

DEVELOPMENT AND MAINTENANCE OF THE ETHIOPIAN LEGAL INFORMATION WEBSITE

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SUMMARY

Development and Maintenance of the Ethiopian Legal Information Website

Information and Communication Technology in general and the internet in particular have been creating unprecedented opportunities in facilitating and streamlining access to information.

Websites have become a common way of publishing legal information for the public in many countries. In Ethiopia, however, the availability of legal websites has been very limited or non-existent. Except for the constitution, no other basic Ethiopian law has ever been published online. To benefit from the tremendous potentials of the internet, a project was initiated to develop an Ethiopian Legal Information Web Site.

Based on users' requirements obtained from questionnaire analysis, and current paradigms and implications, the Ethiopian Legal Information Website was designed, developed, implemented and maintained. The website is an online database of Ethiopian basic laws developed by Mekelle University, Ethiopia, in cooperation with the Non-Western Law Department of Ghent University, Belgium.

Basic laws included on the site at present are the Ethiopian Constitution, Civil Code, Criminal Code, Civil Procedure Code, Criminal Procedure Code, Commercial Code and Family Code. The laws can be viewed and used in full text html, whereas some of the laws including the 2004 Criminal Code, Family Code, FDRE Constitution and the Tigray Regional State Constitution are available in pdf. Laws can be searched by keywords using the site search engine. Comments and suggestions from experts and Ethiopian laws users have been collected, hence modifications, improvements and additions have been made to the website. The Ethiopian Legal Information Website was first hosted on the University of Ghent internet server and currently in the Mekelle University server at <http://mail.mu.edu.et/~ethiopialegal>.¹

The Ethiopian Legal Information Website has been found to be a useful web portal to access and use the basic Ethiopian laws. The University of Ghent, ILO, the Library of Congress, AUSTLII, WASHLAW, WIKIPEDIA and other major legal web portals make citations in reference to the site.

While the website currently contains only the basic laws of the federal government, an action plan is prepared to include regional laws of Ethiopia. Other legal information including amendments to the laws, decisions and legal news will also be included on the site, hence a comprehensive Ethiopian Legal Web Portal will be developed and maintained.

Key Words: *Legal Information, Legal Information Website, Digital Divide*

¹ Temporarily at <http://www.law.ugent.be/pub/nwr/elw/index.html>

1. INTRODUCTION

1.1. Legal Information

"Information is the need for every need"

Noah A. Samara*

Information plays quite a significant role in every aspect of human life. Noah A. Samara (2001) in his keynote speech stated that, *"information is truly the need for every need. It is at the heart of education, health, economy, social relationship...even our notions of legitimacy, fairness and trust, are all based on information."*²

Since the existence of human beings, there has been the existence of information in various forms communicated through various media. By the same token, laws have been in force inscribed on stones, parchment, paper, tapes and nowadays in electronic formats.

Lyytikäinen et al. (2000) discussed that the information and communication technologies have opened up new possibilities for access to legal information. The authors described the impact of global information infrastructure as *"Internationalization in general has also lead to an increasing need to know more about legal norms and regulations in other countries."*

The digital divide has created disparities at the level of application and utilization of these technological tools in developing countries. Literature shows that this digital gap can be narrowed so developing nations like Ethiopia can reap the benefits of using the tools.

Information and communication technologies have greatly contributed to the creation, organization, storage, preservation and dissemination of legal information. We are witnessing the fact that an enormous amount of legal information is available on the internet. To mention some, Belgian laws are available on the internet for free and anyone can have access to them online at www.juridat.be. AUTILII is a large

* Samara Noah A. Samara is an Ethiopian, the founder of WorldSpace Corporation.

free online database of laws in Australia. Lexis-Nexis and Westlaw are huge databases of American laws. Companies like Lexis-Nexis and Westlaw earn millions by selling legal information to law firms, lawyers and law schools.

Websites have become a common way of publishing legal information for the public in many countries. While very recent attempts have been made by the Ethiopian telecom agency to expand the services, the availability and utilization of the internet by legal professionals have remained limited.

1.2. Application of Information Technologies to Ethiopian Laws

In Ethiopia, the application of information technologies in the legal domain is in its infancy. The Ethiopian constitution is available on the internet on different websites. However, no other basic Ethiopian law so far has been accessible on the internet. As a result, it has been a problem for the public, researchers, professors, law firms and legal professionals to access these basic laws on the internet and other digital formats.

The non-availability of Ethiopian laws on digital media such as CD-ROMs and the internet and the absence of the application of electronic document management systems to the laws, have initiated this research on the possibilities of converting hard copy laws to softcopies and hence applying existing document management systems such as the internet to Ethiopian laws.

