code:
Course weight:3 credit hour/ 5 ECTS
Pre-requisites: None

2. Course Description

Conflict of Laws, otherwise known as Private International Law, is a branch of law that embodies rules that apply to cases arising between private persons or states engaged in private transactions with contacts involving two or more legal units. At the heart of conflict of laws is the presence of foreign element. Conflict of laws rules are juridical attempts to address disputes containing foreign element in a way that produces consistent and just outcome.

The discipline basically concerns itself with three issues: the question of jurisdiction—which country's court is competent to entertain a case at hand; the question of choice of law—which of the competing laws is applicable to the case; and finally, the question of recognition and enforcement of foreign judgments/ and arbitral awards—how can a foreign judgment/arbitral award be recognized and enforced in a state other than that which rendered the judgment/award.

3. Objectives

After a completion of the course, students are expected to be able to:

- Understand the notion, basic principles and the major theories of Conflict of Laws
- Appreciate the relevance of Conflict of Laws in the contemporary world
- Comprehend different connecting factors that help to determine the applicable law
- Understand the state that Conflict of Laws rules are in Ethiopia
- Explain the problems caused by the lack of a Private International Law legislation/statute or precedent system in Ethiopia.
- Engage in the issues of inter-state conflict of laws in the context of the Ethiopian federal arrangement possession of status;

4. Teaching Methods

The following teaching methods are used in mixture:

- Lecture
- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies ;
- Interactive and group discussions.

5. Course Content

Chapter One: Introduction to Conflict of Laws

1. General Introduction
2. Nomenclature and Definitions
3. Nature
4. Scope
5. Raison d'être
6. Functions
7. Origin and Development
8. Interstate and International Conflicts of Laws
9. Tendencies towards unification of conflict of laws

10. Ethiopia and Conflict of Laws

Chapter Two: Judicial Jurisdiction

1. Introduction
2. Theories of Judicial Jurisdiction
3. Limitations on the Exercise of Judicial Jurisdiction
4. Classification of Judicial Jurisdiction
5. Judicial Jurisdiction of Ethiopian Courts

Chapter 3: Choice of Law

1. Choice of Law Methods
    - Unilateral
    - Multilateralism
    - Substantive Law
2. The Choice of Law Process
    - Characterization
    - Renvoi
    - Public Policy and Rules of Immediate Application
    - The Incidental Question
    - Foreign Law: Status, Notice and Proof
    - Evasion/ Fraud
3. Choice of Law in a Federal Setup
    - The US Experience
    - In the FDRE
4. Application of Conflict of Laws in Special Area of Laws
    - Choice of Law in Contractual Obligations
    - Choice of Law in Non-contractual Obligations
    - Choice of Law in Property
    - Choice of Law in Status
    - Choice of Law in Agency, Partnership and Companies

Chapter4: Recognition and Enforcement of Foreign Judgments and Arbitral Awards

1. Introduction
2. The Rational behind Recognition and Execution of Foreign Judgment
3. The Rational behind Recognition and Execution of Foreign Judgment
4. Modes of Execution of Foreign Judgments
5. Conditions for Recognition and Enforcement
6. Defenses to Recognition and Enforcement

7. Execution of Foreign Judgments in Ethiopia
8. The New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958

5. Attendance Requirement

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

6. Assessment

- Mid-term exam: 20%
- Assignment: 20%
- Presentation: 5%
- Attendance and Participation: 5%
- Final Examination: 50%

7. References

A. Books/ Journal Articles/Thesis

1. AndargachewDagnew, 'Conflict of Laws in the present federal system of Ethiopia/ Senior Thesis, Faculty of Law, Addis Ababa University, 07/2000
2. Araya Kebede and Sultan Kassim, *Conflict of Laws Teaching Material*, 2009
3. BenyamTafesse, Private International Law (Conflict of Laws) Distance Learning Material, 2008
4. Cheshire, P.M. North and J.J. Fawcett, *Private International Law*, Oxford: Oxford University Press, 14th edition, 2008
5. Dicey, Morris and *Collins on the Conflict of Laws*, London: Sweet & Maxwell, 14th revised edition, 2008G.C.
6. G. Cheshire, Private International Law (1992)
7. Ibrahim Idris, *Materials for the Study of Private International Law in Ethiopia* (Unpublished), Addis Ababa University, 1993
8. L.Collins (ed), Dicey and Morris on *Conflict of Laws* (1993)
9. Peter Stone, *EU Private International Law;* Cheltenham, Edward Elgar Publishing Limited, 2008
10. R.H. Graveson., Conflict of Laws, *Private International Law,* (1974, Sweet and Maxwell)
11. Robert Allen Sedler, *The Conflict of Laws in Ethiopia, (1965*, Haile Selasie I University in association with Oxford University Press)

12. Samuel Teshale, "*Towards Rationalizing judicial Jurisdiction in Ethiopia,*" 8 Tilburg Foreign Law Review
13. Samuel Teshale, "Reciprocity with Respect to Enforcement of Foreign Judgments in Ethiopia: A Critique of the Supreme Court's Decision in the
14. TecleHagosBahta, *Recognition and enforcement of foreign arbitral awards in civil and commercial matters in Ethiopia*, Mizan LAW Review, Vol. 5 No.l, Spring 2011

B. Laws/Conventions

1. F.D.R.E. Constitution, 1995, Proclamation No.1/1995
2. Civil Procedure Code of the Empire of Ethiopia of 1965
3. F.D.R.E Courts Proclamation, proclamation No.25/1996
4. Draft proclamation to Provide for Federal Rules of Private International Law, prepared by Justice and Legal System Research Institute
5. The New York Convention on the Foreign Arbitral Awards, the New York Convention, 1958

C. Cases

1. Case of Verginella V. Antoniani,
2. AbebechWolde V. Estate of Signor KonstantinovEscrapino
3. NediyaChartes V. Estate of Antonio Chartes
4. Dr. Henry Colombo V. Andrel Lewis Herald
5. *W/roAstraidDebahianJerahian V. Estate of Mr. George Jerahian*
6. *Brigadier General TafesseAyalewV.Clarville A.J Co. and Mr. Robert William*
7. W/roAynalemDemoz V. Peter Beckensil
8. *Federal Supreme Court Cassation Decisions Vol.21/123200*
9. *Federal Supreme Court Cassation Decisions Vol.11/60685*
10. *Federal Supreme Court Cassation Decisions Vol.9/50923*
11. *Federal Supreme Court Cassation Decisions Vol.18/100290*
12. *Federal Supreme Court Cassation Decisions Vol.12/55299*
13. *Federal Supreme Court Cassation Decisions Vol.10/42928*
14. *Federal Supreme Court Cassation Decisions Vol.9/37339*
15. *Federal Supreme Court Cassation Decisions Vol---28883*

1. Course identification

Course Title: **African Union and Human Rights Law**
Course Code:

Course weight: 3 cr hr/5 ECTS
Prerequisite: None

2. Course Description

The Course in African Union and Human Rights Law has two parts. The first part, aspect of the Course on African Union Law, deals with the basic principles of African Union Law. It is particularly designed to give students a working knowledge of AU law. It examines the evolution, structure, institutions, subject matter, sources of AU law and the position of AU law in the legal systems of the member states. It also examines the position of the AU within the structure of international law, specifically in relation to other international structures such as the United Nations, Organization of American States, the EU, the Council of Europe, and the World Trade Organization. Students will acquire the skills needed to do research on AU law as it affects governments, national legal systems, businesses and individuals. It also focuses on current events in the AU with a view to establishing the role of law in all activities carried out by the AU.

The second part, aspect of the Course on African Human Rights Law, aim at providing participants with a comprehensive introduction to the normative and institutional framework devoted to the protection of human rights in Africa. The course will first review the main human rights treaties adopted in the African continent, emphasizing, on the one hand, the sociological and historical context surrounding their adoption and, on the other hand, their normative added value to the universal system of human rights. Then, it will examine African regional and the sub-regional institutions mandated to oversee implementation of human rights and the procedures they employ to discharge their functions and responsibilities. The class will also explain the key features of the African human rights systems that are different from the other existing regimes, and how they have been implemented in practice. Furthermore, the course will study the implications of African states withdrawal from the Rome Statute on the protection of human rights in Africa.

3. Course Objectives

Having completed this course, students will be able to:

- Identify the sources of AU law;
- Enumerate accurately those right and interests of AU protected by international and national law taking into consideration the headquarters agreement between AU and Ethiopia;
- Analyze the various AU instruments by taking relevant cases;

- Demonstrate the required skills for negotiation, advising, researching and dispute resolution by actively participating in moot courts and simulation games;
- Identify the various institutions and functions of the AU;
- Assess those aspects of AU law by clearly explaining the role the member states as well as the AU as an organization;
- Explain the legal foundations of the African human rights system;
- Unpack the institutional framework for African human rights system;
- Elaborate key features of the African human rights system; and
- Evaluate the implication of African states withdrawal from the Rome Statute on protection of human rights in Africa.

4. Teaching method

The principal methods to be used are a mixture of discussion and lecture. controversial legal issues will be for class room discussions. Course delivery is primarily learner centred that requires prior reading of the reference materials, active participation in pair works and small group discussions following introductory lectures. In addition, the following teaching methods are employed. They are problem-solving method, role-playing, simulation method, presentation, independent activity and paper work.

5. Mode of assessment

The following is a list of criteria for evaluation of students:

- Attendance and class Participation 10%
- Reflection (presentation) 20%

- Paper 20%
- Exam 50%

6. Attendance policy

Attendance is mandatory. A student who has missed more than 15% attendance shall not be eligible to sit for final exam.

7. Course outline

Part I

1. Background and Overview of the AU
   - Historical Background of the AU

- The position of AU in the Classification of International Organization
- The relationship of the AU and NEPAD
- The AU and regional inter-governmental organizations in Africa

2. The Legal position of the AU as an international Organization
   - Rational for Personality
   - Legal Personality of the AU
3. Institutional Structure of the AU
4. AU Membership, Withdrawal and Representation
5. Privileges and immunities of the AU
6. Legal Instruments in the AU
7. The Role of the AU in the maintenance of peace and security in Africa
8. Dispute Settlement

Part II

1. An overview of the African Human Rights system
2. The legal foundations of the system
3. The institutional framework
4. The regional institutions
5. Sub-regional African Courts and tribunals of human rights
6. On some key features of the African Human Rights System
7. The absence of a derogation clause and broad limitations in the African Charter of Human and Peoples' Rights
8. Second and third generation rights in the African Charter of Human and Peoples' Rights
9. Peoples' rights and individuals' duties in the African Charter of Human and Peoples' Rights
10. The institutional quagmire
11. African states withdrawal from the Rome Statute and its implication for protection of human rights in Africa

8. References

A. Mandatory Readings

1. Malcolm N. Shaw, *International Law* (5th edition, 2003).
2. Ian Brownlie, *Principles of Public International Law*, (6th edition, 2003).
3. Lorence W. Gormley, *Introduction to Law of the European Communities*, (3rd edition).
4. William R. Slomanson, *Fundamental Perspectives on International Law* (5th edition, 2007).
5. D.W Bowett, *The Law of International Institutions*, (4th edition, 2003).

