

FILE COPY

July 1994

National Conservation Strategy Secretariat
Ministry of Natural Resources Development
and Environmental Protection
Addis Ababa

TRANSITIONAL GOVERNMENT OF ETHIOPIA
NATIONAL CONSERVATION STRATEGY
VOLUME III
INSTITUTIONAL FRAMEWORK
AND
OPERATIONAL ARRANGEMENTS
FOR
THE NATIONAL POLICY ON
NATURAL RESOURCES AND
THE ENVIRONMENT

5119

NATIONAL CONSERVATION STRATEGY

VOLUME III

CONTENTS

| | Page |
|---|-------------|
| CHAPTER I. INTRODUCTION | 1 |
| 1.1 Introduction | 1 |
| CHAPTER II. POLICY IMPLEMENTATION | 3 |
| 2.1 Introduction | 3 |
| 2.2 Institutional Framework, Responsibilities and Mandates | 3 |
| 2.3 Legislative Framework | 6 |
| 2.4 Monitoring, Evaluation and Policy Review | 8 |
| CHAPTER III. INSTITUTIONAL FRAMEWORK | 11 |
| 3.1 The Overall Institutional Framework | 11 |
| 3.2 The Specific Institutional Framework for the National Policy on Natural Resources and the Environment | 14 |
| 3.3 Regional Bureau Mandates and Responsibilities | 23 |
| CHAPTER IV. MANAGEMENT STRUCTURES AND OPERATIONAL ARRANGEMENTS | 27 |
| 4.1 Introduction | 27 |
| 4.2 Management Structures and Operational Arrangements for the Development and Management Aspects of the National Policy | 27 |
| 4.3 Monitoring and Evaluation, and the Process of Review | 33 |
| 4.4 Management Structures and Operational Arrangements for the National Environmental Protection Authority | 34 |

ACRONYMS

| | |
|---------|--|
| EFAP | Ethiopian Forestry Action Programme |
| ENTO | Ethiopian National Tourist organisation |
| MEEC | Ministry of External Economic Cooperation |
| MMEn | Ministry of Mines and Energy |
| MNRDEP | Ministry of Natural Resources Development and Environmental Protection |
| MOA | Ministry of Agriculture |
| MOE | Ministry of Education |
| MOH | Ministry of Health |
| MOI | Ministry of Industry |
| MOInf | Ministry of Information |
| MPWUD | Ministry of Public Works and Urban Development |
| MSF&TCD | Ministry of State Farms and Tea and Coffee Development |
| NCS | National Conservation Strategy |
| NEPA | National Environmental Protection Authority |
| NEPC | National Environmental Protection Council |
| NPCC | National Programme Coordinating Committee |
| NPCS | National Programme Coordinating Secretariat |
| REPC | Regional Environmental Protection Council |
| RPCC | Regional Programme Coordinating Committee |
| RPCS | Regional Programme Coordinating Secretariat |
| ROEP | Regional Bureau of Environmental Protection |
| WPCC | Wereda Programme Coordinating Committee |
| WPCS | Wereda Programme Coordinating Secretariat |
| ZPCC | Zonal Programme Coordinating Council |
| ZPCS | Zonal Programme Coordinating Secretariat |

CHAPTER I

INTRODUCTION

This is the third volume of the Ethiopian National Policy on Natural Resources and the Environment.

Volume I establishes the setting by evaluating the state of the natural resources, the environment and development in Ethiopia and by examining the interconnected causes and effects of the existing situation.

Volume II presents a policy and strategy framework aimed at ensuring a sustainable use and management of natural resources, at rehabilitating those whose bases have suffered degradation and at maintaining life support systems functioning well. For this, the use and management of natural resources and the environment was approached through 12 sectoral and 11 cross sectoral issues, with prioritised strategies being defined for each issue.

This volume (Volume III), deals with institutional questions which require to be answered to implement the strategies defined in Volume II.

Volume IV identified actions, mainly of short term (2 years) and medium term (5 years), that should be taken to implement the strategies.

The last volume (Volume V), gives a listing of projects, some funded and being implemented, and others only proposed, with estimated costs. The projects have not been fully evaluated and prioritised in the context of the strategies defined in Volume II. The volume does not, therefore, constitute a finalized listing of projects. However it does contain the most comprehensive compilation of projects available, and it is thus the nearest to an investment programme on natural resources and the environment available. It is expected that with additional work of about one year, it will become Ethiopia's environmental investment programme document.

This page left blank deliberately

CHAPTER II

POLICY IMPLEMENTATION

2.1 INTRODUCTION

Policy implementation involves the successive detailing of policy from the level of a very broad intent as expressed in a policy framework down to laws and regulations on the one hand, and to implementable projects on the other. This is done by the structuring of actions in an action plan, and the detailing of investment support in an investment programme. The first prerequisite is the creation of an appropriate institutional framework and the second is the development of an appropriate legal framework. Once these actions are undertaken then the development of a monitoring and evaluation system to measure the impact of policies on the environment, the population and the economy are required.

2.2 INSTITUTIONAL FRAMEWORK, RESPONSIBILITIES AND MANDATES

Situation Synopsis: The Transitional Period Charter has affirmed the right of nations, nationalities and peoples of Ethiopia to self-determination and to self-government to empower them to decide upon issues that affect them and to manage their own affairs themselves. Proclamation 7 of 1992 provided for overall political power regarding the internal affairs of the regions to reside in their respective elected regional councils. Proclamation 41 of 1993 defined the powers and duties of the central and of the regional executive organs of the Transitional Government. The goals of decentralisation include increased administrative efficiency, increased local participation in development planning and management and the allocation of resources so that they reflect more closely the development priorities of local populations.

The sectoral bureaus of the regions and zones have only recently been established, or are only now being established and have as a consequence gained only limited experience in planning and implementation. However during the formulation of the Regional Conservation Strategies, inter-sectoral Regional Conservation Strategy Steering Committees have been established and have gained experience in coordinating Zonal Task Forces undertaking the local level consultations and studies and provided the institutional mechanisms for regional strategic planning.

Proclamation 41 of 1993 defined the powers and responsibilities of the Ministry of Natural Resource Development and Environmental Protection at the central level and the corresponding bureaus of natural resources development at the regional level. This placed the responsibility for environmental development and management and for environmental protection within the same Ministry.

Objective:

To strengthen the existing institutional mechanisms so as to implement the National Conservation Strategy for Ethiopia.

The Guiding Principles are that:

- ◆ the sustainable use of natural, human-made and cultural resources and environmental management require political and popular support for effectiveness at the national, regional, zonal, wereda and community levels,
- ◆ the national and regional coordination and management bodies down to those of the community level should be accorded respect and support by government ministries and bureaus and other governmental and non-governmental organizations and the public at large,
- ◆ the national and regional coordination and management bodies down to those of the community level should be representative of concerned line ministries and bureaus, as applicable to the level of organisation, including those of Natural Resources Development and Environmental Protection, Planning and Economic Development and External Economic Cooperation, as well as regional and municipal governments, appropriate level elected councillors, non-governmental organizations, community representatives, representatives of professional or other environmental associations and the private sector,
- ◆ whenever possible existing institutional structures should be used to the maximum,
- ◆ institutional arrangements for the formulation of conservation and natural resource development and management strategies, legislation, regulation, monitoring and enforcement should be determined by the following criteria:
 - (i) Conformity with the Constitution, especially with respect to the decentralization of power;
 - (ii) Harmonization of sectoral interests;

- (iii) Integration of environmental planning with development planning;
 - (iv) Minimization of incremental financial requirements
- ◆ conflicts of interest should be avoided by assigning responsibilities to separate organisations for environmental and natural resource development and management activities on the one hand and environmental protection, regulation and monitoring on the other
 - ◆ enforcement of government laws and regulations with respect to environmental protection should remain the responsibility of central and regional courts and administrations or other government entities; nevertheless, where government's own development activities are controlled by laws and regulations, the monitoring of such laws and regulations to ensure compliance of specific ministries and other government entities should be carried out by the government organisation responsible for environmental protection and regulation.