2. USERS NEEDS AND REQUIREMENTS ANALYSIS

Users: refers to persons who reside in Ethiopia or abroad and who use or have the interest to use Ethiopian laws.

2.1. Respondents Background (profile)

In order to assess the need to apply internet technologies to the Basic Ethiopian laws questionnaires were distributed by e-mail and in

person to 80 respondents out of which 34 filled out and returned the completed form. The reply rate was therefore 42.5%. 85% of the respondents were in the age group between 26 and 40. 38% of the respondents were legal practitioners working in government institutions, 32% were teachers working both in government and private training institutions, 12% were students who are doing their masters degrees in law in European Universities and 18% were from other working areas like project coordinators.

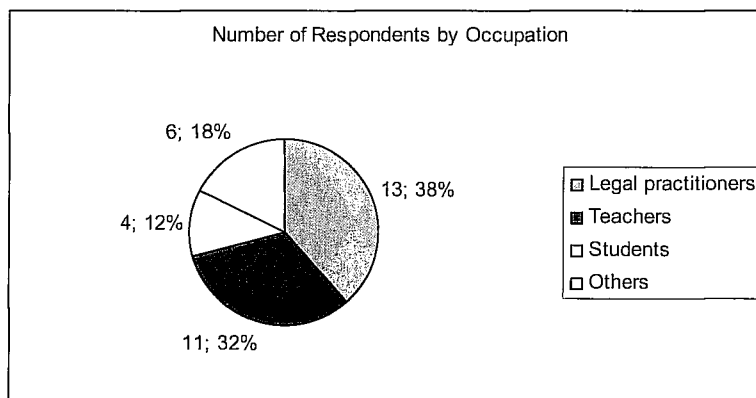


Figure 2.1. Respondents' Occupation

Responses from many regional and zonal administrative areas of Ethiopia, including practitioners working in the remotest regions of Ethiopia, like Gambella, Somali and Harari were obtained.

From figure 2.1. above one can see that respondents represented the users of legal information. Although it was attempted to reach users outside Ethiopia, most attention went to users residing inside the country and consequently 85% of the respondents resided in Ethiopia.

2.2. Analysis of Respondents' Access to the Basic Ethiopian Laws

From the data analysis, it can be understood that a great number of respondents have access to the basic laws of Ethiopia. All the basic laws (Constitution, Civil Code, Penal Code, Civil Procedure Code, Criminal Procedure Code, Commercial Code and Family Law) have similar rates of consultation by users.

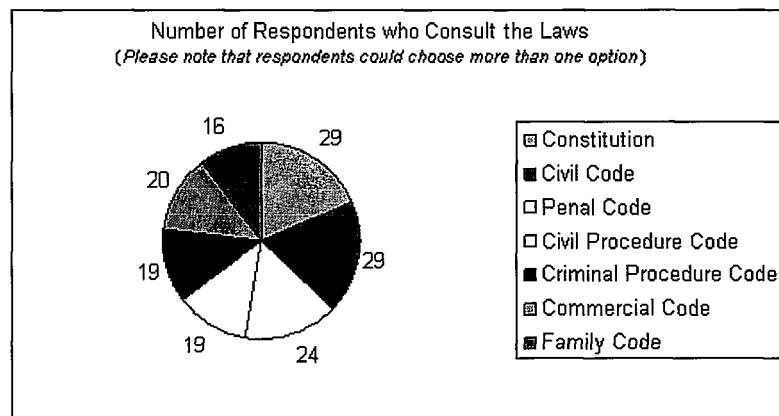


Figure 2.2. Consultation of Ethiopian Laws

But the format used to access (consult) the laws is solely hard copy (book/paper) formats. One of the reasons for this is the non-availability of the Ethiopian legal information in digital format.

There exists little or no digitised format of the basic laws. This in turn calls for the need to convert the hard copy laws into soft copies.

2.3. Access to the Internet

A generic question was asked if the respondents had access to the internet. Since most of the respondents had some form of legal qualification and were in different working environments (many in the capital city), they had the orientation and access to the internet. Out of

the 34 respondents, 24 (71%) had access to the internet. Most of the respondents who resided in Ethiopia use the internet at their work place (office). Some of them use it at cyber cafés. Only 6% of the respondents had access to the internet at home.