6. Gittleman, R. “The African Charter on Human Rights and Peoples’ Rights: a legal analysis”, *Virginia Journal of international law*, 1982, vol. 22, pp. 667-714.
7. Ssenyonjo, Manisuli, “An Introduction to the African Regional Human Rights System: 30 Years after the Adoption of the African Charter on Human and Peoples' Rights”, *in* Manisuli Ssenyonjo (ed.), *The African Regional Human Rights System: 30 Years after the African Charter on Human and Peoples' Rights*, Leiden, Nijhoff, 2012, pp. 3-25.
8. Lamin, Abdul Rahman, “African Sub-regional Human Rights Courts: the ECOWAS Court of Justice, the SADC Tribunal and the EAC Court of Justice in Comparative Perspective”, *in* John Akokpari and Daniel SheaZimbler (eds.), *Africa's Human Rights Architecture*, Auckland Park, Fanele, 2008, pp. 233-244.
9. Ndulo, Muna, “The African Commission and Court under the African Human Rights System”, John Akokpari and Daniel SheaZimbler (eds.), *Africa's Human Rights Architecture*, Auckland Park, Fanele, 2008, pp. 182-203.
10. Ouguergouz, Fatsah, “The African Court of Justice and Human Rights”, *in* Abdulqawi A. Yusuf and Fatsah Ouguergouz (eds.), *The African Union: Legal and Institutional Framework: a Manual on the Pan-African Organization*, Leiden, Nijhoff, 2012, pp. 119-142. (http://booksandjournals.brillonline.com/content/books/9789004227729
11. D'Sa, Rose M., “Human and Peoples' Rights: Distinctive Features of the African Charter”, *Journal of African Law*, 1985, vol. 29 (1), pp. 72-81.
12. Heyns,Christof; David Padilla; Zwaak,Leo, “A Schematic Comparison of Regional Human Rights Systems: An Update”, *African Human Rights Law Journal*, 2005, vol. 5(2), pp.308-320.
13. Kersten, Mark, *Some Thoughts on South Africa’s Withdrawal From the International Criminal Court*, October 26, 2016 (https://justiceinconflict.org/2016/10/26/some-thoughts-on-south-africas-withdrawal-from-the-international-criminal-court/)
14. Moross, Saul*, South Africa Withdraws from ICC: What Next for Human Rights and Africa?*, November 2, 2016 (http://globalriskinsights.com/2016/11/south-africa-withdraws-icc-next-human-rights-africa/)
15. Woolaver, Hannah, *International and Domestic Implications of South Africa’s Withdrawal from the ICC*, October 24, 2016 (http://www.ejiltalk.org/international-and-domestic-implications-of-south-africas-withdrawal-from-the-icc/)

16. Ayeni, Victor Oluwasina (ed.), *The Impact of the African Charter and the Maputo Protocol in Selected African States*, PULP, Centre for Human Rights, University of Pretoria, 2016, PP. 297-314. (http://www.pulp.up.ac.za/pdf/2016_06/2016_06.pdf)

B. Recommended readings

1. Baimu, Evarist, "The African Union: Hope for Better Protection of Human Rights in Africa", *African Human Rights Law Journal,* 2001, vol. 1(2), pp. 299-314.
2. Centre for Human Rights, University of Pretoria, *A Guide to the African Human Rights System: Celebrating 30 Years since the Entry into Force of the African Charter on Human and Peoples' Rights (1986 – 2016)*, PULP, 2016.
3. Heyns, Christof; Killander, Magnus, "The African Regional Human Rights System", in Felipe Gomez Isa, Koen de Feyter (ed.), *International Human Rights Law in a Global Context*, 2009, Bilbao, University of Deusto, 2009, pp. 855-898.
4. Viljoen, Frans, "The African Regional Human Rights System", in Catarina Krause and Martin Scheinin (eds.), *International Protection of Human Rights : a Textbook*, Turku/Åbo, ÅboAkademi University, Institute for Human Rights, 2009, pp. 503-527.
5. *Abate, Mizanie, "*The African Women Protocol as Supplemental to the African Charter and Other Human Rights Instruments: A Brief Analysis", *Bahir Dar University Journal of Law*, 2015, vol. 5 (1), pp. 1-35.
6. Lloyd, Amanda, "A Theoretical Analysis of the Reality of Children's Rights in Africa: An introduction to the African Charter on the Rights and Welfare of the Child", *African Human Rights Law Journal,* 2002, vol.2(1), pp.11-32.
7. Baimu, Evarist, "Human Rights in NEPAD and its Implications for the African Human Rights System", *African Human Rights Law Journal,* 2002, vol.2(2), pp.301-319.
8. Ebobrah, Solomon, "Litigating Human Rights before Sub-Regional Courts in Africa: Prospects and Challenges", *African Journal of International and Comparative Law,* 2009, vol. 17(1), pp. 79-101.
9. Lloyd, Amanda; Murray, Rachel, "Institutions with Responsibility for Human Rights Protection under the African Union", *Journal of Africa*, 2004, vol. 48, pp.165-186.
10. Viljoen, Frans, "The realisation of Human Rights in Africa through Sub-Regional Institutions", *African Yearbook of International Law*, 1999, vol. 7, pp.185-214.

11. Yusuf, Abdulqawi, “The Progressive Development of Peoples' Rights in the African Charter and in the Case Law of the African Commission on Human and Peoples' Rights”, *in* Federico Lenzerini and Ana Filipa Vrdoljak (eds), *International Law for Common Goods : Normative Perspectives on Human Rights, Culture and Nature*, Oxford ; Portland, Oregon : Hart Publishing, 2014, pp. 41-60.
12. Benedek, Wolfgang , “People’s Rights and Individuals' Duties as Special Features of the African Charter on Human and People’s Rights”, *in* Philip Kunig, Wolfgang Benedek and Costa Ricky Mahalu(eds.), *Regional Protection of Human Rights by International Law*, Baden-Baden, Nomos, 1985, pp. 59-94.
13. Dersso, Solomon A., “The Jurisprudence of the African Commission on Human and Peoples’ Rights with Respect to Peoples’ Rights”, 2006, vol.6(2) *African Human Rights Law Journal*, pp.358-381.
14. Howard, Rhoda , “Evaluating Human Rights in Africa: Some Problems of Implicit Comparison”, *Human Rights Quarterly*,1984, vol.6(2), pp.160-179.
15. Nwobike, Justice C., “The African Commission on Human and Peoples' Rights and the Demystification of Second and Third Generation Rights under the African Charter”, *African Journal of Legal Studies*, 2005, vol. 1(2), pp. 129-146 (http://booksandjournals.brillonline.com/content/journals/10.1163/221097312x13397499736101?crawler=true)
16. Kießling, Anja, “The Uncertain Fate of the African Court on Human and People’s Rights: The Problematic Merger with the African Court of Justice and the Establishment of an International Criminal Law Section”, *German Yearbook of International Law*, 2014, vol. 57, pp. 541-577.
17. Murray, Rachel; Wheatley Steven, “Group Rights and the African Charter on Human and Peoples’ Rights”, *Human Rights Quarterly*, 2003, vol.25(1), pp.213-236.
18. Mutua, Makau, “The Banjul Charter and the African Cultural Fingerprint: an Evaluation of the Language of Duties”, *Virginia Journal of International Law,* 1995, vol.35, pp.339-80.
19. Sermet, Laurent, “The Absence of a Derogation Clause from the African Charter on Human and Peoples’ Rights: a Critical Discussion”, *African Human Rights Law Journal*, 2007, vol. 7(1), pp. 142-161. (http://www.ahrlj.up.ac.za/sermet-l)
20. *Birhanu, Alebachew, “*The Relationship between the International Criminal Court and Africa: From Cooperation to Confrontation?”, *Bahir Dar University Journal of Law,* 2012, vol.3(1), pp. 110-143.

21. *Nkansah*, *Lydia A.,* "International Criminal Court in the Trenches of Africa", *African Journal of International Criminal Justice*, 2014, vol. 1(1), pp.8-37.
22. *Ibrahim*, *Abadir M.*, Solomon A., "Evaluating a decade of the African Union's protection of human rights and democracy: A post-Tahrir assessment", 2012, vol. 12(1) *African Human Rights Law Journal*, pp.30-68.

1. Course identification

Course title: **Electoral Law**
Course code:…
Course weight: 2 credit hours/3 ECTS
Prerequisites: Constitutional Law I and II

2. Course description

This course covers electoral rights, electoral legal and regulatory frameworks, election management bodies, electoral systems and management of representation, political parties, activities and operations in election cycles, election security and electoral justice. It also addresses election observation, voter education, and election and the media. The central focus of the course will be the Ethiopian election legal framework and administration.

3. Course objectives

After a successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- the constitutional foundation of Ethiopian electoral law;
- The workings of the Ethiopian election management body and the legal regime applicable to it;
- The nexus between elections and democracy
- the principles, procedures and institutional embodied in the Ethiopian electoral legal framework, such as Proclamations Nos. 1133/2019 and 1162/2019 as well as any future changes to the legal regime;
- the interplay between elections and representation system at federal and regional levels in Ethiopia;
- political parties and their role in elections;
- election activities and operations during electoral cycles
- electoral security and election dispute settlement;
- roles of stakeholders in elections such as civil society and the media.

4. Teaching-learning methods

Lectures imbued with what is commonly known as “Socratic method”, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions

5. Modes of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation...5%
- Chapter Reflections / Summaries...10%
- Student Presentations...10%
- Test/Quiz...10%
- Assignments / Project/ Essays/Mid-term exam...15%
- Exam(s)...50%

6. Attendance policy

A student must attend at least 80% of the lectures and complete all the assessment modalities in order to be credited for the course

7. Course outline

Chapter I: Introduction: theoretical foundation of elections

1. Elections and democratic governance
2. Determinants of election legitimacy and credibility
3. International electoral standards

Chapter II: Legal and Regulatory Frameworks of elections

1. Sources and elements of electoral legal framework
2. international legal framework: international treaties, customary law and soft law
3. Design of an electoral system
4. Past constitutions and elections
5. The 1995 Constitution and elections
6. Proclamations Nos. 1133/2019 and 1162/2019
7. Regulations and directives

Chapter III: Electoral management bodies

1. Introduction to election management bodies
2. why election management bodies matter
3. principles and ethics in electoral administration
4. credibility of election management bodies and why it matters
5. election management bodies responsibilities and mandates

6. models of election management bodies
7. election management bodies secretariats
8. models of subnational electoral administration
9. recruitment and staff retention—challenges and solutions.

Chapter IV: Electoral system and managing representation

1. definition of electoral systems
2. why electoral systems and representation matter
3. electoral formula
4. consequences of electoral systems for party system and representation
5. choice of electoral system in divided societies and post-conflict environments
6. Access to ballots, constituency magnitude
7. practical consequences of the choice of electoral system on election processes, including costs

Chapter VI: Political parties and political finance

1. definitions of political party systems
2. political finance: sources, principles and system of administration
3. models of political party organization, leadership and membership
4. political party and candidate registration legal frameworks
5. code of conduct for political parties and challenges to implementation

Chapter VII: election activities and operations during electoral cycles

1. Election planning and budgeting
2. Pre-election activities
3. Election-day activities
4. Post-election activities

Chapter VIII: electoral security and election dispute settlement

1. Election malpractice
2. Election security and conflict prevention
3. good practices in electoral conflict prevention and management, and their effectiveness
4. electoral justice: key principles
5. judicial and administrative settlement of election disputes

Chapter IX: key stakeholders and their activities

1. Civil Society organizations and the media
2. Civic and voter education
3. Election observation
4. Election reporting

8. Available learning resources

1. The Ethiopian Constitution of 1995
2. The People's Democratic Republic of Ethiopia Constitution of 1987
3. The Revised Constitution of 1955
4. The 1931 Constitution of Ethiopia
5. Proclamations Nos. 1133/2019 and 1162/2019 and past electoral laws of Ethiopia
6. Getachew Assefa: *Ethiopian Constitutional Law, Text Book* (2012).
7. Tadese Meleku, *Introduction to constitutional law* Vol.1
8. Tadesse Melaku, *Ethiopian Constitutional law past and present* Vol.2
9. James C.N. Paul and Christopher Clapham, *Ethiopian Constitutional Development (*vol 1, 1967) and Vol 2 (1972).
10. Decisions of the National Election Board of Ethiopia and the Ethiopian judiciary in connection with the 2005, 2021 and other general elections held in the country.
11. Robert M.J., et al, Bush VsGore: The fight for Florida's Vote, Kluwer Law International, 2001
12. GROFMAN, Bernard and Arend LIJPHART, eds. 1986. *Electoral Laws and their Political Consequences*, New York : Agathon Press.
13. RAHAM, B.D. 1962, "The choice of voting methods in federal politics, 1902-1918", *Australian Journal of Politics and History* 8,2.
14. GROFMAN, Bernard and Chandler DAVIDSON, eds. 1992. *Controversies in Minority Voting*, Washington, D.C. : Brookings.
15. HERMENS, Ferdinand. 1972. *Democracy or Anarchy? A Study of Proportional Representation*, 2nd edition, New York : Johnson Reprint Corporation.
16. HOROWITZ, Donald L. 1991. *A Democratic South Africa?: Constitutional Engineering in a Divided Society*, Berkeley : University of California Press.
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18. ISAACHAROFF, Samuel, Pamela S. KARLAN and Richard H. PILDES. *The Law of Democracy: Legal Structures of the Political Process* (Westbury, NY : The Foundation Press, 1998).
19. LIJPHART, Arend and Bernard GROFMAN, eds. 1984. *Choosing an Electoral System: Issues and Alternatives*, New York : Praeger.
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23. REYNOLDS, Andrew. 1993. Voting for a New South Africa, Cape Town : Maskew Miller Longman.
24. REYNOLDS, Andrew. 1995. « The Case for Proportionality », Journal of Democracy 6 : 117-124.
25. REYNOLDS, Andrew. 1999. « Electoral Systems and Democratization in Southern Africa. », Oxford, Oxford University Press.
26. RULE, Wilma and Joseph ZIMMERMAN, eds. 1994. *Electoral Systems in Comparative Perspective: Their Impact on Women and Minorities*, Westport : Greenwood
27. VENGROFF, Richard. 1994. « The Impact of Electoral System on the Transition to Democracy in Africa: The Case of Mali », *Electoral Studies* 13: 29-37.
28. SISK, Timothy D. 1995. « Electoral System Choice in South Africa: Implications for Intergroup Moderation. », *Nationalism & Ethnic Politics* 1(2) : 178-204.
29. SHUGART, Mathew S. and John CAREY. 1992. *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, Cambridge : Cambridge University Press.

