

የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ

አንደኛ ዓመት ቁጥር ፀ 1st Year No. 9 አዲስ አበባ — ነሐሴ ፲፰ ቀን ፲፱፻፹፯ በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ADDIS ABABA - 24th August, 1995 የሕዝብ፦ተወካዮች ምክር ቤት ጠባቂነት የወጣ ማውጫ CONTENTS Proclamation No. 9/1995 አዋጅ ቁጥር ፱/፲፱፻፹፯ ዓ·ም· Environmental Protection Authority Establishment የአካባቢ ተበቃ ባለሥልጣን ማቋቋሚያ Proclamation Page 70 አዋጅ ገጽ ፸ አዋጅ ቁጥር ፬/፲፬፻፹፺ PROCLAMATION NO. 9/1995 A PROCLAMATION TO PROVIDE FOR THE የአካባቢ ተበቃ ባለሥልጣንን ለማቋቋም የወጣ አዋጅ ESTABLISHMENT OF THE ENVIRONMENTAL የአካባቢ ተበቃ ባለሥልጣንን ማቋቋም አስፈላጊ ሆኖ **PROTECTION AUTHORITY** 107741 WHEREAS, it has become necessary to establish the በኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ሕን Environmental Protection Authority; መንግሥት በአንቀጽ ፶፩(፩) መሠረት የሚከተለው ታውኟል ፡፡ NOW, THEREFORE, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of 6. አጭር ርዕስ Ethiopia, it is hereby proclaimed as follows: ይህ አዋጅ "የአካባቢ ተበቃ ባለሥልጣን ማቋቋሚያ አዋጅ 1. Short Title ቁጥር ፬/፲፬፻፹፯" ተብሎ ሊጠቀስ ይቸላል # This Proclamation may be cited as the "Environmental ትርንሜ g. Protection Authority Establishment Proclamation No.9/ በዚህ አዋጅ ውስጥ፤ 1995." "አካባቢ" ማለት በተፈጥሮአዊ ሁኔታቸው ወይም 6. 2. Definitions በሰው አማካይነት ተሻሽለው ወይም ተለውጠው In this Proclamation: የሚገኙ ሀብቶች እንዲሁም የእንዚህን ሀብቶች ጥራት ፣ 1) "Environment" means the totality of all resources መጠንና የሰው ልጅ ደህንነት የሚነኩ ውጫዊ ሁኔታ whether in their natural state or as modified or changed ዎችና ተጽዕኖዎች ድምር ነው ፤ by man as well as the external conditions and impacts "የአካባቢ ጥበቃ" ማለት የሰው ልጅን ጨምሮ የማንኛ ĝ. which affect the quality and quantity of said resources ውንም አካል ሕይወት እና ዕድንት የሚወስኑ የመሬት፣ and the welfare of human beings; 2) "Environmental Protection" means the protection of የውሃ ፣ የአየርና የመሳሰሉ ሌሎች የአካባቢ ሀብቶች ፣ land, water, air and similar other environmental resour-ክስተቶችና ሁኔታዎች ጥበቃ ነው ፤ ces, factors and conditions which affect the life and Ē. "የአካባቢ ማኔጅመንት" ማለት አካባቢን በጠቅላላ development of all organisms including human beings; ማዋናት ፣ መጠበቅና መንከባከብ እንዲሁም አጠቃ 3) "Environmental Management" means the study, ቀሙን መቆጣጠር ነው ፤ protection and conservation as well as the control of "ሰው" ማለት የተፈጥሮ ሰው ወይም በሕግ የሰውነት ö٠ the utilization of the environment in general; መብት የተሰጠው አካል ነው ፡ 4) "Person" means any natural or juridical person. 838.92

Unit Price $\left\{ 1.60 \right\}$

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- የአካባቢ ተበቃ ባለሥልጣን (ከዚህ በኋላ "ባለሥ ልጣን" እየተባለ የሚጠራ) ራሱን የቻለ የፌዴራል የመንግሥት መሥሪያ ቤት ሆኖ በዚህ አዋጅ ተጽቁሟል ፡፡
- የሰሥልጣኑ ተጠሪነቱ ለሚኒስትሮች ምክር ቤት ይሆናል #
- ፬· **ዋና መሥሪያ** ቤት