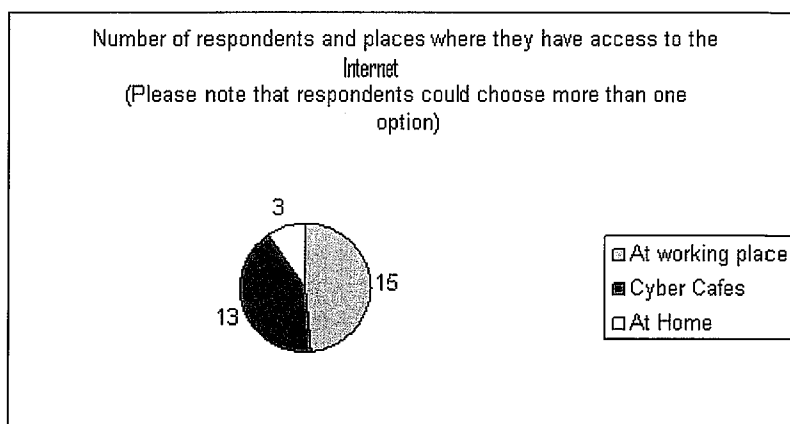


Figure 2.3. Internet Access

It was noticed from the responses that most respondents from the regional areas (places outside the capital, Addis Ababa) did not have the skills to use computers or did not have access to computers. It is thus important for the government to give due emphasis to avail people of personal computers and provide the necessary computing skills training for the regional offices. The telecom agency should also improve access to the internet for legal professionals. Currently, Ethiopia has only 30,000 internet lines for a total population of 71 million.

Respondents were asked which search engine(s) they use for general internet use.

From the above chart, it can be deduced that most users use google to search for information on the internet.

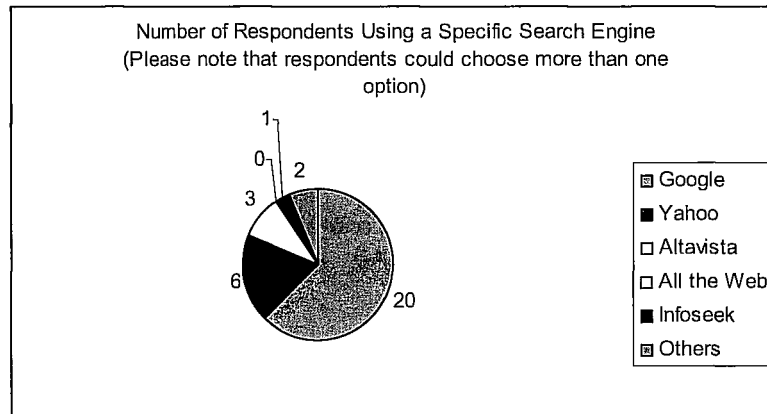


Figure 2.4. Search Engine Use

From 24 respondents who had access to the internet, 14 of them said they had problems with search engines.

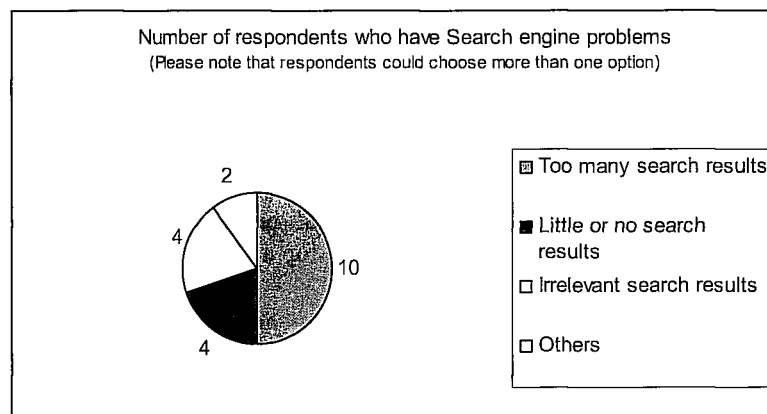


Figure 2.5. Search Engine Problems

As shown in figure 2.5., most of the respondents who use search engines received too many search hits in their search.

The respondents indicated that when using the internet for legal and related information retrieval, they consult and use the following websites: UN website, EU website, Lexis-Nexis, Westlaw, Soul beat Africa, WIPO, www.juridat.be, www.law.Ugent.be, HRW, Amnesty International and IBA legal brief Africa. They visit these websites in order to retrieve information on Ethiopian legal information (legislation, articles, court decisions, etc). Based on the list we received from the respondents, we visited the web sites mentioned but we found little or no legal information about Ethiopia. Besides, almost all the respondents said that there is not enough content (legal information) about Ethiopia. One responded by saying *"I do not get Ethiopian legal information except sometimes news articles about a proclamation or a court decision."*

The respondents also mentioned that systematised and categorised digital Ethiopian laws (legislation, amendments, court decisions, legal publications, etc) should be available on the internet and other media (CD-ROM). This shows that there is not enough content pertaining to Ethiopian legal information. As a result, it is necessary to make digital content available and publish Ethiopian legal material on these and related websites.

