

ANALYSIS OF THE LEGAL AND INSTITUTIONAL FRAMEWORK OF THE FLOOD MANAGEMENT SECTOR IN OUAGADOUGOU, BURKINA FASO

Abstract

Urban flooding represents an increasingly critical governance challenge in most Sahelian capitals, where rapid urbanization converges with pronounced climatic variability and constrained institutional capacity. An extensive body of scholarly research has documented both social vulnerability and its associated biophysical factors; however, the institutional framework governing risk management remains comparatively underexplored. This paper investigates the ways in which the organizational structures of public, technical, and community actors shape urban resilience in the face of flooding events in Ouagadougou. This research is predicated upon a documentary review of legal and strategic frameworks, complemented by semi-structured interviews with institutions and key informants. The findings underscore a robust institutional framework that comprehensively encompasses all facets of natural disaster management activities. Nevertheless, this organizational completeness conceals an underlying structural imbalance. Indeed, operational responsibilities are predominantly entrusted to local and community administrative echelons, whereas financial capacities and decision-making authority remain concentrated at the central level. This misalignment constrains the operationalization of preventive policies and perpetuates predominantly reactive management of disasters. This study demonstrates that urban resilience is less conditioned by the expansion of institutional mechanisms than by the effective alignment of coordination, resources, and local capacities. It thereby advocates for the strengthening of territorial competencies within the flood management policy framework in West Africa.

Key Words: flood management, institutional framework, legal framework, Ouagadougou, policy framework, urban flooding

INTRODUCTION

In recent years, the principal Sahelian urban centers in sub-Saharan Africa have experienced a marked increase in extreme precipitation events, within the framework of structural drought (World Meteorological Organization, 2013). Although paradoxically characterized by a diminished exposure to natural disasters, Africa continues to be the region most susceptible to flood risks (Noroarisoa, 2006). Furthermore, the accelerated pace of urbanization coupled with climate variability renders urban flooding a central governance challenge in sub-Saharan Africa (Bronfort, 2017). Ouagadougou, the capital city of Burkina Faso, epitomizes this reality. The exceptional flood that occurred on September 1st, 2009 served as a catalyst, precipitating a reform of the institutional framework for disaster management. Notwithstanding, over a decade following the event, the persistent recurrence of flood incidents continues to provoke critical inquiries into the actual efficacy of the established institutional frameworks (Solidarités International, 2024). While numerous studies have focused on the biophysical determinants and social vulnerability associated with urban

flooding (Da, 2021; Miller *et al.*, 2022), the institutional framework of risk management and its practical operation remain insufficiently documented in the West African context.

It is the aim of this article to examine the post-2009 institutional architecture governing flood management in Ouagadougou, with a view to gauging the extent of its effective operationalization and delineating its principal strengths and weaknesses in the face of a now recurrent risk.

METHODOLOGY AND THEORETICAL FRAMEWORK

Methodological approach

This study adopted a qualitative approach underpinned by two complementary pillars: a documentary review and a qualitative inquiry employing semi-structured interviews. This methodological approach has facilitated a rigorous examination of the formal prerogatives of the various actors in relation to their actual practices in the field.

Literature review and content analysis

The documentary review entailed the systematic collection and analysis of legal and regulatory texts, official reports, strategic planning documents, project dossiers, and scholarly publications.

With respect to the Burkinabè legal framework, the study was anchored in the foundational statutory instruments, including Law No. 012-2024/AN governing the management of risks and disasters, the Urban Planning Code (Law No. 017-2006/AN), Decree No. 2009-601 instituting the National Emergency Relief and Rehabilitation Council (CONASUR), as well as the legislative provisions pertaining to Integrated Water Resources Management (GIRE) and the Local Water Committees (CLE). The aforementioned documents were accessed through the official portals of the Burkinabè State.

The official reports examined comprise analytical documentation pertaining to the 2009 flood events (GFDRR, 2009), documents published by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA, 2009), the annual reports of CONASUR (2010–2024), and various institutional communiqués. To delineate strategic orientations, planning documents were utilized. It comprises the National Multihazard Plan (2024–2026), the National Climate Security Strategy (2020–2028), the CONASUR reference frameworks, and the municipal contingency plans.