የባለሥልጣኑ ዋና መሥሪያ ቤት በአዲስ አበባ ይሆናል ፤ እንደአስፈላጊንቱም በክልሎች ቅርንጫፍ መሥሪያ ቤቶች ይኖሩታል #

ጅ· <u>የባለሥልጣኑ ዓላማ</u>

የባለሥልጣኑ ዓላማ የአገሪቱን የሶሻልና የኢኮኖሚ ልማት እንቅስቃሴዎች የሚመለከቱ ጉዳዮች ሁሉ የሰውን ልጅ ዶህንነት ለመንከባከብ እንዲሁም ሀልውናው የተመሠረተ በትን የአካባቢ ሀብቶች ዘላቂነት ባለው መንገድ ለመጠበቅ ፣ ለማልማትና ለመጠቀም በሚያስችል ሁኔታ መካሂዳቸውን ማረጋገጥ ይሆናል ፡

<u>፮፦ <u>የባለሥልጣኑ ሥልጣንና</u> ተግባር</u>

ባለሥልጣኑ የሚከተሉት ሥልጣንና ተግባሮች ይኖሩታል ፤ ፩· የአካባቢ ተበቃ ፖሊሲና ሕጐች ያዘጋጃል ፣

- ሲፈቀድም ተግባራዊንታቸውን ይከታተላል ፤
- ፪· የሶሻልና የኢኮኖሚ ልማት ፕሮጀክቶች በአካባቢ ላይ ስለሚያደርሱት ተጽዕኖ ግምገማ ለማካሄድ የሚያስ ፈልጉ መመሪያዎችንና ሥርዓቶችን ያዘጋጃል ፣ በሥራ ላይ መዋላቸውንም ይከታተላል፣ ይቆጣጠራል፤
- ፫· አፈርን ፣ ውሃንና አየርን እንዲሁም ሕልውናቸው በእንዚህ ሀብቶች ላይ የተመሠረተውን ሥነ ሕይወታዊ ሥርዓቶች ለመጠበቅ የሚያስችሉ ደረጃዎችን ያዘጋጃል፣ ተግባራዊነታቸውንም ይከታተላል፤
- ፬· በረሆንንትን ለመከላከል የሚያስፈልጉ ጥናቶችን ያካሂዳል ፣ ከሚመለከታቸው አካላት *ጋር* በመተባበር ሥራ ላይ የሚውሉበትን ሁኔታ ያመቻቻል ፤
- ጅ· በተሻለ ሁኔታ አካባቢን ለመጠበቅ እንዲቻል ልዩ ልዩ የማበረታቻና የቁጥተር ዘዴዎች ሥራ ላይ ስለሚው ሱበት ሁኔታ ሃሣብ ያቀርባል ፤
- ጀ· የአካባቢ ጥበቃ አስፈላጊንት ግንዛቤ እንዲዳብር አስፈ ላጊውን ትምህርት ይሰጣል ፤
- ጀ የአካባቢ ጥበቃን በሚመለከት ሀገሪቱ የተቀበለቻቸው ዓለም አቀፍ ውሎች በሥራ ላይ መዋላቸውን ይከታ ተላል፤
- ፰∙ የአካባቢ ተበቃን በተመለከተ ለክልሎች ምክርና የቴክኒክ ድ*ጋ*ፍ ይሰጣል፤
- ፼· የንብረት ባለቤት ይሆናል ፤ ውል ይዋዋላል፤ በራሱ ስም ይከሳል፤ ይከሰሳል፤
- ፻∙ ዓላማውን ለማስፈጸም የሚያስፈልጉ ሌሎች ተግባ ሮችን ያከናውናል ≠
- <u>፯· <u>የባለሥልጣኑ አ</u>ቋም</u>

ባለሥልጣኑ፤

δ· የአካባቢ ተበቃ ጉባዔ (ከዚህ በኋላ "ጉባኤ" እየተባለ የሚጠራ)፤

3. Establishment

- 1) The Environmental Protection Authroity (hereinafter referred to as the "Authority") is hereby established as an autonomous public institution of the Federal Government.
- 2) The Authority shall be accountable to the Council of Ministers.

4. Head Office

The head office of the Authority shall be in Addis Ababa and it may have branch offices in the Regions, as necessary.

5. Objective

The objective of the Authority shall be to ensure that all matters pertaining to the country's social and economic development activities are carried out in a manner that will protect the welfare of human beings as well as sustainably protect, develop and utilize the resource bases on which they depend for survival.