1. Course identification

Course title: **Public Procurement Law**
Course code: ...
Course weight: 2 credit hours/3ECTS
Pre-requisites: Law of Contract I and II, Law of Civil Procedure I and II

2. Course description

Public procurement involves purchase of goods and services by an entity that obtains government budget. Public procurement consumes in a country such as Ethiopia a substantial amount of its annual budget and around 15 percent of its GDP every year. Public procurement can be viewed as a process requiring design and implementation of normative and

organizational regulatory arrangements. Those normative and institutional oversight frameworks are expected to build on principles of fairness, impartiality, competitiveness, transparency, accountability, non-discrimination, value for money; such frameworks should be in conformity with national and global standards and good practices of procurement. Public procurement law in Ethiopia has evolved from few provisions included in the Financial Administration Proclamation issued in 1996 to full-blown set of rules embodied in determining procedures of public procurement guided by the very first Public Procurement Proclamation 430 of 2005 and the current proclamation passed in 2009.

This course intends to introduce students to the importance, history, concepts, theories/approaches, legal frameworks, policies, life cycle and institutional frameworks of Ethiopia and comparative and international perspectives on public procurement.

3. Learning objectives

Upon completion of the course, students should be able to;

- articulate importance of public procurement regulation,
- examine life cycle of procurement process,
- explain concepts and principles of public procurement,
- analyze theories/approaches to public procurement,
- examine legislative frameworks,
- identify and evaluate institutional frameworks regarding public procurement,
- examine procurement legal and institutional regime of Ethiopia in light of comparative and international perspectives, and
- evaluate public procurement cases decided by administrative and judicial authorities.

4. Course outline

1. Course overview
2. Historical development of law of public procurement
3. Basic concepts and principles of public procurement
   3.1 Public procurement concepts
   3.2 Principles and values of public procurement
4. Approaches to public procurement
5. Comparative and international perspectives on public procurement

6. Federal and regional procurement laws of Ethiopia
7. Institutional framework of public procurement in Ethiopia
   7.1 Role of public procurement entities
   7.2 Mandate of the Federal Public Procurement and Property Administration Service
   7.3 Oversight functions of the Federal Public Procurement and Property Administration Agency and other regulatory entities
   7.4 Role of suppliers, civil society organizations and development partners
8. Dispute settlement
   8.1 Administrative processes
   8.2 Judicial review of administrative decisions

5. Attendance policy

Students are required to attend classes regularly, participate actively, and accomplish course-related tasks assigned by the instructor. Students who miss 15% of the total classes will not be able to sit for the final exam. Attendance will be taken regularly. Each student is responsible for all class announcements and changes that may be made thereto.

6. Teaching-learning methods

The course will be delivered through a combination of class lectures and student-centered approaches, which require the students to take an active role in the teaching-learning process. Students are expected to read materials, books, cases and laws before every class and actively participate in class. Students will also be required to do individual and group assignments and present the same.

7. Assessment methods

The final grade of students will be determined based on the following activities:

- Attendance and in-class participation 10%
- Assignments and presentations 20%
- Mid-term exam 20%
- Final exam 50%

8. References

1. Administrative Procedure Proclamation 1183 of 2020
2. Assessing of the Procurement Practice in Kenya, PPRA, 2017

3. Assessment of Norway's public procurement system 2018: Testing the new methodology, https://www.anskaffelser.no/sites/default/files/maps_norway.pdf
4. Baranek, Bruno and VitezslavTitl.2020."The Cost of Favoritism in Public Procurement," Princeton University, Princeton, New Jersey, mimeo.
5. Baynesagn Asfaw Ambaw and Jan Telgen (2017), 'The Practice of Performance-Based Contracting
6. Ben Wheatland (2015), 'Non-competitive Public Procurement' (Transparency International), https://knowledgehub.transparency.org/assets/uploads/helpdesk/Non-competitive_public_procurement_in_Ethiopia.pdf (accessed June 25, 2021)
7. Bolton, The regulatory framework for public procurement in South Africa. 2009.
8. Construction Works Regulatory Authority Establishment Proclamation 1097 of 2018
9. Debebe Derese General Contractor v Office of Water, Mining, and Energy of the District of Fentale, Cass. Case No 95797 [2015], 17 Fed. Sup. Ct. Rep. 104
10. Defense Forces Proclamation 1100 of 2019
11. Defense Forces Procurement Directive in 2004 E.C. (amended in 2006 E.C.)
12. Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of
13. Draft Federal Public Procurement and Property Administration Proclamation (2021)
14. Ermias Wosenyeleh 'Assessment of Sustainable Public Procurement Practices in Ethiopian Public Procurement and Property Disposal Services and Public Procurement and Property Administration Agency' (M.A. Thesis, AAU, School of Commerce, 2019)
15. Ethiopia Proclamation 1097 of 2018
16. Federal Attorney General Establishment Proclamation 943 of 2016
17. Federal Auditor General Re-establishment Proclamation 982 of 2016
18. Federal Government Motor Vehicles Deployment and Use Directive 32 of 2004 E.C.

19. Federal Government of Ethiopia Financial Administration Proclamation 648 of 2010
20. Federal Government of Ethiopia Financial Administration (Amendment) Proclamation 970 of 2016
21. Federal Government Procurement Manual (2002 E.C.)
22. Federal Government Property Administration Directive 9 of 2003 E.C.
23. Federal Public Procurement and Property Administration Proclamation 649 of 2009
24. Federal Public Procurement Directive (2010)
25. Flynn, A. (2016). Measuring procurement performance in Europe. *Journal of Public Procurement,*
26. Government Fixed Asset Administration Training Manual (2003 E.C.)
27. Government Property Disposal Directive (2021)
28. Handler, H. (2015). Strategic Public Procurement: An Overview. Policy Paper No. 28. Retrieved April 23, 2021, from https://www.researchgate.net/publication/284725763_Strategic_Public_Procurement_An_Overvie w/link/56581efd08ae4988a7b6301b/download
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30. http://www.fao.org/3/CA3614EN/ca3614en.pdf (accessed June 24, 2021)
31. Luana Swensson (2019), 'Aligning Public Procurement Rules And Practices To Support The
32. Manual on Public Procurement Complain Procedure (2011G.C.)
33. MAPS (2018). Assessment of Norway's public procurement system: TESTING THE NEW METHODOLOGY. Retrieved April 23, 2021, from https://www.anskaffelser.no/sites/default/files/maps_norway.pdf
34. Matewos Berhanu 'Effectiveness of the Centralized Procurement by the Federal Government through Public Procurement and Property Disposal Services (PPPDS)', AAU, College of Business and Economic, Department of Accounting, 2019)
35. Regulatory Systems in 180 Economies 2017, https://documents1.worldbank.org/curated/en/121001523554026106/Be

nchmarking-Public- Procurement-2017-Assessing-Public-Procurement-Regulatory-Systems-in-180-Economies.pdf
36. Rwanda: Methodology for Assessment of the Public Procurement System of Rwanda (2019)
37. Tecle Hagos Bahta (2017), 'Conflicting Legal Regimes Vying for Application: The Old Administrative Contracts Law or the Modern Public Procurement Law for Ethiopia' African Public Procurement Law Journal, vol. 4, No. 1, (2017)
38. The World Bank (2016), Benchmarking Public Procurement: Assessing Public Procurement the Addis Ababa City Administration, Cass. Case No 80464 [2013], 14 Fed. Sup. Ct. Rep.113
39. The FDRE Constitution 1 of 1995
40. The Federal Public Procurement and Property Disposal Service Establishment Regulations 184 of 2010
41. The World Bank. (May 2019). Assessment of the Public Procurement System of Zambia. Vol. 1. Retrieved April 23, 2021, from https://pubdocs.worldbank.org/en/155311584023270547/MAPS- ZAMBIA-FINAL.pdf
42. Yirga Tesfahun 'Public Procurement Reforms in Ethiopia: Policy and Institutional Challenges and Prospects' Masters in Public Management and Policy, Addis Ababa University, Addis Ababa University, 2011

1. Course identification

Course Title: Senior Thesis

Course Code:

Course weight: 3 credit hours /5 ECTS

Prerequisite: All law courses offered from year I to Year V semester I

2. Course description

Senior Thesis is a graduation paper student's write in their final year of law studies. Students are required to frame their research topics beforehand and submit a proposal as they register for the course. They are required to submit a completed thesis by the end of a semester according to a submissions deadline set by their department. The department shall assign an advisor who supervises their work up and grades same according to the criteria approved for the purpose. This course should be subject to guidelines to be issued by the school of law.

3. Course objective

By the end of this course students are expected to:

- Be able to identify relevant research areas

- Be able to apply their research skills acquired in research methodology class and assignments they worked on throughout their stay in the law school
- Be able to craft research questions and analyse information to come up with original findings
- Be able to be organized and manage time in light of the work at hand
- Improve their writing skills and produce content suitable for specific audience

3. Evaluation

The evaluation will be based on the scientific content of the thesis, quality of writing, presentation of paper and oral presentation. The details are indicated in a guideline approved by the SoL.

1. Course identification

Course title: **Law of Non-Profit Organizations**
Course code :
Course weight: 2 Hrs/3 ECTS
Prerequsites:

2. COURSE DESCRIPTION

This course, as its name indicates, specifically deals with Non-Profit Organizations also called Civil Society Organizations or Non-Governmental Organizations in some legal systems. The nonprofit sector is a crucial part of the social, political, and economic landscape of any country in the world. This course aims to provide a broad overview of the sector.

The course is divided into six chapters. In this regard, the course discusses the Constitutional basis of formation of CSOs. The Civil Societies Organizations proclamation No. 113/2019 being the major source for the regulation of Civil Societies is also the core of the course.

The formation, structure, management and control of groupings that are formed with a different purpose than making profit is discussed. The Control and monitoring of associations, including its internal and external aspect, is addressed in detail. Finally, the sources & Administration of finance of associations and dissolution of associations will be addressed.

3. COURSE OBJECTIVES

After the successful completion of the course, the students will:

- Be familiar with the laws that regulate Non-Profit Organizations in Ethiopia
- Critically analyze the rights and obligations of Non-Profit Organizations
- Understand and examine formation and registration process of Non-Profit Organizations in Ethiopia
- Identify bodies or organs which are responsible for the control and supervision of Non-Profit Organizations, as well as their powers and functions
- Comprehend and evaluate sources and utilizations budget & assets of Non-Profit Organizations in Ethiopia

4. Teaching methods

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions.

5. Mode of Assessment

Assessment and Evaluation of students will take a progressive approach. The breakdown shall be as follows:

- Term papers/Projects, quiz (mid-exam) and presentations:50%
- Final Exam:50%

6. Attendance policy

Attendance for each class during the duration of the course is mandatory to make the student receive important information communicated verbally during class. A student who misses any part of a class is responsible for making arrangements with a classmate to catch up. Nevertheless, each absence without permission or good cause shall entail reduction of one mark until the maximum of 5 points. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course Outline

Chapter One: Introduction To Non-Profit Organizations

1.1. Definition of Non-Profit organizations
1.2. Historical Background
1.3. Theories of Non-profit Organizations
1.4. Characteristics of NPAs
1.5. Classification of Organizations

CHAPTER TWO: LEGAL REGIME ON NON-PROFIT ORGANIZATIONS

2.1. International Instruments
2.2. Regional Instruments

2.3. National (Domestic) Instruments

CHAPTER THREE: FORMATION AND REGISTRATION OF ORGANIZATIONS UNDER ETHIOPIAN LAW

3.1. Principles Governing the Formation of CSOs in Ethiopia
3.2. Types of CSOs and Legal Requirements for formation
3.3. Registration of Organizations
3.3.1. Requirements and Conditions for registration

CHAPTER FOUR: ACCOUNTABILITY, CONTROL AND MANAGEMENT OF ORGANIZATIONS

4.1. Internal and external actors in control and management of CSOs
4.2. State Organs responsible for the control of Organizations
4.3. Powers and Functions
4.4. Law enforcement

CHAPTER FIVE: FISCAL ASPECT OF ORGANIZATIONS

5.1. Assets and Income Source of NPOs
5.2. Income generating Activities
5.3. Accounts and reports

CHAPTER SIX: MERGER, DIVISION, CONVERSION AND DISSOLUTION & LIQUIDATION OF ORGANIZATIONS

6.1. Merger, Division and Conversion of Organizations
6.2. Dissolution and Liquidation
6.3. Effects of Dissolution and Liquidation

8. REFERENCES

A. Laws

1. Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995
2. Civil Societies Organizations Proclamation No.113/2019

B. Books

1. Anna Karin Lindblom, Non-Governmental Organizations in International Law, Cambridge University Press, 2005.
2. Chris Cornforth, The Governance of Public and Non-profit Organizations: what do boards do?, Routledge, London, 2003.
3. Costantinos B.Tesfa, Regulatory Challenges & Opportunities for Non State Actors in the 'Evolution' of Governance & Anti-Corruption Culture in Ethiopia: Imperatives for Change, CCRDA, 2017
4. Gebre Yintison, Reality Checks: The state of civil society organizations in Ethiopia, African Sociological Review Vol 21, 1, 2017

5. Klause J. hopt, Thomas Von Hippel, Comparative Corporate Governance of Non-Profit Organizations, New York, Cambridge University press, 2010.
6. Susan D. Philips and Steven Rathgeb Smith, Governance and regulation in the third sector: An international perspective, Routledge, New York, 2011.
7. Mary Kaldor, Civil Society and Accountability, Journal of Human Development, vol. 4, no. 1, 2003

1. Course identification

Course Name: **Biodiversity Law**
Course Code:
Course weight: 2 Cr/Hr/3 ECTS
Prerequisites:

2. Course Description

This course reviews the legal instruments and major principles of international treaties on the conservation of biological diversity. National policies and laws related to biodiversity will also be discussed. Moreover, contemporary issues on the protection of biodiversity such as biosecurity, biotechnology, intellectual property rights and synthetic biology will be part of the discussion of this course.