The Strategies are to:

1. Separate the institutional responsibilities for natural resource and environmental development and management on the one hand, and for environmental protection and regulation on the other, and therefore, to separate the present Environmental Protection Authority from the Ministry of Natural Resource Development and place it outside and above any line ministry with sectoral development interests, ie. under the Prime Minister's Office.
2. Create a National Environmental Protection Council (NEPC) chaired by the Prime Minister or his designate and responsible to the Council of Ministers, with the new National Environmental Protection Authority (NEPA), headed by a senior member of the Prime Minister's staff with the rank of Minister, acting as Secretariat to the Council.
3. Mandate the Ministry of Planning and Economic Development to continue coordinating the planning, programming and consolidating of the overall investment programmes and annual capital budgets in accordance with the National Policy on Natural Resources and the Environment with such action programmes forming an environmental sub-set of the overall national development programme, and regional planning bureaus exercising identical functions with respect to regional action plans and investment programmes.

4. Maintain the present inter-Ministerial Environmental Policy Coordinating Committee, of which the Minister of Natural Resource Development and Environmental Protection is Chair Person, for the implementation of the various development and management aspects of the National Policy on Natural Resources and the Environment, but with a legal status and with a clear mandate to coordinate its nationwide implementation, review and revision, expanding its current membership to include at least one representative of non governmental organizations, one community elder and one member representing the private business/industrial sector.
5. Recommend that, taking into account the experience the current Regional Conservation Strategy Steering Committees, each Region create a Regional Environmental Coordinating Committee to be legally mandated to coordinate the implementation, review and revise their respective Regional Policy on Natural resources and the Environment, expanding the current membership of each Regional Steering Committee to include at least one representative of non governmental organizations, one community elder and one member representing the private business/industrial sector.
6. Recommend that lower level environmental coordinating committees be legally established at the zonal, wereda and community levels.
7. Recommend that the Community Environmental Coordinating will, in addition, act as a Science and Technology Association (referred to in section 3.9 of this Policy) for the monitoring and documenting of local knowledge, science and technologies on the environment and, in general, on development; with a teacher coopted from the nearest school selected by the committee acting as secretary, for which he/she will be remunerated.
8. Continue the mandates of line ministries to implement those components of the overall policy and strategy for which they are responsible.

2.3 LEGISLATIVE FRAMEWORK

Situation Synopsis: *Although a preliminary assessment was undertaken as part of Phase I of the NCS process there is a need to produce a comprehensive and in-depth review of environmental legislation and the legal responsibilities of institutions in the state and private sectors and to propose a comprehensive and harmonized set of laws on the environment. At present there is no comprehensive legislation for the majority of areas of environmental management and protection and in other cases there is duplication or the legislation is out of date. While*

devolution of powers and responsibilities could facilitate effective implementation of legislation, inter-sectoral coordination at all levels will continue to be vital at all levels.

Objective:

To create a legal framework for the implementation of the National Policy on Natural Resources and Environment.

The Guiding Principles are that the Law should:

- ◆ provide a framework for encouraging participation by the people of Ethiopia in the development of national and regional policies, laws and plans for the sustainable use and management of the natural, human-made and cultural resources and the environment.
- ◆ complement programmes that motivate the peoples of Ethiopia into restoring, protecting, managing and sustainably using the natural, human-made and cultural resources and the environment of the country,
- ◆ be made within the constitutional, political, social, cultural and economic framework prevailing in the country and should not compromise the principles of sustainable development,
- ◆ assure all people living in the country of their fundamental right to an environment adequate for their health and well-being,
- ◆ provide a framework for formulating, reviewing and up-dating sectoral laws and regulations on the restoration, protection, management and sustainable use of the natural, human-made and cultural resources and the environment,
- ◆ provide a broad framework for both punitive and incentive measures, and

The Strategies are to:

1. Enact a set of laws constituting a framework for the effective management and sustainable use of natural, human-made and cultural resources and environment which will, among others, create rights for individuals, communities or organizations to bring legal action to prevent and/or stop activities likely to damage resources and the environment.

2. Establish the necessary legislation to give legal authority to the institutional arrangements specified in Chapter 3.
3. Review and update sectoral laws in conformity with the principles of this national policy.
4. Establish a broad framework for national and regional resource and environmental planning.
5. Provide a broad framework for environmental monitoring and evaluation.
6. Establish a framework for environmental standards including establishment of standard criteria for the management of natural resources, hazardous materials and toxic chemicals and substances.
7. Provide a framework for the minimization of pollutants to levels harmless to human health and the environment and for the control of pollution.
8. Ensure that the true costs of environmental pollution are borne by the polluters.
9. Enact domestic legislation to enable the enforcement of international treaties, agreements and conventions on the environment.

2.4 MONITORING, EVALUATION AND POLICY REVIEW

Situation Synopsis: *Currently there is no monitoring, evaluation and policy review system in place which covers all the cross-sectoral and sectoral areas covered by this National Policy on Natural Resources and the Environment. Effective implementation and appropriate timely amendments will require feed backs on the progress of implementation and impact of the policies, legislation, action plans and investment programmes.*

Objective :

To monitor the impact of this National Policy on Natural Resources and the Environment and to adapt and modify it as necessary, and to ascertain the progress and effectiveness by which to evaluate the environmental investment programme which emanates from it.

The Guiding Principles are that:

- ◆ individual programme and project monitoring should be the responsibility of the appropriate central and/or regional implementing and/or mandated agencies,
- ◆ responsibility for monitoring the overall impacts of the implementation of the National Policy on Natural Resources and the Environmental on the nation's renewable natural resources and environmental support systems and making recommendations for any modification that is required should be consistent with the institutional arrangements specified in Chapter 3 and responsive to popular opinion.
- ◆ consistent with this, the Ministry of Planning and Economic Development should be responsible for the overall monitoring of the total Policy and should have the responsibility for proposing modifications that are necessary to the Policy and to the overall investment programme in consultation with the mandated line ministry and/or public opinion, and having them approved by the Inter-Ministerial Environmental Policy Coordinating Committee,
- ◆ line ministries and regional and lower level bureaus and branches of bureaus should monitor the overall impact of the implementation of this Policy on those sectors and elements for which they have the legal mandate,
- ◆ starting with the Community Environmental Coordinating Committee (or Science and Technology Association) and aggregating upwards through the appropriate level offices of the Natural Resources Development, Agriculture and Planning and Development, reviews of the appropriate level status of natural resources and the environment, including evaluation of the implementation of this Policy, shall be completed annually,
- ◆ at least annually, communities in village level meetings with their Environmental Policy Coordinating Committees (or Science and Technology Associations), the Wereda and the Regional Environmental Policy Coordinating Committees, through to the National Environmental Policy Coordinating Committee should evaluate these reviews and make their recommendations,
- ◆ the Ministry of External Economic Cooperation should continue to be responsible for coordination of any external technical assistance and funding required for the implementation of this Policy.