6. Powers and Duties of the Authority

The Authority shall have the following powers and duties: 1) to prepare environmental protection policy and laws; and, upon approval, follow up their implementation;

- to prepare directives and systems necessary for evaluating the impact of social and economic devlopment projects on the environment; follow up and supervise their implementation;
- to prepare standards that help in the protection of soil, water and air as well as the biological systems they support, and follow up their implementation;
- to carry out studies required to combat desertification and, in cooperation with the concerned organs, create favourable conditions for their implementation;
- 5) to make recommendations on the application of diverse encouragement and regulatory measures for the better protection of the environment;
- 6) to provide instruction required to enhance awareness of the need for environmental protection;
- 7) to follow up the implementation of international treaties on environmental protection to which the country is a party;
- 8) to render advice and technical support to Regions on environmental protection;
- 9) to own property, enter into contracts and sue and be sued in its own name;
- 10) to carry out such other activities as are necessary for the fulfilment of its objective.

7. Organization of the Authority

The Authority shall have:

1) an Environmental Protection Council (hereinafter the "Council");

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ሲያስተላልፍ ይችላል #

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g.	በ <i>መንግሥት የሚሾም አንድ ዋና ሥራ አስኪያ</i> ጅና	2) a General
Ē٠	አንድ ምክትል ዋና ሥራ አስኪያጅ፤ እና አስፈላጊው ሠራተኛች ፤	appointed 3) The necess
۲.	ይኖሩታል	
87	-ባኤው አባላት	8. Members of th
a secondaria	ኤው የሚከተሉት አባላት ይኖሩታል፤	1) an official t
6.	በመንግሥት የሚስየም ኃላፊስብሳቢ	Governmen
ğ.	የግብርና ሚኒስትር	2) the Minister
ŗ.	የንግድና የኢንዱስትሪ ሚኒስትር	3) the Minister
õ.	የጤና ዋበቃ ሚኒስትር "	4) the Minister
2.	የማዕድንና ኢንርጂ ሚኒስትር,	5) the Minister 6) the Commi
1.	የሳይንስና ቴክኖሎጂ ኮሚሽንር,	Commission
2.	የውሃ ሃብት ሚኒስትር,	7) the Minister
Ţ.	የባለሥልጣኑ ዋና ሥራ አስኪያጅ,	8) the General
82	ባ ዬው ስብሰባ	9. Meetings of th
ğ.	ጉባዔው በስድስት ወር አንድ ጊዜ መደበኛ ስብሰባ ያደርጋል ፤ ሆኖም አስፈላጊ ሆኖ ሲገኝ በማናቸውም	1) The Counc six months
	ጊዜ አስቸኳይ ስብሰባ ሊያዶርግ ይችላል ።	extraordina
g.	ከጉባዔው አባላት አብዛኛዎቹ በስብሰባው ከተገኙ	2) There shall
ĕ.	ምልዓተ ጉባዔ ይኖራል ፡	members o
Ē.	የጉባዔው ውሣኔዎች በድምጽ ብልጫ ያልፋሉ ፤ ሆኖም	3) Decisions of
2	ድምጽ እኩል በኩል የተከፈለ እንደሆነ ሰብሳቢው	vote; in cas
	ወሣኝ ድምጽ ይኖረዋል ፡	vote.
õ.	የዚህ አንቀጽ ሌሎች ድንጋጌዎች እንደተጠበቁ ሆነው	4) Without p Article, th
	ጉባዔው የራሱን የስብሰባ ሥነ ሥርዓት ደንብ ሊያወጣ	procedure.
	ይችላል ።	
የጉ	ባዔው ሥልጣን	10. Powers of th
7.0	ነዔው የሚከተለው ሥልጣንና ተግባር ይኖረዋል፤	The Council s
<u>ğ</u> .	የአካባቢ ተበቃን በሚመለከት በፖሊሲ ጉዳዮች ላይ	1) deliberate
~	ይመክራል ፣ ሃግብ ያቀርባል ፣	vironomen dations the
g.	ባለሥልጣኑ የሚያወጣቸውን መመሪያዎችና	2) evaluate an
	<u> ደረጃዎች ይገመግጣል ፣ ያፀድ</u> ቃል ።	by the Aut
ስለ	ዋናው ሥራ አስኪ <i>ያጅ ሥ</i> ልጣንና ተግባር	11. Powers and
6.	ዋናው ሥራ አስኪያጅ የባለሥልጣኑ ዋና ሥራ	
	አስፈጻሚ በመሆን የባለሥልጣኑን ሥራዎች ይመራል፣	1) The Gene the Autho
	ያስተዳድራል ፡፡	the activit
g.	የዚሀ አንቀጽ ንዑስ አንቀጽ ፩ አጠቃላይ አንጋገር	2) Without 1
	እንዶተጠበቀ ሆኖ ዋናው ሥራ አስኪያጅ፣	(1) of this
	ሀ) በዚህ አዋጅ በአንቀጽ ፮ የተመለከተውን የባለሥ	(a) exercis
	ልጣኑን ሥልጣንና ተግባር ሥራ ላይ ያውላል ፤	specifi
	ለ) በፌኤራል ሲቪል ሰርቪስ <i>ሕግ መሠረት</i> የባለሥ	(b) employ
	ልጣኑን ሥራተኛት ይቀጥራል ፣ ያስተዳድራል ፣	in acco
	ሐ) የባለሥልጣኑን የሥራ ፕሮግራምና በጀት	(c) prepare
	ያዘጋጃል ፣ ሲፈቀድም በሥራ ላይ ያውላል ፣	the Aut
	መ) ለባለሥልጣኑ በተፈቀደለት በጀትና የሥራ	(d) effect
	ፕሮግራም መሠረት ገንዘብ ወጭ ያደርጋል ፤ ሠ) ባለሥልጣኑ ከሦስተኛ ወገኖች ጋር በሚያደር	proved
	ש) ባለሥልጣኑ ከሦስተኛ ወንኖች ጋር በሚያደር ጋቸው ግንኙነቶች ሁሉ ባለሥልጣኑን	Autho
	ይወክላል፤	(e) represe parties;
	ሬ) ስለባለሥልጣኑ የሥራ እንቅስቃሴ ሪፖርት	(f) submit
	ይቀርባል።	(i) sublint
ŗ.	ዋናው ሥራ አስኪያጅ ለባለሥልጣኑ የሥራ ቅልጥፍና	3) The Genera
~	በ ሚያስፈልግ መጠን ከሥልጣንና ተግባሩ በከፊል	and duties
	ለባለሥልጣኑ ሴሎች ኃላፊዎችና ሠራተኞች በውክልና	Authority t

