

የኢትዮጵያ ፌዴራሳዊ ዲሞክራሲያዊ ረገ ብሊክ

4.866 7.767 DEC

FEDERAL NEGARIT GAZETTE

OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

አሥራ ዘጠንኛ ዓመት ቁጥር ፭፩ አዲስ አበባ ሐምሌ <u>ያ</u>፪ ቀን ፪ሺ፩ ዓ.ም በኢትዮጵያ ፌደራጎፒ ዲሞክራሲያዊ 7 በብሊክ የሕዝብ ተወካዮች ምክር ቤት ጠባቂነት የወጣ 19th Year No. 61 AUDIS ADABA 29th July, 2013

0901-64

አዋጅ ቁጥር ቴኒዮ/ኒቪር ዓ.ም

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ አስፊጻሚ አካላትን ሥልጣንና ተግባር ለመወሰን የወጣ (ማጃጂሮ) አዋጅፕሮ ፲፫ፌ፻፮

አዋጅ ቁጥር ጀጀር/፪ሺሯ

<u>የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ</u> <u>አስሪጻሚ አካላትን ሥልጣንና ተግባር ለመወስን</u> **የወጣውን** አዋጅ ለማሻሻል የወጣ አዋጅ

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ አስፌጻሚ አካላትን ሥልጣንና ተማባር ለመውሰን የወጣውን አዋጅ ማሻሻል አስፈላጊ ሆኖ በመገኘቱ፤

በኢትዮጵያ ፌደራላዊ ዲሞክራስ፣ ፣ ሪፐብሊክ ህን መንግሥት አንቀጽ ፯፭(፩) መሠረት የሚከተለው ታውጿል።

E. her Con

ይህ አዋጅ "የኢትዮጵያ ፌደራሳዊ ሷምክራትንና ሪፐብሊክ አስፈጻሚ አካላትን ሥልሳሽን ተማናር ለመወሰን የወጣ (ማሻሻያ) አዋጅ ቁጥር ፳፱፫/፪ሺሯ" ተብሎ ሲጠቀስ ይችላል።

E. MAR

የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ አስፈጻሚ አካሳትን ሥልጣንና ተግር ለመሰን የውጣው አዋጅ ቁጥር ፲፻፲፱/፪፻፲ እንደሚከተለው ተሻሽሏል፡-

ሸ/ በአዋጁ አንቀጽ ፱ ስር የሚክተስው አዲስ ንዑስ አንቀጽ (ኛ፩) ተጨምሯል፡-

"ጽፅ/ የአካባቢና የደን ሚኒኒስቴር።"

974 42 Unit price 3.80

CONTENTS

Proclamation No. 803/2012

Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Entopic (Americant) Proclamation Page 6990

PROCL. . MATION No. 803/2013

A PROCLAMATION TO AMEND THE PROCLAMATION ON THE DEFINITION OF POWERS AND OUT ES OF THE EXECUTIVE ORGANS OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

WHICECAS, it has became necessary to amend the Programation on the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia;

NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

1 Short Title

"Definition of Powers and Dusies of the Executive Organs of the rederal Democratic Republic of Ethiopia (Amendment) Proclamatica No. 803/2013".

2. Amendant

The Definition or Powers and Duties of the Functive Organs of the Federal Democratic Republic of Ethiopia Problemation No. 691/2016 is hursely amended as tollows:

1/ t * following new sub-article (21) is added under Article 9 of the Proclamation:

"21/the Ministry of Environment and Forest."