2.4. Importance of Soft Copy Laws

Respondents listed the importance of converting hard copy laws into digital formats and hence publishing on the internet and on CD-ROMs as follows:

- *computerised information can be easily organised and accessed;*
- *it simplifies research;*
- *users need not carry the hard copy laws when they travel (e.g. Ethiopian students who study and research abroad);*
- *easy access to Ethiopian laws, updated laws can be used and complete coverage of all the available laws can be ensured;*
- *to keep abreast with the repeal of laws, amendments;*

- *one can easily find specific relevant provisions of the laws;*
- *the laws will be more accessible especially for foreign experts and those interested in Ethiopian laws (e.g. those interested in investing in the country);*
- *access of students and practitioners in Ethiopia to the laws will also be improved since hard copies are not so plentiful here.*

One respondent described the significance of having the laws in an organised digital format as follows,

"I remember an assignment given to me by a senior judge while I was working as a law clerk to the Ethiopian Supreme Court. He asked me simply to search for a proclamation on a certain matter. After tireless searching for one week, I told him that I could not find one. When I use now (in Belgium) a highly developed legal database and I find the information within a split second, it is the difference between the Stone Age and digital world.... I hope the future Ethiopian law clerks will not have the same problem."

As one can easily understand, these lawyers indeed have problems with the availability of computerised legal information. They all understand the potential significances of the digital versions. After determining the requirements of the respondents, an Ethiopian Legal Information Web portal was designed, developed and implemented. The following section shows how the site has been developed and maintained.

3. DEVELOPMENT AND PUBLISHING OF ETHIOPIAN LAWS ON THE INTERNET

3.1. Website Development

The hard copy laws have been converted to digital format using an optical character recognition (OCR) scanner. Each chapter of the basic law again is converted from text format to an internet format. The website is developed with HTML and with the Dreamweaver application package. A consistent navigation scheme is designed for the basic Ethiopian laws namely the Constitution, Civil Code, Civil

Procedure Code, Criminal Procedure Code, Commercial Code, and Family Law. The Penal Code is not included in the website since the conversion to digital format has not yet been completed.

Eight buttons were chosen to access the contents. Having a home page (an index page) with introductory information, the buttons are arranged horizontally and vertically. Each basic law also has its own main page. The pages are designed in frames so that the navigation buttons stay intact on each page.

3.2. Website Publishing

The Ethiopian Legal Information Website is published online at the Mekelle University internet server at <http://mail.mu.edu.et/~ethiopialegal/>.³

The website has its present layout after thorough comments from legal professionals both in Ethiopia and in Belgium. Existing Ethiopian technological infrastructure was assessed and the navigation scheme and the layout of the contents were modified accordingly.

³ See *supra* note 1.

Figure 3.1. Screen dump of the home page of the Ethiopian Legal Website

Ethiopian Legal Information Website

Home Constitution Civil Code Criminal Code Civil Procedure Code Criminal Procedure Code Commercial Code Federal Family Code

Welcome to the Ethiopian Legal Information Website [Other Laws >>>](#)

The FDRE constitution is available on the Internet on different web sites. With this exception, no other basic Ethiopian law so far has been accessible on the WWW. As a result it has been a problem for the public, researchers, professors, law firms and legal professionals to access these basic laws on the Web and other digital formats. This site, developed by Mekelle University Law Faculty in Ethiopia in cooperation with the Non-Western Law Department of Ghent University in Belgium, therefore, would enable users to access and use the basic laws of the Federal Government of Ethiopia. The website, however, does not have the laws of the federating states. The regional laws and other substantive and procedural laws of the Federal Government will be added to this collection once the scanning and conversion process is completed. Likewise the repealed laws and amendments will also be posted as soon as possible, and hence we will periodically update the website to reflect any change made to the laws.

Clicking on the links takes you to the pages for each basic law (code). Each code (major) body of law is in turn linked to a list of books, titles, and chapters contained in that law for easy navigation.

As the site is being developed we welcome your suggestions.

Page updated on November 30, 2005 ©MULF You may send comments and suggestions to betanet@mel.mu.edu.etDisclaimer

Figure 3.2. Screen dump of the web page for the Ethiopian Constitution with hyperlinks to other sites

The screenshot shows a web browser window with the address bar displaying <http://mail.mak.edu.et/~ethioppdians/15thConstitutionpage.htm>. The page title is "Ethiopian Constitution". The navigation menu includes: Home, Constitution, Civil Code, Criminal Code, Civil Procedure Code, Criminal Procedure Code, Commercial Code, and Federal Family Code.