- Manager and Deputy General Manager by the Government; and
- ary staff. ne Council

1) an official to be designated by the	
Government O	Chairman
2) the Minister of Agriculture	Member
3) the Minister of Trade and Industry	······································
4) the Minister of Health	····· ··· ···
5) the Minister of Mines and Energy	
6) the Commissioner of the Science and Techn	
Commission	······································
7) the Minister of Water Resources	······································
8) the General Manager of the Authority	

he Council

- il shall hold a regular meeting once every s; however, it may at any time hold an ry meeting, whenever found necessary.
- l be a quorum where the majority of the f the Council are present at its meetings.
- of the Council shall be passed by a majority e of a tie the Chairman shall have a casting
- rejudice to the other provisions of this e Council may draw up its own rules of

e Council

shall have the powers and duties to:

- upon policy matters concerning ental protection and submit its recommenreon:
- nd approve directives and standards issued hority.

Duties of the General Manager

- ral Manager shall be the chief executive of rity and, as such, shall direct and administer ies of the Authority.
- imiting the generality stated in sub-Article Article, the General Manager shall:
 - e the powers and duties of the Authority ed in Article 6 of this Proclamation;
 - and administer employees of the Authority rdance with the federal civil service laws;
 - the annual work programme and budget of hority and implement same upon approval;
 - expenditure in accordance with the apd budget and work programme of the rity;
 - nt the Authority in all its dealings with third
 - reports on the activities of the Authority.
- al Manager may delegate part of his powers to the other officials and employees of the to the extent necessary for the efficiency of the Authority.