The project files yielded substantial technical data, notably including the documentation pertaining to the Ouagadougou Stormwater Sanitation Network Reinforcement Project (PRAVO, phases I–IV), financed by the West African Development Bank (BOAD); the environmental and social impact assessments for both PRAVO and the Ouagadougou Sanitation and Drainage Project (PADO); as well as specialized reports issued by the World

Bank and the Global Facility for Disaster Reduction and Recovery (GFDRR) concerning urban flooding within the Sahelian region.

The scholarly literature was reviewed by examining master's and engineering dissertations, academic theses, and scholarly articles.

This documentary analysis was supplemented and critically compared with data drawn from semi-structured interviews conducted with institutional and humanitarian actors. This has facilitated the deliberate juxtaposition of normative frameworks with the operational practices of flood management.

Semi-structured interviews

To complement the document analysis, twenty semi-structured interviews were conducted between June and August 2025 with institutional stakeholders and key informants involved in flood management in Ouagadougou. The interviews, averaging 35 minutes in duration, were conducted utilizing an interview guide meticulously tailored to the profile of each category of interlocutors. The interviews were conducted at the following institutions: the National Emergency Relief and Rehabilitation Council (CONASUR); the General Directorate of Civil Protection (DGPC); the Ministry of the Environment, Water, and Sanitation (MEEA); the General Directorate of Water Resources (DGRE); the National Meteorological Agency (ANAM); the Ministry of Urban Planning and Housing (MUH); and the National Office for Water and Sanitation (ONEA). The research topics examined encompassed three primary thematic areas, namely:

- roles and responsibilities,
- the coordination mechanisms and
- the operational challenges.

Data processing

The exploitation of data was conducted, on the one hand, in accordance with the institutions' actual roles, their interactions, performance outcomes, dysfunctions, and the impact on populations. The complete dataset was compared with previous studies based on examples drawn from developing countries.

Overview of the study area

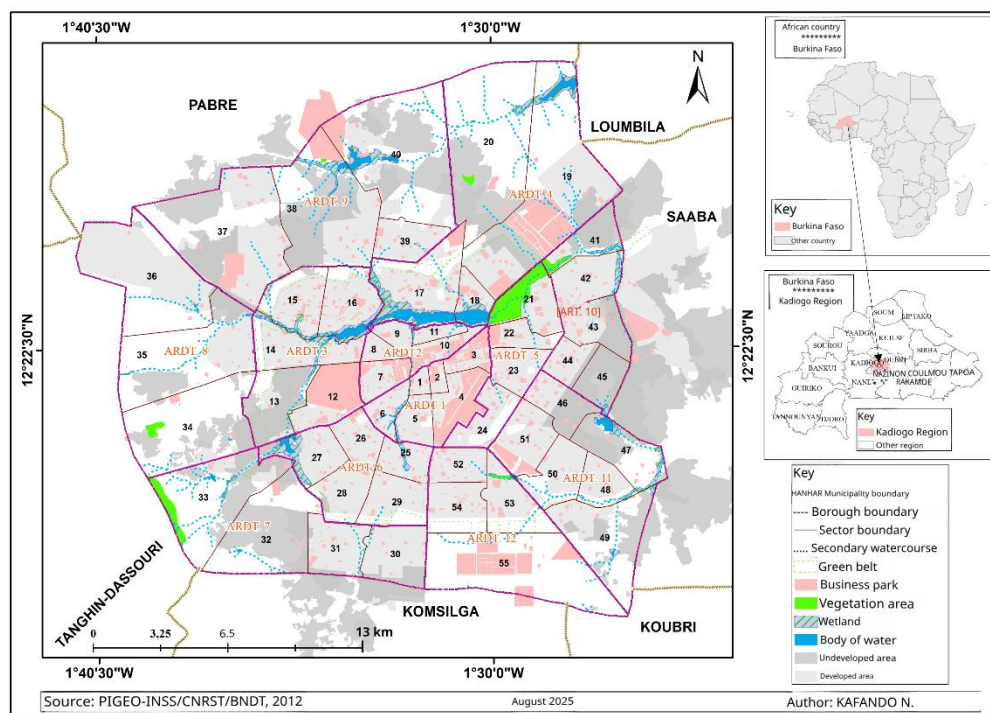
Urban and demographic framework

Ouagadougou, the capital of Burkina Faso, is currently undergoing an accelerated phase of urban expansion that exacerbates its vulnerability to flooding. The population of Ouagadougou increased from approximately five hundred thousand (500000) inhabitants in 1996 to a figure exceeding 2.8 million in 2023, reflecting an average annual growth rate of 5.2% (INSD, 2023). This growth is concomitant with the rapid artificialization of soils. By way of illustration, the urban area expanded from 3269 hectares in 1961 to 60000 hectares in

2021 (Commune de Ouagadougou, 2021), thereby diminishing its natural infiltration capacity.