126年 211月 27.4.4 東流8 Negarit Gazeta P.O.Sox 20,001

- በአዋጁና በሥራ ላይ ባሉ ሴሎች ሕጎች ውስጥ 897.5 "Phto9 በማናቸውም mg.6 የኮንስትራክሽን ሚኒስቴር" እና "የውሃና ኢነርጂ ሚኒስቴር" የሚሉት ስያሜዎች +wCllo እንደ ቅደም ተከተላቸው "የከተማ ልማት፣ የኮንስትራክሽን ማ.ኒስቴር" የቤቶችና የኢነርጂ ማ.ኒስቴር" "PO-41 የመስኖና በሚሉት ስያሜዎች ተተከተዋል፤
- ፫/ የአዋጁ አንቀጽ ፳፫ ንዑስ አንቀጽ (፩) ፊደል ተራ (ሬ) ተሠርዞ በሚከተለው አዲስ ፊደል ተራ (ሬ) ተተክቷል፦
 - "ረ) ዜጎች ከአቅጣቸው *ጋር* የተመጣጠነ መኖሪያ ቤት እንዲኖራቸው አጠቃሳይ አቅጣጫ ለመቀየስ የሚያስችሉ ጥናቶችን ያካሂዳል፤ ለተግባራዊነታቸውም ለክልሎች የአቅም ግንባታ ድጋፍ ይሰጣል፤"
- ፬/ የአዋጁ አንቀጽ ፴፫፣ ፴፬፣ ፴ሯ፣ ፴፯፣ ፴፯ እና ፴፰ እንደ ቅደም ተከተላቸው አንቀጽ ፴፬፣ ፴፰፣ ፴፯፣ ፴፯፣ ፴፰ እና ፴፱ ሆነው የሚከተለው አዲስ አንቀጽ ፴፫ ተጨምሯል፡-"፴፫. የአካባቢና የደን ሚኒስቴር
 - ፩/ የአካባቢና የደን ሚኒስቴር የሚክተሉት ሥልጣንና ተግባራት ይኖሩታል፦
 - ሀ) በሕገ መንግሥቱ የተደነገጉት የአካባቢ ደህንነት ዓሳማዎችና በአካባቢ ፖሊሲው የተመለከቱት መሠረታዊ መርሆዎች ከግብ መድረሳቸውን ለማረ*ጋገ*ጥ የሚያስችሉ ተግባራትን ያስተባብራል፤
 - ሰ) በመንግሥትም ሆነ በግል ፕሮጀክቶች፤ በማህበራዊና በኢኮኖሚያዊ የልማት ፖሊሲዎች፤ ሥልቶች፤ ሕጎችና መርሐ ግብሮች ላይ የአካባቢ ተጽኖ ግምገማ ለማካሄድ የሚያስችል ሥርዓት ይዘረጋል፤
 - ሐ) ማህበራዊ፣ ኢኮኖሚያዊና አካባቢያዊ ከሚገኘው 9:1.03 199.869°ES ትልቁን ድርሻ በአርምጃው ጥቅም ለማ.ነከ ማህበረሰቦች በሚያስገኝ አርምጃ ከደን 9037169 PACPA. ጉስቁልና ሊከተል ይችል የነበረውን የሙቀት አማቂ ጋዞች ልቀት የመቀነሽ ሥርዓት ያዘጋጃል፤

- 2/ the designations "Ministry of Urban Pevelopment and Construction" and "Ministry of Water and Energy" appearing anywhere in the Proclamation and in other laws, currently in force, are deleted and replaced by the designations "Ministry of Urban Development, Housing and Construction" and "Ministry of Water, Irrigation and Energy", respectively;
- 3/ paragraph (f) of sub-article (1) of Article 25 of the Proclamation is deleted and replaced by the following new paragraph (f):
 - directions for citizens to acquire residential houses compatible with their own means; provide capacity building support to regions for the implementation of same;"
- 4/ Articles 33, 34, 35, 36, 37 and 38 of the Proclamation are renumbered as Articles 34, 35, 30, 37, 38 and 39, respectively, and the following new Article 33 is added:

"33. The Ministry of Environment and Forest

- 1/ The Ministry of Environment and Forest shall have the powers and duties to:
 - a) coordinate measure to ensure that the environmental objectives provided under the Constitution and the basic principles set out in the environmental policy of Ethiopia are realized:
 - b) establish a system for environmental impact assessment of public and private projects, as well as social and economic development policies, strategics, laws and programmes;
 - c) prepare a mechanism that promotes social, economic and environmental justice and channel the major part of any benefit derived thereof to the affected communities to reduce emissions of greenhouse gases that would otherwise have resulted from deforestation and forest degradation;

- መ) ለአየር ንብረት የማይበገር አረንጋዴ ትክክ አስኖሚን በየዘርፉና በየክልለ ለመንንቢያ የሚውል ሃብት የሚያስገጉ
 - ለመንንቢያ የሚውል ሃብት የሚያስንጉተግባራት ዝግጅትን ያስተባብራል፤ የአቅም ግንባታ ድጋፍንና የምክር አገልግሎትን ይሰጣል፤
- w) በአካባቢ ተፅኖ ማምንማ አዋጅ መስረት ለልማት ፕሮጀክት የይሁንታ ፊቃድ ከመሰጠቱ በፊት የፕሮጀክቱ ትግበራ በአካባቢ ላይ የሚያስከትለው አለታዊ ተፅኖ በሚመለከተው የዘርፍ የፊቃድ MIA AGA. OLIV AMANTO Phaa 1-790970 **አካል** 0.146 የሚወስደብትን MCGi. 160,5119. 1.706.0.39 84.2796
- ፈ) የተልጥሮ ሃብቶች መሠረትን፣ በረሃ ማነትን፣ ደንን፣ አደባኛ ንጥረነገሮችንና የኢንዱስትሪ ዝቃጮችን እንዲሁም ሰው ሰራሽ የአካባቢ አደጋዎችን የሚመለከቱ በኢትዮጵያ የሀደቱ አህጉራዊና ዓለም 744.4 Phhan. ስምምነቶችን 2779971 84.07. ብክነት 018,90 የእርምጃ ክፍተት ሳይራጠር አቀናጅቶ የሚያስተገብር መርሐንብርን ያዘጋጃል፣ 00068973 Soma! OPHC4.5 በየአስተዳደር እርከት መተግበራቸውንም とわかける
- ሰ) በዓለም አቀፍ የአካባቢ ስምምነቶች ድርድር ላይ ይሳተፋል፤ እንደተገቢነቱም ስምምነቶቹ እንዲፀድቁ ሃሳብ ያቀርባል፤
- ሽ) ኢትዮጵያ አባል የሆነችባቸውን ዓለም አቀፍ የአካባቢ ስምምነቶች ለመተግበር PUT. ፖሊሲዎችን፣ ስልቶችን፣ ሕጎችንና መርሐ ግብሮችን 25% けるかの AKCHE O 2.90 እንዲዘጋጁ **ሃሳብ** PouralA ! አዘንጃጀታቸውን Stirane A: ሲፈቀዱም በሥራ ላይ መዋላቸውን 86277761