The Strategies are to:

1. Develop internal environmental monitoring and evaluation systems and the trained human resources to run them in all responsible line ministries and the Ministry of Planning and Economic Development and in the relevant bureaus and bureau branches at lower administrative levels.
2. Produce annual reports on the environment and development by the Ministry of Planning and Economic Development as well as by the MNRDEP at the national level, and by the respective bureaus and bureau branches at the regional and lower levels, with the community level report being produced by the Community Environmental Coordinating Committee and the higher level reports being based on the aggregations of the reports from the lower levels.
3. Discuss in annual meetings of communities at the community level and the Environmental Coordinating Committees at successively higher levels up to the national level, the appropriate level reports, particularly noting whether the major issues raised by the lower level reports have been addressed and policy measures and activities recommended.
4. Receive presentations and submissions on environmental matters affecting communities, weredas and regions from the Environmental Policy Coordinating Committees (Science and Technology Associations at the community level) at the various levels as part of, and as an adjunct to, the formal monitoring process.
5. Prepare in the Prime Minister's Office annual reports to the Parliament on environment and development and the state of the country based on the highest aggregation of the successively lower level reports.

CHAPTER III

THE INSTITUTIONAL FRAMEWORK

3.1 THE OVERALL INSTITUTIONAL FRAMEWORK

As indicated in the previous chapter the Transitional Period Charter affirmed the right of nations, nationalities and peoples of Ethiopia to self-determination and to self-government. Decentralization is seen as the main strategy to achieve this. The main goal of decentralisation is the bringing about of increased local participation in development planning and management and the allocation of resources so that the development priorities of local populations are more closely reflected and efficiency is improved.

Proclamation 7 of 1992, **Proclamation 33 of 1992** and **Proclamation 41 of 1993** provided the legal framework for the establishment of national/regional self-government, defined the nature of the fiscal relations between the central and regional Governments, and determined the powers and duties of the central and regional organs of the Transitional Government. These are outlined in the following sections.

3.1.1 Administrative Structures

Ethiopia is a country of nations and nationalities, the former being entitled to their respective national governments and the latter to regional governments of adjacent nationalities. **Proclamation 7 of 1992** provided for overall legislative, executive and judicial powers of regions which reside in their respective elected national/regional councils, the only exceptions being defence, foreign affairs, economic policy, citizenship, declaring states of emergency, deploying the army, issuing currency, and responsibility for major developments and communication networks, these being the preserve of the central government. Regional self-governments are entitled to raise revenue and approve their own budgets. However supreme power resides with the Council of Representatives of the Central Transitional Government and national/regional self-governments are subordinate to the Central Government.

Based on the recognition of some 64 nations and nationalities a total of 14 self governing regions were established: twelve largely rural nations and regions and the two urban regions of Addis Ababa and Harer. Subsequently five of the regions amalgamated into the Southern Ethiopian Peoples' Region. The national/regional self-governments are made up of the following bodies.

- a national/regional council elected by the people;
- a national/regional executive committee, with a chairman, vice-chairman and secretary elected by the council;
- courts and a public prosecutor's office, established by the council;
- an audit and control office, established by the council;
- a police and security office, established by the council;
- a services and development committee, established by the Council.

The national/regional councils have the power "to issue designs, directives and strategies for the development and protection of the environment", whilst the executive committee has the power to "make all appropriate efforts to develop, utilize and preserve the national/regional heritage and natural resources of the region pursuant to the general policy guidelines of the Central Transitional Government".

The basic administrative/political unit of the region is the **wereda**, which has the identical structure in miniature as the regional self-Government outlined above. National/regional councils have the power to create intermediate administrative structures in between the region and the wereda units. In practice nearly all regions have in fact done so by creating two or more **zones** per nation/region. The creation or otherwise of administrative structures below the level of wereda (eg. kebelles or peasant associations) will be determined by the national/regional self-governments.

3.1.2 Fiscal Relations between Central and Regional Self-Governments

Proclamation 33 of 1992 defined the nature of the fiscal relations between the central and regional governments. The proclamation established five principles to be used as the bases for revenue sharing between the central government and the national/regional governments:

- the ownership or sources of revenue;
- the national or regional character of the sources of the revenue;
- the convenience of levying and collecting tax or duty;

- the population, distribution of wealth and standard of development of each region; and
- other factors that contribute to an integrated and balanced economy.

The Proclamation categorized revenue into central, regional and joint. Of importance to the NCS are the following:

(a) Revenue for the Centre:

Charges and fees on licences and services issued or rendered by the Central Government.

(b) Revenues for the Nations/Regions:

Rural land use fees; agricultural income tax; taxes, royalty and land rents for small scale mining; charges and fees on licences and services issued or rendered by the national/regional governments (eg. hunting licences, water charges)

(c) Joint Revenues:

Taxes, royalties and land rents for large scale mining, and petroleum or gas operations; forest royalties.

National/regional governments may receive subsidies from the central government proportional to the revenue collected by them. The Amharic version uses the broader concept of "related to" rather than "proportional to". It makes sense if the proportionality is inverse rather than direct, as this would reflect support based more on needs rather than desert. Subject to conditions, national/regional governments may borrow from domestic sources. The power to hold and administer foreign currency resides with the central government.

3.1.3 Powers and Duties of the Central and Regional Executive Organs

Proclamation 41 of 1993 defined the powers and duties of the central and of the national/regional executive organs of the Transitional Government. The common fields of activity of the central government ministries are defined as follows:

- to initiate policies, prepare plans and budgets, and on approval, implement same;

- to ensure the enforcement of laws, regulations and directives of the central government;
- to undertake studies and research; and to collect and compile statistical data;
- to give assistance and advice to regional self-governments, and follow up the proper implementation of laws, regulations and directives by their executive organs;
- to enter into contracts and international agreements in accordance with the law.

National/regional governments are empowered to establish **bureaus** mirroring the ministries of the central government. National/regional governments have the power to merge under one bureau the responsibilities corresponding with two or more central government ministries.

Common powers and fields of activities of national/regional bureaus are as follows:

- to prepare and on approval implement plans and budgets;
- to ensure the implementation of laws, regulations and directives;
- to undertake studies and research, collect and compile statistical data and transmit same to the relevant central executive organ;
- to enter into contracts in accordance with the law;
- to submit to the national/regional executive organ and to the relevant central executive organ periodic activity reports.

Bureau heads are accountable to their national/regional executive committees as regards the execution of activities, programmes and laws pertaining to their respective bureaus.

3.2 THE SPECIFIC INSTITUTIONAL FRAMEWORK FOR THE NATIONAL POLICY ON NATURAL RESOURCES AND THE ENVIRONMENT

3.2.1 The National Development Programme

Under the Government's new "programme" approach a five year national development plan has been formulated which is divided into six programmes. It has been decided to make the six National Programmes a framework for medium term development and for mobilizing and coordinating resources from all other potential donors. The **National Programmes** are:

Programme 1: Food Production, Food security and Nutrition

Programme 2: Improvement of the Resource : Population : Development Balance

Programme 3: Capacity Building for Sustained Human Resource Development and Utilization

Programme 4: Disaster Prevention, Preparedness and Mitigation

Programme 5: Management of Economic and Technical Change in both the Public and Private Sectors,

Programme 6: Economic Recovery and Reconstruction

The following sectors and cross-sectors in Programme 2 have been considered in the formulation of the NCS:

- Improved Land Husbandry
- Water Resources
- Mineral Resources
- Energy Resources
- Biodiversity Conservation (Programme 2 is narrower, focusing mainly on National Parks for tourism)
- Cultural Heritage (Programme 2 is narrower than the NCS theme, focusing mainly on tourism)

- Population (The NCS deals with the natural resources and the environmental aspect of population and thus does not cover the whole topic.)
- Environmental Education

The forestry sector has been comprehensively covered by the Ethiopian Forestry Action Programme (EFAP); the Ethiopian rangelands and pastoral development sector under the existing Third Livestock Programme and under Programme 4; additional coverage of biodiversity conservation has been made under the National Plant Genetic Resources Policy and under EFAP; the urban environment under the Addis Ababa Master Plan, the Harer Master Plan, other town plans as well as the Water Resources Sector under Programme 2; and prevention of industrial pollution under a compilation of projects proposed to be a follow up on Agenda 21. Most of the cross-sectors have been covered by EFAP, Programme 1, Programme 2 and the document on Agenda 21 projects.