3. Course Objectives

Upon the completion of this course, the student will be able to:

- Define biodiversity by clearly indicating its components;
- Discuss the significance of biodiversity for the life support system of the ecosystem and health, general wellbeing and livelihoods of humans;
- List down and describe the principles enshrined in international biodiversity legal instruments;
- Analyze whether Ethiopia has sufficient policies, laws and strategies to protect its precious biodiversity;
- Discuss legal issues regarding pros and cons of modern biotechnology advancements related to protection of biodiversity.

4. Teaching Methods

The following teaching methods are used in mixture:

- Lecture
- Video show related to: (1) loss of biodiversity, (2) positive and negative impacts of biotechnology (3) agricultural biodiversity

- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies: mainly on pollution;
- Interactive and group discussions.

5. Methods of Assessment

- Assignments 50%
- Final Exam 50%

Total 100%

6. Attendance Policy

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

7. Course Outline

Week 1:

Chapter One: Introduction

1.1. What is Biodiversity
1.1.1. Species Diversity
1.1.2. Gene/Genetic Diversity
1.1.3. Ecosystem Diversity

Week 2:

1.2. Significance of Biodiversity
1.3. Status of Biodiversity in Ethiopia
1.3.1. Ethiopia as a Hotspot of Biodiversity
1.3.2. Endangered Species

Week 3:

Chapter Two: International Legal Terrain for Biological Diversity

2.1. The Convention on Biological Diversity
2.1.1. The Cartagena Protocol
2.1.2. Nagoya Protocol
2.1.3. Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization
2.1.4. Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization

Week 4:

2.2. The International Treaty on Plant Genetic Resources for Food and Agriculture
2.3. The Ramsar Convention

2.4. The Agreement on Trade-Related Aspects of Intellectual Property Rights
2.5. Convention on International Trade in Endangered Species

Chapter Three: Biodiversity Policy and Laws

Week 5:
3.1. National Biodiversity Policy 1997
3.2. Access to Genetic Resources and Community Knowledge and Benefit Sharing Laws
3.3. Wildlife Laws

Week 6:
3.4. Forest Laws
3.5. Ethiopian Wetlands Protection Proclamation

Week 7:

Chapter Four: Major Issues in the Protection of Biodiversity

4.1. Agricultural Biodiversity
4.2. Biosecurity and Invasive Species

Week 8:
4.3. Biotechnology and Biodiversity
4.4. Biodiversity and Intellectual Property Rights
4.5. Synthetic Biology
4.6 Current developments

Weeks 9 – 11
Students shall work on projects or assignments

Weeks 12 – 15
Students shall present their projects/assignments

8. References

1. Mellese Damtie (2014), Loss of Biodiversity: Problems of Its Legal Control in Ethiopia, available at: http://wrap.warwick.ac.uk/67917/
2. Fikremarkos Merso & Imeru Tamrat (2009), Access to Genetic Resources and Benefit Sharing in Ethiopia, Conference Proceedings of Gathering of the Access to Knowledge Global Academy.
3. Mar Campins Eritja and Teresa Fajardo del Castillo (Eds.), (2021) Biological Diversity and International Law: Challenges for the Post 2020 Scenario, Springer
4. Charles R. McManis and Burton Ong (eds.) (2018), Routledge Handbook of Biodiversity and the Law, Routledge
5. Charles R. McManis (ed.) (2007), Biodiversity and the Law Intellectual Property, Biotechnology and Traditional Knowledge, Earthscan

6. Jessica S. Jerom, ‘How international legal agreement speak about biodiversity’, Anthropology Today, Vol. 14, No. 6 (Dec., 1998), pp. 7-9
7. Fidelis Kaihura and Michael Stocking (eds.) (2003), Agricultural biodiversity in smallholder farms of East Africa, United Nations University Press
8. Recommended Readings
9. Jorge Cabrera Medaglia, ‘A Review of Biodiversity Legislation in 8 Countries’, ResearchGate, https://www.researchgate.net/publication/263070791

1. Course identification

Course title: **Medical Law**
Course Code:
Credit Hours: 2Cr/Hr/ 3 ECTS
Prerequisite:

2. Course Description

Medical law is a rapidly developing and increasingly important subject. The rationing of expensive new drugs, and the institutional dimension of medical care have become central political issues. New technologies, such as genome editing, egg freezing and body transplants, are invariably accompanied by demands for their regulation. In this course, we examine the legal framework within which medical services are provided, and we explore some of the difficult legal and ethical dilemmas that arise when determining the limits of medical innovation. Specific matters that are considered in this course include malpractice liability, mental capacity and consent, confidentiality, clinical research, the regulation of medicines, organ transplantation, embryo and stem cell research, abortion, assisted conception and surrogacy.

3. Course Objectives

Upon successful completion of the course, students are expected to achieve basic knowledge and competence regarding:

- meaning of medical law and its possible distinction from healthcare law;
- the regulatory activities pertaining to provision of medical services;
- the liabilities borne by medical institutions and medical professionals for wrongdoing in the practice of medicine;

- the legal, moral and ethical issues raised by some newer innovations in medical technology.

4. Teaching Methods

To ensure that students attain the required learning levels and to enable them demonstrate their knowledge on practical situations, an integrated approach will be adopted in the delivery of this course. Besides active learning method (independent student study), other methods including the Socratic Method, lectures, group discussions, problem-solving assignments, as well as presentations will be utilized.

5. Methods of Assessment

Student learning will be assessed using an appropriate mix of a variety of ways on a continuous basis. As indicated in the AAU Senate Legislation and the National Revised Curriculum of the LL.B Program, the various methods of continuous assessment shall together account for 50% of the total course grade while the balance is allotted for a written final exam administered at the end of the course delivery. The following is a tentative list of activities, along with their respective weights, that may be employed to measure student performance in the course and determine the student's final grade:

- Participation ---------- 5%
- Quiz ---------- 15%
- Chapter summarization ---------- 15%
- Assignment & presentation ---------- 15%
- Final exam ---------- 50%

6. Attendance Policy

Students must abide by the university's code of conduct throughout the course. Acts of academic dishonesty, such as cheating, fabrication, and plagiarism, will not be tolerated, and will be subject to both direct actions by the instructor and report to concerned bodies for action.

Class activities may vary day-to-day, ranging from lectures to discussions. Students are demanded to actively participate in the course delivery process. Also they are expected to do, and do in time, all the learning tasks they are assigned with.

Note on class attendance and participation: ‘be punctual,’ ‘attend regularly’ and ‘participate actively’ is the adopted policy. Attendance will be taken regularly throughout the semester to ensure student’s actual presence during class and acquisition of requisite knowledge. Every unjustified

absence would be subject to deduction of marks. Mind you, missing more than --% of attendance will bar you from earning pass credit in the course and you will earn a grade of Incomplete Attendance (IA), in accordance with the provisions under Art. --- of the AAU Senate Legislation. Active participation is an indispensable component carrying a reward of up to 5 marks. Late-coming destructs attention; it may amount to absence.

7. Course Outline

Chapter I: Basic Introduction to Medical Law

1.1. Meaning of Medical Law; Distinction from 'Healthcare Law'
1.2. Sources of Law Governing Medical Practice in Ethiopia

Chapter II : Quality Control Regulation and Licensing of Medical Professionals

2.1. Regulatory Activities with Respect to Food and Medicines: Pricing, Licensing, Inspection and Certification
2.2. Regulation of Medical Research and Innovation
2.3. The Regulation of Medical Institutions and Medical Professionals with Respect to Provision of Medical Services
2.3.1. Basic Regulatory Activities and Requirements
2.3.2. Public Medical Institutions and their Medical Personnel
2.3.3. Private Health Institutions and their Medical Personnel
2.3.4. Regulation of Special Health Institutions, Traditional Medicine, Alternative and complementary Medicine
2.4. The Overall Organizational Structure of Medical Regulatory Framework in Ethiopia

Chapter III : The Institution/Physician-Patient Relationships and Right-Duty Dimensions

3.1. Basic Medical Ethics and Code of Conduct Imposed by Law
3.2. Capacity & Consent, Confidentiality and Privacy in Medical Procedures
3.3. Rights and Duties Emanating from Institution-Patient Relationship
3.4. Rights and Duties Emanating from Physician-Patient Relationship

Chapter IV : Liability of Medical Institutions and Professionals for Medical Malpractice

4.1. Civil Liability of Medical Institutions, Medical Employees and Medical Practitioners
4.2. Criminal Actions and Liability of Medical Institutions, Medical Employees and Medical Practitioners
4.3. Administrative Liability

Chapter V : Legal and Moral/Ethical Dimensions Pertaining to New Matters Brought by Medical Innovation

Chapter VII: Current Developments

8. References

A. Laws

1. Civil Code of the Empire of Ethiopia, Proclamation No. 165/1960 (as amended), Negarit Gazetta, Extraordinary Issue - 19th Year No.2. (Gen. relevant provisions of Titles VII & VIII)
2. The Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No. 1/1995, Federal Negarit Gazeta – 1st Year No. 1.
3. The Criminal Code of the Federal Democratic Republic of Ethiopia, Proclamation No. 414/2004 (9th May 2005). (Relevant Provisions)
4. Food and Medicine Administration Proclamation No. 1112/2019, Federal Negarit Gazeta, 25th Year – No. 39.

B. Books

1. Fremgen, Bonnie F., Medical Law and Ethics (5th ed., Pearson: 2015)
2. Jackson, Medical Law: Text, Cases and Materials (5th ed., Oxford University Press, 2019).

1. Course identification

Course Name: **Water Law**
Course Code:
Course weight: 2 Cr/Hr/3 ECTS
Prerequisite:

2. Course Description

This course examines legal frameworks dealing with thecontrol and utilization of fresh water resources in a national and, in limited measures, international contexts. It focuses on water’s special status as sociallyindispensable property, and concerns itself primarily with the role of law associety’s vehicle for resolving disputes that arise over the utilization, management and conservation of such a natural resource. It covers themes associated with riparian rights, rights of access and allocation, prior appropriation of waters, the historical evolution of water rights, and federal / state water right regimes, and the legal principles involved in securing, allocating, transferring, managing and adjudicating water rights for public and private uses. The doctrinal foundations of Ethiopia’s water law and polices, including national and regional water use regulations and proclamations, would makeup important constituents of the discussions. Likewise, the module unit presents some aspects of the national and global

issues involved in the field of water use regulations, the most vital points of focus being the doctrines defining international riparian rights and major principles governing the utilization, conservation and management of water resources. In each part, the doctrines shall be discussed in a context that highlights the contemporary riparian contentions and water use regimes.