ገጽ ፸፫ ነጋሪት ጋዜጣ ቁጥር ፬ ነሐሴ ፲፰ ቀን ፲፬፻፹፯ ዓ·ም	 Negarit Gazeta — No. 9 — 24th August 1995 — Page 73 	
፲፪· <u>በጀት</u> የባለሥልጣኑ በጀት በመንግሥት ይመደባል ፡፡ ፲፫· <u>የሂሣብ መዛግብት</u> ፩· ባለሥልጣኑ የተሟሉና ትክክለኛ የሆኑ የሂሣብ መዛግብት ይይዛል ፡፡ ፪· የባለሥልጣኑ የሂሣብ መዛግብትና ገንዘብ ንክ ሰንዶች በዋናው አዲተር ወይም እርሱ በሚሰይማቸው አዲተሮች በየዓመቱ ይመረመራሉ ፡፡	 12. Budget The budget of the Authority shall be allocated by the Government. 13. Books of Accounts The Authority shall keep complete and accurate books of accounts. the Authority's books of accounts and financial documents shall be audited annually by the Auditor General or by auditors designated by him. 	
፲፬· የመተባበር ግይታ	14. Duty to Cooperate	
ማንኛውም ሰው ባለሥልጣኑ ለሥራው የሚልል <i>ጋቸውን</i> መረጃዎች በመስጠት የመተባበር ግዬታ አለበት ፡	Any person shall have the duty to cooperate by way of providing information sought by the Authority for its activities.	
፲፮· <u>አዋጁ የሚወናበት ጊዜ</u> a blod lind lind of the lind of the lind lind lind lind lind lind lind lind	15. Effective Date	
ይህ አዋጅ ከንሐሴ ፲፰ ቀን ፲፱፻፹፯ ·ዓ·ም· ጀምሮ የፀና ይሆናል ፡	This Proclamation shall enter into force as of the 24 th day of August, 1995.	
አዲስ አበባ ነሐሴ ፲፰ ቀን ፲፬፻፹፯ ዓ·ም· ዶ/ር ነ <i>ጋ</i> ሶ ጊዳዳ	Done at Addis Ababa, this 24 th day of August, 1995. NEGASO GIDADA (DR.) PRESIDENT OF THE FEDERAL DEMOCRATIC	
የኢትዮጵያ ፌዴራላዊ ዲሞክራሲያዊ ሪፐብሊክ ፕሬዚዳንት	REPUBLIC OF ETHIOPIA	
10. Powers of the Council	STAA S	
ብርሃንና ሰላም ማኅ BERHANENA SELAM	ማያ ድርጅት ታተመ ፡፡ PRININTING ENTERPRISE	
	E MAPSON 206 MALEX 200 975 1990	
11 Powers and Duties of the General Manager	5 PSP / 6 http: 2 fan / 6 / 6	
 The General Manager shall be the chief executive of the Authority and, as such, shall direct and administer the activities of the Authority. 	NASSON ROOM PRAMATS 106.97 800601	
 Without limiting the generality stated in sub-Article Without limiting the General Manager shall: (1) of this Article, the General Manager shall: (a) exercise the powers and duties of the Authority specified in Article 6 of this Proclamation; 	 የዚዞ አንቀጽ ንውስ አንቀጽ ፩ አጠቃላይ አንጋባር አንዴተጠበቀ ሆኖ ዋናው ሥራ አስኪደጅ። ሀ) በዚሁ አዋጅ በአንቀጽ ፩ የተመለከተውን የባለሥ , ልጣኑን ሥልጣንና ተግባር ሥራ ላይ ደውላል ፡ 	
 (b) employ and administer employees of the Authority in accordance with the federal civil service laws; 	 ስ) በሬዲራል ሲቪል ስርቪስ ሕግ መሠረት የባለሥ ልጣኑን ሠራተኞች ይቀተራል ፣ ያስተዳድራል ፣ ሐ) የባለሥልጣኑን የሥራ ፕሮግራምና ባጀት 	
 (c) prepare the annual work programme and badget of the Authority and implement same upon approval; (d) effect expenditure in accordance with the ap- 	2日2第A: 化之中名が 日がと 48 タのみね: (11) A9Aがいみゆび 日ナズヤ名A子 日芝子5 タがと	
proved budget and work programme of the Authority;	下で生 <i>る炉 mwと</i> キ 13HA の雪 タスC2A 1 m) A&どAA5 HFA+学 の1ギギ つて (雪まえC 2年の 雪子子5千千 ひん A&どAの53	
(e) represent the Authority in all its dealings with third parties;	E CO (AAA)	
(f) submit reports on the activities of the Authority.	 6AGA2*A (1) - 62*6-33% (2) - 64 646(6) - 62*6 	
3) The General Manager may delegate part of his powers and duties to the other officials and employees of the Authority to the extent necessary for the efficiency of the Authority.	P. ዋናሙ ሥራ አስኪያጅ ስባልሥልጣኑ የሥራ ቅልተፍና በሚያስፈልግ መጠን ከሥልጣንና ተግባሩ በክፈል ስባልሥልጣኑ ልሱች ኃላፊዎችና ሠራተኞች በውክልና	

APPER PARHORA