For each National Programme area an **Coordinating Agency** has been appointed. The Coordinating Agency is responsible for the overall programme management and coordination. The Coordinating Agency for all sectors and cross-sectors in the National Policy on Natural Resources and the Environment is the **Ministry of Natural Resource Development and Environmental Protection**. Separate **implementing agencies** will be responsible for each of the 11 NCS sectoral and 12 cross-sectoral programmes. These will be the ministry or agency which has the corresponding mandate under Proclamation 41 of 1993.

3.2.2 Ministerial Mandates

The National Policy on Natural Resources and the Environment covers under its umbrella a wide range of activities in many sectoral and cross-sectoral areas. This will involve a large number of government ministries and agencies. These are listed below indicating the cross sectoral and/or sectoral policy area(s) for which they are primarily responsible but also indicating key ministries with which they must collaborate.

- (a) **Ministry of Natural Resources Development and Environmental Protection:** Environmental Information Systems (with MoA, NEPA), Environmental Research (with NEPA, MoA), Soil Husbandry (with MoA), Forest, Woodland and Tree Resource Management (with MoA), Genetic, Species and Ecosystems Biodiversity Conservation and Management (with MoA), Water Resources Development (with MoA), Control of Atmospheric Pollution and Climate Change (with NEPA),

- (b) **Ministry of Agriculture:** Land Tenure (with MNRDEP), Crop and animal Husbandry, Rangelands and Pastoral Development (with MNRDEP),
- (c) **Ministry of Mines and Energy:** Mineral Resources, Energy (with MNRDEP and MOA),
- (d) **Ministry of Public Works and Urban Development:** Urban Settlements (with MOH and MOI), Control and Management of Domestic and Industrial Waste (with MOH and MOI),
- (e) **Ministry of Education:** Environmental Education (with MNRDEP MOA and MOInf),
- (f) **Ministry of Information:** Environmental Awareness (with MOE, MNRDEP and MOA),
- (g) **Ministry of Culture and Sport:** Cultural Heritage (with MPWUD and ENTO),
- (h) **Ministry of Industry:** Control and Management of Domestic and Industrial Waste and Hazardous Materials (with MPWUD, MNRDEP/NEPA and MoH),
- (i) **Ministry of Health:** Population, Health and Human Settlement (with MPWUD, MoI and MNRDEP/NEPA).
- (j) **Ministry of Planning and Economic Development :** to monitor the overall implementation of the Policy and in cooperation with the concerned ministries review programmes and projects based on the framework. Land Use Policy and Strategic Land Use Planning (with MNRDEP, MoA, MoM&E, MPW&ED), Environmental Economics, Macro Economic Policy and National Economic Development,

The concerned ministries or agencies which will act as the **Coordinating Agency** and **Implementing Agencies** and their respective mandates are reviewed below.

3.2.2.1 Ministry of Natural Resources Development and Environmental Protection:

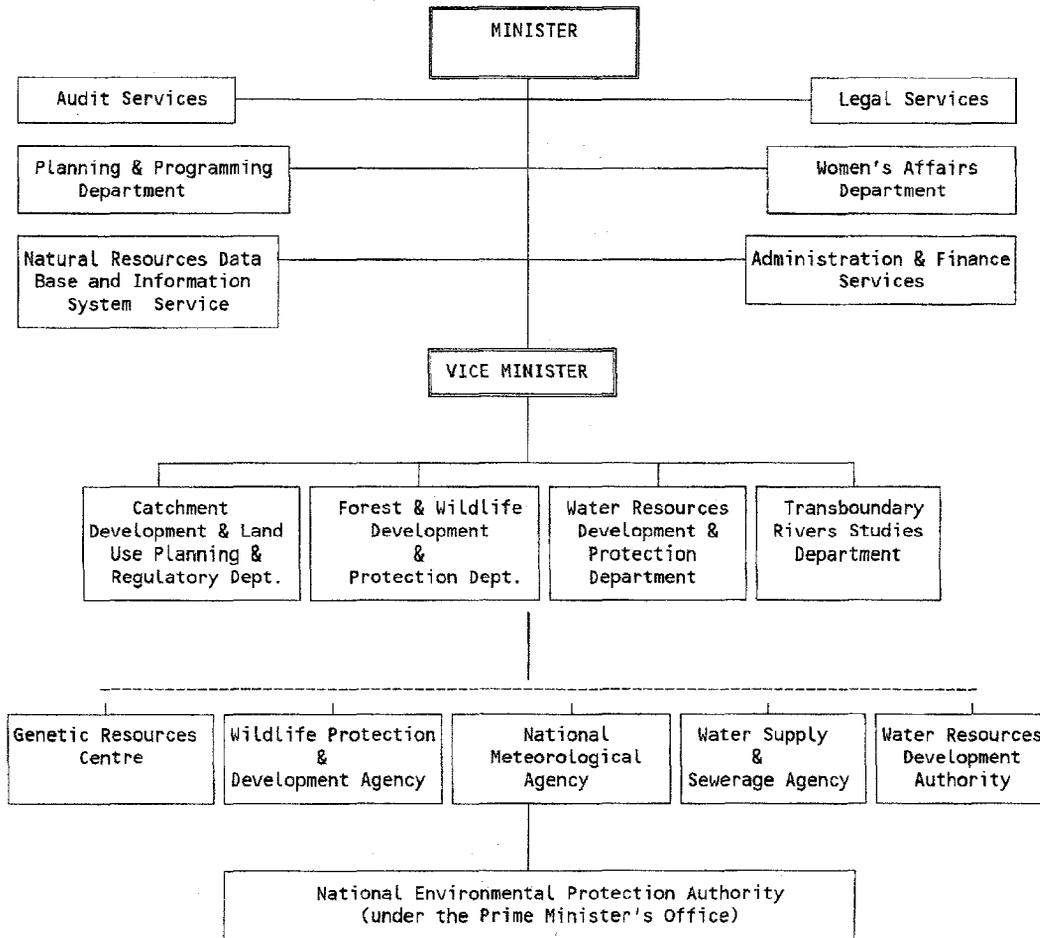
This will be the **Coordinating Agency** for the National Policy on Natural Resources and the Environment. It will also be a leading ministry in the

programme implementation. A summary of the mandate of this Ministry as defined in Proclamation 41 of 1993 is as follows:

- to formulate policies and strategy regarding the country's natural resources development and environmental protection;
- to prepare and submit draft laws concerning the development, protection, utilization and administration of the country's water, forest and wildlife resources; issue directives and follow up their execution;
- *in cooperation with the concerned national/regional self-governments* , to demarcate and register national parks, game reserves and protective forests and wildlife resources; (NB this report's italics)
- to promote and provide the necessary assistance for the development of forests;
- to survey the quantity and distribution of natural resources on the basis of river basins; to prepare master plans for the development of the river basins; to determine conditions and methods required for the optimum allocation of water that flows across or lies between more than one national/regional self-government; to undertake studies on water utilization of trans-boundary rivers;
- to issue permits to construct and operate dams and other water works; to make studies concerning water tariffs and collect bulk charges for water; after consultation, to prescribe water quality and sewerage treatment standards;
- with respect to controlling depletion of natural resources and preventing water, soil and air pollution to undertake studies and issue and supervise directives;

The Ministry's organisational structure is shown in figure 1.