3. Course Objectives

After a successful completion of the course, students are expected to achievebasic knowledge and competence regarding:

- master the basic legal concepts of the control and management of water resources, including riparianism, prior appropriation systems, permit systems, groundwater, environmental regulation of water, public rights in water and the public trust doctrine, federal water rights and power, interstate allocation and dispute resolution.
- understand the institutions, values, policies, and legal principles governing water resources in Ethiopia, including the relationships between legal principles and public policy goals.
- identify the most pressing issues facing water institutions in the Ethiopian federal system and requiring adaptation in the governance and control of water.
- identify the multiplicity of global water norms on Ethiopian water law
- rights involved in natural resources within the present federal set up of the country;
- the foundational principles and conceptions of riparian rights in most national jurisdictions;
- the Ethiopian water law regime; the responsibilities of the federal and regional laws and institutions in the use and administration of water resources; and core elements of the convoluted legal problems associated with the rights of utilization and management of the River basins.

4. Teaching Methods

Lectures, student presentations, group discussions, individual and group assignments and research works

5. Methods of Assessment

The final grade shall be determined based on the performance of students in thefollowing continuous assessment activities:

- Attendance and Class Participation: 10%

- Mid-term exam: 15%
- Term paper and Presentations...25%
- Final Exam: 50%

6. Attendance Policy

Students must abide by the university's code of conduct throughout the course. Acts of academic dishonesty, such as cheating, fabrication, and plagiarism, will not be tolerated, and will be subject to both direct actions by the instructor and report to concerned bodies for action.

Class activities may vary day-to-day, ranging from lectures to discussions. Students are demanded to actively participate in the course delivery process. Also they are expected to do, and do in time, all the learning tasks they are assigned with.

Note on class attendance and participation: ‘be punctual,’ ‘attend regularly’ and ‘participate actively’ is the adopted policy. Attendance will be taken regularly throughout the semester to ensure student’s actual presence during class and acquisition of requisite knowledge. Every unjustified absence would be subject to deduction of marks. Mind you, missing more than --% of attendance will bar you from earning pass credit in the course and you will earn a grade of Incomplete Attendance (IA), in accordance with the the AAU Senate Legislation. Active participation is an indispensable component carrying a reward of up to 5 marks. Late-coming destructs attention; it may amount to absence.

7. Course Outline

Chapter I: Overview and Introduction to Water Law

- Overview of types of water Resources
- Distribution of water in nature
- Scarcity, water politics and water crisis

Chapter II: Doctrines of Water Use Rights

- Riparian Rights Doctrine
- prior appropriation
- Public Trust Doctrine
- Common enemy doctrine
- Civil law doctrine
- Reasonable use doctrine

- Applications of Water use rights doctrines: Surface Water and Ground Water resources

Chapter III: The Law of Water Federalism

- Historical background of water law in Ethiopia
- Acquisition of ownership right in water
- Use and administration of water
- Powers of the federal government
- Powers of regional governments
- National laws for the use and administration of water resource
- National policy on water resource management

Chapter IV: Legal Pluralism in Water Law: Global Water Law and Other laws

- The interplay of national and international water law
- The impacts of new area of international law on domestic water regulatory space

Chapter V: Current Developments

8. References

1. Imiru Tamerat, Overview and Assessment of the Legal Framework for Water Resources Management in Ethiopia (2008)
2. Abiy Chelkeba, Competing Water Resource Demands in Ethiopia's Federal System: Infancy of the Law toward Integrated Management, 12(2) Mizan Law Review (2018)
3. Ethiopian Water Resources' Management Proclamation No: 197/2000.
4. River Basin Councils and Authorities Proclamation No. 534/2007.
5. Ethiopian National Water Policy (1999)
6. Imiru Tamerat, Overview and Assessment of the Legal Framework for Water Resources Management in Ethiopia (2004).
7. IJ Goldface-Irokalibe Water Management in Federal and Federal–Type Countries: Nigerian Perspectives
8. Yacob Arsano, Ethiopia and the Nile: Dilemmas of National and Regional Hydropolitics (2007) pp.105-171.
9. Butler, L. L. (1990). Environmental water rights: An evolving concept of public property. Virginia Environmental Law Journal, 9(2), 323-380.
10. Daniel Abebe, Egypt, Ethiopia, and the Nile: The Economics of International Water Law, 15 *Chicago Journal of International Law* (2014) pp.33-39.
11. Joseph Dellapenna and Joyeeta Gupta, Toward Global Law on Water, 14 Global Governance 437 (2008)

Legal Clinics III for Public Law Stream (Being developed)

1. Course Identification

Course title: Military Law
Course Code: …
Credit weight: 2 credit hours/ 3 ECTS
Pre-requisites: Constitutional Law, Criminal Law, Criminal Procedure, Law of Evidence, and Administrative Law

2. Course description

The armed force is a key functionary of a state; in fact, it is the most important of all instruments of coercion. It assumes crucial responsibilities and powers, discharges varieties of missions, duties, tasks, and performs myriad functions. As instrument of a state for defense and control of violence through violence, the armed forces is granted with and exercises vast powers, and usually commands huge resources –both material, human and psychological.

In general, military issues have been and still remain serious concerns of the society at large. As a result, a legal regime governing the subject matter has evolved - commonly known as Military Law.

This course deals with the principles, concepts, objective and scope of military law. It explores the various constitutive elements, factors and sources of military law and discusses features that distinguish military law from other public laws. It also examines the relationship of military law with other laws, both at the national and international levels. In addition, it identifies and explains the existing Ethiopian military law, and investigates whether the law adequately addresses major military issues or not. It tries to analyze the Ethiopian military law from the perspective of pertinent international military laws and normative standards.

Moreover, the course introduces the notion of military justice system in general, and presents the current Ethiopian system. Finally, it analyzes the impact of military service on constitutional rights and freedoms of military personnel. In doing so, it emphasizes on the administration of military justice

and military discipline in relation to the FDRE Constitution and creates the opportunity for students to develop knowledge and skills required for the administration of military law.

3. Course objectives

After a successful completion of the course, students should be able to:

- examine the nature, characteristics, sources and subjects of military law;
- identify the relationships and distinctions between military law and other public laws;
- analyze composition of the current Ethiopian military law, including provisions of the Defense Forces Proclamations in relation to relevant provisions of the FDRE constitution;
- examine the nature, purpose, objective, scope and features of military justice and its relation to the constitution of the Federal Democratic Republic of Ethiopia;
- find out the required professional skills for administration of military law and justice;
- examine the organization and leadership levels of the Defense Forces as well as their powers, duties and responsibilities;
- examine the extent of application and relevance of other laws such as criminal laws to the armed forces;
- discuss the current Ethiopian military Justice system in general and the roles of actors involved in its administration;
- explain the objectives, structure, competence (jurisdiction) of the Ethiopian military courts;
- analyze the impact of military justice on constitutional rights of the military personnel;
- apply the principles, rules and procedures to cases involving defence forces;
- promote prevlance of human rights and the rule of in the military justice system.

4. Teaching methods

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions.

5. Mode of assessment

Assessment and evaluation of students will take a progressive approach. The final grade shall be determined based on the performance of students in the following activities:

- Attendance and participation.....5%
- Term papers/Projects and presentations 25%
- Quiz/mid-exam.....20%
- Final Exam.....50%

Total:.....100

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. Each absence without permission or good cause shall entail reduction of one mark until the maximum of 5 points. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter One: Concept and Subject Matter of Military Law

1.1. Meaning and Objective of Military Law
1.2. Subjects of Military Law
1.3. Historical Development of Military Law
1.4. Distinction between Different Armed Organizations
1.5. Sources of Military Law

Chapter Two: Basic Principles of Military Law

2.1. No-Politicization and No-Ideologization
2.2. Civilian Control of the Military
2.3. The Minister of Defense and the Chief of Staff
2.4. Constitutional Control and Responsibilities
2.5. Other Control Mechanisms

Chapter Three: The Ethiopian Military Law

3.1. Legal and Institutional Framework
3.1.1. Legal Frameworks
3.1.1.1. The FDRE Constitution
3.1.1.2. The Defense Forces Proclamation

3.1.1.3. Other pertinent laws
3.2. Institutional Framework
3.2.1. The Commander in Chief
3.2.2. The House of Peoples' Representatives
3.2.3. The President
3.3. The Defense Forces Establishment, administration and responsibility
3.3.1. Establishment and Organization of Armed Forces
3.3.2. Leadership Levels, Powers and Responsibilities
3.3.3. Administrative Aspects of the Armed Forces
3.3.4. Regulation of Service Related Issues
3.3.5. Subsidiary Legislation

Chapter Four: Military Justice System

4.1. Meaning and Purpose of Military Justice
4.2. Why Separate Justice System?
4.3. Unique Features of the System
4.4. Organization of Military Justice System and Civilian Control Mechanisms
4.5. The Current Ethiopian Military Justice System
4.6. Actors in the Administration of Military Justice in Ethiopia
4.6.1. Commanders
4.6.2. Prosecutors
4.6.3. Investigators
4.6.4. Defense Lawyers
4.6.5. Military Courts
4.7. Administration of Military Justice and Constitutional Rights

Chapter Five: Military Courts

5.1. Establishment of Military Courts
5.2. Independence of Military Courts
5.3. Organizational Structure and Level of Military Courts
5.4. Judges in the Ethiopian Military Justice System
5.4.1. Criteria for Eligibility
5.4.2. Appointment and Composition
5.5. Jurisdiction of Military Courts
5.5.1. Over Persons
5.5.2. Over Offences
5.6. Punishment and Execution of Decisions

8. References

1. Bednar, R.J. “Discharge and Dismissal as Punishment in the Armed Forces”(1962) *Military Law Review* 1-42
2. Besselink, L.M.F. “Military Law in the Netherlands” in Nolte, G. (ed) *European Military Law Systems* (2003), De Gruyter Recht, Berlin
3. Canadian Bar Association *Submission on the Operation of Canadian Military Law National Defence Act and Bill C-25* (2003)
4. Carnelley, M. “The South African Military Court System – Independent, Impartial and Constitutional?” (2005) 33(2) *Scientia Militaria* 55-77
5. Dahl, A.W. *International Trends in Military Justice* (2008),
6. DeVico, A.J. “Evolution of Military Law” (1966-1967) 21 *JAG Journal* 63-82
7. Heniarti D, and Safei A, “Developing Trends of Military Justice System” (2012) IJSS 5-16
8. Heinecken, L., Nel, M & Janse van Vuuren, J. “Military Discipline: Where Are We Going Wrong?” (2003) 25 *Strategic Review for Southern Africa* 88-106
9. Joinet, L. *Issue of the Administration of Justice Through Military Tribunals (E/CN.4/Sub.2/2002/4)*, United Nations Sub-Commission on the Promotion and Protection of Human Rights (2002)
10. Lederer, F.I. & Hundley, B.E. “Needed: An Independent Military Judiciary – A Proposal to Amend the Uniform Code of Military Justice” (1994) 3 *William and Mary Bill of Rights Journal* 629-680
11. McNairn, D. “Does Canada Need a Permanent Military Court?” (2006) 18 *National Journal of Constitutional Law* 205-234
12. Morris, L.J. *Military Justice: A Guide to the Issues* (2010), Praeger, Santa Barbara
13. Roan, J.B. & Buxton, C. “The American Military Justice System in the New Millenium” (2002) 52 *Air Force Law Review* 185-211
14. Rogers, A.P.V. “The Use of Military Courts to Try Suspects” (2002) 51 *International and Comparative Law Quarterly* 967-980
15. The Constitution of the Federal Democratic Republic of Ethiopia, proc no 1/1995.
16. The FDRE Criminal Procedure Code
17. FDRE Criminal Code, 2004
18. Federal Courts Proclamation No 1234/2021
19. Federal Prison Proclamation No 1174-2019
20. Defense Forces Proclamation No 1100/2019

1. Course identification

Course Title: **Law of Administrative Contracts**

Course Code:
Course weight: 2 Credit Hours/3ECTS
Pre-requisites: Law of Contract I and II

2. Course description

The course Administrative Contracts introduces the students with the nature generally of and the formation and object of administrative contracts. Administrative contracts are very much important in Ethiopia under current settings. Some scholars argue that it is bad to have too much interference by the government in an economic system which focuses more on the initiative of private sector. Others argue that the government should regulate the market. Leaving aside the arguments, fact is that irrespective of the size of government's intervention in the economy the government also enters into contractual relations. It is in light of this fact that the Civil Code of Ethiopia devotes one title on the subject of administrative contracts. In addition to this, we have procurement proclamation to enable equitable, efficient and effective procurement. The course distinguishes administrative contracts from other types of contracts and discusses the views the two prominent legal systems have towards administrative contract. This course also deals with the task of evaluating the law of performance with respect to administrative contracts. The course also discusses the modality, time and form of performance; it also discusses the effects of non-performance, notice and forced performance. Apart from these issues, the course also discusses the concept of concession. Finally, the course contains a chapter on each of the topics on contracts of public works and arbitration of administrative contracts.