Hydraulic Infrastructure

Stormwater management in Ouagadougou is predicated upon a system of hydraulic infrastructures whose capacity is being rigorously tested. The city comprises four (04) dams—namely, dams Nos. 1, 2, and 3, as well as the dam at Boulmiougou—with additional minor water retention structures located in arrondissements 6, 7, 9, and 11. However, the effective storage capacity of these structures is reduced by chronic siltation, as evidenced by the study on the Boulmiougou dam, which has lost more than one-quarter of its initial volume (Korsaga



This technical vulnerability is further exacerbated by a recurrent maintenance challenge characterized by the systematic clogging of stormwater drainage channels by household and industrial waste. This practice, acknowledged as one of the principal contributors to water flow obstruction, is substantiated by the scholarly research of Mballo *et al.* (2022) and by the development stakeholders (European Investment Bank, 2024). It necessitates the periodic execution of cleaning operations by municipal services (Burkina 24, 2023).

Figure 1: Map illustrating the geographical location of the study area

131 Several natural physical factors play an instrumental role in establishing the structural basis
132 of flood risk in Ouagadougou. Ouagadougou is situated on a plateau exhibiting an
133 exceptionally modest overall gradient, a characteristic that markedly curtails the velocity of
134 water flow (Da, 2021). Furthermore, soils characterized by lateritic and clayey properties
135 exhibit low infiltration capacity (Da, 2021). The Sahelian climate is characterized by a brief,
136 albeit highly intense, rainy season (June to September). Climate data unequivocally reveal an
137 increasing trend in both the frequency and intensity of extreme precipitation events, as
138 tragically exemplified by the episode on September 1^{er}, 2009 (Miller *et al.*, 2022). These
139 natural physical factors, when combined with predominantly anthropogenic influences—
140 namely, urban sprawl, under-dimensioned infrastructure, and obstructed drainage systems—
141 establish a framework of systemic risk. Thus, the management of this risk necessitates an
142 integrated institutional response.

143 **RESULTS AND DISCUSSION**

144 **Genesis and evolution of the institutional framework**

145 Flood governance in Burkina Faso has evolved incrementally, underpinned by an institutional
146 learning process instigated by successive crises. Originally, in the 1970s, disaster
147 management was predominantly focused on addressing drought and food insecurity, as
148 evidenced by the establishment of the Subcommittee for Combating the Effects of Drought
149 (CNLES). At that time, the approach was characterized by a sector-specific orientation and
150 targeted a singular risk (Balbone, 2018). A seminal structural evolution occurred in 2004 with
151 the establishment of the National Emergency Relief and Rehabilitation Council
152 (CONASUR), marking the formal adoption of a multi-risk framework in accordance with
153 international risk reduction standards (UNDRR, 2015). Notwithstanding, this framework
154 remained predominantly theoretical until the devastating floods of September 2009 in
155 Ouagadougou. This event constituted a revelatory shock that illuminated the operational
156 deficiencies of the established system (GFGRR, 2009; Balbone, 2018). The management of
157 the crisis had to be predicated on temporary structures, thereby precipitating functional
158 redundancies and the fragmentation of decision-making chains (Ouédraogo *et al.*, 2018).

159 Since that date, the nation has embarked upon a comprehensive process of institutional
160 strengthening, as evidenced by a pronounced proliferation of normative instruments. These
161 policy instruments encompass a national civil protection policy, orienting statutes, urban
162 planning frameworks, and a National Multirisk Plan, thereby signifying an augmented
163 commitment to prioritize prevention and bolster urban resilience (Republic of Burkina Faso,
164 2014; 2024). Nonetheless, as evidenced by the conducted interviews, this proliferation of
165 formal frameworks is confronted with persistent challenges in terms of coordination,
166 interinstitutional communication, and operational implementation. Consequently, a structural
167 discrepancy emerges between the declared regulatory ambitions and the tangible
168 effectiveness of public action.

Legal and regulatory framework

The legal and regulatory framework governing flood management in Burkina Faso is predicated on a relatively extensive normative corpus, systematically structured around framework laws, sectoral policies, and implementing decrees. Law No. 012-2014/AN of 22 April 2014, which enacts the guiding legislative framework for the prevention and management of risks, humanitarian crises, and disasters, constitutes the principal statutory instrument. It is primarily intended to delineate preventive measures, organize emergency relief and the rehabilitation of disaster victims, clarify the respective responsibilities among the State, local authorities, non-state actors, and technical as well as financial partners, and establish a coherent framework for intersectoral planning and coordination (Balbone, 2018). This framework is further complemented by the Urban Planning and Construction Code of 2006, which establishes the regulations governing land use and construction; by the National Social Action Policy (PNAS) of 2007, which integrates disaster risk reduction; and by the General Code of Local Authorities (Law No. 055-2004/AN), which legally delineates the competencies of municipalities in risk management. The environmental framework is governed by the Environmental Code (Law No. 006-2013/AN), which enshrines the principles of risk prevention and the protection of sensitive areas.

From a regulatory standpoint, several decrees have been enacted to operationalize these principles—most notably, Decree No. 2009-793, which is designed to regulate urban development in the flood-prone areas of Ouagadougou, and Decree No. 2010-565, which establishes the national civil protection policy and mandates the formulation of ORSEC plans. In addition to these instruments, the National Multihazard Disaster Preparedness and Response Plan 2024-2026 has recently been integrated as an intersectoral instrument for planning and coordination.

This legal corpus evinces an unequivocal intent to align with international standards for disaster risk reduction and urban resilience. Nevertheless, its operational effectiveness remains limited. The enforcement of the Urban Planning Code remains deficient, as evidenced by the sustained construction activities in flood-prone areas and the disorderly occupation of servitude strips along drainage canals (Karambiri, 2019). Furthermore, the implementation of the decrees has evidenced overlapping competences, particularly between CONASUR and DGPC, thereby complicating coordination activities.

Interviews conducted among a range of actors corroborate the dissonance between formal frameworks and affective practices. Interviewed members of the Burkinabe Red Cross underscore the imperative of meticulously delineating the distinct roles and responsibilities assigned to each stakeholder, thereby demonstrating that the mere existence of formal texts does not inherently ensure their institutional appropriation, much less their effective operationalization. Comparable limitations have been documented in Dakar and Accra, where the mere presence of formal legal frameworks has not precluded the persistence of fragmented urban flood governance nor the limited operationalization of regulatory instruments (Thiam, 2011; Amoako & Inkoom, 2018). These findings reveal a structural

misalignment between normative aspirations and the actual affectivity of territorial public action.

Institutional framework for flood management stakeholders in Ouagadougou

The ensuing figures delineate a systematically organized overview of the stakeholders engaged in flood management within the territory of the Burkinabé capital (Ouagadougou). This institutional architecture was analyzed regarding the regional, communal/local, and community levels.

The institutional framework at the regional level is depicted in Figure 2, which synthesizes the principal stakeholders engaged in regional flood management and delineates their respective responsibilities