Figure 1: Organisational Structure of the Ministry of Natural Resources Development and Environmental Protection



3.2.2.2 Ministry of Agriculture:

A summary of the mandate of this Ministry as defined in Proclamation 41 of 1993 is as follows:

- to formulate the country's agricultural and land use policies and strategy and supervise their implementation;
- to encourage and assist the provision of agricultural extension service to peasants;
- to facilitate and encourage the provisions of agricultural inputs, agricultural mechanisation services and credit facilities to peasants;
- to establish and direct agricultural research;
- to provide technical assistance to national/regional governments relating to research, training and dissemination of research results;
- to encourage the organisation of peasants and the development of cooperatives;
- to encourage agricultural investments; to issue agricultural licences, and supervise foreign investors in agricultural activities;
- to conduct quarantine controls on plants, seed and animal products entering the country;
- to register and control pesticides.

3.2.2.3 Ministry of Mines and Energy:

This Ministry's mandate covers mineral and energy exploration and studies; issuing licences and regulating mineral prospecting and mining operations, and establishing research and training into the enhanced development of mining and energy.

3.2.2.4 Ministry of Public Works and Urban Development:

The mandates of specific interest to the NCS covered by this Ministry include the following:

- to formulate the country's urban development and housing policies and strategy;

- to undertake research and development into types and qualities of local construction materials;
- to undertake studies relating to urbanisation patterns; to prescribe standards for the grading of urban centres; on request from regional governments, to undertake urban studies and prepare urban master plans;
- to ensure the provision of facilities to urban dwellers to enable them to construct and use houses compatible with their own standards;
- to give technical assistance to regional governments on construction and urban development.

3.2.2.5 Ministry of Industry:

The mandates of relevance to the NCS of this Ministry are to study and implement industrial projects that enable the exploitation of natural resources and the building of a capability in science and technology. The Ministry is also mandated to *"classify industries; issue licences to and supervise large-scale industries as well as any industry established by foreign investors"*.

3.2.2.6 Ministry of Culture and Sport:

The mandates of this Ministry with particular respect to the conservation of the nation's cultural heritage are as follows:

- to study Ethiopian pre-history, history and culture; to make the necessary provisions for the discovery, protection, study, maintenance and utilization of ancient monuments and other historical relics; to keep a register of antiquities and cultures which are in the process of being lost, together with a detailed description;
- to devise and supervise directives concerning the study of antiquities as well as the conditions under which they may be temporarily taken out of the country;
- to promote the establishment of public libraries, archives and museums;
- to assist and encourage the study of the languages of Ethiopian nations and nationalities; to assist in the popularisation, improvement and enhancement of traditional sports.

3.2.2.7 Ministry of Health:

The specific activities of this Ministry concerning the NCS are to prepare laws regarding public health; to ensure that traditional medicines are investigated, promoted, encouraged and utilized side by side with modern medicines and to organise research.

3.2.2.8 Ministry of Education:

In collaboration with MNRDEP, MoA and the Ministry of Information the Ministry of Education will be the implementing agency for environmental education and awareness but focusing particularly on formal education.

3.2.2.9 Ministry of Information:

As for the Ministry of Education but focusing on public awareness.

3.2.2.10 Ministry of Labour and Social Welfare:

The activities of relevance of this ministry are to determine standards and measures for the safety and health of workers, to compile information on the health and safety of workers, and to undertake studies regarding special government assistance to women in political, economic, social and cultural activities.

3.2.2.11 Relief and Rehabilitation Commission:

This Commission's specific powers and responsibilities with respect to the NCS are to:

- formulate natural and man-made disaster prevention policies and strategies, to conduct studies into the causes, nature and extent of calamities and the measures to be taken,
- be responsible for the national food reserve,
- undertake studies and research relating to disaster prevention measures

3.2.2.12 Ministry of Planning and Economic Development:

This Ministry is concerned with monitoring the overall implementation of the policy framework and in cooperation with the concerned ministries with reviewing programmes and projects based on this Policy.

3.2.2.13 Ministry of External Economic Cooperation:

This Ministry will coordinate the provision of external assistance with respect to implementing the National Policy on Natural Resources and the Environment.

3.3 REGIONAL BUREAU MANDATES AND RESPONSIBILITIES

The general powers and responsibilities of Regional Bureaus have been outlined in section 3.1.3. Proclamation 26 of 1993 also provides details their specific powers and responsibilities. The concerned bureaus which will act as implementing agencies and their respective mandates are reviewed briefly below.

3.3.1 The Bureau of Natural Resources Development and Environmental Protection

- cause the implementation, in the region, of the national natural resources development and environmental policies;
- ensure that laws, regulations and directives issued in relation to the protection, conservation and utilization of water, forestry and wildlife development are respected in the region;
- cooperate in the study and data collection of the natural resources of valleys in the region;
- supervise the balanced distribution and utilization of the region's water resources to various types of services; grant permits to and supervise water works engaged in the construction of dams and other works which use the water resources of the region; and charge and collect water charges for water uses;
- supervise the implementation of purity and sanitation standards in relation to water and sewerage services;
- promote the protection and development of the region's forestry and wildliferesources and supervise their lawful utilization; administer game reserves and protected forests located within the region; and encourage the expansion of the region's forestry development;
- supervise the implementation within the region of directives issued regarding the control of damages caused by the depletion of natural resources and the prevention of water, soil and air pollution;

3.3.2 The Bureau of Agriculture

- encourage the expansion of agricultural development in the region on the basis of the national agricultural development policy; and ensure that land utilization and distribution is executed in accordance with the national land use policy;
- provide agricultural extension, inputs and credit services to the farmers;
- undertake training and research programmes which assist in the enhancement of agricultural production in the region; organise seed breeding centres which are necessary for the breeding of refined animal and fish species and improved seeds;
- register peasant associations and agricultural cooperatives and provide them with the necessary support;
- facilitate conditions for the encouragement of agricultural investment in the region; issue agricultural licences to and supervise domestic investors engaged in agriculture;

3.3.3 The Bureau of Mines and Energy

- cooperate with the Ministry of Mines and Energy concerning the protection of mineral resources and give the necessary support to mining and energy developments carried out in the region;
- undertake studies for the establishment of small scale diesel and hydro-power stations; and permit and supervise the generation and spread of small scale electrical energy;
- encourage traditional mineral exploitation, register mining cooperatives, give licences for and supervise the exploitation of construction minerals;

3.3.4 The Bureau of Public Works and Urban Development

The powers and duties of this bureau with specific reference to the National Policy on Natural Resources and the Environment are:

- to cause the implementation of construction and urban development policies;

- undertake, follow up and supervise studies relating to the preparation of master plans for urban centres and cause the preparation of detailed plans necessary to implement them;
- cause the construction of low cost housing and to rent them; register, encourage and support housing cooperatives;
- follow up, supervise and render technical and professional support to non-chartered municipalities in the region with regard to the preparation and execution of urban plans;

3.3.5 The Bureau of Industry and Handicrafts

Those powers and responsibilities of relevant include the provision of extension services to handicrafts, cottage industries and small scale industries; and cause the establishment of handicraft and job training centres; and to issue licences to and supervise medium scale and small scale industries to be established in the region; and register handicraft cooperatives.