3. Course objectives

After a successful completion of the course, students should be able to:

- achieve basic knowledge and competence regarding:
- the difference between administrative contracts and other forms of contracts;
- formation of administrative contracts;
- effects of administrative contracts;
- the concept of concession;
- the definition of contracts of public works;
- the formation, performance, revision and non-performance of contracts of public works; and

- arbitration of administrative contracts;

4. Course outline

Chapter I: Administrative Contracts in General

1. Brief Genesis of Administrative Contracts
2. Administrative Contracts and Other Forms of Contracts
3. Formation of Administrative Contracts
4. Object of Administrative Contracts

Chapter II: Effects of Administrative Contracts

1. Performance of Administrative Contracts
2. Manner of Performance
3. Non Performance of Administrative Contracts

Chapter III: Concession

1. Definition
2. Variation clause (3213)
3. Revision clauses (3214)
4. Duration of Concession
5. Termination of Concession Contracts

Chapter IV: Contracts of Public Works

1. Definition of Public Works
2. Formation of the Contract
3. Performance of the Contract
4. Revision of Contract
5. Non-Performance of Contracts of Public Works

Chapter V: Drafting Particular Provisions

1. *Arbitration in general*
2. Arbitration of Administrative Contracts

5. Teaching-learning methods

Lectures, seminars, student presentations, group discussions, individual and group tutorials, assignments and project supervisions.

6. Methods of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation 5%
- Chapter Reflections/Summaries15%
- Student Presentations15%

- Assignments/Project/Essays15%
- Exam(s)50%

7. Attendance policy

Students are required to attend classes regularly, participate actively, and accomplish course-related tasks assigned by the instructor. Students who miss 15% of the total classes will not be able to sit for the final exam. Attendance will be taken regularly. Each student is responsible for all class announcements and changes that may be made thereto.

8. References

1. Wondwossen Wakene, Administrative Contract Teaching Material, JLSRI, Addis Ababa Teaching Module on Administrative Contracts, St. Marry University, Addis Ababa
2. H.W.R. Wade and C.F. Forsyth, *Administrative Law*, 8th ed, Oxford, 2000
3. Teclehagos Bahta (2009), 'Adjudication and Arbitrablity of Construction Disputes', Mizan Law Review, vole. 3, no. 1
4. Civil Code of the Empire of Ethiopia, *Negarit Gazeta*, 1965
5. Procurement and Property Administration Proclamation No 649/2009
6. Procurement Proclamation No 430/2005
7. The Civil Procedure Code of the Empire of Ethiopia, *Negarit Gazeta*, Extra Ordinary Issue, 1965

1. Course identification

Course Title: **Education Policy and Law**
Course weight: 2 credit hours/ 3ECTS
Course Code:
Prerequisites:

2. Course Description

Education is crucial for the development and entrenchment of rule of law, constitutionalism,and good governance. For individual as well as societal success in economic growth and development, establishment of sustainable democracy, and creation of employment opportunities, the values of quality education are unanimously recognized. As a result, a number of educational

reform initiatives have been undertaken worldwide. In Ethiopia as well, education reform policies, strategies and laws have been undertaken in various times. The FDRE Constitution, for example, provides for the State's obligations to allocate resources for education and mandates education for all to the extent resources permit, authorizing the House of Peoples' Representatives to establish national standards and basic policy criteria for education. Thus, this course will introduce, to students of law, the state of educational laws and policiesand contemporary issues in educational law in Ethiopia.

3. Course objectives

Having studied this course, students should be able to:

- Understand the importance of education for development of rule of law, constitutionalism and democracy;
- Analyze educational laws and policies in Ethiopia;
- Argue cases relating to educational laws and policies;
- Advise governments, civil societies, and other stakeholders on educational laws and policies;
- Actively participate in educational reforms, as related, among others, to building the culture of rule of law in Ethiopia.

5. Teaching Method

The course will be administered using the following methods:

- Lectures (instructors will provide introductory lectures and guidance on the topics identified in this course outline);
- Student presentation on selected cases;
- Visits to special schools;

6. Mode of Assessment

- Tests: quizzes and other tests to monitor students' understanding of the basics of education law and policy;
- Assignments, which might be both desk reviews and practical works: individual and group assignments related to contemporary challenges in educational laws and policies such as education for vulnerable children including those living on the streets and state's responsibility in ensuring quality education;
- Final Examination;

7. Attendance Policy

The University and School policy on attendance shall apply.

8. Course Outline

Chapter I Education in General and Education in Ethiopia

- 1.1 Education Defined
- 1.2 Models of Education
- 1.3 Philosophy of Education
- 1.4 Education and the Constitution
- 1.5 The Right to Education
- 1.6 History, Types and Models of Education in Ethiopia

Chapter II Education and Legal-Policy Framework in Ethiopia

- 2.1 Education Policies in Ethiopia: Past and Present
- 2.2 Education Laws
  - 2.2.1 Higher Education and the Law
  - 2.2.2 Non-Higher Education and the law
- 2.3 Education Reforms and the Law

Chapter III Education for All

- 3.1 Equal Opportunities in Education
- 3.2 Minorities and education;
- 3.3 Special Education
- 3.4 Integrated Education
- 3.5 Cultural rights and education;
- 3.6 Education and fees;

Chapter IV School Governance

- 4.1 Quality Education;
- 4.2 Accreditation of Schools
- 4.3 Multiculturalism and Education
- 4.4 Student Rights and Safety
- 4.5 Student Discipline and Ethics
- 4.6 Parental Role
- 4.7 Autonomy in Education
  - 4.7.1 Regulations of Schools
  - 4.7.2 Academic Freedom and Higher Education
- 4.8 Legal Status of Teachers

Chapter V: Legal Education

- 5.1 Governance of Legal Education
- 5.2 Methodology of Legal Education

5.3 Legal Education and Rule of Law
5.4 Legal Literacy to the Public

9. Learning Resources

Resources to be used include national educational laws and policies, international and regional instruments on education and the right to education, and comparative policies and laws on education.

Partial list of legal and policy instruments

1. Constitution of the Federal Democratic Republic of Ethiopia Proclamation No. 1/1995
2. The Ethiopian education and training policy (1994)
3. Inclusive Education Strategy
4. Inclusive Education Master Plan
5. Strengthening of the Management and Administration of Schools (Amendment) Proclamation No. 217 of 2000
6. Technical and Vocational Education and Training Proclamation No. 391 of 2004
7. Standard Rules on the Equalization of Opportunities for Person with Disabilities
8. Education Sector Development Programme (ESDP, I-V).
9. General Education Quality Improvement Program for Equity
10. The Growth and Transformation Plan II (2015/16–2019/20)
11. National Plan of Action of Persons with Disabilities;
12. Special Needs Education Program Strategy
13. National School Health and Nutrition Strategy
14. Higher Education Proclamation
15. General Education Quality Improvement Package (GEQIP)
16. Teacher Development Program (TDP);
17. School Improvement Program (SIP);
18. Curriculum Revision Program;
19. Civics and Ethical Education Program;
20. School ICT Program; and Management and Administration Program (MAP)
21. The National Policy Framework for Early Childhood Care and Education (ECCE)
22. Functional Adult Literacy/FAL Framework, Guide Line and Implementation strategy
23. Universal Declaration of Human Rights, 1948

24. International Covenant on Economic, Social and Cultural Rights, 1966
25. Convention on the Rights of the Child, 1989
26. Convention on the Elimination of All Forms of Discrimination against Women, 1979
27. Convention on the Elimination of All Forms of Racial Discrimination, 1966
28. Convention on the Rights of Persons with Disabilities, 2006
29. Convention on the Protection of the Rights of All Migrant Workers and Members of their families, 1990
30. Convention Relating to the Status of Refugees, 1951
31. Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, 1992
32. Declaration on the Rights of Indigenous Peoples, 2007
33. Declaration on Human Rights Education and Training, 2011
34. UNESCO Convention against Discrimination in Education, 1960
35. UNESCO Convention on Technical and Vocational Education, 1989
36. Recommendation concerning the status of Higher-Education Teaching Personnel, 1997
37. Recommendation on the Recognition of Studies and Qualifications in Higher Education, 1993
38. Recommendation on the Development of Adult Education, 1976
39. Salamanca Statement and Framework for Action on Special Needs Education, 1994
40. Dakar Framework for Action – Education for All: Meeting our Collective Commitment, 2000
41. ILO Convention No. 182 on Worst Forms of Child Labour, 1999
42. African Charter on Human and People's Rights, 1981
43. African Charter on the Rights and Welfare of the Child, 1990
44. Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (2003)
45. African Youth Charter, 2006
46. African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), 2009
47. Education 2030: Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

1. Course Identification

Course Title: **Agriculture Policy and Law**
Course code: …
Credit weight: 2 credit hours/ 3 ETCS
Prerequisites: Land Law

2. Course Description

This course deals with the study and analysis of policies, laws and strategies in relation to agriculture in Ethiopia. It examines policy and legal options for sustainable food production, agro-ecology, protection of soil health and sustainable investment in land, food systems, seed rights, plant breeders' rights, finance, credit and insurance schemes for farmers and pastoralists, consumers' rights and urban agriculture.

3. Course Objectives

Upon the completion of this course, the student should be able to:

- discuss the meaning and significance of agroecology and indicate areas of intervention for policy and legal consideration of agroecology;
- explain the essence of the food systems and status of their legal recognition in Ethiopia;
- enumerate plant breeders' and consumers' rights and explain them thoroughly;
- analyze the meaning of long time investment in land and its connection to tenure security on land; and
- examine the legal lacunae on finance, insurance and credit accessibility for small scale agriculture in Ethiopia.

4. Teaching-learning methods

The following teaching methods are used in mixture:

- Lecture
- Video show (Related to: e.g., (1) food security and food sovereignty; (2) agriculture and genetically modified foods (GMO); (3) rights of food producers;
- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies: mainly on agricultural strategies and their implementation;

- Interactive and group discussions.

5. Course outline

Chapter One: Introduction

1.1. Brief History of the Advent of Agricultural Policies and Laws in Ethiopia
1.2. What is Agricultural Law?
1.3. The Right to Get Land for Free for Agricultural Purposes
1.4. Legal Implications of Land Consolidation and Contract Farming

Chapter Two: Sustainable Agricultural Production and Food and Nutrition Security/Sovereignty

2.1. Legal Instruments for Agro-ecological Practices
2.2. Roles of Smallholder Food Producers
2.3. Food and Nutrition Security vs. Sovereignty
2.4. Regulation of Greenhouse Gas Emissions or Low Carbon agriculture
2.5. Regulations Concerning Soil Protection and Organic Faming
2.6. Regulations on Agrochemical Production, Import, Transport, Storage, Use, and disposal
2.7. Policy Directions to Promote the Use of Bio-fertilizers and Bio-pesticides

Chapter Three: Food Systems

3.1. What is Food System?
3.2. Regulatory Gaps on the Food Systems

Chapter Four: Seed Law and the Associated Rights

4.1. Rights and Responsibilities of Seed Producers and Importers
4.2. Rights of Farmers to Save and Use their own Seeds
4.3. Legal and Institutional Problems on Conservation of Farmers' Varieties
4.4. International Union for the Protection of New Varieties of Plants (UPOV) and the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement on Seeds

Chapter Five: Safeguard Regulations of Related to Agricultural Activities and Agricultural Products

5.1. Environmental and Social Impact Assessment of Agricultural Programs and Projects
5.2. Workers' Safety Precautions
5.3. Labeling Requirements and Consumer Protection Measures

Chapter Six: Finance, Credit and Insurance Schemes for Agricultural Sector

6.1. Incentive Schemes
6.2. Credit and Insurance Schemes

6. Assessment

- Assignments/projects 50%
- Final Exam 50%

Total 100%

7. Attendance Requirement

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

8. References

A. Required Materials

1. Mellese Damtie, The Right to Food in Ethiopia: Towards a Food Sovereignty Strategy in Getachew Assefa et al (eds.) (2016), *Economic, Social and Cultural Rights in Ethiopia*, Eclipse
2. Zewdie Habte, 'Agricultural policies, agricultural production and rural households' welfare in Ethiopia', *Journal of Economic Structures*, (2020) https://doi.org/10.1186/s40008-020-00228-y
3. Mekuria Tadesse, 'Ethiopian Agricultural Law Frameworks: Their Role and Gaps in Agricultural Growth and Development in Accelerating Agricultural Research and Technology Transfer', *ResearchGate*

B. Recommended Materials

1. Michel Pimbert (2010), *Towards Food Sovereignty: Reclaiming Autonomous Food Systems*, iied
2. Frederick O. Boadu (2016), Agricultural Law and Economics in Sub-Saharan Africa: Cases and Comments, ELSEVIER
3. Ines Ha¨rtel (Ed.) (2018), *Handbook of Agri-Food Law in China, Germany, European Union Food Security, Food Safety, Sustainable Use of Resources in Agriculture*, Springer

1. Course identification

Course Title: **Sentencing and Execution**
Course Code:
Course Weight: 2 credit hours/3ECTS
Prerequisites: Criminal law, Constitutional Law I & II, Human Rights Law and Criminal Procedure Law

2. Course Description

The course deals with two interrelated difficult in criminal justice administration , namely sentencing and execution of criminal sentences. The course introduces students to the legal and institutional frameworks for the imposition and execution of criminal sentences/penalties/ on a person convicted of a crime. In its first part, the course introduces students to the issues related to sentencing, which may be understood as the imposition of penalty upon a person convicted of a crime. It relates not only to the deprivation of liberty, property and life of the convict but also underlies how a society considers sentencing in achieving a diversity of goals of criminal justice administration. Hence, it becomes necessary to closely examine the different types & purposes of punishment as well as theories of punishment and understand how the different theories may determine sentencing decisions. It is also necessary to consider the policies and principles of sentencing and examine how these principles and norms determine specific form of punishment. The course also covers the roles of the different organs of the state in the determination of sentence for a particular offense although the final decision may be rendered by the judiciary. The course also covers the issues of fixing exact punishment that involve the determination of aggravating or mitigating grounds.