The main content area is titled "CONSTITUTION" and "CHAPTER THREE FUNDAMENTAL RIGHTS AND FREEDOMS". It displays "Article 13: Scope of Application and Interpretation" with the following text:

1. All Federal and State legislative, executive and judicial organs at all levels shall have the responsibility and duty to respect and enforce the provisions of this Chapter.
2. The fundamental rights and freedoms specified in this Chapter shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights and International Covenants on Human Rights and Intern...

A sidebar on the left contains a table of contents with the following items:

- COPE Constitution
- Preamble
- Chapter 1
- Chapter 2
- Chapter 3
- Chapter 4
- Chapter 5
- Chapter 6
- Chapter 7
- Chapter 8
- Chapter 9
- Chapter 10
- Chapter 11

A pop-up window is overlaid on the article text, titled "OHCHR: English (English) - Universal Declaration of Human Rights". It contains the following text:

OHCHR: English (English) - Universal Declaration of Human Rights
 File Edit View Favorites Tools Help
 Address: <http://www.unhcr.org/refugees/html/>
Universal Declaration of Human Rights
[Language](#) | [Persons](#) | [Sources](#) | [Feedback](#)
English Version
 Source: United Nations Department of Public Information
Universal Declaration of Human Rights
Preamble
 Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and...

3.3. Comments from Users on the Website

After the publication of the site, users were asked for comments. Some of the comments were immediately considered. The navigation buttons, background colours, etc. were modified. Besides, a disclaimer was included based on a suggestion from a lawyer.

Since the website has only federal laws, some users suggested that the regional laws should also be converted to soft copy and included in the website. Another user also suggested that a search interface should be added to the website.

While further work is required to embed a thesaurus-based searching facility, currently a free online search engine⁴ is included in the home page of this website. With this search facility, users can search using any words which they think are available in the documents thus the engine finds documents related to the given term.

4. CONCLUSIONS AND RECOMMENDATIONS

Based on a literature review and the user needs analysis the following conclusions were drawn and recommendations were forwarded to introduce, adapt and effectively utilise information technologies for Ethiopian laws.

4.1. Conclusions

Electronic information services like the internet have transformed the legal activities of many countries. It is found that very little or nothing has been done to digitise Ethiopian laws. There exist very few websites that try to tap the Ethiopian legal content and when they do, it is a short commentary or review of an existing law.

Ethiopian legal professionals are in dire need of having Ethiopian legal information on the internet and in other digital formats. The Ethiopian Telecommunications Corporation is the sole provider of internet services and currently there are only 30,000 internet lines.

⁴ <http://www.freefind.com>

This explains why it has been difficult for legal professionals to have access to the internet.

Most of the respondents agreed that changes are needed to facilitate legal information access in electronic format. Ethiopian legal scholars who currently study and research abroad pointed out that the digital format of the laws should be available as they have been facing challenges with hard copies.

The website we developed was welcomed by users as a good start for publishing Ethiopian legal information. Comments were provided and included to fine-tune the appearances of the pages.

To sum up, ICT has a paramount significance in transforming the Ethiopian legal system. Strategic planning and action are critically essential to introduce, implement and efficiently utilise these enabling technologies. Proper adoption and implementation of EDMS and internet technologies with relevant content will advance the Ethiopian legal system.

4.2. Recommendations

Based on the reviewed literature and data analysed from the questionnaires, the following recommendations were forwarded:

1. The Ethiopian Ministry of Justice and the courts should draft policies and strategies to digitise the laws (past and present, federal and regional), create web portals for the public for free-to-access basic laws, cases, new legal proclamations, amendments, etc. The Ethiopian telecom agency should provide fast internet access for the legal professions, courts and law schools;
2. Since content is essential to make it readily available for society at large and legal professionals in particular, authorities and responsible bodies of courts, legal research institutes and others should put their effort into providing documents and information to website managers, database administrators and electronic document managers. For this to happen, collaboration and

content/knowledge sharing among the legal professionals and law firms is vital;

3. Training in the use of the internet and legal online information systems should be offered;
4. Hardware and browsing software should be made available to regional and zonal legal institutions and to district courts;
5. At national and regional levels, Legal Information Systems should be developed to effectively systematise the legal documents by creating databases of court proceedings (cases), proclamations, legal notices, basic human rights documents and related legal information. These Legal Information Systems should be staffed with professionals both from the computing (information science/computer science) and the legal domain;
6. Future research on the application of web technologies, challenges and opportunities should be conducted.

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