3.3.6 The Bureau of Culture and Sports

The mandates of this bureau with respect to the cultural heritage include:

- cause the promotion and expansion in the region of culture, arts and creativity in fine arts;
- to cause, following directives issued by the Ministry of Culture and Sports Affairs, the discovery, protection, study, maintenance and utilization of historical relics; register, with detailed descriptions, antiquities and cultures which are in the process of extinction;
- give support for the proper preservation of antiquities which are in the possession of any person, association or religious organisation or institution in the region; and cause the expansion in the region of libraries, archives and museums;
- cause the registration and maintenance of the history and culture of the peoples of the region, promote the study, development and expansion of their languages and literature;
- ensure the promotion, further popularization, development and improvement of the traditional sports of the region;

3.3.7 The Bureau of Health

The powers and duties of this bureau with particular respect to the NCS are to ensure the observance in the region of laws, regulations and directives issued pertaining to public health; to cause the application, together with modern medicine, traditional medicines and treatments whose efficiency is ascertained; and to ascertain the nutritional value of foods in the region.

3.3.8 The Bureau of Education

This bureau will be the implementing agency for environmental education but focusing particularly on formal education.

3.3.9 The Bureau of Information

As for the Bureau of Education but focusing on public awareness.

3.3.10 The Bureau of Labour and Social Affairs

The particular powers and responsibilities of this bureau with respect to the NCS are to:

- supervise labour standards issued for the protection of the safety and health of workers in the region, and ensure protective devices are implemented;
- to cause the implementation, in cooperation with the people of the region, of policies issued for the promotion of the participation of women in the political, economic, social and cultural fields;

3.3.11 The Bureau of Planning and Economic Development

This bureau is concerned with monitoring the overall implementation of the regional strategy, action plan and investment programme for natural resources and the environment, and in cooperation with concerned bureaus with reviewing programmes and projects based on the regional strategy; it is also responsible, in cooperation with other concerned bureaus and in consultation with lower levels of administration, the preparation of Regional Strategic land Use Plans.

CHAPTER IV

MANAGEMENT STRUCTURES AND OPERATIONAL ARRANGEMENTS

4.1 INTRODUCTION

Under the proposed institutional framework the environmental development and management aspects of the National Policy on Natural Resources and the Environment are institutionally separated from the environmental protection and regulatory aspects. There are therefore two sets of management structures and operational arrangements. The former are under the overall coordination of the Ministry of Natural Resources Development and the latter under the National Environmental Protection Authority.

4.2 MANAGEMENT STRUCTURES AND OPERATIONAL ARRANGEMENTS FOR THE DEVELOPMENT AND MANAGEMENT ASPECTS THE NATIONAL POLICY ON NATURAL RESOURCES AND THE ENVIRONMENT

There are two types of agency which constitute the management structure of the National Policy on Natural Resources and the Environment: the **Coordinating Agency** and the **Implementing Agencies**. The Coordinating Agency has primary responsibility for coordinating the implementation of all programme components in the National Policy on Natural Resources and the Environment. Elements within programme components will be implemented by specified **implementing agencies** who will take responsibility for the day to day management and control. Implementing agencies may be found at any of the levels of administration, from the central down to the local.

The necessary management structures and operating arrangements will be formulated subject to the provisions of the National Policy on Natural Resources and the Environment. This will make for a much more precise goal-orientation of projects different from their rather *ad hoc* formulation within a broad sector, as was the approach adopted hitherto. This will ensure consonance with the new political and administrative character of Ethiopia adopted since 1991, including the following:

- the adoption of a **Programme** approach which provides an integrated set of sub-programmes, components and elements. This programme approach has important implications for **management**.
- the decentralised and representative nature of government and administration with self-governing national/regional governments responsible for their own budgeting, programming and implementation (except for a few functions retained by the central government).
- the need for transparency and a truly participatory and "negotiatory" approach to planning and implementation, particularly at the local community level.
- an emphasis in the new economic policy for a minimal and facilitatory role for government and a leading implementation role for the local populations and the private entrepreneurial sector.

4.2.1 THE MANAGEMENT STRUCTURES

4.2.1.1 Programme Coordination

The overall **Coordinating Agency for the National Policy on Natural Resources and the Environment** is the **Ministry of Natural Resources Development and Environmental Protection (MNRDEP)**. Given the multi-sectoral nature of the Policy with 12 government agencies involved, overall coordination and policy direction will be provided by a newly created inter-ministerial **National Programme Coordination Committee (NPCC)**. The NPCC will be supported in day-to-day overall management by a newly created **National Programme Coordination Secretariat (NPCS)**.

The Committee will be chaired by the Minister for Natural Resource Development and Environmental Protection and membership will be at the Minister, Vice Minister or Commissioner level (figure 2). Its function will be to ensure coordination of the overall implementation of the National Policy on Natural Resources and the Environment, provide policy guidance and undertake policy review. It will meet at least twice yearly.

A number of smaller sub-committees and *ad hoc* working groups/task forces will be established which will involve representatives of most of the sector ministries but it will also be possible to co-opt other relevant individuals and institutions. These working groups and task forces will work on such subjects as environmental legislation, environmental education curriculum development,

strategic land use planning and land tenure. They will facilitate a more detailed discussion on a wide range of issues incorporating experience from sources outside the normal membership of the committee. Their reports will help the Inter-Ministerial Programme Coordination Committee in making decisions.

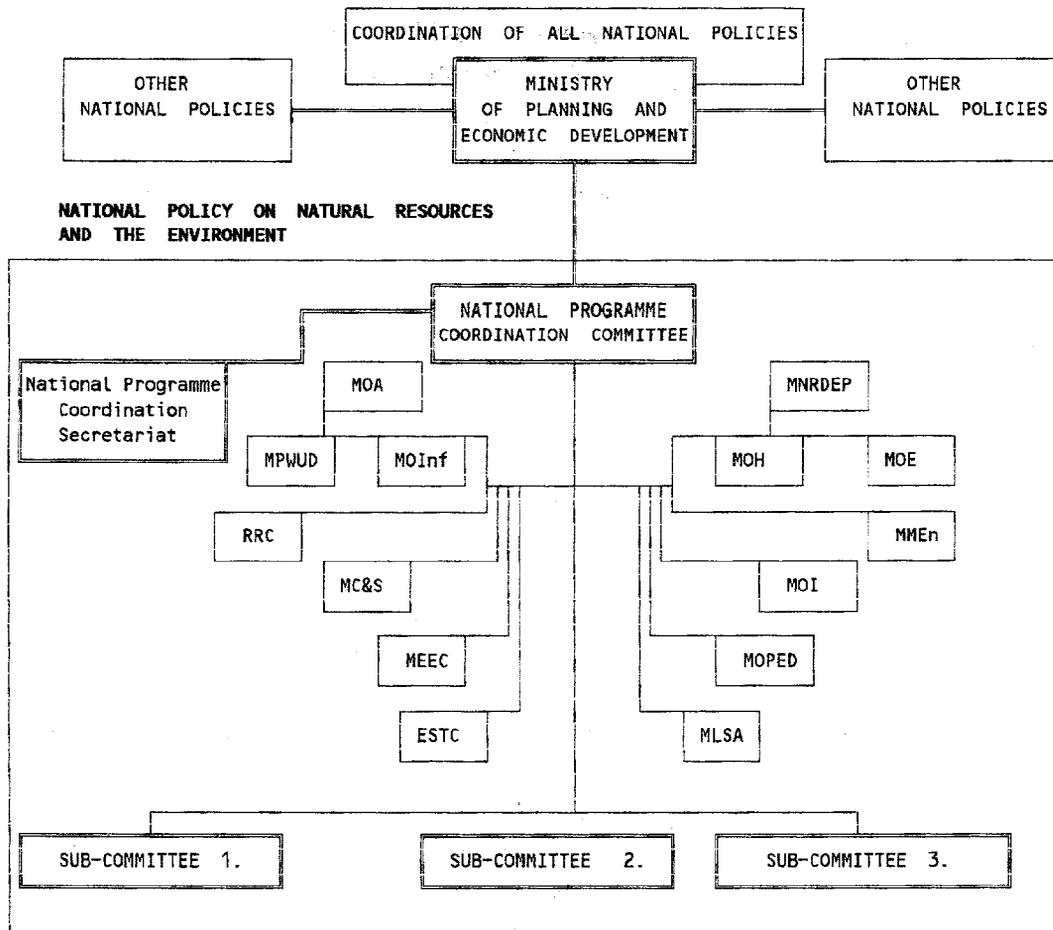
The **Permanent Programme Secretariat** will implement the decisions of the Inter-Ministerial National Programme Coordinating Committee and coordinate the overall activities of the implementing agencies. The Secretariat will be located within MNRDEP but it will be important that it is seen and perceived by the implementing agencies as playing a relatively neutral but facilitatory role.

It is proposed that the NPCC be replicated at the regional level by a **Regional Programme Coordination Committee (RPCC)** and the NPCS by a **Regional Programme Coordination Secretariat (RPCS)** (see figure 3). Whilst there will be a number of component-elements that will be implemented by central agencies (eg. large dams, hydro-electric schemes, etc) the majority will be directly implemented and thus executed by the regional governments. In the long term the RPCC's and the RPCS's will be established at the zonal and wereda levels as well.

Multi-sectoral programme coordination is relatively new in Ethiopia, although some experience has been gained by the Inter-Ministerial Environmental Coordination Committee which oversees the Ethiopian Forestry Action Plan and the National Conservation Strategy. Experience in programme coordination has been obtained at the regional and zonal levels where Regional Conservation Strategy Steering Committees have been established to coordinate the conservation strategy planning process at their respective levels. Similarly the Secretariats of EFAP and the NCS have built up experience in multi-sectoral strategic planning as have the regional and zonal task forces working on the conservation strategies at those levels.

Overall coordination of all national programmes, whether they deal with the environment or not, will be undertaken by the Ministry of Planning and Economic Development.

Figure 2: Organisational Structure of the Inter-Ministerial Coordinating Committee



MOA = Min. of Agriculture, MNRDEP = Min. of Natural Resources and Environmental Protection, MPWUD = Min. of Public Works and Urban Development, MOE = Min. of Education, MMEEn = Min. of Mines and Energy, MC&C = Min. of Culture and Sports, MOI = Min. of Industry, MEEC = Min. External Economic Cooperation, MOPED = Min. of Planning and Economic Development, MOH = Min. of Health, "RRC = Relief, Rehabilitation Committee", "ESTC = Ethiopian Science and Technology Commission", "MLSA = Ministry of Labour and Social Affairs".

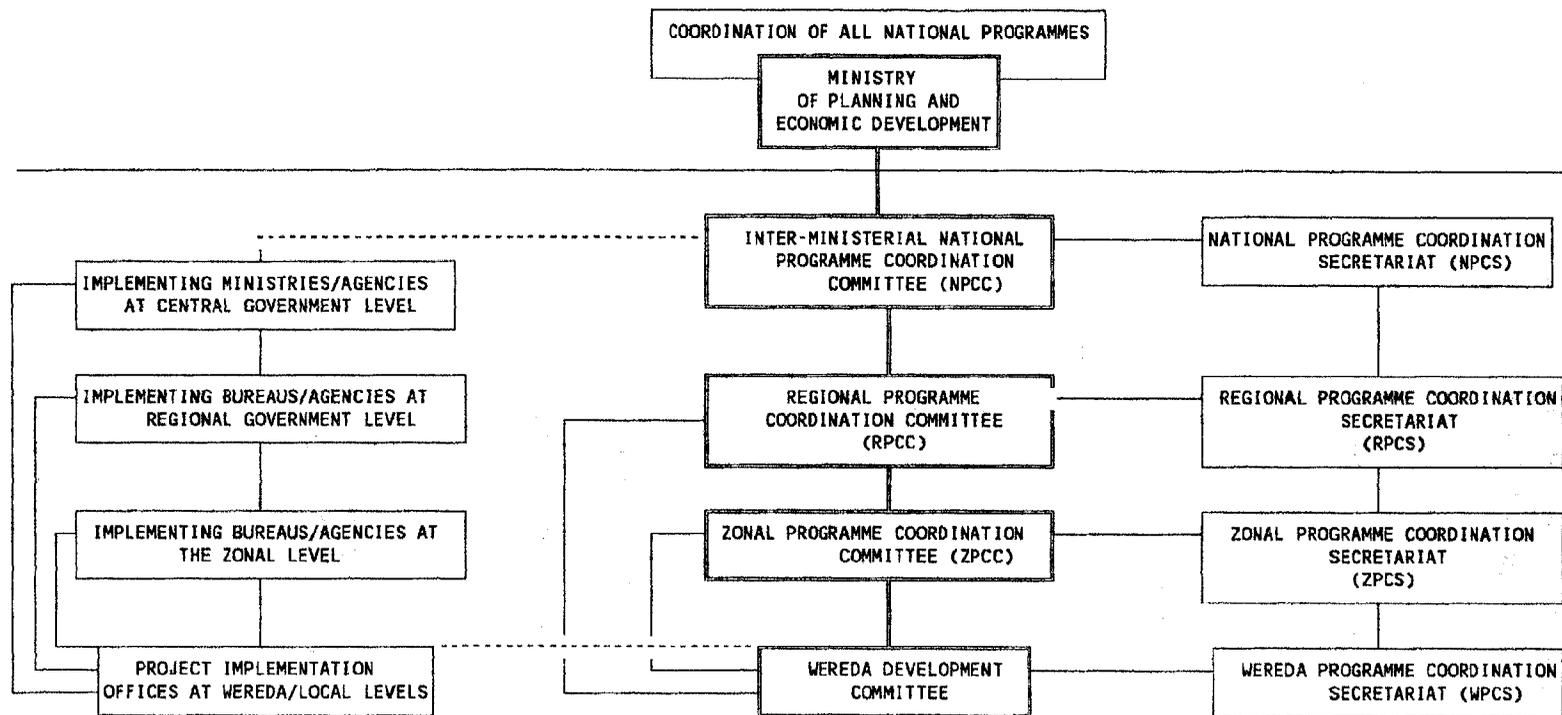
4.2.1.2 Programme Implementation

The National Policy on Natural Resources and the Environment covers under its umbrella a wide range of activities in many sectoral and cross-sectoral areas. Its implementation will involve a large number of government ministries and agencies.

- (i) Ministry of Natural Resources Development and Environmental Protection**
- (ii) Ministry of Agriculture**
- (iii) Ministry of Mines and Energy**
- (iv) Ministry of Public Works and Urban Development**
- (v) Ministry of Culture and Sport**
- (vi) Ministry of Industry**
- (vii) Ministry of Health**
- (viii) Ministry of Education**
- (ix) Ministry of Labour and Social Welfare**
- (x) Relief and Rehabilitation Commission**
- (xi) Science and Technology Commission**
- (xii) Ministry of Information**

Each implementing agency will nominate focal staff members who will be assigned to work closely with the NPC Secretariat in the day to day management of the activities.

Figure 3: Executing and Implementation Structures for Implementation Execution



4.3 MONITORING AND EVALUATION, AND THE PROCESS OF REVIEW OF THE IMPLEMENTATION OF THE DEVELOPMENT AND MANAGEMENT ASPECTS

4.3.1 Monitoring

The implementing agency of each programme element will be responsible for completing a twice yearly performance report. Progress will be monitored against benchmarks established in a "logical framework" which will indicate the required inputs and the expected outputs, and will be prepared as part of that element's project document. The various project performance reports will be synthesised into a Programme Performance Report by the NPC Secretariat and submitted to the NPC Committee.

4.3.2 Evaluation

The National Policy on Natural Resources and the Environment will be subject to a periodic independent evaluation. The scope, organisation, terms of reference and timing of evaluations would be decided by the NPC Committee in consultation with the implementing agencies, the regional, wereda and local programme coordinating committees and affected communities. It will be important that affected communities are able to make contributions to the evaluation studies.

4.3.3 Auditing

Each implementing agency and the NPC Secretariat will maintain records and accounts of all financial transactions under the programme. Accounts of those programme elements for which external funding support has been received will be audited annually by external auditors acceptable to the government and to the donor(s). Where no external funding is received accounts will be subject to the norms of auditing required by the Ministry of Finance.

4.3.4 Programme review

The NPC Committee will meet at least twice a year to review the programme performance report prepared by the NPC Secretariat and make any recommendations for any revisions required.

4.3.5 Donor Coordination

Inputs provided by donors (eg. funds, advisory services, technical missions, consultancies, training and equipment) and the Government will be made by way of project agreements. The Government, represented by MEEC will have overall responsibility for the coordination of donor resources and for monitoring the use of these resources over the whole programme. The Government, represented by MEEC, will be responsible for accounting to the donor agencies for the use to which all the financial resources they have made available have been put to.

4.4 MANAGEMENT STRUCTURES AND OPERATIONAL ARRANGEMENTS FOR THE NATIONAL ENVIRONMENTAL PROTECTION AUTHORITY

4.4.1 Overall Management Structure

Overall responsibility for coordinating and monitoring activities with respect to environmental protection will lie with the **Ministerial Committee on Environmental Protection (MCEP)** to be established within the Office of the Prime Minister and to be chaired by the Prime Minister or a senior Minister without Portfolio in the Prime Minister's Office. The members of the Committee will be as follows:

| | |
|------------------------|-------------|
| Prime Minister | Chairperson |
| General Manager (NEPA) | Secretary |
| Minister of MNRDEP | Member |
| " of MoA | " |
| " of MoI | " |
| " of MoH | " |
| " of MoM&E | " |
| " of MoPED | " |
| " of MoE | " |
| " of PW&ED | " |

General Manager: Ethiopian Standards Authority "

Representative of Ethiopian Chamber of Commerce "

Two academic/research experts coopted by the prime Minister on merit

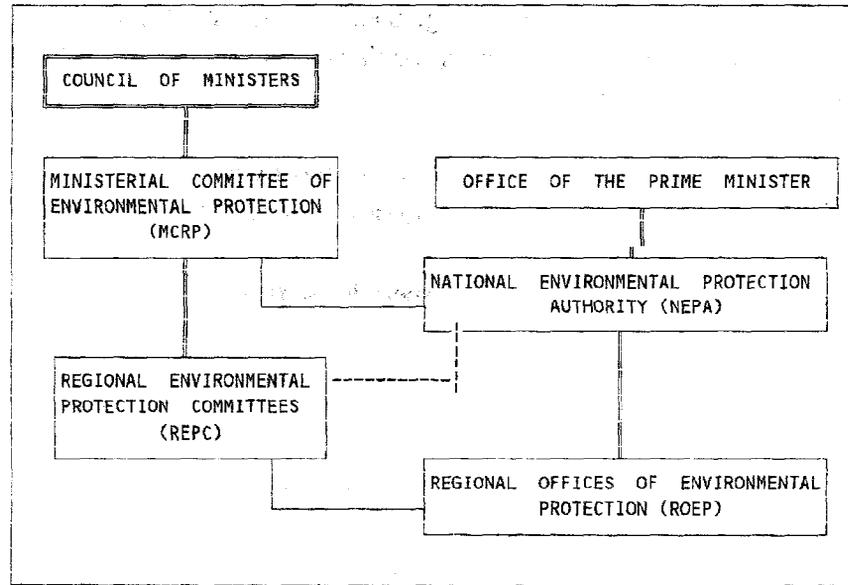
Two Chairpersons: Regional Environmental Protection Committees - by rotation every two years

The powers and responsibilities of the Committee are to give guidance on environmental issues; approve environmental protection policies, laws, regulations, rules and standards prepared by NEPA; take decisions on issues

raised by NEPA and other environmental issues having social and economic implications; and approve the long, medium and short term plans of NEPA. The National Environmental Protection Authority will be the Secretariat and executive arm of the Committee.

The National Environmental Protection Authority will be located in the Office of the Prime Minister. The powers and duties of the NEPA are summarized as follows:

- carry out general and specific studies with respect to the protection of the environment, specific environmental problems or environmentally sensitive areas;
- prepare and submit an environmental protection policy and on approval ensure its implementation;
- advise on the consequences of the impact of social and economic development projects on environmental protection objectives;
- ensure appropriate environmental impact assessments are carried out;
- prepare and submit standards relating to the protection and maintenance of land, water, air and the biological systems and supervise their implementation;
- assist in the promotion of awareness and education pertaining to environmental protection and facilitate public participation;
- develop and strengthen environmental monitoring and assessment mechanisms and carry out monitoring activities on sources of pollution and emissions;
- institute forms of economic and regulatory devices and measures for environmental protection;
- require specific industries to have emergency controls and plans capable of responding to accidental releases of contaminants;
- assist relevant central and regional institutions in environmental protection;
- collect data and statistics related to environmental protection.



A **National/Regional Environmental Committee** will be established in each nation/region, the chairman of which will be appointed by the national/regional President. Within the regulatory framework established by the central government the national/regional councils will coordinate the implementation and monitoring of regulatory measures required for the protection of the nation's/region's environment.

The membership of the regional council will mirror that of the national council in terms of sectoral bureaus. However, where there is no chamber of commerce, the private sector will be represented by a person nominated by the national/regional President, and a representative from an institution of tertiary education, when available, will substitute for the Addis Ababa University representative and two wereda Presidents will substitute for the chairpersons of the national/regional environmental protection councils by rotation every two years).

A **National/Regional Office for Environmental Protection** will be established in each national/regional government with legal and permanent status to undertake the day to day activities of environmental protection, monitoring and regulation acting as the Secretariat and executing arm of the national/Regional Environmental Protection Council.