In its second part, the course addresses execution of criminal sentences. Generally, punishment may achieve its purpose if it is properly executed. Hence, the course introduces students to methods of enforcing the different penalties imposed on convicted persons. It enables students to know, among others, how criminal sentences/penalties/ such as fine, compulsory labor, imprisonment and death penalty are enforced in order to achieve the purposes of criminal law without affecting the fundamental constitutional and human rights principles. It acquaints students with the role of the judiciary and other state organs, particularly, law enforcement organs, in the execution of criminal sentences. In addition, the course introduces students

to the conditions and grounds for the suspension or discontinuance of execution of criminal sentences.

3. Course Objectives

The general objective of this course is to introduce students to the legal and institutional frameworks for the imposition and execution of criminal sentences/penalties/ on a person convicted of a crime.

Specific Objectives

At the end of this Course, students will be able to:

- understand the main rationales & theories punishment with particular emphasis on the Ethiopian Criminal Justice
- Comprehend the basic principles and policies of sentencing and identify how these principles and policies are recognized in law & practice in Ethiopian
- Explain the roles played by the three organs of the government in individualization of punishment
- Understand & evaluate the different types of sentencing statutes/Laws/ in light of sentencing goals.
- Comprehend the different kinds of punishment with emphasis on the available kinds of punishment in the Criminal Code/Laws/ of Ethiopia.
- Understand the factors affecting sentencing & determine the kind of punishment(s) appropriate for a particular offence/ offender
- Identify and evaluate the various modes of execution of criminal sentence /penalties as well as the conditions under which such sentences may be suspended or discontinued.

4. Method of Delivery

Delivery shall involve the Socratic Method with active student engagement. It shall combine lecture session, case study and court visits. There shall be group activities where students can demonstrate their understand of the course (semi-moot court sessions)

5. Assessment Method

Students will be assessed continuously throughout the semester that counts for 50% of their grades. The continuous assessment takes different forms including group and individual assignments, presentations, and tests. Students will also seat for a written final exam that carries 50% of their grades.

6. Attendance Policy

Students should attend a minimum of 80% of the total hours allotted. A student who does not meet this requirement is not eligible to sit for final exam.

7. Course Outline

Chapter one: Sentencing and Theories of sentencing

- Introduction
- Theories of sentencing
  - Retribution
  - Deterrence
  - Incapacitation
  - Rehabilitation
  - Social theories of sentencing
  - Effect of the different theories in determining Sentencing: Compatibility of the different theories?

Chapter Two: Principles & Policies of Sentencing

- The principle of Legitimacy of Law
- The principle of Legality
- The principle of Equality before the Law
- The principle of Respect for Human Dignity
- The principle of Rule of law & Due Process of Law
- Consistency, Proportionality & Transparency
- The Policy of Public Expenditure

Chapter Three: The Determination of criminal Sentences

- The Role of the Different Organs of Government/State
  - The Role of the Legislative
  - The Role of the Executive
  - The Role of the Judiciary
- Sentencing Statutes/Laws
  - Indeterminate Sentencing Statute
  - Determinate Sentencing Statute
  - Mandatory Sentencing Statute
  - Presumptive Sentencing Statute
  - Controlling Discretion
- Kinds of Punishment & determination sentence
  - Principal Penalties (Fines, Imprisonment, Death Penalty)
  - Secondary Penalties
- Factors affecting punishment/Sentencing
  - Aggravating Circumstances
    - General Aggravating Circumstance

- Special Aggravating Circumstances
  - Mitigating Circumstances
    - General Mitigating Circumstances
    - Special Mitigating Circumstances
  - Determination of sentence in cases of Concurrent Crimes

Chapter Four: Mode of execution of penalties

- Execution of principal penalties for ordinary crimes
  Execution of fine and other pecuniary penalties
  Execution of Sentence of Compulsory Labor
  Execution of penalty entailing loss of liberty (imprisonment)
  Execution of Death Penalty
- Execution of principal penalties for petty offences
  Execution of arrest
  Execution of fine
- Execution of Concurrent Sentences
- Execution of secondary penalties

Chapter Five: Suspension and Discontinuance of Penalties

- Suspension of Penalties
  Rationales for Suspension of Penalties
  Conditional suspension of penalties
  Conditional release of criminals
- Discontinuance of the enforcement of penalties
  Rationales for discontinuance of execution of sentences
  Grounds for discontinuance of penalties
  Death of the convict
  Period of limitation
  Pardon
  Amnesty
  Parole

8. Reading Materials

A. Laws

1. The FDRE Constitution, 1994
2. The Revised Criminal Code of the FDRE, 2004
3. The 1957 Penal Code of the Empire of Ethiopia
4. The 1961 Criminal Procedure Code of Ethiopia
5. African Charter on the Rights and welfare of the Child, OAU Doc. CAB/LEG/24.9/49 (1990), entered into force Nov, 29, 1989

6. Convention against Torture and Other Cruel, Inhuman or Degrading Treatments or Punishment, UN General Assembly Resolution 39/46 of December 1984
7. Convention On the Rights of the Child, UN General Assembly Resolution 44/25 of 20 November 1989, entry into force 2 September 1990

B. Cases, Books and others

1. Andargchew Tesfaye, the Crime problem & Its correction, A.A .U Press, 2004
2. Graven, Philippe, An Introduction to Ethiopian Penal Code, Faculty of Law, Haile Sellassie I University, A.A., Ethiopian, 1965
3. Criminal Case Report, Volume I, Federal Supreme Court, Addis Ababa,
4. Anderson, Patrick R.and Newman, J., Introduction to criminal justices, (5th Ed.), McGraw-.Hill Inc,USA,1993.
5. Andrew Ashworth, Principles of Criminal Law,(2nded,) Oxford: Clarendon Press,1995 Andrew Ashworth, Sentencing & Criminal Justice,(2nd ed,) London Butterworths,1995
6. Fletcher, George p., Basic Concepts of Criminal Law, 1998, New York, Oxford University Press
7. Fletcher, George P., Rethinking Criminal Law, Little, Brown and Company Boston Toronto, 1978
8. La Fave, Wayne R., Austin W. Scott, Criminal Law: Handbook, West Publishing Co, St. Pual, Minn., 1972
9. Hall, Daniel E., Criminal Law and Criminal Procedure, 4th ed, Thompson Delmar Learning, United States, 2004
10. Lowenstein, Steven, Materials on the Study of the Penal Law of Ethiopia, Faculty of Law Addis Ababa, Haile Sellassie I University, Addis Ababa, 1967
11. M. Bohm, Robert&Keith M. Haley, An Introduction to Criminal Justice, Mc GrawHill, N.Y.: 1996
12. McLeam, Jan and Peter Morrish, Harris's Criminal Law,22nd ed, London, Sweet and Maxwell, 1973
13. Saltsburg, Stephen A., Hohn L. Diamond, Kit kinports, Thomas H. Morawetz, Criminal law: Cases and materials, The Michie Company Virginia,1994
14. Schamalleger, Frank, Criminal Justice Today: An Introduction Text for 21st Century, (6th ed.), Printice Hall, N.J.:2001
15. Smith and Hogan, Criminal Law: Cases and Materials ,(7th ed.), Butterworths, London, Edinburgh, Dublin,1999

16. Todd, Allan, Crime, Punishment,& Protest, Cambridge University Press, London :2002
17. Turner,J.W. Cecil, Kenny's Outlines of Criminal Law,19th ed, Cambridge, the University Press,1962
18. Gardner, Criminal Pleading Evidence and Practice, Sweet and Maxwell, London, 2002
19. Inciardi, James A., Criminal Justice, 7th Ed, Harcourt College Publishers 2002.

1. Course Identification

Course Name:**Customs Law**

Course Code:...

Credit Hours:2credit hours/ 3 ECTS

Pre-requisites:None.

2. Course description

The course examines the laws, regulations and procedures for the import, export and transit goods, with a particular emphasis on the rules and procedures relating to customs classifications, customs valuation and determination of origin of goods. In addition to Ethiopian customs laws, the course introduces the students to international standards, norms and practices on customs.

3. Course Objectives

Upon a successful completion of the course, students are expected to:

- understand the laws, regulations, principles and procedures regulating import, export and transit of goods;
- familiarize themselves with international standards, norms and best practices on customs; and
- acquire the skills required for dealing with customs-related issues in real case settings.

4. Teaching methods

Lectures, student presentations, group discussions, individual and group assignments and project work

5. Mode of assessment

The final grade shall be determined based on the performance of students in the following activities:

- Class Participation-5%
- Student Presentation-15%
- Assignment-15%
- Mid-term exam-20%

- Exam-45%

6. Attendance policy

Attendance for each class for the entire duration of the course is mandatory. A student who attended less than 80% of the class will be ineligible to sit for final examination.

7. Course outline

Chapter One: Introduction

- Regulation of import and export of goods
- Principles in regulating import and export of goods
- Tariffs classification

Chapter Two: Customs duties and taxes

- Types of customs duties
- Classification of goods
- Principles of classification

Chapter Three: Valuation in customs

- Valuation for customs duty
- Method of valuation for customs duty
- Valuation of export goods
- Undervaluation of customs duty
- Key features of the WTO Agreement on Customs Valuation

Chapter Four: Customs procedures

- Import procedure
- Export procedure
- Transit procedure
- Travelers
- Import and export procedure for postal system
- Customs warehouse procedures
- Re-importation and re-exportation

Chapter Five: Rules of origin of goods

- Determination of country of origin
- Origin marking
- Preferential rules of origin

8. References

1. Damon, V. & M. Lawrence, *Customs Law*, 2nd ed., Carolina Academic Press (2017)
2. Belay, S., *Export-Import Theory, Practices, and Procedures*, 3rd ed., Routledge (2013).
3. Datey, V.S., *Customs Law Practice & Procedures*, 3rd ed. (2013)

4. Raj, B., *Customs Law and National Security*, 5th ed., Carolina Academic Press (2019)
5. Timothy, L., *EU Customs Law*, 3rd ed., Oxford University Press (2018)
6. World Trade Organization, *A Handbook on the WTO Customs Valuation Agreement*, 2011.
7. Olivier, C. et al, *Rules of Origin in Regional Trade Agreements*, Oxford University Press, 2006.

1. Course Identification

Course Name: **Energy Law**
Course Code:
Course weight: 2 credit hours/3 ECTS
Pre-requisites: None

2. Course Description

This course deals with the basic policy and legal frameworks that govern energy production and distribution; both at the global and domestic level. With due emphasis on how electric, coal, petrol, gas and renewable energy sources are regulated, it enables students to be aware and equipped with the core issues of energy law.