- soliciting the resources required for building a climate resilient green economy in all sectors and at all governance levels as well as provide capacity building support and advisory services;
- e) establish a system for the evaluation of the environmental impact assessment investment projects submitted by their respective proponents by the concerned sectoral licensing organ or the concerned regional organ prior to granting a permission for their implementation accordance with the Environmental Impact Assessment Proclamation:
- prepare programmes directives for the synergistic implementation and follow up of environmental agreements ratified by Ethiopia pertaining to the natural resources base. desertification. forests. hazardous chemicals, industrial wastes and anthropogenic environmental hazards with the objective of avoiding overlaps, wastage of resources gaps during implementation in all sectors and at all governance levels;
- g) take part in the negotiations of international environmental agreements and, as appropriate, initiate a process of their ratification,
- h) formulate or initiate and coordinate the formulation of policies, strategies, laws and programs to implement international environmental agreements to which Ethiopia is a party; and upon approval, ensure their implementation;

- ቀ) አደገኛ 77677 @P.90 719677 99927.31 O.S. አገር ማስገባትን፣ አያያዝንና አጠቃቀምን እንዲሁም ሕያዋንን MLOOD ምሕንድስና መለወጥን፣ ልውጥ ወይም ባዕድ ሕያዋንን me ማስገባትን፣ አገር አያያዝንና አጠቃቀምን Pogoonhit የአካባቢ. ደህንነት ፖሊሲዎችንና ሕጎችን ያዘ*ጋጃ*ል፣ በሥራ ላይ መዋላቸውን ያረጋግጣል!
- በ) በልማት ዕቅዶችና በኢንቨስትመንት OOC do 7107 ውስጥ Pozhtit ማስለ.ያ የአካባቢ. የአዋጨነት ቀመሮችንና የስሴት ሥርዓቶችን ያዘጋጃል ወይም እንዲዘጋጁ ያደርጋል፤ እንደሁኔታውም በጥቅም የመዋላቸውን **ሃ**ደት ይከታተላል፤
- ተ) ዘላቂነት የጎደለው የተፈጥሮ ሀብቶች አጠቃቀምንና ልምድን፣ የአካባቢ ጉስቁልናን ወይም ብክለትን ለመከላከል በሚያስችሉ የመግቻ እርምጃዎች ወይም የማበረታቻ ዘዴዎች መጠቀምን በተመለከተ ሃሣብ ያቀርባል፤
- ቸ) የአካባቢ መረጃ አሰባሰብን፣ አደረጃጀትን እና አጠቃቀምን የሚያቀላጥና የአካባቢ መረጃ ሥርዓትን ይዘረጋል፤
- ጎ) የአካባቢና PR3 አያያዝን፣ በጥቅም ማዋልንና 9.1.49 የጥቅም ナンとケーラ P99.86.92 *እንዲሁም* አረንንዴ የሥራ ዕድልን PO9.6.TC 9°C9°C75 P.bhs M.A. 77763 ያስተባብራል፣ 738 አስፈላጊን ቱም ራሱ ያካሂዳል፤
- ነ) አማባብነት ባላቸው የሕግ ድን*ጋጌዎች* መሠረት የአካባቢና የደን ጥበቃ ግዬታዎች መከበራቸውን ለማረ*ጋ*ገጥ በፌደራሉ ሥልጣን ሥር ወደሚገኝ ማንኛውም መሬት፣ ቅጥር ግቢ ወይም ሴላ ቦታ ደገባል፣ ኃላፊነቱን ለመወጣት ተገቢ ሆኖ ያገኘውን ማንኛውንም ነገር ይፊትሻል፣ ናሙናዎችን ይወስጻል፤