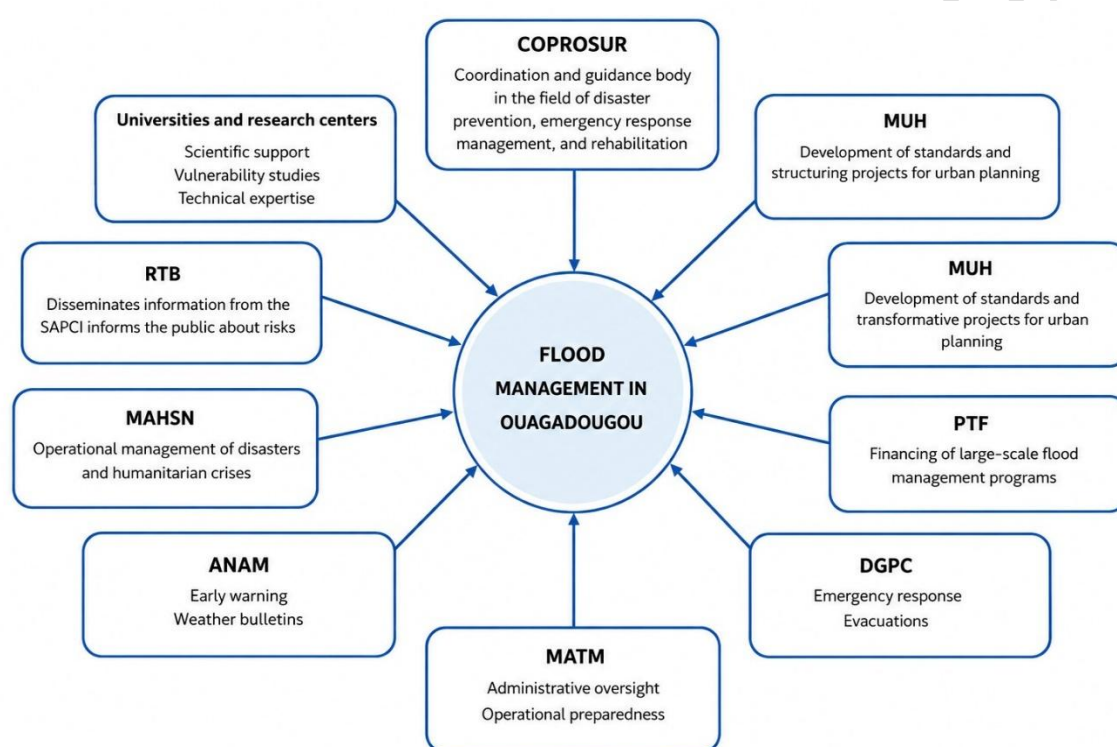


Figure 2 : Stakeholders and their roles in regional flood management

Flood management institutions are organized within a hierarchical framework that extends from the national level to the local level. The National Council for Emergency Relief and Rehabilitation (CONASUR), the principal national authority for disaster management, is operationalized across multiple administrative tiers. At the regional level, its functions are executed through the Regional Council for Emergency Relief and Rehabilitation (CORESUR); at the provincial level, through the Provincial Council for Emergency Relief and Rehabilitation (COPROSUR); at the departmental level, through the Departmental Council for Emergency Relief and Rehabilitation (CODESUR); and at the community level, through the Village Development Councils. In its capacity as the administrative and political capital of Burkina Faso, Ouagadougou is conferred the status of a municipality operating under a special administrative regime. In this regard, CODESUR exercises its statutory mandate at the municipal level, whereas COPROSUR discharges its responsibilities within

the Province of Kadiogo. In this regard, several government ministries also contribute by virtue of their specialized expertise. This pertains to the Ministry of Humanitarian Action (MAHSN), the Ministry of Finance, and the Ministry of Territorial Administration, which are respectively charged with the technical, financial, and administrative dimensions of relief operations. For its part, the Ministry of Environment, Water, and Sanitation (MEEA) formulates policies and establishes standards in the field of water management and sanitation. Urban planning and territorial planning fall under the purview of the Ministry of Urban Planning and Housing (MUH), whereas the Ministry of Transport is charged with administering transportation infrastructure and ensuring rigorous road safety standards. In addition to the ministries, the national directorates function at the regional level. Thus, the Directorate General of Civil Protection (DGPC), operating under the auspices of the Ministry of Territorial Administration and Mobility (MATM), orchestrates emergency interventions and evacuation procedures. The National Meteorological Agency (ANAM), operating under the technical oversight of the Ministry of Transport, Urban Mobility, and Road Safety, disseminates meteorological alerts and agro-meteorological bulletins; concurrently, Burkina Radio Television (RTB) is entrusted with communicating flood risk information. Finally, financial institutions—most notably the BOAD, the World Bank, and GFDRR—play a critical role in financing flood management projects and in fortifying disaster response capabilities.

The local stakeholders engaged in flood management, whose distinct responsibilities collectively underpin an integrated approach to risk, are cited in Figure 3.

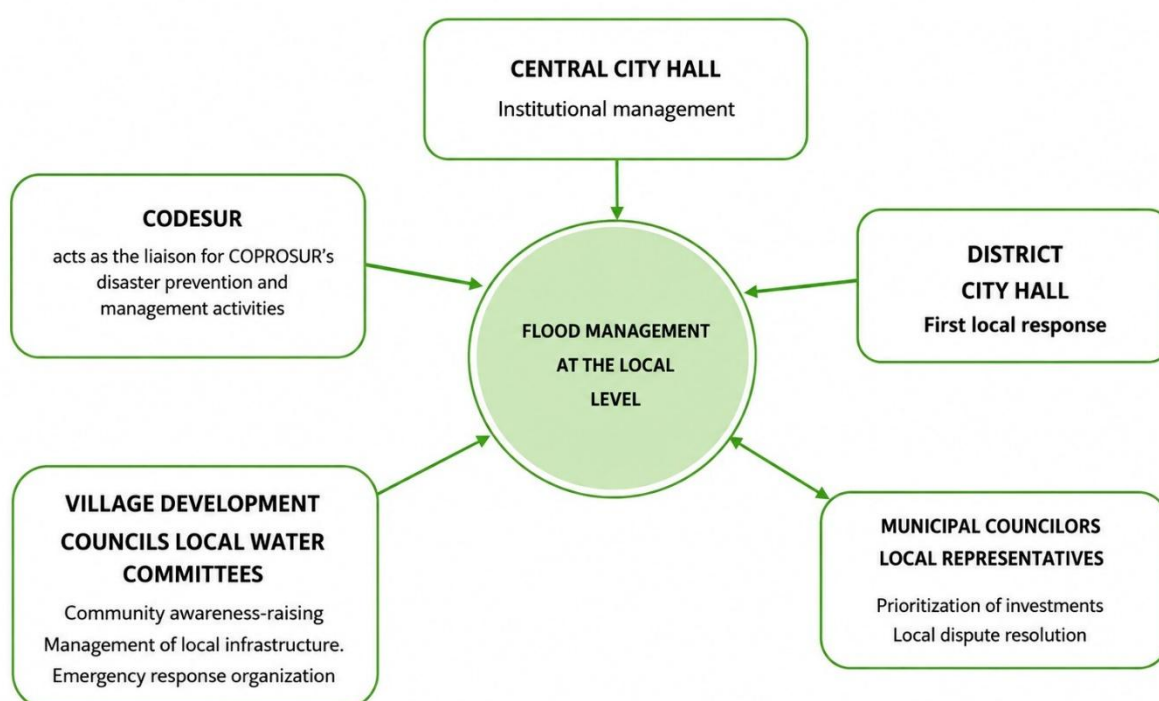


Figure 3: Stakeholders and their respective roles in local flood management

CODESUR, a decentralized administrative entity operating at the departmental level within the national framework for disaster management, is placed under the aegis of CONASUR. It serves as the operational coordinating entity charged with overseeing disaster prevention, preparedness, and response measures at the departmental level. Comprehensive coordination during crisis events is administered by the Central Municipal Authority, which concurrently assumes responsibility for urban planning and the oversight of the principal sanitation infrastructure. Its function, which is intrinsically institutional, is to provide strategic guidance and to arbitrate actions at the municipal level to ensure coherence. The Arrondissement Town Hall, for its part, is entrusted with the management of local affairs, encompassing both routine maintenance and the systematic flushing of secondary networks. It plays a pivotal role in the dissemination of information and the initiation of public alert mechanisms, serving as the primary local conduit and direct interlocutor with the citizenry. This capacity for rapid response facilitates the expeditious and judicious management of emergency situations through the Municipal Technical Services (STM), which operate in the field as designated operators under the authority of the mayor. Their missions encompass a comprehensive spectrum of responsibilities, ranging from the implementation of preventative measures, the systematic cleaning of networks, and the maintenance of infrastructural systems to the execution of crisis management—which includes the securing of sites, the clearance of debris, and the restoration of equipment compromised by flood events. Municipal councils and local elected representatives participate in territorial planning and in budgetary decision-making. They delineate the investment priorities associated with flood management and adopt decisions that are rigorously tailored to the specific requirements of each zone. Finally, local water committees (LWC) actively contribute to the coordinated management of water resources by curtailing practices that may exacerbate risks. They are also involved in managing local infrastructures—encompassing both cleaning and drainage operations—and in organizing emergency response measures before, during, and after events. Figure 4 provides a comprehensive synthesis of the principal stakeholders engaged in community-based flood management, explicitly delineating their respective responsibilities.

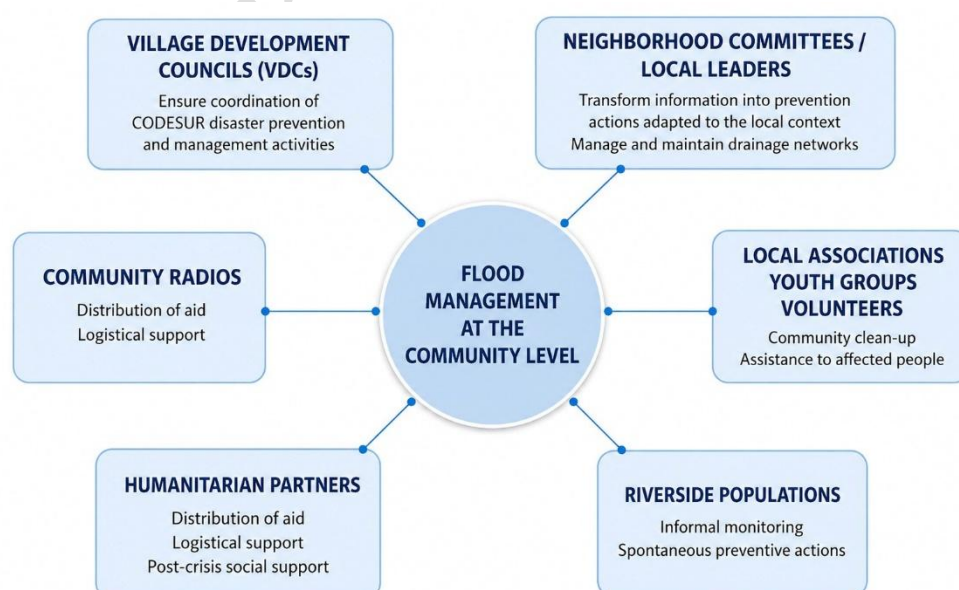


Figure 4: Stakeholders and their Roles in flood Management at the community level

Neighborhood committees and local representatives facilitate the dissemination of information and reinforce resilience by translating technical data into concrete preventive measures. Moreover, their activities extend to encompass the coordination with municipal services for the maintenance of drainage systems. In addition, the Village Development Councils (CVD), local organizations, youth movements, and volunteers are predominantly engaged in advancing public awareness and fostering solidarity through the execution of direct, on-site interventions during crisis situations, such as the remediation of affected areas and the provision of support to impacted populations. Within regions characterized by heightened exposure, residents actively participate in risk management by exercising informal vigilance and implementing spontaneous preventive initiatives, thereby reinforcing the security of their environment. These mechanisms are further bolstered by community radio stations, which assume a pivotal role in disseminating precise alerts, elucidating technical content, and facilitating emergency communications owing to their deep-rooted territorial embeddedness. Finally, humanitarian actors, most notably the Red Cross and non-governmental organizations, supplement local response mechanisms by providing post-disaster assistance and support.

Irrespective of the various levels of analysis, academic institutions and research organizations contribute by providing scientific support, undertaking vulnerability assessments, and making available technical expertise. Accordingly, it facilitates the substantiation of risk management by grounding it in a foundation characterized by robust empirical evidence and stringent methodological rigor.

This analytical examination of the allocation of responsibilities among the various stakeholders elucidates a flood risk governance framework marked by pronounced institutional fragmentation and predominantly reactive coordination. While the formal responsibility for national coordination resides with CONASUR, the sectoral ministries, DGPC, ANAM, DGRE, and local authorities each operate within their respective domains, in the absence of a permanent operational body mandated to coordinate the mechanisms of prevention, planning, and response. This organizational structure is rendered particularly problematic insofar as flood management necessitates the involvement of a multiplicity of stakeholders with mandates that are only partially distinct, all in the absence of a durable mechanism for interinstitutional coordination. Qualitative interviews conducted with a diverse array of stakeholders reveal marked deficiencies in communication between stakeholder groups and a persistent deficit in operational coordination on the ground, including during episodes of severe rainfall. These dysfunctions significantly impede the effectiveness of formal collaboration frameworks. This demonstrates that the mere coexistence of competent institutions is insufficient to generate integrated action in the absence of cross-sectoral leadership and robust arbitration mechanisms, as Bulkeley et al. have emphasized. (2013),. Comparable observations have been documented in the West African context, notably in Dakar, where flood management continues to be characterized by a fragmentation of responsibilities between central and local administrative tiers and by an

emergency-oriented paradigm (Thiam, 2011; Faye et al., 2019). The situation in Ouagadougou is embedded within analogous dynamics, reflective of a weakly coordinated multi-stakeholder governance framework. The interviews conducted with resource persons substantiate this situation by revealing a significant divergence between the responsibilities conferred upon local authorities in flood management and their actual institutional capacities. During these interviews, local stakeholders underscored the insufficiency of resources available to maintain drainage structures, to monitor risk areas, and to support vulnerable populations; thereby significantly curtailing the implementation of preventive measures, as noted by Dodman et al. (2013). This situation reflects an incomplete decentralization process, characterized by the transfer of significant responsibilities without a commensurate reinforcement of financial, human, and technical resources (Satterthwaite et al., 2007). Similar diagnoses are emerging in other southern cities facing flooding. In Dakar (Senegal), a process of decentralization is discernible that is not accompanied by a proportional transfer of resources and is further characterized by a limited integration of knowledge pertaining to flood-prone areas (Thiam, 2011; Faye et al., 2019). In Accra (Ghana), municipal authorities face profound fiscal constraints, and the transposition of scientific knowledge into public policy remains markedly limited (Douglas et al., 2008; Amoako & Inkoom, 2018). In Lagos (Nigeria), limited institutional capacities have been documented, with a pronounced misalignment between scientific knowledge and institutional decision-making processes (Adelekan, 2010; Ajibade et al., 2013).

Beyond material resources, the constraints equally extend to the realm of information processing capacities. Although climatic, hydrological, and spatial data are extant, their circulation among institutions remains fragmented. This gap between knowledge production and its application in decision-making processes constitutes the “knowledge-action gap” (Cash et al., 2003), which undermines urban resilience (Birkmann et al., 2013).

Comparative analysis of the legal-regulatory and institutional frameworks

In the aftermath of the 2009 floods, Burkina Faso instituted a comprehensive legal and strategic framework underpinned by the 2014 Risk Prevention Guidance Act, the 2010 National Civil Protection Policy, and the 2024–2026 National Multi-Risk Plan. These mechanisms exhibit a formal alignment with the principles of the Sendai Framework for Disaster Risk Reduction (UNDRR, 2015). Nevertheless, the interview data elucidates a marked divergence between these normative frameworks and their practical implementation.

The National Multihazard Plan is primarily activated within an emergency response framework, in accordance with the observations of Pelling (2011). The preventive and anticipatory dimensions remain inadequately developed at the operational level, thereby reflecting a governance paradigm that is more predisposed toward reactive measures than proactive anticipation (Pelling, 2011). Although the 2006 Urban Planning Code and the 2009 Decree explicitly proscribe any construction within flood-prone zones, the illicit occupation of lowland areas and hydraulic easements persists in Ouagadougou. The inadequate enforcement of land-use planning regulations constitutes a key determinant of urban

vulnerability in cities of the Global South, as underscored by UN-Habitat (2014). Comparative studies demonstrate that the disconnect between formal institutional frameworks and their operational effectiveness constitutes a recurring feature of urban flood governance in contexts characterized by rapid urbanization and land informality (Thiam, 2011; Amoako & Inkoom, 2018; Adelekan, 2010). Thus, as Wisner et al. (2004), catastrophic events reveal not so much an absence of regulation as a deficit in effective governance. This demonstrates that the most pertinent response to disasters is predicated on the ability to translate formal frameworks into sustainable institutional prevention practices.

In summary, the case of Ouagadougou exemplifies an incomplete legal-regulatory and institutional resilience, wherein local resources and scientific knowledge remain insufficiently institutionalized to engender proactive and sustainable public action. This imbalance among local responsibilities, material capacities, and cognitive capacities engenders structural urban vulnerability (Pelling, 2003).

CONCLUSION

This study examines the institutional framework governing flood management in Ouagadougou, with a view to elucidating the underlying causes of the recurring impacts associated with urban flooding, despite the existence of specific legal frameworks and institutions. It reveals a structural misalignment between the formal density of the institutional framework and its actual operational effectiveness in the implementation of public action. The fundamental contribution of this study is to demonstrate the systemic nature of this inadequacy, which does not emanate from a mere regulatory insufficiency nor from the absence of designated actors, but rather from a persistent fragility of concrete institutional capacities. These conclusions indicate that flood risk reduction policies would benefit from emancipating themselves from an approach primarily centered on the formulation of laws, regulations, and isolated projects, and instead prioritizing sustainable investment in the institutionalization of local capacities and coordination mechanisms.

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