3. Course Objectives:

At the end of this course students are expected to be able to

- Know the basic global and local energy laws
- Comprehend the Federal/State interaction in energy governance in Ethiopia
- Identify the basic instruments of global energy governance
- List the core issues of energy governance in Ethiopia
- Analyze the link between energy law and related legal regimes
- Assess the current concerns and debates made on Ethiopia's energy need
- Provide relevant answers on

4. Course Content

Chapter One- Introduction to Energy Law

- Meaning of energy law
- Sources of energy law
- Scope of energy law
- Purpose and function of energy law
- Evolution of Energy Law
- Principles of Energy Law
- Ethiopia's Energy Demand and current context overview

Chapter Two- Law for Energy Sources

- Electricity
- Petroleum and Gas
- Coal
- Nuclear Energy
- Renewable Energy
- Other Sources of Energy

Chapter Three- Ethiopian Energy Policy and law

- Ethiopian Energy Policy
- Government organs concerned with Energy Law
- Regulatory framework of electricity in Ethiopia
- Regulatory framework of coal, petrol and gas in Ethiopia
- Regulatory framework of renewable energy in Ethiopia
- Federal State Interaction in energy governance

Chapter Four- Energy law and Related Legal Issues

- Energy and Environment law
- Energy and Human rights law
- Energy and Water law
- Energy and Mining laws
- Energy and Global trade

Chapter Five- International Aspect of Energy Law

- Global governance of energy
- Core issues of concern in global energy law
- Ethiopia and its energy demand
- Investment in Energy

5. Attendance Requirement

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

6. Assessment

- Mid-term exam: 20%
- Assignment: 20%
- Presentation: 5%
- Attendance and Participation: 5%
- Final Examination: 50%

7. References

A. Books

1. Energy law: An Introduction (2021) Raphel J. Heffron
2. Energy law and the Environment (2006) R. Lyster& A. Bradbrook
3. International law for energy and the environment (2013) P. Park
4. Energy networks and the law (2012) M. Roggencamp et al
5. Renewable energy Law: An International assessment (Penelope Crossely)
6. Ethiopian Energy Laws ( ) Unpublished, GirmaHailu.
7. Ethiopian Energy System; Potential, opportunities and Sustainable Utilization (2010) Thesis, DawitHailu

B. Laws and Policies

1. Ethiopian Energy Policy (2012)
2. Ethiopian Energy Proclamation (810/2013)
3. Ethiopian Energy Regulation (447/2019)
4. Ethiopian Energy Authority Establishment Council of Ministers Regulation No. 308/2014
5. Geothermal Resources Development Proclamation 981/2016
6. Water Law Proclamation (197/2000)
7. Mining Operation Proclamation (678/2010) and amendments.
8. Energy Charter Treaty

1. Course Identification

Course title: **Islamic Law**
Course Code:
Credit Hours:3 credit hour/ 5 ECTS
Pre-requisites: None

2. Course Description

This course will focus primarily on Islamic law, and Islamic jurisprudence, in the modern era, using the classical period only as the backdrop against which modern notions and understandings of Islamic law may be tested. We will begin with a brief introduction into the creation and development of Islamic law from its earliest formative period through its golden, classical era in an effort to explore the principles of Islamic jurisprudence. We will then move quickly to address central questions concerning how that law has evolved given that the empires that gave rise to law in the classical era have evaporated and been replaced with nation states that have adopted by and large transplanted political and legal ideas, among them constitutionalism and reliance on secular legal codes to resolve legal questions.

Islamic law course is intended to enrich students with knowledge of comparative relevance within the context of our Ethiopian legal system. The course deals with the laws governing the establishment of Sharia courts in Ethiopia and their mandate to administer Islamic laws. The primary focus of the course is on judicial applicability of Islamic law in different countries. It specifically deals with the scope of application of Islamic laws in Ethiopia. In Ethiopia the applicability of Islamic law is limited to personal matters such as marriage, divorce, succession and related matters.

3. Objectives

After a completion of the course, students are expected to :

- Discuss the historical background of Islamic law
- Explain the various sources of Islamic Jurisprudence;
- Practice the reasoning technicality known as ijtihad;
- Identify the four sunny School of laws that are recognized in Ethiopia;
- Explain the sharia court system in Ethiopia
- Discuss the scope of jurisdiction of Sharia courts based on the relevant laws of Ethiopia
- Explain the relevance of Islamic law multi-religious societies such as Ethiopia

4. Teaching Methods

The following teaching methods are used in mixture:

- Lecture
- Working on control questions in the classroom;
- Writing analytical papers and conducting presentations;
- Case studies

5. Course Content

Chapter one: Introduction

- About Islamic law
- The sources of Islamic laws

Chapter two: Islamic Jurisprudence

- Ijtihad
- The different Schools of Islamic law
- The four Schools of Islamic law recognized in Ethiopia

Chapter three: The Sharia Court system in Ethiopia

- Historical Background
- The jurisdiction of Sharia courts in Ethiopia
- The procedural rules applicable in Ethiopia Sharia Courts
- The Islamic family laws on marriage, dissolution of marriage,

guardianship and child custody.

Chapter Four: Islamic vs secular laws in Ethiopia

- The relevance and limits of Islamic laws in multi-religious society: the example of Ethiopia
- Comparing Islamic family laws with secular family laws in Ethiopia
- Preventing the problem of forum Shopping in Ethiopia: the role of the law

6. Attendance Requirement

Regular class attendance is expected of both the instructor and the students. If a student must be absent for any reason, it is expected that they will provide the instructor with a reason for the absence in advance of the class, if possible. If the instructor must be absent, students will be notified of class cancellation and a make-up class will be negotiated with the students.

7. Assessment

- Mid-term exam: 20%
- Assignment: 20%
- Presentation: 5%
- Attendance and Participation: 5%
- Final Examination: 50%

8. References

1. Baderin, M.A. (ed.) *Islamic Legal Theory* Vol.1 (Ashgate, 2010), *Islamic Substantive Law,* Vol. 2 (Ashgate, 2010), *Islamic Law in Practice,* Vol.3, (Ashgate, 2010).
2. Coulson, N.J., *A History of Islamic Law* (EUP, 1963).
3. ÉloiFicquet, *The Ethiopian Muslims: Historical Processes and Ongoing Controversies,* in *Understanding Contemporary Ethiopia: Monarchy, Revolution and the Legacy of MelesZenawi*,
4. Federal Courts of Sharia Consolidation Proclamation, No. 188/1999.
5. Hallaq, W., *A History of Islamic Legal Theories*, (CUP,1997)
6. Ibrahim Idris, *Freedom of Religion and Secularization of State: The Legal Status of Islamic Law and Sharia Courts in Ethiopia* in Harold G. Marcus(1994)
7. Kamali, H.M., *Principles of Islamic Jurisprudence* (ITS, 2005).
8. Katrin Seidel, *State-Recognised Legal Pluralism in Ethiopia: The Relationship Between Islamic Family Law and State Law*,(*Recht in Afrika* 2012)
9. Mohammad Abdo, *Legal Pluralism, Sharia Courts, and Constitutional Issues in Ethiopia* (*Mizan Law Review*) (2011)

10. Norman J. Singer, *Islamic Law and the Development of the Ethiopian Legal System* (*Howard Law)* (1971)
11. Welchman, L., *Women and Muslim Family Law in Arab States* (AUP, 2007).

1. Course identification

Course title: **Law of Microfinance Institutions**

Course Code:

Course weight: 2Cr/Hr/3 ECTS

Prerequisite:

2. Course Description

The course aims to enlighten broad understanding of the major issues in regulation of microfinance institutions. The future development in most developing economies is said to hinge to a large extent on the effective harnessing of the potentials in the informal sector of the economy and the regulation informal institutions that play role in those economies is very important. One such institution that promised to uplift the economies in poor countries is microfinance institutions. Most people especially in the rural areas do not have adequate access to credit in the formal fiancé institutions. Microfinance has been hailed as one of the most effective tools for combating poverty through loans, grants, insurance and other financial products offered to the poorest of the global poor around the world. Microfinance institutions try to rectify the problem of limited access to fiancé by the poor. However, the economic sustainability and growth of these institutions requires conducive regulatory framework. This course deals with the legal framework affecting for creation, operation and dissolution of such institutions in Ethiopia.

3. Course Objectives

Up on completion of this course students will be able to:

- Understand the nature of microfinance and its development
- Explain the nature of microfinance and its evolution
- Define microfinance institutions, distinguish between formal financial institutions and microfinance institutions, and
- understand the importance of microfinance institutions in economic and social development

4. Teaching Methods

The course delivery shall consist of lectures, interactive discussion and student presentations. In light of the subject's fast-moving nature, course

instructors shall actively encourage students to follow-up new developments as well as devise group and individual presentations of such developments.

5. Methods of Assessment

The course shall be assessed through a mixture of term-papers, group presentations and a final exam. Class participation and attendance shall form part of the continuous assessment.

6. Attendance Policy

Students are required to attend 85 % of class lectures.

7. Course Outline

1. The Nature of Microfinance and Development
2. Informal Micro financing Institutions(MFI) and Markets and Informal Finance
3. Purpose and Activity of MFI
4. Licensing Requirements for MFI
5. Operation and supervision of MFI
6. Dissolution of MFI
7. MFI Models & Loan Products
8. MFI Commercialization, Transformation, Regulation, and Corporate Governance Issues
9. Funding and Financing MFIs

8. References

1. "Micro Financing Business Proclamation No. 626/2009
2. Micro Financing Business (Amendment) Proclamation No. 1164/2029
3. Joanna Ledgerwood, microfinance handbook: an institutional and financial perspective: sustainable banking with the poor (2001)
4. Beatriz Armendáriz & Jonathan Morduch, the economics of microfinance (2d ed. 2005)
5. Brigit Helms, access for all: building inclusive financial systems (2006)
6. Muhammad Yunus, creating a world without poverty: social business and the future of capitalism (2008).
7. C.K. Pralahad, the fortune at the bottom of the pyramid:
8. Eradicating poverty through profits: the wealth at the bottom of the pyramid (2009).

Annex

Summary of the 2013 Modularized National LL.B. Curriculum

Course categories	2013 Modularized LL.B. Curriculum
Freshman courses	None
Support courses	**English for Lawyers (10)**
	Information and Communication Technology (5)
	Introduction to Logic (5)
	Interdisciplinary (6) ▪ Psychology and Forensic Science (3) ▪ Sociology and Criminology (3)
Mandatory substantive courses	**Introduction to Law and Legal History (14)** ▪ Introduction to Law (3) ▪ Legal History and Traditions (5) ▪ Introduction to Ethiopian Legal System (3) ▪ Customary Law (3)
	Law of Personal Status (15) ▪ Law of Persons (5) ▪ Family Law (5) ▪ Law of Successions (5)
	Introduction to Logic and Legal Philosophy (12) ▪ Jurisprudence (7)
	Legal Research Methodology (5)
	Constitutional Law and Federalism (18) ▪ Constitutional Law (8) ▪ Federalism (5) ▪ Administrative Law (5)
	Law of Obligations (15) Law of Contracts (10) Law of Extra-contractual Liability (5)
	Law of Property (15) ▪ General Properly Law (7)

	▪ Intellectual Property Law (5) ▪ Land Law (3)
	Criminal Law (10)
	Special Contracts (12) ▪ Law of Administrative Contracts (3) ▪ Law of Agency (3) ▪ Law of Sales (3) ▪ Law of Security Devices(3)
	Law of Traders and Business Organizations (7)
	Tax Law (8)
	Financial Laws (8) ▪ Law of Insurance (3) ▪ Law of Banking and Negotiable Instruments (5)
	International Law (16) ▪ Public international Law (7) ▪ International Humanitarian Law (3) ▪ Environmental Law (3) ▪ Water Law (3)
	Economic Laws (8) ▪ International Trade Law (5) ▪ Investment Law (3)
	Human Rights and African Union Laws (13) ▪ Human Rights Law (7) ▪ African Union and Human Rights Law (3) ▪ Gender and Law
	Employment Laws (7)
	Legal Research Methodology (5)
Mandatory Procedural, skills and ethics courses	**Laws of Procedure (25)** ▪ Law of Criminal Procedure (5) ▪ Law of Civil Procedure (10) ▪ Law of Evidence (5) ▪ Conflict of Laws (5)
	Legal Drafting (6) ▪ Legal Writing(3)

	▪ Legislative Drafting (3)
	Legal Practice and Ethics (13) ▪ Pre-Trial, Trial and Appellate Advocacy/Moot Court (5) ▪ Legal Clinics* (3) ▪ Legal Ethics (5)
	Alternative Dispute Resolution (5)
	Senior Thesis (7)
	Externship (20)
Optional Courses	**Optional Module I (5)** ▪ Law of Public Enterprises, Cooperatives and Micro Small and Medium Enterprises ▪ Construction Law ▪ Law of Non Profit Organizations ▪ Military Law ▪ Maritime Law ▪ Media Law Electoral Law ▪ Law of Microfinance Institutions ▪ Accounting for Lawyers
	Optional Module II (5) ▪ Islamic Law ▪ Law and Development ▪ Law of International Organizations ▪ Refugee Law ▪ Judicial Independence and Management ▪ Sentencing and Execution ▪ Seminar on Current Legal Topics ▪ Law of Natural Resources ▪ Bankruptcy Law
	Legal clinics: Alternate Modules Clinical Program on Restorative Justice Clinical Program on Domestic Violence Clinical Program on Child Rights Clinical Program on Rights of Prisoners
Special courses	**Exit Exam I & II (10)**