- i) formulate environmental safety policies and laws on the production, importation. management and utilization of hazardous substances or wastes, as well as on the development genetically modified organisms and the importation, handling and utilization of genetically modified and alien species, and ensure their implementation;
- prepare or cause the preparation of environmental cost benefit analysis and formulate an accounting system to be used in development plans investment programs and, as the case may be, monitor their application,
- k) propose incentives or disincentives to discourage practices that may hamper the sustainable use of natural resources or the prevention of environmental degradation or pollution;
- establish an environmental information system that promotes efficiency in environmental data collection, management and use;
- m) coordinate, and as may be appropriate carry out, research and technology activities that promotes the sustainability of the environment and the conservation and use of forest as well as the equitable sharing of benefits accruing from them while creating opportunities for green jobs;
- n) in accordance with provisions of the relevant laws, enter any land, premises or any other place that falls under the federal jurisdiction, inspect anything and take samples as deemed necessary with a view to discharging its duty and ascertaining compliance with the requirements of environmental protection and conservation of

- የአገሪቱን የአካባቢና የደን እንዲሁም ለአየር ንበፈት የማይበገር አፈንጓዴ ኢኮኖሚን በሚመለከት ዘንባን በየወቅቱ እያዘጋጀ ያስራጫል፤
- አ) መደበኛ ያልሆኑ የአካባቢ ትምህርት መርሃ ግብሮችን ያስፋፋል፣ ትምህርቱን ይሰጣል፣ አካባቢያዊ ጉዳዮችን በመደበኛ לישיטכלי מיכשיר לישיטכלי שיחד ለማካተት አማባብ ካላቸው መሥሪያ ቤቶች ጋር ትብብር ያደርጋል።
- 8/ nm6 12 ባለ PAME ሕጎች ድንጋጌዎች መሠረት ደንን በሚመለከት ለግብርና ሚኒስቴር ተሰጥተው የነበሩ ሥልጣንና ተማባራት OILU አዋጅ ለአካባቢና የደን ሚኒስቴር ተሰጥተዋል።"
- *፮/* በአዋጁ አንቀጽ ፴፮ (በዚህ አንቀጽ ንዑስ አንቀጽ (፬) ቁጥሩ እንደተስተካከለው) ንዑስ አንቀጽ (፩) የሚከተለው አዲስ ፊደል ተጨምሯል:-
 - "ረ) የአካባቢ ጥበቃ አካላት ማቋቋሚያ አዋጅ ቀጥር ፪፻፲፰/፲፱፻፲፰ ከአንቀጽ እስከ አንቀጽ ፲፫።"
- ፮/ በአዋጁ አንቀጽ ፴፮ (በዚህ አንቀጽ 30.0 አንቀጽ (Ö) ቁጥሩ እንደተስተካከለው) hC Pothto አዲስ 30.0 አንቀጽ (16) ተጨምሯል፡-
 - "፲፩/በአዋጅ ቁጥር griz:/Turiz: ተቋቁሞ PYNLO የአካባቢ ጥበቃ ባለሥልጣን መብትና ግኤታዎች በዚህ አዋጅ ለአካባቢና የደን ሚኒስቴር ተላልፈዋል።"

፫. *አዋጁ የሚፀናበት ጊ*ዜ

ይህ አዋጅ በፌደራል ነጋሪት ጋዜጣ ታትሞ ከወጣበት ቀን ጀምሮ የፀና ይሆናል።

አዲስ አበባ ሐምሌ ሸ፪ ቀን ፪ሺሯ ዓ.ም 767 ወልደጊዮርጊስ የኢትዮጵያ ፌደራሳዊ ዲሞክራሲያዊ ሪፐብሊክ ፕሬዚዳንት

- o) prepare and disseminate a periodic report on the state of the country's environment and forest as well as climate resilient green economy;
- promote and provide nonformal environmental education programs, cooperate with the competent organs with a view to integrating environmental concerns in the regular educational curricula.
- 2/ The powers and duties given to the Ministry of Agriculture, with respect to matters relating to forest, by the provisions of other laws currently in force, are hereby given to the Ministry of Environment and Forest."
- the following new paragraph (f) is added under sub-article (1) of Article 36 of the Proclamation (as re-numbered pursuant to sub-article (4) of this Article):
 - "f) from Article 3 to Article 13 of the Environmental Protection Establishment Proclamation 295/2002."
- the following new sub-article (11) is added under Article 37 of the Proclamation (as renumbered pursuant to sub-article (4) of this Article):
 - "11/The rights and obligations of the Environmental Protection Authority reestablished under Proclamation No. 295/2002 are hereby transferred to the Ministry of Environment and Forest."

3. Effective Date

This Proclamation shall enter into force on the date of publication in the Federal Negarit

Done at Addis Ababa, this 29th day of July, 2013.

GIRMA WOLDEGIORGIS PRESIDENT OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA