PROCLAMATION No. 803/2013

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

WHEREAS, it has become necessary to amend the Proclamation 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

This Proclamation may be cited as the "Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia (Amendment) Proclamation No. 803/2013".

2. Amendment

The Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691/2010 is hereby amended as follows:

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

"21/ the Ministry of Environment and Forest."
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2/ the designations "Ministry of Urban Development 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):

"f) undertake studies for setting general 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, 36, 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, strategies, 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;"
d) coordinate actions on 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 of 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 in accordance with the Environmental Impact Assessment Proclamation;

f) prepare programmes and 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 and gaps during their 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;
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 of genetically modified organisms and the importation, handling and utilization of genetically modified and alien species, and ensure their implementation;

j) prepare or cause the preparation of environmental cost-benefit analysis and formulate an accounting system to be used in development plans and 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;

l) 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 transfer activities that promote 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 the 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 forest;
1. The powers and duties given to the Ministry of Agriculture, with respect to matters relating to forest, by the provisions relating to forest, are hereby given to the Ministry of Environment and Forest.

2. Effective Date

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

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

Girma Woldegiongis
President of the Federal Democratic Republic of Ethiopia