

ETHIOPIAN NATIONAL ENVIRONMENTAL LAW DEVELOPMENT AND ENFORCEMENT PROGRAMME

2020 - 2030



FOREWORD

Ethiopia's environment and natural resources lie at the core of our national economic development plans and ensure the livelihoods of many people. These irreplaceable natural assets and their importance to Ethiopia's prosperity are recognized in numerous national policies, legislative frameworks, as well as, the Constitution itself. Significant efforts have been made over recent years to sustainably harness the benefits of our environment and natural resources for the benefit of all Ethiopians. The ecological importance of the Ethiopian environment, not only for the country itself but also for the wider region, has made Ethiopia a front runner within the international environmental and climate change arenas.

Ethiopia's unique position has also allowed for the development of the Climate Resilient Green Economic strategy and numerous green growth initiatives that form an integral part of the country's Growth and Transformation Plans. To ensure the realization of these ambitious growth plans, as well as, tangible outcomes for our international commitments, practical steps to translate policy and strategy into practice and achieve tangible outcomes are necessary. Environmental laws are one of the primary mechanisms to achieve this and the EFCCC has developed numerous pieces of legislation setting out the environmental norms, expected actions and consequences of failures to comply. These environmental laws alone, however, are not enough to achieve the necessary results. Broad and wide-ranging efforts to raise awareness, alter behaviour, and achieve institutional collaboration and coordination are needed.

Through this National Environmental Law Development and Enforcement Programme, the Environment, Forest and Climate Change Commission intends to ensure the establishment of environmental rule of law within Ethiopia. Over a ten-year period, the Programme aims to harness the untapped capacity and environmental interests within Ethiopia to ensure truly sustainable development. This cannot be achieved by the EFCCC alone and will require the collaboration and coordination of diverse institutions and actors. Ongoing efforts of development partners and various sectoral ministries will be leveraged to achieve maximum results and cost efficiency.

This EFCCC initiated and led Programme represents Ethiopia's long-term commitment and strategic approach to improve environmental protection and sustainable natural resource utilization through strengthened legal frameworks, improved implementation and effective enforcement. By enhancing public and institutional environmental awareness, access to information, community participation and engagement, and enforcement consistency and perceived legitimacy, a general culture of environmental compliance will be encouraged within both the public and private sectors, as well as, amongst our citizens. Ethiopia's environment and natural resources belong to all of Ethiopia's people and it is the responsibility of each of us to protect them for the benefit of both the current and future generations.

The EFCCC is committed to achieving the ambitious, yet needed, targets of the Programme and invites all stakeholders to jointly work towards the implementation of this innovative and Ethiopian driven initiative.

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Abbreviation	Stands for
AG	Attorney General
Agenda 2063	African Union Agenda 2063: The Africa We Want
CRGE	Climate Resilient Green Economy
CSC	Civil Service Commission
CSU	Civil Service University
EARO	Ethiopian Agricultural Research Organisation
EBI	Ethiopian Biodiversity Institute
EBTC	Ethiopian Biotechnology Council
EBTI	Ethiopian Biotechnology Institute
ECSE	Ethiopian conformity Assessment Enterprise
ECC	Ethiopian Customs Commission
EEP	Ethiopian Environmental Policy
EFCCC	Environment Forest and Climate Change Commission
EIA	Environmental Impact Assessment
ERCs	Environmental Resource Centres
ESA	Ethiopian Standards Authority
EWDC	Ethiopian Wildlife Development and Conservation Authority
FDRE	Federal Democratic Republic of Ethiopia
FMHCACA	The Food, Medicine and Health Care Administration and Control Authority
FJOPTC	Federal Justice Organs Professionals Training Centre
FTVETA	Federal Technical and Vocational Education and Training Agency
GTP's	Growth and Transformation Plans
ICS	International Classification of Standards
JEEU	Joint Environmental Enforcement Units
JLRTI	Justice and Law Training Institute
MoA	Ministry of Agriculture
MoCT	Ministry of Culture and Tourism
MoF	Ministry of Finance

MoIT	Ministry of Innovation and Technology
MoMP	Ministry of Mines and Petroleum
MoSH	Ministry of Science and Higher Education
MoP	Ministry of Peace
MoST	Ministry of Science and Technology
MoT	Ministry of Transport
MoTI	Ministry of Trade and Industry
MoUDC	Ministry of Urban Development and Construction
MoWCY	Ministry of Women, Children and Youth
NBSAC	National Bio-Safety Advisory Committee
NELDEP	National Environmental Law Development and Enforcement Programme
PES	Payment for Ecosystem Services
Programme	National Environmental Law Development and Enforcement Programme
REA	Regional Environmental Authority
REDD+	Reducing Emissions from Deforestation and Forest Degradation
RELS	Reduced Emissions from Livestock
SDG	Sustainable Development Goal
SEA	Strategic Environmental Assessment
VDAFACA	Veterinary Drug and Animal Feed Administration and Control Authority

PART 1

1.1 INTRODUCTION

The Ethiopian economy has recently experienced significant growth, with the Government of Ethiopia aiming to achieve middle income status by the year 2025.¹ The strategy to achieve this goal is set out in a series of three five-year Growth and Transformation Plans (2010 to 2015; 2015 to 2020 and 2020 to 2025)² and the Climate-Resilient Green Economy Initiative.³ The core objectives of the Growth and Transformation Plans (GTPs) and Climate-Resilient Green Economy (CRGE) initiative are to accelerate economic growth whilst at the same time utilising natural resources sustainably to ensure human

¹ Ethiopian Vision 2025.

² Ethiopian Growth and Transformation Plans.

³ Ethiopian Climate-Resilient Green Economy Initiative.

development and enhance the quality of life of the Ethiopian population. The GTP requires boosting agricultural productivity, strengthening the industrial base, and fostering export growth.

Sustainable Development, including sustained economic growth and social development, however, requires environmental protection and an enabling environment,⁴ particularly in Ethiopia where one of the major causes for the fluctuation in real GDP growth rate is climate variability.⁵ Ethiopia is one of the most vulnerable countries to climate changes due to its high dependence on rain-fed agriculture and natural resources. Indeed, the current GTPII relies heavily on the use of Ethiopia's natural resources. In the light of this and the importance of the environment for Ethiopia's long-term growth, effective environmental protection and conservation strategies are needed. Such environmental protection and conservation can only be achieved by ensuring clear and enforceable environmental laws are in place, institutional capacity to monitor and enforce these laws exists, and public awareness, participation and engagement is facilitated.

To date the protection of Ethiopia's environment has fallen short of what is necessary to ensure long-term sustainability. The reasons for this situation are numerous and interrelated with a lack of capacity, lack of financial resources and technology, loose institutional coordination both within and between responsible agencies, historically weak political will, and previous focus on short-term economic gain being amongst the main driving factors for Ethiopia's currently underdeveloped environmental protection mechanisms.⁶

At present the greatest stumbling block for the development of Ethiopia's environmental protection is the gap between official commitments, legislative enactments at relevant levels and practical implementation. Despite the many international treaties, domestic policies, laws and regulations that have been adopted, putting these legislative commitments into practice has remained a challenge. To ensure the natural resources vital to Ethiopia's continued economic development remain resilient and economic growth continues and remains sustainable there is an urgent need to strengthen the environmental rule of law with Ethiopia.

1.2 PROGRAMME OBJECTIVES

The objective of this document is to develop a comprehensive and pro-active ten-year programmatic strategy to address the driving forces of ongoing environmental degradation within Ethiopia and thereby achieve improved environmental protection, community sustainability and climate change adaptability. To achieve this the Ethiopian National Environmental Law Development and Enforcement Programme (Programme) aims to improve the responsiveness and effectiveness of environmental laws at both the national and regional levels and strengthen overall environmental rule of law within the Federal Democratic Republic of Ethiopia (FDRE).

⁴ Global Ministerial Environment Forum Decision 27/9: Advancing justice, governance and law for environmental sustainability, UNEP/GC.27/9.

⁵ Ethiopia Second National Communication to the United Nations Framework Convention on Climate Change (UNFCCC) May 2015 at p 62.

⁶ Getu M, *The Ethiopian Environmental Regime Versus International Standards: Policy, Legal, and Institutional Frameworks* 43 Haramaya Law Review 1:1 (2012) at 65.

It is envisaged that the ultimate objective of the Programme, which is to ensure Ethiopia's sustainable development through the protection and improved resilience of national environmental and natural resources, will be achieved through carefully coordinated and strategic environmental law developments and implementation actions. Long-term sustainable development becomes difficult, if not impossible, in the absence of environmental protection, and environmental laws that are not understood or enforced, have the potential to erode those environmental protections already in place.

As such, the Programme aims to achieve the objectives outlined below through coordinated and cross-cutting interventions across the three main thematic areas of Education and Justice (Pillar 1), Enforcement and Institutional Strengthening (Pillar 2), and Citizen and Civil Society Engagement (Pillar 3). These thematic areas are mutually reinforcing and require synchronised and coordinated interventions to ensure the improvement of Ethiopia's environmental rule of law, and thus the environment, which in turn will ensure future sustainable national development. A primary component of the Programme is to move away from the current inefficient and environmentally incompatible siloed approaches to environmental protection by strengthening and integrating environmental law and implementation components into national education programmes, consumption and production patterns, institutional structures, and development partnerships. The cross-cutting and multi-disciplinary goals of gender equality, health and well-being, and decent work and economic growth are primary considerations to be integrated across the programme components and will both reinforce and in turn be reinforced by the achievement of the Programme Objective and Outcomes.

The Programme design takes a multi-sectoral approach, based on identified drivers of environmental degradation linked to the existing national economic growth strategies, and allows for the development of sectorally relevant and contextualised approaches while leveraging existing sectoral programmes, institutions, partner organisations and resources. By building on existing environmental policy and laws, developing human and institutional capacity and coordination, improving information transparency and management, and empowering citizen engagement, the Programme will ensure an underlying pillar of Ethiopia's sustainable development, the environment, is reinforced and in so doing strengthen Ethiopia's commitment towards the achievement of the Sustainable Development Goals (SDGs) and the African Union's Agenda 2063: The Africa We Want (Agenda 2063).

Objective:

The main objective of the Programme is to achieve improved environmental protection within Ethiopia, and thus ensure ongoing future sustainable development, through the creation of a culture of environmental compliance and strengthened environmental rule of law.

This primary objective can only be achieved by ensuring the following outcomes are achieved:

1. Fair, clear and implementable environmental laws;
2. Improved environmental law awareness and understanding at all levels (citizenry, law enforcement officials, courts, government agencies etc.);

3. Access to effective environmental justice (accessible, consistent, fair, impartial, responsive and timely dispute resolution mechanisms);
4. Clear, consistent and proportionate enforcement actions (strategically planned, implemented and monitored);
5. Fair, effective, transparent and well-coordinated institutions (accountability and integrity of institutions and decisionmakers);
6. Clear and co-ordinated mandates and roles across and within institutions;
7. Empowered citizenry through improved access to information and public participation.

1.3 GUIDING PRINCIPLES

As the stipulated outcomes suggest, to establish a culture of environmental compliance and strengthened environmental rule of law the interests of the state, the general public and regulated communities need to align. This alignment can only be achieved through broad common understandings of environmental impacts and their linkages to economic growth, human health, and social development and stability. Institutional transparency and easily accessible information that encourages citizen driven accountability, as well as, the consistent protection of legal rights and enforcement of legal obligations, which provide meaningful avenues for redress, are therefore vital for the achievement of the environmental protection and sustainable development potential.⁷

To achieve the Programme objective and outcomes, this Programme will need to deploy a widerange of strategies and interventions to raise environmental awareness, improve environmental rule of law, develop a culture of voluntary compliance, and strengthen institutional coordination. This will be a complex task that cannot be achieved by on institution alone. Strong political commitment, multi-party collaboration and citizen buy-in will be essential.

The following guiding principles will provide a reference to help all relevant parties identify key features of an effective and efficient system for environmental protection through environmental enforcement and compliance, institutional cooperation, and citizen engagement.

1. Prevention is better than cure – the deterrent effect of all activities should be maximized and an expectation that violations will be punished created.
2. Enforcement action must be consistent, transparent and proportionate – regulated communities must be treated equitably, and actions must be consistent and justifiable.
3. All institutions and officials must act with integrity and accountability – decisions must be consistent with legal requirements and based on best professional judgment. Officials will be accountable for discretionary decisions taken.

⁷ Environmental Rule of Law, First Global Report, UN Environment Programme, 2019, p.1.

4. Cooperation and coordination is vital – effective working relationships with other Ministries and agencies whose activities impact the environment must be established.
5. Existing resources and capacity must be used and enhanced – there is a wealth of existing capacity that must be harnessed, co-ordinated and utilized effectively.
6. Selectivity and gradualism – to ensure immediate effective action and avoid resource shortages and activity overload efforts should start small and build on successes to leverage tangible progress.
7. Culture of compliance – efforts to ensure voluntary compliance with environmental requirements must be made.
8. Grassroots ownership – effective communication with the general public and opportunities for citizen participation and contribution to environmental rule of law is vital.

1.4 VISION

By 2030 environmental laws are fully integrated into the development strategies of Ethiopia and environmental law compliance, implementation and enforcement combine to ensure truly sustainable development.

Ethiopia's environment and natural resources are protected by internationally leading, responsive and effective environmental laws and ownership of and commitment towards environmental rule of law is firmly developed at all levels of society and amongst all relevant actors. Environmental laws are accessible and enforceable, applied consistently and equally, and citizens are empowered to meaningfully participate in and demand environmental protection and access environmentally relevant information.

2. CONSTITUTIONAL, INSTITUTIONAL AND POLICY FRAMEWORK

A number of legal and policy frameworks that lay the foundation for the implementation of this Programme have been developed over recent years. These documents recognise the importance of the environment for Ethiopia's social and economic development and present numerous opportunities to strengthen the existing environmental law framework and develop an entrenched culture of environmental law compliance.

Although the existing institutional structure is highly decentralised and requires strong horizontal and vertical coordination interventions, the legislative frameworks firmly establish the powers and duties of the federal, regional and sectoral authorities and provide opportunities to ensure the cross-cutting nature of environmental law and the importance of local level engagement is accommodated and facilitated.

2.1 CONSTITUTION OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA

The Constitution of the Federal Democratic Republic of Ethiopia (the Constitution) is supreme and all laws, policies and actions inconsistent with its provisions are invalid. Importantly, the Constitution clearly addresses environmental issues and establishes important benchmarks for Environmental Rights and Objectives.⁸

Article 44 provides that all *“persons have the right to a clean and healthy environment”* and Article 92 contains two provisions directly addressing the rights and obligations of both citizens and the Government in relation to the environment. While the Government must *“endeavour to ensure that all Ethiopians live in a clean and healthy environment”*,⁹ the obligation *“to protect the environment”* is born by both the Government and the Citizens of Ethiopia.¹⁰ A negative obligation not to damage or degrade the Ethiopian environment and its natural resources is thus carried by all Ethiopians. Article 92 further requires that *“the design and implementation of programmes and projects of development shall not damage or destroy the environment”*¹¹ and affirms the principle that *“[p]eople have the right to full consultation and expression of views in the planning and implementation of environmental policies and projects that affect them directly”*.¹²

The Constitution goes further and protects the *“Right to development”*¹³ which is elaborated on as the *“... right to improved living standards and to sustainable development”*, in which all nationals in affected communities have the right to be consulted on and participate in. Section 43 also makes all international agreements and relations subject to the State’s obligation to *“protect and ensure Ethiopia’s right to sustainable development”*.¹⁴

These provisions clearly place environmental considerations at the centre of development programmes and projects and represent an important basis for ensuring the cross-cutting nature of environmental protection is enforceable across all sectors, against all parties and at all levels. Further, the important aspect of public participation and engagement is entrenched into the national legal framework when environmental matters are concerned. It is in the light of these provisions and within the context of the constitutional environmental framework created that Ethiopia has developed its Environmental Policy¹⁵ and is implementing the GTPs and vision for a Climate Resilient Green Economy (CRGE), with the goal of becoming a low carbon middle income economy by 2025.¹⁶ It is also against the background of this constitutional framework that all other laws, policies, plans and actions, regardless of sector or responsible authority, must be assessed.

⁸ Article 44 and 92 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

⁹ Article 92.1 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹⁰ Article 92.4 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹¹ Article 92.2 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹² Article 92.3 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹³ Article 43 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹⁴ Article 43(3) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹⁵ Environmental Policy of Ethiopia, 1997.

¹⁶ Ethiopian Vision for a Climate Resilient Green Economy,

2.2 ETHIOPIAN ENVIRONMENTAL POLICY

The Ethiopian Environmental Policy (EEP) was issued in 1997 and is a Federal level policy spanning numerous sectoral¹⁷ and cross-sectoral areas.¹⁸ The EEP recognises that natural resources form the foundation of the Ethiopian economy and aims to improve and enhance the health and quality of life of all Ethiopians, while also promoting sustainable social and economic development. To achieve these objectives, the policy requires the sound management and use of natural, human-made and cultural resources, and the environment as a whole.¹⁸

The EEP sets out nine policy objectives and nineteen guiding principles, which principles are intended to shape all subsequent policy, strategy, programme and implementation initiatives and form the bench-mark against which all sectoral and cross-sectoral policies and environmental elements are to be cross-checked.¹⁹ The EEP seeks to achieve sustainable, progressive, integrated and intergenerational benefits from the use of natural resources, while preventing pollution, improving human settlements, conserving and developing the Ethiopian cultural heritage, empowering people and their organizations at all levels of environmental management, and ensuring participation, public awareness and understanding of the linkages between the environment and development.²⁰

Importantly, the EEP includes a section on policy implementation which deals with topics such as Institutional frameworks, responsibilities and mandates;²¹ Legislative framework;²² and Monitoring, evaluation and policy review.²²²³ Common themes running through all these implementation topics are improved multi-level and cross-sectoral co-ordination and management; public participation in, engagement on, and ownership of environmental concerns; and accessible information encouraging responsiveness and effectiveness. This policy is generally considered well-written and comprehensive and is frequently used as the basis for regional policies.²⁴ This creates important opportunities for coordinated and cohesive actions and provides an important basis for the development of the current environmental law development and enforcement programme.

¹⁷ The sectoral areas identified in the EEP are: Soil husbandry and sustainable agriculture; Forest, woodland and tree resources; Genetic, species and ecosystem biodiversity; Water resources; Energy resource; Mineral resources; Human settlement, urban environment and environmental health; Control of hazardous material and pollution from industrial waste; Atmospheric pollution and climate change; and Cultural and natural heritage. ¹⁸

Cross-sectoral areas identified in the EEP are: Population and the environment; Community participation and the environment; Tenure and access rights to land and natural resources; Land use plan; Social and gender issues; Environmental economics; Environmental information system; Environmental research; Environmental impact assessment; and Environmental education and awareness.

¹⁸ Environmental Policy of Ethiopia, 1997, Section 2.2 "Overall Policy Goal".

¹⁹ Environmental Policy of Ethiopia, 1997, Section 2.3 "The Key Guiding Principles".

²⁰ Environmental Policy of Ethiopia, 1997, Section 2.2 "Overall Policy Goal".

²¹ Environmental Policy of Ethiopia, 1997, Section 5.1 "Institutional Framework, Responsibilities and Mandates".

²² Environmental Policy of Ethiopia, 1997, Section 5.2 "Legislative Framework".

²³ Environmental Policy of Ethiopia, 1997, Section 5.3 "Monitoring, Evaluation and Policy Review".

²⁴ Colby Environmental Policy Group. 2011. *Environmental Policy Review 2011:Key Issues in Ethiopia*. Waterville, Maine: Colby College Environmental Studies Program, at p.13

2.3 GROWTH AND TRANSFORMATION PLANS AND THE CLIMATE RESILIENT GREEN ECONOMY STRATEGY

The Ethiopian Growth and Transformation Plans (GTPs) are a series of three five-year development cycles (2010-2015; 2015 -2020; 2021-2025) aimed at achieving broad-based economic development in a sustainable manner.²⁵ The stated goals of reaching middle income status by 2025, increasing income and meeting the social indicators of the Sustainable Development Goals will require carefully managed rapid sustainable economic development. According to the already implemented GTPs, the basis for this development will be increased agricultural investments and productivity, strengthening of the industrial base, and the fostering of export growth. Given the heavy reliance on natural resources in the plans and the vulnerability of Ethiopia to climate variations, environmental conservation is intended to play a key role in ensuring the planned development goals are achieved. The building of a green economy and the ongoing implementation of environmental laws are among the key strategic directions to be pursued through the GTPs.²⁶

The Ethiopian Climate Resilient Green Economy (CRGE) Strategy builds on those climate change priorities identified in Ethiopia's Programme of Adaptation to Climate Change and is designed to protect both Ethiopia's environment and citizens, while realising the ambitions set out in the GTPs by building a climate-resilient, carbon-neutral green economy. The 2011 CRGE envisions the creation of sectoral and regional programmes that would build on existing environmental laws and frameworks, improve collaboration and coordination between stakeholders and sectoral government ministries and maximise the opportunities presented by climate adaptation strategies and carbon financing.²⁷ The CRGE Strategy also provides the basis and strategic plan for Ethiopia's 2015 Nationally Determined Commitments.

The development of a green economy through the CRGE Strategy has three complementary objectives of fostering economic development and growth, ensuring abatement and reduced future emissions, and improving resilience to climate change. The Strategy interventions are to be based on the four pillars of Agriculture and improving crop and livestock production; Forestry by protecting and re-establishing forests; Power through the expansion of the renewable electricity generation; and Transport, industrial sectors and buildings by employing modern and energy efficient technologies. Four initiatives were selected for initial implementation under the Strategy, namely, Reducing Emissions from Deforestation and Forest Degradation (REDD+); Reduced Emissions from Livestock (RELS); Rural Energy and Efficient Stoves; and Electric Power Financing. Provisions for ensuring transparency, access to updated information, and open participation are also envisaged, as well as, sectoral climate change strategies focusing on climate change resilience and green growth.

²⁵ The GTPs succeeded the Plan for Accelerated and Sustainable Development to End Poverty (PASDEP), which was criticized for its failure to integrate agricultural growth and environmental issues; prioritization of economic growth over environmental and sustainability issues; failure to address long-term environmental management beyond the Authority's mandate and involve other sectors; the absence of sustainable land management strategies; and its urban bias.

²⁶ Growth and Transformation Plan II at p.91.

²⁷ Ethiopian Climate Resilient Green Economy Vision, p.7.

2.4 INSTITUTIONAL FRAMEWORK

Under the Constitution, it is the duty of all citizens, organs of State, political organisations, other associations and their officials to obey and ensure the constitutional provisions related to the environment are upheld.²⁸ All three branches of government, at both the regional and federal levels, are further required to respect and enforce the constitutional right to a clean and healthy environment.²⁹ As such the duty to ensure a clean and healthy environment rests on all institutions and individuals within Ethiopia.

To oversee this duty of environmental protection and to ensure the sustainable use, monitoring, and management of environmental resources, Environmental Protection Organs were established in 2002.³⁰ These Environmental Protection Organs operated within the constitutional institutional structure, which disperses responsibility between the Federal and State levels, with both levels enjoying legislative, executive and judicial powers over broad environmental issues.³¹

While, the nature of the Federal Environment Protection Authority has varied over the past decade, changing from an Authority,³² to the Ministry of Environment and Forest,³³ the Ministry for Environment, Forest and Climate Change³⁴ and currently the Environment, Forest, and Climate Change Commission,³⁵ the powers and duties of the federal level environmental authority has remained largely unchanged since 2013.³⁶

Of particular relevance to this programme is the duty to coordinate activities to ensure the environmental objectives of international agreements, the Constitution and EEP of Ethiopia are realized; establishing a system for the implementation of Environmental Impact Assessments (EIAs) and Strategic Environmental Assessments (SEAs); the promotion of environmental justice and benefit sharing; the initiation and formulation of laws, policies, strategies, programmes and projects; establishing an environmental information system; the implementation of international agreements; the evaluation of investment programmes and policies prior to approvals; and propose incentives or disincentives to discourage environmentally damaging practices.³⁷ In addition, the EFCCC is empowered to enter any land, premises or any other place under Federal jurisdiction to inspect and

²⁸ Article 9(2) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

²⁹ Article 13(1) & 44 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

³⁰ Environmental Protection Organs Establishment Proclamation 295 of 2002.

³¹ Article 50 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

³² Article 3 of the Environmental Protection Organs Establishment, Proclamation 295 of 2002.

³³ Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia, Proclamation 691 of 2010.

³⁴ Article 9(18) of the Definition of Powers and Duties of the Executive Organs of the Federal Republic of Ethiopia, Proclamation 916 of 2015.

³⁵ Article 32(3) Powers and Duties of the Executive Organs of the Federal Republic of Ethiopia, Proclamation 1097 of 2018.

³⁶ Proclamation 916 of 2015 incorporated the powers and duties established in Proclamation 803 of 2013, with the addition of three additional responsibilities concerning forestry. Proclamation 1097 of 2018 made no changes to the powers and duties established by Proclamation 916 of 2015.

³⁷ Article 32(3) of the Proclamation to Provide for the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia 1097 of 2018.

take samples deemed necessary for ensuring compliance with the requirements of environmental protection and forest conservation.³⁸

To ensure horizontal and vertical coordination, avoid duplications of effort, improve the dissemination of environmental information, and ensure all activities are in harmony with environmental protection requirements, the Environmental Protection Organs Establishment Proclamation of 2002 established sectoral environmental units responsible for co-ordination and follow-up within all competent sectoral bodies.³⁹ Further, the Proclamation required each national regional State to establish or designate independent regional environmental agencies. Such Regional Environmental Authorities (REAs) are responsible for the coordination, implementation, and review of conservation strategies; environmental monitoring, protection and regulation; ensuring the implementation of federal environmental standards or their own no less stringent standards; and the preparation of the respective state of the environment and sustainable development and submit them to the authority.⁴⁰

³⁸ Article 32(3)(n) of the Proclamation to Provide for the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia 1097/ 2018.

³⁹ Article 14 of the Environmental Protection Organs Establishment, Proclamation 295 of 2002. Despite the repeal of the bulk of this proclamation Article 14 and 15 remain in force.

⁴⁰ Article 15(1), (2) & (3) of the Environmental Protection Organs Establishment, Proclamation 295 of 2002.

3 CURRENT NATIONAL ENVIRONMENTAL LEGISLATIVE FRAMEWORK

3.1 DOMESTIC FEDERAL ENVIRONMENTAL LEGISLATION

In addition to the overarching framework documents described above, a substantial number of federal-level, primary and secondary, environmental legislative documents have been developed over the past few years. This legislation has often been produced in rapid response to emerging environmental issues or development interests and as such has been undertaken in a piecemeal fashion, according to pressing national interests and resource capacities. Because of this the body of specialised federal-level environmental laws has grown rapidly but there remain significant legislative gaps and shortfalls, overlaps and ambiguities that create difficulties for the operationalisation and enforcement of the federal-level environmental laws. A table of the current Ethiopian federal-level environmental laws and policies, arranged according to environmental impacts of significant concern and most threatened by the sectoral development and growth envisaged by the country's economic development plans, is attached as **Annex 1**.

As the table highlights, there are numerous specific environmental laws, policies and strategies in place and most economic and sector specific policies contain environmental provisions and regulations. The situation in practice, however, is that few of these environmental considerations and safeguards are fully implemented or applied. Contrary to existing legislative provisions,⁴¹ development plans and investment projects often fail to take environmental impacts into consideration both during the planning and project implementation phases and even when environmental impacts are taken into consideration, there is often a failure to fully consider the comparative advantages of specific areas or the local cultural, ecological and geographical contexts. Blanket programmes and sectoral interventions that are designed as 'standalone' activities are the current norm and environmental legislation and considerations are seldom given the necessary consideration.

These difficulties hint at practical implementation difficulties beyond the existence of comprehensive legislative frameworks. Some of the identified causes for this include a lack of awareness and understanding concerning the reason and existence of relevant national environmental laws, as well as, a misunderstanding of environmental impacts and their consequences for overall national development. This lack of awareness and appreciation concerning the importance of environmental protection and natural resource management is prevalent within government, industry and amongst the general public. Weak institutional coordination and cooperation, mandate overlap and the absence of independent regional environmental institutions and laws also act as significant barriers to the effective implementation and enforcement of environmental legislation and long-term environmental protection. In many situations the systems and processes necessary to translate policy and law into practice have not been established.

In addition, rigid legal procedures unsuited to the effective resolution of environmental matters, a lack of consistency in enforcement activities, limited community engagement and access to information

⁴¹ Article 32(3)(b),(e),(j) of the Proclamation to Provide for the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia 1097/ 2018 & Environmental Impact Assessment Proclamation 299 of 2002.

and failures to engage regulated communities are all factors identified as contributing towards the current difficulty of establishing environmental rule of law and thus improved environmental protection and truly sustainable development.

In the light of this, one of the first activities of the Programme will be to conduct a comprehensive review of the current environmental frameworks and develop the legislation and regulations necessary to fully implement and enforce environmental law objectives. Without a solid legislative foundation meaningful environmental protection and responsible natural resource utilisation will be difficult to achieve. In addition to this comprehensive legislative review and strategic environmental legislation development plan, operationalisation plans for both existing and future environmental legislation will be developed. These plans will ensure the integration of environmental law considerations into responsible sectoral institutional processes, the development of necessary institutional capacities, establishment of coordination and cooperation linkages, and creation of necessary awareness. Practical steps to translate high-level legal provisions into practice will be put in place.

Lastly, immediate measures to fully operationalise and implement the Ethiopian Environmental Impact Assessment Proclamation (EIA) will be taken.⁴² The EIA Proclamation is the domestic legislation with the greatest potential to begin address the structural implementation difficulties identified above and ensure environmental considerations are fully integrated into the various programmes and projects being designed and implemented within Ethiopia. The successful application of this Proclamation will establish processes and coordination methods that can be replicated across sectoral projects.

3.2 INTERNATIONAL LEGAL FRAMEWORK

Many aspects of environmental protection, pollution and climate change require international cooperation for effective management and safeguarding. Further, the environmental well-being of Ethiopia is of regional importance and has the potential to affect the environmental well-being of several neighbouring countries. Over the past few decades the international community has taken significant steps towards reaching consensus on a number of important environmental issues. Through several multilateral environmental agreements, significant progress on establishing applicable standards and addressing shared environmental concerns have been made.

Ethiopia is a party to a number of these international agreements, which deal with various aspects of environmental protection, pollution and safeguarding. A table of the multilateral environmental agreements Ethiopia is a party to, as well as the ratification proclamations is attached as **Annex 2**. In terms of the Ethiopian Constitution international agreements ratified by Ethiopia become an integral part of Ethiopian law.⁴³ A monist approach to international law is thus envisaged by the Ethiopian Constitution and following ratification no further legislative enactments are required.

⁴² Environmental Impact Assessment Proclamation 299 of 2002.

⁴³ Article 9(4) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

The Federal Negarit Gazette Establishment Proclamation,⁴⁴ however, provides that all laws of the Federal Government shall be published in the Federal Negarit Gazette,⁴⁶ and that all federal and regional legislative, executive and judiciary organs, as well as natural and juristic persons, shall take judicial note of the laws published in the gazette.⁴⁷ While the ratification proclamations for international agreements are indeed published in the Federal Negarit, which proclamations designate the responsible government authority, the failure to publish translated versions of the ratified international agreements has created confusion and practical barriers for the application of international environmental agreements and the valuable principles and standards they establish.

In the light of this the Programme will aim to ensure all international environmental conventions to which Ethiopia is a party will be translated and the necessary institutional coordination and cooperation frameworks are developed.

⁴⁴ Federal Negarit Gazette Establishment Proclamation 3 of 1995.

⁴⁶

Article 2(2) of the Federal Negarit Gazette Establishment Proclamation 3 of 1995.

⁴⁷

Article 2(3) of the Federal Negarit Gazette Establishment Proclamation 3 of 1995.

4 SECTORAL DRIVERS OF ENVIRONMENTAL DEGRADATION

As identified above, despite the existing policy and legislative frameworks, implementation and enforcement of environmental laws remains problematic. The state of Ethiopia's environment ranges from very severely degraded in the rural areas to severely degraded in urban areas,⁴⁵ with multiple and

⁴⁵ McKee J. *Ethiopia Country Environmental Profile* (2007) at p5.

overlapping identified causes for the current state of environmental degradation. The previously limited scope and number of environmental laws and enforcement actions can therefore not account for this situation alone. A historic lack of awareness and disregard for environmental issues, as well as, the unsustainable use of natural resources by a growing population and economy have all contributed towards the environmental conditions we see today.

The continued expansion of the Ethiopian economy and increased pressure on the environment and natural resource base is set to continue as the country undergoes rapid and necessary economic transformation. To ensure this progress continues to be sustainable and the resource foundation for this growth is not undermined, it is essential that the protection of the Ethiopian environment and natural resources is given priority. While comprehensive, robust and decisive action is urgently needed to halt ongoing degradation and rehabilitate already damaged areas, efforts to mitigate and respond to environmental degradation caused by future sectoral priorities is also needed.

Legal frameworks, institutional coordination and collaboration, and strategic integration of environmental issues into areas of sectoral economic focus are therefore vital to ensure the sectoral drivers for environmental degradation are addressed and resource erosion does not continue at the current pace. There is a persistent tendency, despite its mention, for many sectoral development plans and activities to ignore the numerous interdependencies of environmental protection that exist between different activity areas, ecosystems, and population livelihoods.⁴⁶ It is the duty of the EFCCC to ensure that this no longer continues to be the case and that the Constitutional and EEP environmental objectives are fully realised.⁴⁷

To do this the environmental risks and driving forces of environmental degradation associated with priority sectors of the current economic growth plans and strategies must be clearly identified and understood. As such, these sectors are critical lenses for the implementation of the National Environmental Law Development and Enforcement Programme. By identifying the priority sectors for national growth, the environmental areas most at risk within the context of these sectors, and the primary driving forces for potential environmental degradation, the EFCCC can ensure the relevant legislative frameworks, coordination activities and engagement measures are put in place to mitigate possible environmental harms.

4.1 AGRICULTURE

Under the most recent Growth and Transformation Plan II (GTPII) the agricultural sector will remain the main engine for Ethiopian economic growth.⁴⁸ The strategic direction for the agricultural sector is the continued sustainable utilization of natural resources and the alignment of the agricultural development plan with the CRGE. While it is envisaged that the share of employment in the agriculture sector will drop from the current estimate of 75% of the population to 67.5% by 2020, accelerated

⁴⁶ McKee J. *Ethiopia Country Environmental Profile* (2007) at p81.

⁴⁷ Article 32(3) of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia, Proclamation 1097 of 2018.

⁴⁸ Growth and Transformation Plan II at p120.

growth, through enhanced productivity and productive capacity in both livestock and crop cultivation, is envisaged and actively encouraged.⁴⁹

This enhanced productivity and productive capacity is intended to take place through the promotion of large scale farming and private sector investment – 3.1 million hectares of land is to be transferred to domestic and foreign private agricultural investors.⁵⁰ Focus will also be placed on developing smallholder crop and pastoral agriculture.⁵¹ Additional planned measures to improve productivity and productive capacity within the agricultural sector are livestock genetic improvement; Increased pest free areas; Increased communal grazing land and rangelands; Increased animal feed production;⁵² Provision of agricultural inputs such as fertilizer, genetically improved seed supply and agro-mechanization; Boosting sustainable national biodiversity conservation and equitable benefit sharing; Ensuring the country's access to and benefits from genetic resources;⁵³ Control of invasive exotic species; Expanded irrigation and potable water supply; and the development of small farmer capacity through the provision of training and advice.

As a result of these activities increased agricultural outputs in the areas of horticulture, floriculture, livestock, coffee, honey, fish, silk cocoons, animal hides, agro-fuels and wax are expected. All these outputs and activities are intended to increase agricultural productivity and productive capacity, which have the potential to significantly impact the Ethiopian environment, particularly in relation to soil erosion, chemical pollution, biosafety and carbon emissions. In the light of the importance of the agricultural sector to Ethiopia's economic development, as well as, the sectors vulnerability to climate change, the importance of ensuring that the GTPII interventions and activities take place in a sustainable and environmentally responsible manner cannot be understated.

While the GTPII places an emphasis on ensuring that the strategy to build a climate resilient green economy is reflected as a key agenda point across all sectors and outlines specific greenhouse gases reduction targets for the agricultural sector,⁵⁴ the potential adverse effects of intensified agricultural productivity, beyond the scope of emissions reductions, is not fully addressed. Climate linked environmental impacts such as droughts, floods and soil erosion all pose significant risk to the projected agricultural growth targets, however, more specific environmental impacts linked to agricultural activities, such as improper land use management (draining of wetlands or clearing of forests for agricultural land), irresponsible use of water resources, unsafe pesticides and fertilizer use all aggravate these impacts and reduce broader eco-system resilience.

⁴⁹ Growth and Transformation Plan II at p120.

⁵⁰ All large scale agricultural investments of more than 5000 hectares will fall within the jurisdiction of the Federal government, while small and medium agricultural investors, with land holdings of between 100 and 5000 hectares, will fall within the jurisdiction of Regional State governments.

⁵¹ Growth and Transformation Plan II at p120.

⁵² Growth and Transformation Plan II at p133

⁵³ Growth and Transformation Plan II at p134.

⁵⁴ Reductions of 77.9 million metric tons of greenhouse gases in crop production; 48 million metric tons of greenhouse gases through improved livestock production; 31.58 million metric tons of greenhouse gases through integrated watershed management and sustainable agriculture.

Table 1 is a summary of some of the expected negative environmental impacts associated with intensified agricultural activities, the contributing causes of such impacts and some of the mitigation measures that have been planned.

Table 1: Potential Impacts of Planned Agricultural Developments

Potential Negative Impacts	Contributing Factors	Mitigation Measures
Soil degradation and erosion	- Cultivation on marginal areas - Population increases and land pressures - Increased livestock populations - Overgrazing - Inappropriate use of chemical fertilizers and pesticides - Deforestation of river and watershed vegetation - Tenure insecurity and a lack of a sense of ownership - Inappropriate land use, land management and land identification - Resettlement projects - Increased urbanisation and industrialisation - Inappropriate water usage and insufficient knowledge of hydrology - Implementation of blanket policies and programmes - Failure to consider context, traditional knowledge and existing practices	- Model farm and enhanced capacity of research facilities - Fertilizer supply based on soil compatibility - New agricultural technologies - Requirement for investors to prepare climate adaptation programmes and contribution plans for the CRGE - Provision of appropriate infrastructure services & support - Improve rural land administration (land use certificates, land use plan, land administration plan for each region) - Land rehabilitation through area closures and ground cover - Construction of physical soil conservation structures - Expansion of small-scale irrigation - Support to resettled families and on-going resettlement - Identification of agricultural zones and development of specific area plans - Public and Community participation
Fertilizer and Pesticide pollution	- Inappropriate use of chemical fertilizers and pesticides - Ineffective control and disposal facilities - Failure to register and cross-check allowed imported pesticides - Inappropriate land use, land management and land identification - - Population increases	- Fertilizer supply based on soil compatibility - New agricultural technologies - Provision of appropriate infrastructure services & support - Improved species and technology

Water pollution and shortages	- Population increases - Increased livestock populations - Inappropriate use of chemical fertilizers and pesticides - Deforestation of river and watershed vegetation - Use of invasive species for agricultural projects - Ineffective control and disposal facilities	- Provision of appropriate infrastructure services & support - Improve rural land administration (land use certificates, land use plan, land administration plan for each region) - Improve watershed management through community watershed plans
	- Tenure insecurity and a lack of a sense of ownership - Inappropriate land use, land management and land identification - Resettlement projects - Inappropriate water usage and insufficient knowledge of hydrology	- Develop small, medium and large--scale irrigation - Provide alternative water points - Increase areas covered by irrigation - Construction of physical water conservation structures - Identification of agricultural zones and development of specific area plans
Spread of invasive alien species	- Overgrazing - Increased livestock populations - Use of invasive species for agricultural projects - Insufficient biosafety measures	- Activities to control movement and expansion of invasive species - Activities to reduce impact of invasive species - Public awareness
Loss of biodiversity	- Population increases and land pressures - Resettlement schemes - Use of invasive species for agricultural projects - Tenure insecurity and a lack of a sense of ownership - Inappropriate land use, land management and land identification - Resettlement projects - Inappropriate water usage and insufficient knowledge of hydrology	- Protection of Ethiopian genetic resources - Improved access to and utilisation of genetic resources - Implement legal licencing system for biodiversity - Increase number of access and benefit sharing licences - Improve rural land administration (land use certificates, land use plan, land administration plan for each region) - Increased equitable community benefit sharing - Public and Community participation - Public awareness

Increased greenhouse gas emissions	- Increased livestock populations - Inappropriate land use, land management and land identification - Inappropriate water usage and insufficient knowledge of hydrology	- Provision of appropriate infrastructure services & support - Genetic improvement through cross-breeding
Destruction of wetlands	- Cultivation on marginal areas - Overgrazing - Increased livestock populations - Deforestation of river and watershed vegetation - Tenure insecurity and a lack of a sense of ownership - Inappropriate land use, land management and land identification - Resettlement projects - Inappropriate water usage and insufficient knowledge of hydrology	- Improve rural land administration (land use certificates, land use plan, land administration plan for each region) - Develop small, medium and large--scale irrigation - Increase areas covered by irrigation - Provide alternative water points - Public and Community participation - Public awareness

4.2 MANUFACTURING AND INDUSTRIALISATION

In terms of the GTPII the expansion of the Ethiopian manufacturing industry will form a crucial component of the vision to become a lower middle income country by 2025. The growth needed to achieve this vision will be achieved largely through integrated and organized activities undertaken in the light manufacturing and agro-processing industries,⁵⁵ and selected heavy industries. The GTP II places an emphasis on enhancing production capacity and competitiveness and encouraging foreign direct investment through public – private or joint venture arrangements.

Further, under the GTPII investments in labour intensive, export-oriented manufacturing, particularly in the areas of textile and garment industries; Leather, shoes and leather product industries; Agro-processing such as food, beverage, meat, dairy, sugar and honey are encouraged in order to leverage Ethiopia into a leading manufacturing hub in Africa.⁵⁶ The agricultural sector will form the foundation for the planned growth of the Ethiopian manufacturing industries. As such, enhanced linkages with the agricultural sector, and thus urban rural links will be established and the use of agricultural inputs will be given priority.

In addition to these industries the GTPII anticipates accelerated growth in the areas of chemical and pharmaceutical industry, ICT and electronics; Petro-chemical industries; Metal and engineering industries; Pulp and paper; Construction inputs; and the biotechnology industry.⁵⁷ Medium to large manufacturing industries will be expanded and their production capacities improved. The GTPII target is to increase the manufacturing and industrial sector by 21.9% per annum and account for a total of 8% of the Ethiopian GDP by the end of the second plan period. This rapid growth within the manufacturing sector will have significant environmental consequences. While the GTPII establishes clear emissions targets,⁵⁸ area specific proclamations, regulations and policies to deal with issues such as industrial and manufacturing wastes, water allocations and management, and chemical use will be necessary to ensure the envisaged manufacturing growth occurs sustainably. In order to ensure rapid, sustainable and reliable industrial growth and achieve the targets for each sector, it is essential to ensure growth is based on green and environmentally friendly industries.⁵⁹

Table 2 is a summary of some of the negative environmental impacts associated with intensified manufacturing and industrialisation activities, the contributing causes of such impacts and some of the mitigation measures that have been planned.

⁵⁵ Growth and Transformation Plan II at p137.

⁵⁶ Growth and Transformation Plan II at p138.

⁵⁷ Growth and Transformation Plan II at p147.

⁵⁸ Textile and Garment Industry to reduce greenhouse gas emissions by 25% by the end of the plan period; Leather and leather products industry to reduce greenhouse gas emissions by 0.154 million metric tons; Metal and engineering Industry to reduce greenhouse gas emission by 80 000 tons; Meat, milk and honey industry to reduce greenhouse gas emissions by 27 265 tons; Chemical and construction inputs industry to reduce greenhouse gas emissions by 0.94 million tons;

⁵⁹ Growth and Transformation Plan II at p150.

Table 2: Potential Impacts of Planned Manufacturing and Industrialisation Developments

Potential Negative Impacts	Contributing Factors	Planned Mitigation Measures
Air Pollution	- Lack of accurate monitoring and pollution measuring - Lack of effective enforcement - Lack of waste management facilities	- Development of baseline data - Provision of necessary monitoring equipment - Fitting of pollution reducing technology - Use of renewable energy sources - Provision of technical support - Legal training and awareness raising - Inspections and enforcement
Water Pollution	- Lack of accurate monitoring and pollution measuring - Lack of effective enforcement - Lack of waste management facilities - Insufficient infrastructure and planning	- Development of baseline data - Provision of necessary monitoring equipment - Fitting of pollution reducing equipment - Provision of technical support for management of solid and liquid waste - Development of common waste disposal systems - Legal training and awareness raising - Inspections and enforcement
Solid Waste	- Lack of accurate monitoring and pollution measuring - Lack of effective enforcement - Lack of waste management facilities - Lack of waste storage facilities - Lack of recycling facilities	- Development of baseline data - Provision of necessary monitoring equipment - Fitting of pollution reducing equipment - Provision of technical support for management of solid and liquid waste - Development of common waste disposal systems - Legal training and awareness raising - Inspections and enforcement

Hazardous Waste	- Lack of waste management facilities - Lack of infrastructure - Lack of waste storage facilities	- Development of baseline data - Accelerated infrastructure support - Provision of technical support for management of solid and liquid waste
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		- Development of common waste disposal systems - Legal training and awareness raising - Inspections and enforcement
Increased Greenhouse Gas Emissions	- Inefficient technologies - Unregulated industries - Ineffective enforcement - Lack of capacity	- Provision of necessary monitoring equipment - Fitting of pollution reducing equipment - Use of renewable energy sources
Adverse impacts on human health	- Failure to ensure responsible land use planning - Inadequate infrastructure - Failure to register and cross-check allowed imported chemical products	- Development of industrial parks and clusters - Accelerated infrastructure support - Determination of area comparative advantages - Land use management - Legal training and awareness raising

4.3 FOREST, WOODLAND AND TREE RESOURCES

Deforestation and the resulting environmental degradation it causes has remained a key challenge for food security, community livelihoods and sustainable development within Ethiopia. The removal of trees and other vegetation cover exposes soil to wind and water erosion, which in turn results in the further loss of vegetation, biodiversity and ecosystem services. In 1990 it was estimated that as much as 17% of Ethiopia's potential GDP was lost because of physical and biological soil degradation.⁶⁰ Beyond the valuable ecosystem services forests provide, they also play a vital part in carbon sequestration and rural livelihoods. Despite these valuable contributions, natural indigenous vegetation is now almost entirely limited to church compounds, very steep and inaccessible areas, the very highlands, lowland savannah, the woodlands of major watersheds, and riverine vegetation of streams and small rivers.⁶¹ The main risks for forest resources are human activities such as deforestation for agricultural land, fuel wood consumption, and logging.

It is estimated that 1.24 million hectare of natural high forest was cleared for agricultural expansion between 1990 and 2014⁶² and in 2012 it was estimated that without significant interventions, fuel wood consumption would rise by 65% between 2010 and 2030. Without significant intervention, these projections would have serious consequences for Ethiopia's emissions targets and the intention to increase sequestration through forestry. To respond to these concerns the GTP II⁶⁶ and the Climate Resilient Green Economy Strategy⁶³ have set out to protect existing forests, promote numerous afforestation and reforestation initiatives,⁶⁴ ⁶⁵ and implement Participatory Forest Management approaches, which aim to increase the role and responsibilities of local communities in managing and conserving forests.

To achieve this the GTPII requires that various systems and measures be put in place to enhance environmental rights, forestry development and conservation, and monitoring and enforcement actions. The CRGE calls for nationally appropriate mitigation actions focused on enhancing district level forestry interventions and has introduced initiatives to reduce demand for fuel wood, increase afforestation , reforestation and forest management, and promote area closure.

Table 3 is a summary of some of the negative environmental impacts associated with continued deforestation and unmanaged forestry activities, the contributing causes of such impacts and some of the mitigation measures that have been planned

⁶⁰ Winberg E. *Participatory Forest Management in Ethiopia: Practices and Experiences* (2010) FOA Rome

⁶¹ McKee J. *Ethiopia Country Environmental Profile* (2007) at p26.

⁶² Woody Biomass Inventory and Strategic Planning Project (2004) Forest Resources Ethiopia, Addis Ababa, Ethiopia, Ministry of Agriculture. ⁶⁶

Under GTPII national forest coverage is to increase from 15.5% in 2015 to 20% in 2020 and forest management plans are to be prepared on 3.4 million hectares of productive forest (GTPII at p214)

⁶³ CRGE targets include the afforestation of 2 million hectares, reforestation of 1 million hectares, and improved management of natural forests and woodland on 3 million hectares.

⁶⁴ A review of the GTPI in GTPII (at p.62) reveals that forest management plans and maps were prepared for

⁶⁵ .1 million hectares; Forest coverage was increased from 13 million hectares to 15.93 million hectares; and 13.4 million hectares of degraded areas were demarcated and rehabilitated. The target for multi-purpose tree planting was 16.2 million hectares and performance stood at 15.5 million hectares.

Table 3: Potential Impacts of Planned Forest, Woodland and Tree Resource Development

Potential Negative Impacts	Contributing Factors	Planned Mitigation Measures
Soil erosion	- Deforestation - Population increases - Poor land use identification and management - Poor choice of reforestation species - Lack of sense of ownership and community engagement - Lack of awareness	- Forest protection and reforestation programmes that enhance ecological and economic benefits and protect against desertification - Area closures and restricted grazing
Loss of biodiversity	- Deforestation - Agricultural activities - Poor land use identification and management - Poor choice of reforestation species - Invasive alien species - Lack of sense of ownership - Blanket policy recommendations & failure to consider local knowledge and contexts - Lack of awareness	- Forest protection and reforestation programmes that enhance ecological and economic benefits - Establishment of a national/ central tree seed supply and distribution system - Development of a tree seed selection, collection and handling protocol
Increased Greenhouse gas emissions	- Loss of Carbon absorption capacity - Charcoal production and burning	- Fuel efficient cook stoves - Forest protection and reforestation programmes that enhance ecological and economic benefits - Initiate identification, demarcation, registration and protection of forest resources - Sustainable management of natural forests, deciduous forest, and national parks - Enhanced use of non-timber forest products

Deforestation	- Charcoal Production and growing energy demands - Increased population - Increased agriculture and livestock production	- Participatory Forest Management - Forest protection and reforestation programmes that enhance ecological and economic benefits
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	- Tenure insecurity - Lack of sense of ownership and community engagement - Poor land use identification and management - Urbanisation - Resettlement schemes - Blanket policy recommendations & failure to consider local knowledge and contexts - Forest fires	- Enhanced use of non-timber forest products - Expand biomass energy - Initiate identification, demarcation, registration and protection of forest resources - Improved research - Awareness raising activities on policy, laws & strategy - Monitoring to ensure activity compliance with environmental laws - Forestry development packages, manuals and trainings - Land identification maps and manuals - Support to private investors and co-operatives - Improved urban forestry in 11 regional towns - Conduct EIAs on new and on-going projects
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4.4 ENERGY, TRANSPORT AND URBAN DEVELOPMENT

4.4.1 Urban Development and Construction

Ethiopia is one of the least urbanised countries in the world, with only about 19% of the population residing in urban centres. This, however, is expected to increase to 30% by 2030.⁶⁶ While existing Ethiopian urban centres have developed in-line with climate, environmental and physical constraints, the sustainable development of Ethiopian urban centres is now closely connected to the expansion of manufacturing and industrial developments as envisaged in the GTPII.⁶⁷ As a result, significant emphasis is given in the GTP and CRGE Strategy to the urban development process and ensuring Ethiopia's growing cities do not become locked into carbon intensive development pathways.⁶⁸

The planned economic developments and focus on urban centres as job creation hubs has accelerated urbanization and urban expansion and has already created increased pressure on urban infrastructure and energy supply and produced numerous environmental impacts. Increased air pollution from traffic congestion, construction and fuel demands; point source soil and water contamination from landfills, abattoirs, and solid and liquid waste; housing shortages; increased water and power demands; unplanned resource utilisation and inefficient land use management are some of the impacts rapid urbanisation can create.

To address these concerns an increase in urban green areas, improvement in waste collection and disposal systems, increased supply of water and sanitation services, improved transportation networks and services, and development of integrated housing are all envisaged by the GTPII.⁶⁹ In addition, the CRGE recognises urban development and housing as one of the pivotal sectors for the achievement of the Ethiopian goals for economic growth and poverty reduction, with a combination of compact and sustainable urban development and economic growth serving as a platform for balanced regional development and the mitigation of rural and urban disparities.⁷⁰ Through urban planning and risk management, local (community) economic development, urban infrastructure improvement interventions, and strict enforcement of emission targets, the adverse environmental and climatic effects of rapid urban developments are intended to be mitigated. If efficiency and resilience is not built into urban expansion, it will expose itself to greater threats from natural resource depletion and climate disaster risks.

Linked to Urban development and housing is the construction sector where it is envisaged that 80% of inputs will be provided by local suppliers by the end of the GTPII period. The GTPII plans to enhance the capacity of fifty construction material producing companies through significant financial

⁶⁶ Schmidt E. & Kedir M. *Urban and Spatial Connectivity in Ethiopia: Urban Growth Analysis Using GIS, Development Strategy and Governance Division, International Food Policy Research Institute* (2009) Ethiopia Strategy Support Program 2 International Food Policy Research Institute & Ethiopian Development Research Institute.

⁶⁷ Growth and Transformation Plan II at p157.

⁶⁸ *Promoting Green Urban Industrialisation in Ethiopia*, January 2018, Climate and Development Knowledge Network

⁶⁹ Growth and Transformation Plan II at p157-161.

⁷⁰ Climate Resilient Strategy for Urban Ethiopia, 2017

investments, while also reducing and protecting from the hazards the sector may pose to the natural environment.⁷¹ Strategically significant and competitive companies involved in the cement, metallic and related factories, plastic and construction related chemical manufacturing companies will be expanded. By focusing on research and development initiatives at tertiary-level institutions it is envisaged that improved and cost effective construction materials will be made available to the industry.⁷²

4.4.2 *Transport*

Linked to the issue of urban development are the CRGE strategic pillars of expanding power generation from renewable sources and an acceleration to modern and energy-efficient technologies in the transport sector. To ensure the urban-rural linkages necessary for both short and long term development and the easy movement of people and goods to and within urban centres, as well as, minimise regional income and resource disparities, a strong well-integrated transportation network is envisaged.

The GTPII anticipates the expansion of road, rail, and air transport, amongst others, with the aim of attracting investments, speeding up regional economic integration and opening new market opportunities.⁷³ Roads are seen as the backbone of country's economic growth and the development of standardized urban road infrastructure, construction of express roads that link to main economic corridors and all-weather roads, reduction of transportation costs and creation of an integrated transport system are planned. Road length is planned to increase from 110 414 km to 220 000 km by 2020 and the opening up of the Ethiopian low land areas for development will be facilitated by these expansions.⁷⁴ In addition, 2741 km of railway network is to be constructed to further the goal of reducing the costs and timeframes for bulk transportation⁷⁵ and air transportation infrastructure is to be expanded with the intention of making Addis Ababa the air transportation hub of Africa.⁷⁶

All these developments of transport infrastructure, while essential for economic growth, are likely to increase the rate of urban growth in agricultural regions and open previously undamaged land and natural resources to increased environmental and resource pressures. Increased soil works and thus erosion potential, rising green-house gas emissions and ecosystem disruptions are all expected.⁷⁷ The Ethiopian transport system itself faces serious risk from climate change impacts. The GTPII plans to address these risks through detailed environmental impact assessments and feasibility studies prior to construction project implementation, public consultation, strict monitoring and evaluation activities to ensure environmental law compliance, and support for CRGE integration down to grassroots' level.⁷⁸ Further, the national Climate Resilient Transport Sector Strategy aims to address

⁷¹ Growth and Transformation Plan II at p154 – 155.

⁷² Growth and Transformation Plan II at p156.

⁷³ Growth and Transformation Plan II at p169.

⁷⁴ Growth and Transformation Plan II at p171 & 173.

⁷⁵ Growth and Transformation Plan II at p174.

⁷⁶ Growth and Transformation Plan II at p175.

⁷⁷ Green-house gas emissions from the transport sector are some of the fastest growing due to increasing vehicle numbers and number and length of trips. Ethiopia's Climate Resilient Transport Sector Strategy, at p25.

⁷⁸ Growth and Transformation Plan II at p174 & 212.

the emissions impacts by improving public transport infrastructure in urban areas, improving vehicle fuel efficiency, changing fuel mix, and developing the electrical rail network for efficient freight transport.⁷⁹

4.4.3 Energy

Ethiopia will need to rapidly increase its existing energy supply to support the planned economic growth and transformation of the country. Currently, the majority of Ethiopia's energy needs are met through fuel wood, crop and animal waste, and human and animal power. Only a small percentage of the national energy needs are covered through electricity and of this, almost 95% is generated by hydro-power.⁸⁰

In terms of GTPII the energy sector is to receive priority focus particularly in regard to the generation of sufficient power for both domestic consumption and export to neighbouring countries. Levels of per capita consumption is planned to be increased and the use of decentralized off-grid solar energy is to be promoted.⁸¹ The country's power generating capacity is protected to increase from approximately 4180MW to 17208MW and the number of consumers will increase from 2.31 million to 6.95 million by 2020. Biogas and bio-fuel stoves, improved biogas technology and various solar energy technologies is also planned to be widely distributed across the country.⁸² Energy source potentials are to be prioritised in the order of hydroelectricity power generation, geothermal energy, wind power, and solar energy. Biomass energy and diesel generators are to be used as standby sources of energy.

The Climate Resilience Strategy: Water and Energy aims to ensure an increase in power generation through a diverse mix of sustainable energy sources so as to mitigate against potential climate change impacts, as well as, improved energy and biomass efficiency, access to off-grid energy in rural areas, and the modernisation of the distribution and supply system to reduce power losses.⁸³ These improvements are to be achieved through stakeholder and infrastructure capacity building, technical support and monitoring, research, data collection, the provision of incentives and accelerated technology transfer.

While the Ethiopian energy policy is to improve the current energy supply from renewable sources and improve the efficiency of biomass use and thus reduce the demand for and pressure on forests resources, air pollution and green-house gas emissions, the various projects do pose potential environmental harms. Increased hazardous chemical and electronic waste, land use pressures for biofuel production and thus potential habitat destruction and watershed management and allocation difficulties must all be carefully considered when pursuing the stated national energy objectives.

⁷⁹ Ethiopia's Climate Resilient Transport Sector Strategy, at p50.

⁸⁰ Climate Resilient Green Economy Vision, at p15.

⁸¹ Growth and Transformation Plan II at p177.

⁸² Growth and Transformation Plan II at p179.

⁸³ Climate Resilience Strategy: Water and Energy, at p18.

Table 4 is a summary of some of the negative environmental impacts associated with increased urban development, housing and construction, expanded transport networks and enhanced energy consumption, the contributing causes of such impacts and some of the mitigation measures that have been planned.

Table 4: Potential Impacts of Planned Energy, Transport and Urban Developments

Potential Negative Impacts	Contributing Factors	Planned Mitigation Measures
Solid & Liquid Waste Pollution	- Increased urbanisation or overcrowding - Lack of waste segregation - Lack of hazardous waste management processes and facilities - Inadequate solid and liquid waste transport, storage and disposal systems and facilities - Inadequate water and sanitation management - Poor urban planning and land use - Poor battery lifecycle management - Lack of sense of ownership - Lack of awareness - Failure of urban planners to keep up with urban growth	- Scientifically designated landfill sites (appropriate site selection, geomembrane linings, leachate collection and treatment system) - Ground and surface water quality monitoring - Improved waste collection - Waste water treatment and disposal plants - Land use management - EIA implementation - Infrastructure development - Monitoring - Improved technology transfer
Air Pollution and increased greenhouse gas emissions	- Inefficient transportation - Insufficient renewable power - Low construction standards - Low quality fuel - Increased vehicles	- Low carbon transportation solutions - Green housing solutions - Renewable power supply - Integrated urban systems - Improved public transport systems - Improved fuel efficiency and quality requirements - Vehicle importation restrictions - Cleaner technology incentives
Water Resource overexploitation	- Increased population and urbanisation - Increased agriculture and livestock production in peri-urban areas - Lack of sense of ownership and community engagement - Poor land use identification and management - Energy infrastructure developments	- Improved urban forestry and green spaces - Improved sanitation services - Conduct EIAs on new and on-going projects - Land information systems

Deforestation and habitat degradation	- Increased energy demands within certain areas - Inadequate energy supply	- Integrated holistic urban planning - Land use management and planning
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	- Population growth - Increased access to rural natural habitats - Infrastructure developments - Increased biomass production requirements	- Public participation and consultation - Improved electrical and alternative energy supply
Soil erosion	- Insufficient drainage and urban planning - Inadequate erosion barriers in high-risk areas - Increased pressure on urban infrastructure - Earth works for infrastructure development - Increased construction input sourcing	- Land use management and planning - Land information systems - Improved urban planning

4.5 WILDLIFE AND BIODIVERSITY

Ethiopia has a unique and diverse geographical and biological diversity. It is one of the world's biological hotspots and is one of eight global areas where crop plant diversity is strikingly high, with many crops having been domesticated. The country contains five recognised biomes, which can be divided into ten ecosystems, the isolation of many of which has resulted in significant endemism.⁸⁴ This biodiversity presents enormous potential but has remained largely untapped to date. It is estimated that the economic value of Ethiopian germplasm alone and its contribution to world food security and supply, produces income streams in excess of 1 billion USD per year.⁸⁵ Many foreign commercial and research companies and institutions have shown great interest in Ethiopian biodiversity, traditional knowledge and genetic resources for technology, plant breeding and commercial development purposes.⁸⁶

In addition to the genetic value of Ethiopia's endemic species, the unique species and biodiversity found in Ethiopia is extremely valuable for education, scientific research and tourism. Unfortunately, the potential benefits of this biodiversity are being threatened by increased environmental threats, which have made Ethiopia one of the most degraded biological hotspots in the world.⁸⁷ The GTP II sets out numerous planned activities to ensure wildlife protection, conservation and stakeholder inclusion with the objective of ensuring long-term socio-economic and ecological benefits for the country.⁹¹ Importantly, these activities are to be undertaken in collaboration with regional states and communities while taking into account ecosystem and natural landscape features. In addition, efforts to reduce illegal activities within wildlife zones are planned. The unplanned and inappropriate use of wildlife and its regulation is recognised as being a particularly pressing issue.

Within the context of biodiversity, the GTP II aims to increase the country's access to and benefits from the country's genetic resources, as well as, their improved utilization and protection for increased tourism. Enhanced community benefits through the strengthening of biodiversity conservation is also envisaged and specific targets for increasing the number of plant, microbial, and animal species at stipulated. In an effort to improve the utilization of biodiversity resources for research and development the GTP II further sets targets for increasing the number of accession agreements in relation to plant species, microbial and animal species.⁸⁸

⁸⁴ McKee J. *Ethiopia Country Environmental Profile* (2007)

⁸⁵ McKee J. *Ethiopia Country Environmental Profile* (2007) at p. 47.

⁸⁶ McKee J. *Ethiopia Country Environment Profile* (2007) at p. 45.

⁸⁷ A good example of this threat is *Coffea Arabica* to which Ethiopia is home for a unique pool of genetic strands. This genetic diversity represents significant potential commercial value. The genetic varieties can mostly be found in stands of wild coffee in the rainforests of the South West and West of the country. These genetic varieties, however, are under serious threat from commercial farming and resettlement programmes, which have resulted in large scale clearing of coffee forests. McKee J. *Ethiopian Country Environment Profile* (2007) at p.42. ⁹¹

These activities include consumption and non-consumption benefits such as: Hunting, ranching, stock breeding and sale, eco-tourism, filming, photography, tourism. Growth and Transformation Plan II at p 114.

⁸⁸ Growth and Transformation Plan II at p 125.

Table 5 is a summary of some of the negative environmental impacts associated with intensified agricultural activities, the contributing causes of such impacts and some of the mitigation measures that have been planned.

Table 5: Potential Impacts of Planned Developments on Wildlife and Biodiversity

Potential Negative Impacts	Contributing Factors	Planned Mitigation Measures
Biodiversity	- Population increases - Resettlement schemes - Poor land identification and land use management (Natural forest destruction, agricultural expansion & use of marginal areas, etc) - Insecure land tenure - Invasive species - Unmanaged and inefficient use of natural resources - Pesticides and herbicides - Genetic modification - Loss of domestic breeds	- Establishment of a legal licensing system - Expand biodiversity conservation sites (coverage and content) - Distribute different genetic types of agricultural crops - Control of movement and expansion of invasive exotic species - Guidelines and manuals to improve biodiversity conservation - Guidelines and manuals to improve equitable community benefits - Capacity building - Awareness creation - Research (impacts of climate change, enhanced conservation & utilization)
Wildlife Protection	- Population increases - Resettlement schemes - Poor land identification and land use management (habitat destruction, agricultural expansion & use of marginal areas, etc) - Invasive species - Unmanaged and inefficient use of natural resources - Pollution - Livestock free grazing - Illegal wildlife trafficking - Poaching - Lack of awareness	- Demarcation and legalisation of wildlife zones - Demarcation and legalisation of protected wildlife zones - Creation of additional wildlife zones - Preparation of management plans for wildlife zones - Rehabilitation of wildlife zones - Strict enforcement of relevant domestic and international legislation - Infrastructure Development - Public Participation and Community engagement

	- Unclear conservation boundaries.	- Creation of a conflicting interests dispute resolution unit - Relocation of communities from inside national
		parks - Expand community benefits - Link to Greenhouse gas reductions - Needs based research (conflicts of interest/ climate change impacts/ sustainable wildlife and ecosystem conservation and development) - Improved co-ordination - Education, capacity development and awareness creation - Strengthening of information systems

4.6 SUMMARY TABLE OF COMMON DRIVING FORCE AND ENVIRONMENTAL IMPACTS

	<i>Population Increases</i>	<i>Poor Tenure Security</i>	<i>Poor Land Use Management</i>	<i>Lack of community benefit/ownership</i>	<i>Poor Institutional Coordination</i>	<i>Poor Regulation and Control</i>	<i>Lack of Monitoring and Evaluation Technology</i>	<i>Lack of Standards & Baseline Data</i>	<i>Lack of Infrastructure Support</i>	<i>Poor Environmental Information Systems</i>	<i>Lack of Environmental Research</i>	<i>Lack of Cultural & Ecosystem Context</i>	<i>Lack of Public Participation</i>	<i>Lack of Information</i>	<i>Lack of Environmental Awareness</i>	<i>Lack of Environmental Education</i>
<i>Soil Degradation</i>																
<i>Pollution - Water</i>																
<i>Pollution – Air (Inc. GHG emissions)</i>																
<i>Pollution - Substances</i>																
<i>Water hydrology (watersheds and wetlands)</i>																
<i>Loss of Bio-diversity & Invasive alien species</i>																
<i>Deforestation</i>																
<i>Wildlife resources</i>																

5 EXPECTED PROGRAMME IMPACTS

The National Environmental Law Development and Enforcement Programme is intended to be a comprehensive and proactive ten-year plan for addressing gaps and shortfalls within the existing legislative frameworks, as well as, improving the implementation and enforcement of national and international environmental laws and the engagement of citizens and civil society. The overarching objectives of the Programme - to improve environmental protection and sustainable resource utilisation by establishing environmental rule of law within Ethiopia - will be achieved through the three thematic areas or “Pillars” of:

- Education and Justice;
- Enforcement and Institutional Strengthening; □
Citizen and Civil Society Engagement.

Each of these Pillars will work in synergy to develop a culture of voluntary environmental compliance and the establishment of environmental rule of law within Ethiopia. By improving the environmental capacity of those involved in environmental protection and the implementation and enforcement of environmental legal frameworks and policies; increasing the awareness and involvement of regulated and affected communities; Strengthening institutional coordination, collaboration and communication; and providing effective solutions and pathways to remedy environmental concerns, the Programme is expect to create a series of self-reinforcing outcomes that will result in the greater systematic protection of Ethiopia’s environment and long-term sustainable development.

The Programme will take a sectoral approach, aiming to align with existing economic development strategies. In practice this will see the identification of potential environmental risks and drivers for environmental degradation, review of relevant environmental legislation and policies, harmonisation of institutional coordination, collaboration and communications systems and mechanisms, and leveraging of existing development partner and civil society capacity through the lens of identified sectors.

Further, as the Programme is designed around a modular approach – allowing different thematic programmes and projects to contribute towards the overarching objective – it is anticipated that the specialist capacities and ongoing inputs of development partners and institutional projects can be leveraged for improved environmental outcomes. Focused, suitable and sustainable interventions that entrench capacity and knowledge beyond the determined project horizons and make use of or improve existing structures, while producing meaningful results, will be therefore be prioritized. This approach will ensure firstly, the purposeful and strategic integration and coordination of sectoral activities in the light of the cross-cutting nature of environmental considerations and secondly, the long-term retention of development partner technical capacities and knowledge transfer. This second outcome is expected to be achieved through the establishment of and cooperation with Environmental Resource Centres at regionally representative Universities.

The more specific expected impacts and outcomes of the programme under the are further set out under the headings below.

5.1 *PILLAR 1 – ENVIRONMENTAL EDUCATION AND JUDICIAL CAPACITY DEVELOPMENT*

A fair, transparent, and accessible judicial system that can meaningfully respond to pressing environmental degradation and natural resource disputes is essential for the establishment of environmental rule of law and overall protection of Ethiopia’s environment and natural resources. Pillar One of the Programme will focus on the strengthening of environmental education, as well as, the development of environmental capacity for the judiciary and the professionals supporting the administration and enforcement of environmental law. The national environmental legal frameworks will also be reviewed and identified gaps and overlaps harmonized and closed.

Pillar 1 will encourage the development of regionally representative University Environmental Resource Centres. It is envisaged that through these Centres awareness and the integration of environmental and natural resource sustainability can be increased across academic disciplines and regional environmental activities can be supported by contextually relevant and responsive research and technical capacities. The Environmental Resource Centres will serve as environmental knowledge hubs ensuring the long-term and sustainable retention and dissemination of capacity and skills. Further, the Centres will ensure the strengthening of, engagement with and integration of environmental issues across the academic environment. The Environmental Resource Centres will be included in many of the Programme capacity building activities and become resources capable of supporting both regional EPAs and local communities.

In addition to improving environmental education and environmental resource capacity, Pillar One of the Programme will implement measures to strengthen the environmental knowledge and capacity of judicial officers and the professionals engaged in supporting the administration of justice. The required specialist environmental knowledge to ensure greater consistency and meaningful application of environmental laws will thus be developed. Steps to improve the availability of and access to environmental justice, as well as, the existence of meaningful remedies and suitable procedures will also be taken.

Expected Pillar 1 outcomes are:

- | | |
|--|--|
| ☐ Quality of environmental legal research and education is improved. | ☐ Environmental law capacity of the judiciary, legal and enforcement professionals is enhanced. |
| <ul style="list-style-type: none">• Environmental law resource centres are established.• Environmental law research and development institute accountable to the commission established | ☐ Green tribunal and green benches are established. |
| ☐ Educational curricula at all levels is greened. | ☐ Grass root access to environmental justice and alternative dispute options exist. |
| ☐ Capacity of academic staff is enhanced and supported through strategic partnerships | ☐ Comprehensive review and updating of environmental legislation |

- ☐ University community legal aid and support centres are established.
- ☐ Strengthened Environmental Impact Assessment Process
- ☐ Regulatory operationalisation tools are developed.
- ☐ Rationalisation of institutional and sectoral mandates.
- ☐ Improved environmental remedies and access to environmental justice
- ☐ Regulatory implementation plans are developed.
- ☐ Environmental law review, monitoring and evaluation mechanisms are put in place.

5.2 PILLAR 2 – ENFORCEMENT AND INSTITUTIONAL STRENGTHENING

Institutions are the bodies responsible for translating legislation and policies into practice and are therefore at the centre of improving environmental rule of law. Institutions are also in a position to quantify and communicate environmental and natural resource risks and gains in tangible terms and in a manner that can mobilize action. The focus of Pillar 2 of the Programme is therefore centred on bolstering environmental law enforcement and institutional cooperation, collaboration and communication.

The activities under this Pillar are intended to achieve clarified institutional mandates and roles, cross-sectoral collaboration and coordination, vertical and horizontal institutional integration, and enhanced enforcement capacity. These interventions will allow for improved environmental enforcement consistency and thus legitimacy, as well as, the introduction of inter-disciplinary monitoring and a move away for the current siloed approaches towards sectoral environmental concerns. In addition, Initiatives under Pillar 2 of the Programme will take concrete measures towards improving both the technical capabilities (testing equipment, facilities, etc.) and the enforcement capacities (inspection protocols, evidence gathering procedures, etc.) of environmental enforcement agencies.

Sectoral institutional mechanisms, with strong collaboration and communication focuses, that allow for focused targeting of high risk industries, identification of relevant actors and partners, and the establishment of self-regulation initiatives will be developed. Efforts to raise the environmental awareness and understanding of high risk polluters and regular enforcement agencies will also be taken. By increasing institutional collaboration, coordination and communication and clearly defining institutional mandates and processes, environmental concerns and their cross-cutting nature can be properly monitored and responded to and enforcement activities can be strategically planned and implemented.

Expected Pillar 2 outcomes are :

- ☐ Priority sectors and significant actors (public and private) are identified and prioritized.
- ☐ Tailored sectoral inspection and enforcement strategies are developed.
- ☐ Partnerships for improved environmental protection are developed.
- ☐ Inspection and enforcement capacities are enhanced.
- ☐ Technical enforcement capabilities are improved.
- ☐ Joint environmental units are established

- ☐ Mechanism to rank and publicise sectoral actors' environmental performance is established.
- ☐ Institutional coordination and collaboration is strengthened and institutional mandates clarified.
- ☐ Integrated permitting mechanisms are implemented
- ☐ Information sharing platforms and enhanced communication exists
- ☐ Eco-certification system is put in place.
- ☐ EFCCC establishes itself as a resource institution.
- ☐ Annual state of the environment reports are prepared at regional and federal level.
- ☐ Civil Society and Development Partners are more fully engaged at sectoral levels
- ☐ Enforcement agencies are greened

5.3 *PILLAR 3 – CITIZEN AND CIVIL SOCIETY ENGAGEMENT*

As environmental justice requires an inclusive societal approach, Pillar 3 of the Programme will take steps to ensure the greater engagement of affected communities, civil society and the general public. Initiatives that ensure greater transparency and access to information, improved public participation and meaningful consultations, and the increased awareness and capacity of civil society, local communities and the public at large to engage on environmental issues will be developed and implemented.

With increased knowledge and opportunities for interested and affected communities to express their concerns and seek environmental justice, it is expected increased public engagement will occur. This increased engagement will result in improved government decision making, contextually relevant responses, more cost effective solutions, and more grass-roots assistance in environmental monitoring and enforcement. The initiatives under Pillar 3 of the Programme are expected to take place in synergy with those of Pillar 1 and Pillar 2 and the involvement and support of civil society is a vital component of the Programme. By implementing Pillar 3 activities, the quality and legitimacy of environmental decision making is expected to improve, scarce government resources will be leveraged, and resource driven conflicts avoided.

Expected Pillar 3 Programme outcomes are:

- ☐ Access to information legislative framework is in place.
- ☐ Public Participation legislative framework is in place.
- ☐ Active dissemination of environmental information takes place.
- ☐ Institutional mechanisms to ensure public participation are in place.
- ☐ Efficient and substantive responses to access to information requests.
- ☐ Institutional awareness of the importance of public participation is improved.
- ☐ Up-to-date website provides all relevant information.
- ☐ Civil society, the general public and local communities are aware of environmental and natural resource concerns.
- ☐ Public reporting, enquires and complaint hotline is established.
- ☐ Civil society, the general public and local communities engage in environmental protection and natural resource management

- Civil Society is capacitated to support the enforcement of environmental law.

5.4 FULFILMENT OF INSTITUTIONAL MANDATE

In addition to the impacts discussed under the three Programme Pillars, the EFCCC institutional mandates are expected to be fully realised and achieved through the implementation of the programme. Through the planned improvements in institutional coordination and collaboration the Programme will facilitate the integration of environmental concerns across those sectors of pressing national economic importance. By taking a multipronged robust approach to strengthening not only the environmental legislative frameworks but the systems and institutions that support their implementation, the EFCCC will fully step into its mandated role of coordinating activities to ensure the environmental objectives established in the Constitution and the principles of the national Environment Policy are realized.⁸⁹ In addition, the expected strengthening of human resource capacity and improved environmental awareness at all levels will facilitate the achievement of the EFCCC's articulated duties. **Annex 3** sets out the current powers and duties of the EFCCC and the most relevant expected Programme driven improvements supporting the fulfilment of these duties.

5.5 ADVANCEMENT OF SUSTAINABLE DEVELOPMENT GOALS

Ethiopia's recognition of the SDGs and contribution they can make towards the national goals of eradicating poverty and bringing about prosperity for all its citizens is reflected in the ongoing efforts to integrate the SDGs into the Ethiopian GTPs and various sectoral policies. This Programme will touch on each one of the SDGs and make direct positive contributions towards realizing a number of the identified targets. **Annex 4** outlines the positive contributions this Programme is expected to make towards Ethiopia's realisation of the SDGs. The Programme aims to harmonise and strengthen a number of strategic elements, across the three broad thematic pillars of the Programme, which are expected to improve the integration of the cross-cutting SDGs. With each initiative expected to build and reinforce those structures needed to environmental protection and overall sustainable development the SDGs will be directly supported and reinforced through the Programme.

5.6 DRIVERS OF ENVIRONMENTAL DEGRADATION STRATEGICALLY ADDRESSED

By identifying priority economic sectors, the primary environmental impacts within those sectors and the main driving forces for those environmental impacts, the Programme will ensure that immediate measures to halt ongoing sectoral environmental degradation are taken. The Programme will also ensure that interventions to manage drivers of sectoral environmental degradation, mitigate their impacts and ensure sustainable future activities are implemented. Drivers for environmental degradation and unsustainable resource utilisation that cut across more than one sector will be addressed as priority areas and sectoral activities to improve environmental outcomes will take place in a focused, strategic and coordinated manner.

⁸⁹ Article 32(3)(a) of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia, Proclamation 1097 of 2018.

The table below sets out a summary of the environmental areas most impacted by current sectoral development initiatives, as well as, the expected Programme intervention that will be implemented to address the most pressing drivers of degradation within these areas.

Table 7: Summary of expected environmental outcomes

General	Wildlife Resources	Soil Erosion & Land Degradation	Pollution (Air)
- Develop institutional coordination agreements and process; - Develop legislation for access to information; - Develop legislation for public participation; - Develop framework legislation for enhanced environmental remedies and standing; - Develop legislation for environmental tribunals; - Develop legislation for community benefit sharing; - Strengthen EIA legislation; - Develop integrated permitting frameworks; - Develop environmental cost benefit analysis systems; - Develop frameworks for environmental compliance incentives and disincentives (ranking systems, eco-certifications, scaled inspections etc.) - Establish environmental information system; - Establish monitoring and evaluation systems;	- Develop context specific land use plans; - Strengthen tenure security initiatives; - Develop community utilization and benefit sharing frameworks; - Develop participatory conservation frameworks; - Develop integrated wildlife conservation strategies; - Develop payment for ecosystem services; - Identify, proclaim and demarcate all national parks and protected areas; - Enhance regulation and enforcement of wildlife protection and trade; - Improve EIA system and cost benefit analysis for projects impacting on wildlife; - Ensure policy and programme compatibility with existing cultural and community contexts;	- Develop land use management regulatory framework; - Develop context specific land use plans; - Strengthened tenure security initiatives; - Develop community utilization and benefit sharing frameworks; - Regulate soil erosion and land degradation drivers (grazing capacity, farming techniques); - Enhance regulations and enforcement of legislation concerning chemical substances used for fertilizers and pesticides; - Improve EIA system and cost benefit analysis for agriculture and irrigation projects; - Develop necessary baseline standards; - Promote increased indigenous ground cover; - Ensure policy and programme compatibility with existing pastoral and agricultural systems; - Improve environmental research.	- Develop framework climate change legislation; - Develop community benefit sharing legislation; - Develop framework legislation for carbon trading; - Develop legislative incentives to improve fuel efficiency; - Develop legislative incentives to regulate industrial air pollution; - Develop necessary baseline standards - Promote development of renewable energy resources and reduce fossil fuel utilization.

- Develop green job creation initiatives.	- Improve wildlife conservation research.		
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Pollution (Substances)	Water Resources	Deforestation & Forest Degradation	Biodiversity & invasive alien species
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- Enhance regulations and enforcement of legislation concerning chemical and other pollution generating substances; - Integrate the precautionary principle and enforce polluter pays principle across sectors; - Develop waste disposal facilities (sludge, solid, liquid and electronic waste, other hazardous substances, sewage, landfills etc.); - Develop waste collection and management systems; - Improve urban sanitation; - Advance recycling opportunities and initiatives; - Reduce single use plastics; - Improve EIA system and cost benefit analysis for pollution generating activities; - Develop necessary baseline standards; - Update and maintain toxic, hazardous and radioactive substances register; - Establish pollution monitoring and compliance system; - Entrench environmental audits; - Enhance public environmental education and awareness and - Improve environmental research.	- Develop context specific land use plans; - Develop integrated water resource development and protection strategies; - Strengthened tenure security initiatives; - Develop community utilization and benefit sharing frameworks; - Develop participatory resource management frameworks; - Develop payment for ecosystem services and forest sustainability certification frameworks; - Enhance regulations and enforcement of legislation concerning water use, abstraction and pollution; - Improve EIA system and cost benefit analysis for dam and irrigation systems; - Develop necessary baseline standards; - Ensure policy and programme compatibility with existing pastoral and agricultural systems and cultural contexts;	- Develop land use management regulatory framework; - Develop context specific land use plans; - Strengthened tenure security initiatives; - Develop community utilization and benefit sharing frameworks; - Develop participatory forest management frameworks; - Develop integrated forest development strategies (water, energy, genetic resources etc.) - Develop payment for eco-system services and forest sustainability certification frameworks; - Regulate the use of exotic species; - Identify and proclaim protected natural forests; - Incentivise fuel and construction alternatives; - Enhance regulations and enforcement of forestry legislation; - Improve EIA system and cost benefit analysis for forestry projects; - Ensure policy and programme compatibility with existing cultural and community contexts; - Improve forestry research.	- Develop land use management regulatory framework; - Develop incentives for <i>in situ</i> conservation of wild and domesticated biodiversity; - Develop legislative frameworks for the import, export and exchange of genetic and species resources; - Develop community utilization and benefit sharing frameworks; - Develop protection of community intellectual property. - Develop incentives for community involvement and education in and outside of protected areas; - Enhance regulations and enforcement of legislation concerning biotechnology; - Improve EIA system and cost benefit analysis for projects impacting on biodiversity; - Develop necessary baseline standards; - Ensure policy and programme compatibility with existing cultural contexts; - Improve biodiversity, conservation, and genetic research.
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PART 2
IMPROVED LAW DEVELOPMENT AND IMPLEMENTATION STRATEGIES

PILLAR 1

EDUCATION AND JUSTICE



6.1 ENVIRONMENTAL EDUCATION & JUDICIAL CAPACITY DEVELOPMENT

Aim 1: Specialised environmental law, policy and research centres are established.

Aim 2: Curricula at primary, secondary and tertiary education levels are greened.

Aim 3: Legal Aid Centres are established and strengthened.

Aim 4: Environmental law capacity development programmes are established for judicial, legal and enforcement professionals.

The judiciary, as a branch of government, has a fundamental duty to ensure a clean and healthy environment in so far as it is protected within the Constitution and the existing legal frameworks.⁹⁰ It is the judiciary that is responsible for the protection of constitutional rights and obligations, and the interpretation of legislation and public policy, and thus one of the primary custodians of the rule of law. As such, the judiciary and legal professionals appearing before and assisting the courts have the capacity to make an important impact on environmental protection, particularly in the light of the currently limited opportunities for public interest litigation and access to courts concerning environmental matters.

To improve and promote environmental rule of law, judges and other legal professionals need to be especially vigilant and sensitive towards environmental issues and develop environmental law, compliance, and enforcement consistency through the cases that come before the courts. Confidence in the ability of the judiciary to resolve environmental disputes or violations is vital for ensuring environmental rule of law and voluntary compliance. Environmental adjudication must thus be fair, well-reasoned, and efficient and the remedies provided must be effective and enforceable - solutions that prevent environmental harm and stop further environmental degradation should be available and justice must be seen to be done.

⁹⁰ Article 13(1) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

To achieve this an improved knowledge and broad understanding of environmental issues is needed across all sectors but especially the legal sector. Interdisciplinary forums for the study, development and promotion of environmental law, policy and capacity are therefore needed. Such forums should allow for the exchange of ideas, testing of policies and co-ordinated, contextualised responses to environmental challenges. They should also serve as hubs for the sustainable retention of knowledge, the provision of support and training resources for regional environmental protection authorities, and the strengthening of environmental curricula at the tertiary level.

6.1.1 CONTEXT AND TARGETS:

To ensure the judiciary is able to build and maintain the necessary confidence and effectively fulfil its constitutional duty of ensuring a clean and healthy environment, environmental disputes must be presided over by capable judges and supported by a network of trained professionals knowledgeable on environmental law, policy and best practice. Given the complex and fast developing nature of environmental law and policy, and the recent proliferation of Ethiopian environmental legislation, there is an urgent need to establish training programmes to develop and update the environmental legal knowledge and skills of all professionals involved with the enforcement of environmental law. Many of the current legal, policy and enforcement officials received their training before environmental law became a major area of law. This situation is not unique to Ethiopia and a “lack of understanding of the many unique aspects of environmental cases, ranging from standing requirements to substantive law, is a common problem” in many jurisdictions.⁹¹ An improved knowledge of environmental law, however, can result in well-reasoned written judgments, which judgments have the capacity to not only serve as valuable educational tools, raise awareness and shape public opinion but to also strengthen enforcement consistency, perceived legitimacy and voluntary environmental compliance.

To improve the level of judicial and law enforcement officials’ knowledge of environmental issues, the establishment and strengthening of Environmental Resource Centres is necessary. These Centres will provide focused support for the development of effective environmental law and policy training, conduct research, review implementation and enforcement activities, raise environmental awareness, support public engagement with environmental issues and provide legal support. These Centres, which will be established at selected universities taking into account geographic and regional location will play a vital role in ensuring environmental law is integrated into the curricula of all relevant disciplines. Due to the often complex and cross-cutting nature of many environmental issues these centres will also be the focal points for facilitating cross-sectoral and industrial partnerships within the academic, public and private contexts.

It is expected that these centres will play a key role in establishing an environmentally proactive judiciary and body of legal practitioners, and enhancing the knowledge and capacity of law enforcement officials. In addition, while raising environmental awareness and sensitising Ethiopian society to environmental issues, these Centres will be instrumental in establishing and strengthening legal aid centres, which will play a key part in assisting communities to obtain environmental justice by seeking solutions, through both hard and soft legal interventions, to pressing environmental matters.

⁹¹ Environmental Rule of Law, First Global Report, UN Environment Programme, 2019, p.203.

- Target 1:** Judges and legal professionals at all levels are aware of, understand and can effectively enforce environmental law.
- Target 2:** Enforcement professionals at all levels are aware of, understand, and can implement the Ethiopian environmental law framework.
- Target 3:** Environmental Resource Centres are established at selected regionally representative Universities
- Target 4:** Environmental Resource Centres develop specialised environmental law training curricula and legal professionals, with specialised environmental law knowledge, graduate into practice.
- Target 5:** Environmental Resource Centres support ongoing research, development and review of Ethiopian environmental issues.
- Target 6:** Environmental Resource Centres facilitate academic, public and private cross-sectoral and interdisciplinary co-ordination and partnerships.
- Target 7:** Environmental Resource Centres support respective regional EPA'S and enhance institutional capacity
- Target 8:** Environmental Resource Centres work closely with legal aid centres.

6.1.2 Environmental Education and Judicial Capacity Development Action Plan

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
A im 1.1.1: Specialised envi ronmental law, policy and research centre s are establishe d									
i)	Specialised Environmental Resource Centres (ERC) are established at relevant Universities	a) Identify regionally representative universities and establish ERCs					- EFCCC - Universities - ERCs - Research Centres - Regional Authorities - Sectoral Regulatory bodies - Private sector - International Universities - Partner countries - Partner organisations	Each Region has at least two University ERC by 2030	Links to Aim 2.1.1(i)(a), 2.1.4(i)(a)
		b) Identify regionally appropriate sectoral focuses						ERCs develop and practically engage and support environmentally relevant regional concerns	Links to Aim 2.1.1(i)(a)
		c) Identify regionally relevant research priorities							Links to Aim 2.1.1(ii)(h)
		d) Identify relevant non-legal partner departments						Collaboration exists between legal and sciences departments	Links to Aims 1.1.2 (i)(c), 1.1.3(i)(c), 2.2.1(iii)(o), 2.3.1(ii)(i)
		e) Identify regional partner institutions (EPA’s, private sector, government agencies)						ERCs play a strong support, research and collaboration/ coordination role for environmental regulatory institutions.	Links to Aims 2.1.1(v)(u)&(v), 2.2.1(iii)(g),(i)&(o), 2.2.1(v)(e),(f)&(p)
		f) Develop academic, public and private partnerships (regional, national & international)							2.3.1(i)(a), 2.3.1(ii)(g)&(i), 2.3.2(i)(b), 2.3.2(ii)(f)&(h)
		g) Establish co-operation MOUs between various ERCs							Links to Aims 2.2.1(v)(p), 2.3.1(i)(f), 2.3.2(i)(d)

		h) Establish appropriate information exchange systems and networks between ERCs						Regional and National dialogue platforms are developed.	Links to Aims 2.2.1(iii)(j), 2.3.1(ii)(p), 2.3.2(i)(a), 2.3.2(ii)(h)
ii)	Enhance the Environmental Capacity of ERCs and academic staff	i) Develop academic partnerships with International universities and environmental institutions					- Universities - International universities - Research Institutes - EFCCC - MoSHE - Partner countries - Development partners	ERCs have specialised academics and environmental capacity	Links to Aims 2.2.1(v)(o)&(q), 2.3.1(v)(w), 2.3.2(i)(d), 2.3.2(iii)(m)
		j) Establish mentoring programmes with international universities and environmental institutions						Knowledge and experience is exchanged	Links to Aims 2.3.1(v)(w)&(x)
		k) Develop and implement specialised environmental training modules for academic staff						Academic staff are updated on environmental developments. Information is retained and disseminated	Links to Aim 1.1.3(i)(a), 2.2.1(iii)(i)
		l) Include ERCs members in relevant sectoral training and workshops							Links to Aim 2.1.1(iii)(l), 2.2.1(iii)(i), 2.2.2(i)(b)&(c), 2.3.1(v)(v) 2.3.2(ii)(i),
		m) Develop environmental law and sciences PhD exchange programmes						Domestic environmental expertise are enhanced.	Links to Aims 2.3.2(i)(b)
A im 1.1.2: Curricula at pri mary, secondary and tertiary education levels are greened									
i)	Educational curricula at all levels are greened	a) Develop environmental education programmes at primary, secondary and tertiary levels					- EFCCC - ERCs - MoE	Integrated and cross-disciplinary knowledge of	Links to Aims 3.2.3(i)(g), 3.2.3(ii)(j)

		b) Develop specialised environmental subjects at tertiary level (environmental economics, environmental law, Geographic information Systems, environmental monitoring etc.)					- MoSHE - Universities - International Universities - Research Centres	environmental principles, laws and sciences is established at all education levels. Awareness of Environmental risks and management exists	Links to Aims 1.1.1(i)(d), 1.1.3(i)(c), 2.1.4(i)(e), 2.2.1(iii)(i), 2.3.2(ii)(i)&(j)
		c) Introduce environmental linkages and components across disciplines and subjects (economics, law,							

		planning, science, business, engineering etc)						Specialists in environmental subjects graduate.	
		d) Introduce environmental extra curricula activities (environmental clubs, amateur monitoring initiatives, environmental camps etc)					- Schools - Universities - ERC's - Local authorities	Awareness and interest in environmental issues are introduced to students. Students can support data collection and awareness creating efforts	Links to Aim 3.2.3(i)(d)
		e) Develop communication and education strategies to raise public awareness (environmental rights and obligations, whistle blowing procedures, available institutional assistance)							Links to Aims 1.1.3(i)(d), 1.2.2(i)(f), 2.3.1(ii)(e) & 3.2.3(i)&(ii)
Aim 1.1.3: Legal Aid Centres are established									
i)	Establish environmental law clinics	a) Necessary staffs are appointed (lawyers, paralegals, etc.)					- Universities - ERC's - Bar associations	Two Universities per region have established law clinics	Links to Aim 1.1.1(ii)(k)
		b) Obtain necessary practice licences					- Regional Justice Bureaus - International Partner Organisations - Civil Society	All law clinics have the necessary legislative approvals	Links to Aim 1.4.3(i)(c)
		c) Develop partnerships with ERCs and other relevant Departments						Clinics, ERCs and other Departments work together to build cases and gather evidence	Links to Aims 1.1.1(i)(d), 1.1.2(i)(c), 2.2.1(v)(p)

		d) Develop community outreach and awareness strategies						Communities are aware of available remedies and where they can access them	Links to Aims 1.1.2(i)(e), 3.2.3(i)&(ii)
		e) Establish support desk for civil society organisations						Civil society and ERCs work together to ensure environmental protection	Links to Aims 1.3.2(i)(e), 3.2.3(i)(g), 3.2.3(ii)(o)&(p)
Aim 1.1.4: Environmental law capacity development programmes are established for judicial, legal and enforcement professionals									
i)	Develop environmental law and policy programme for judiciary and legal professionals	a) Develop a comprehensive and accessible judicial handbook on Ethiopian environmental law and policy framework					- ERCs - EFCCC - CSU - JLRTI - AG - Development Partners	Comprehensive compilation of environmental principles and resources is available	Links to Aims 1.1.1(i), 1.2.1(i)(f), 1.2.2(i)(c), 1.4.2(i)(b), 2.1.2(ii)(h)
		b) Develop and implement training programmes on environmental law and policy for the judiciary at all levels (existing)						Existing adjudicatory officers, prosecutors, and legal practitioners are brought up to date on environmental	
		c) Develop and implement training programmes on environmental law and policy within the Prosecutorial services (existing)							

		d) Develop and implement training programmes on environmental law and policy for legal practitioners (existing)						laws, principles and developments	
		e) Develop and integrate environmental training into the training programmes and curricula of responsible professional institutions						Professional training bodies ensure sufficient practical	
ii)	Develop environmental law and policy programmes for enforcement officials	f) Develop and implement environmental law and policy training programmes with relevant enforcement officials (EPA's, Police, Inspectors etc)					- ERCs - EFCCC - CSU - JLRTI - AG - Partner Organisations	understanding of environmental law and protection.	Links to Aims 1.1.1(i), 1.1.2(i), 1.1.4(i)(e), 1.4.2(b), 2.1.1(i)(c), 2.1.1(iii)(k)&(n), 2.1.2(ii)(h), 2.1.4(i)(e)&(g), 2.2.1(iii)(g)&(i), 2.2.2(i)(b), 2.3.1(v)(x), 2.3.2(ii)(i)
		g) Develop relevant support resources for sector specific enforcement strategies					- EFCCC - ERCs - Partner Organisations - Training Colleges	Sector specialised and focused enforcement officials are trained and engaged	Links to Aims 1.1.1, 1.2.2(i)(c), 2.1.1(ii)(g), 2.1.1(iii)(k)&(n), 2.1.1(iv)(r), 2.1.2(i)(c)&(d), 2.1.2(ii)(h), 2.1.4(e)&(g), 2.1.4(i)(i), 2.2.1(iii)(g)&(i), 2.2.1(v)(q), 2.2.2(i)(b), 2.3.1(v)(x), 2.3.2(ii)(i)

6.2 GREEN TRIBUNAL & BENCHES

Aim 1: Specialised federal level administrative environmental tribunal is established.

Aim 2: Green benches in regional and federal level High Courts and Supreme Courts are established.

Aim 3: Community and local level environmentally focused alternative dispute mechanisms are encouraged and facilitated.

Many Environmental cases involve both legal and highly technical scientific issues. As scientific knowledge and technologies advance these cases are becoming ever more complex and will require specialist expertise to manage and resolve. Environmental cases also present numerous unique requirements such as stringent time considerations, with the need for both rapid responses and resolution and the consideration of long-term time horizons. The need for a broad recognition of standing, a range of legal remedies, including civil, criminal and administrative, as well as, the necessity of innovative, efficient and effective solutions that address actual harms caused are also vital necessities when dealing with environmental disputes.

The creation of specialised environmental tribunals and development of environmentally knowledgeable courts are two ways to ensure the adjudication of environmental cases can meet the additional considerations environmental matters require. Specialised environmental adjudicatory bodies can ensure that the personnel responsible for adjudicating environmental matters have the necessary skills and procedural resources to make effective and sustainable findings. These specialised bodies can provide much needed streamlined procedures, thus allowing cases to be dealt with more swiftly and ensuring broader access, scientifically appropriate evidentiary procedures, and proportionate responses and remedies.⁹²

The encouragement of community level dispute resolution procedures is another important aspect of ensuring environmental rights are protected, particularly in Ethiopia where resource constraints and geographic accessibility create significant barriers to formal legal adjudication. As such, customary and traditional environmental dispute resolution systems at the local community level should operate in tandem with the formal judicial and administrative environmental enforcement systems and communities should be empowered to resolve environmental concerns through these methods.

6.2.1 CONTEXT AND TARGETS:

One of the current difficulties for the effective enforcement of environmental laws within Ethiopia is a lack of environmental technical expertise on the part of both judges and prosecutors. This gap often leaves the courts reluctant to engage with environmental matters and prosecute violations that require the use of technical reports and scientific understanding.⁹³ A second area of difficulty is the procedural and practical barriers to accessing courts;⁹⁴ capacity constraints that cause delays; and rigid

⁹² Environmental Rule of Law, First Global Report, UN Environment Programme, 2019, p 211.

⁹³ Venkov, J. *Environmental Law Enforcement in Ethiopia* Ministry of Environment Forest and Climate Change, Ethiopia (2018) at p. 15.

⁹⁴ *Ethiopia: Legal and Judicial Sector Assessment* (2004) Legal Vice Presidency World Bank at p. 29.

ineffective remedies that fail to address environmental damage and prevent the enforcement of Ethiopian environmental laws. Thirdly, a lack of institutional integration and

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mandate clarity prevents communication and collaboration between inspectors, EFCCC officials, prosecutors and stakeholders and prevents the achievement of strategic interventions intended to strengthen environmental rule of law. All of these factors are significant stumbling blocks for the successful enforcement of existing Ethiopian environmental laws.

To address these issues and facilitate the implementation and enforcement of Ethiopian environmental law, the creation of a specialised environmental tribunal is envisaged. The tribunal will operate at a federal level and oversee the effective implementation of environmental law and enforcement actions. This quasi-judicial body will improve access to environmental remedies, provide scope for alternative dispute resolution mechanisms, ensure timely dispute resolution and facilitate institutional enforcement integration. Through a combination of environmentally trained adjudicators, the availability of expert assessors and focused procedures meaningful solutions and improved environmental protection and harm prevention can be achieved.

While the Tribunal will alleviate the pressure of administrative enforcement actions on the judicial system, due to the cross-cutting nature of environmental law it will be necessary to ensure High courts and Supreme Courts at both the regional and federal level are able to effectively adjudicate environmental matters. For this reason, steps will be taken to improve the environmental expertise of judges in these courts and designate green benches and procedures.

Environmental adjudicatory bodies will aim to achieve the following:

- Fast and efficient resolution of disputes
- Streamlined, flexible, clear and balanced procedures (post-filing conferences, case-flow management, etc)
- Simplified evidence collection procedures
- Expert assessor assistance
- Enhanced access (address geographical and financial barriers – circuit courts, electronic filing and waiver or reduction of court fees and security bonds)
- No legal costs awards or costs capping
- Pro bono representation or advice or available experts
- *Amicus curiae* participation
- Publication of written and reasoned decisions

Target 1: An effective environmental tribunal is established to oversee environmental law enforcement and dispute resolution.

Target 2: Rules and procedures for the environmental tribunal are developed and implemented.

Target 3: Joint inspection and prosecutorial units are established.

Target 4: Green judges and benches are designated and established at Regional and Federal level High Courts and Supreme Courts.

Target 5: Environmental experts are identified to support and assist in environmental adjudication.

Target 6: Alternative dispute resolution mechanisms at community levels are facilitated.

6.2.2 Green Tribunal and Bench Action Plan:

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
A im 1.2.1: Specialised federal level administrative environmental tribunal is established									
i)	Establish administrative environmental tribunal	a) Develop legislation for the establishment of an environmental tribunal					- EFCCC - Attorney General - Universities - ERCs - JLRTI - Regional Justice Bureaus - Federal and Regional Courts - Development Partners	Federal level environmental Tribunal is established and operational by 2023	Links to Aims 1.1.2, 1.3.1(i)(d), 1.3. 2(i)(c)&(d), 1.4. 2(i)(b)
		b) Clearly define jurisdiction and institutional mandate						Mandate is clear and no jurisdictional conflicts exist.	Links to Aims 1.3.1(iii)(f)&(g)
		c) Develop Rules and Procedures for the Tribunal (streamlined & flexible, clear and balanced procedures)						Clear, accessible and transparent procedures exist. Unique needs of environmental disputes are taken into account.	Links to Aims 1.1.1, 1.3.2(i)(c)&(d), 3.1.1(ii)(k)
		d) Allow for simplified evidence collection							Links to Aims 1.1.1, 1.3.2(i)(c)&(d), 2.2. 1(ii)(d), 2.3. 2(i)(j)
		e) Qualification criteria of members and terms of appointment determined. Tribunal members are appointed						Tribunal is operational by 2023	Links to Aim 1.1.4

		f) Ongoing training of Tribunal members on environmental adjudication						Tribunal members have updated knowledge of environmental laws and developments.	Links to Aim 1.1.4
		g) Promote awareness of the Tribunal, the remedies it offers and how to access it.					- EFCCC - Regional Authorities	Public and relevant institutions are aware of the Tribunal and how to access it.	Links to Aim 3.2.3(i)(a), 3.2.3(ii)(k),(l) &(o)
		h) Establish links between Tribunal and joint environmental enforcement units					- EFCCC - Attorney General - MoP - Courts - CSU	Environmental matters are properly prepared and referred to the Tribunal. Investigations and evidence is relevant and managed.	Links to Aim 1.3.2(i)(f)&(g), 2.1.1(iv)(t), 2.1.2(ii)(i), 2.2.1(ii)(c),(d)&(e), 2.2.1(iv)(l), 2.2.2(i)(a), 2.2.2(ii)(g), 2.3.1(iv)(t) 3.1.3(i)(c),
Aim 1.2.2: Green benches in regional and federal level High Courts and Supreme Courts are established									
i)	Establish specialised green benches	a) Identify courts and judges to receive specialised green benches					- EFCCC - AG	Two specialised environmental adjudicators are trained within	Links to Aim 1.3.2(i)(c)&(d)
		b) Designate judges for the hearing of environmental matters					- Federal and Regional High Courts		

		c) Provide Judicial training to develop specialised environmental expertise					- EFCCC - ERCs - CSU - JLRTI - AG - Partner Organisations	each regional and federal high court	Links to Aim 1.1.4(i)(b)&(e)
		d) Develop rules for expedited hearings and clarify jurisdiction (allow for <i>amicus curiae</i> , evidence handling, publicly available written judgments, legal costs capping)					- EFCCC - ERC's - AG - Federal and Regional High Courts	Environmental matters are dealt with in clear, transparent and appropriate manner. Clear procedure rules exist.	Links to Aims 1.1.1, 1.3.2(i)(c)&(d), 2.2.3(i)(a)
		e) Identify relevant environmental experts and provide training for judicial assessment					- EFCCC - ERC's - Universities	A pool of environmental experts is available to assist with complex environmental cases.	Links to Aims 1.1.2(i)(b)&(c), 1.1.4(ii)(g)
		f) Allow for circuit courts (enhance access and address geographical and financial barriers)					- EFCCC - AG - Regional Authorities - Regional High Courts	Environmental justice is available to rural and isolated communities.	Links to Aim 1.3.2(i)(c)
Aim 1.2.3: Community and local level environmentally focused alternative dispute mechanisms are encouraged and facilitated									

i)	Develop community level environmental dispute resolution training	a) Identify local level leaders and activists					- EFCCC - ERC's - Regional Authorities - Civil Society - Religious Organisations	Local level communities understand environmental issues and can resolved common environmental issues effectively.	Links to Aims 1.1.2(i)(e), 3.2.2(ii)(g),(h)&(e), 2.3.1(ii)(g)
		b) Provide training on environmental protection and conservation							Links to Aims 1.4.1(i)(e), 3.2.2(ii), 3.2.3(i), 2.3.1(ii)(g)

6.3 ENVIRONMENTAL LAW DEVELOPMENT

Aim 1: Existing national environmental laws are reviewed, gaps are identified, and secondary legislative resources are developed.

Aim 2: Framework environmental law and additional legislation is developed where necessary

Aim 3: Environmental Impact Assessment legislation, mechanisms and procedures are strengthened

Over the past three decades Ethiopia has developed a number of environmental laws, policies and strategies to address the increasing environmental pressures across the country and improve environmental protection. Against the background of Ethiopia's rapid economic growth and industrial development, the pressure to develop the legislation necessary to address emerging environmental issues and ensure economic development takes place in a sustainable manner has been high. In addition, the field of environmental law itself has also developed rapidly over the past few decades and has emerged as a unique global area of law, with specific features requiring a shift from traditional legal doctrines and practices.

One of the areas of Ethiopian environmental law that requires an updated legal approach is the role of individuals, communities and civil society within environmental enforcement. These members of the Ethiopian public can play an important part in the monitoring and enforcement of environmental laws, particularly when government is unable or limited in its ability to act – collective monitoring by the general public can significantly facilitate the implementation and enforcement of environmental laws (provide there are avenues for observed violations to be addressed). For this reason, clear legislative guidelines to facilitate public participation and access to information by the general public are needed.

Link to this is the need for the existing rules on standing, or the right of an individual or organisation to bring a matter before court, to be expanded. Traditional standing rules and interpretations were originally designed to prevent the general public from suing for general harms and are often at odds with the pro-active preventative character of environmental law. In the light of the important role played by individuals, communities and civil society in protecting common resources and the significant effect public interest litigation can have on developing and implementing substantive environmental law, many legislatures and courts across the globe have elected to establish broad standing rules. Ethiopia intends to do the same.

A second area where Ethiopian environmental law requires an updated approach concerns remedies and the need for adjudicatory bodies to effectively and efficiently address environmental harms. Without suitable remedies capable of providing proportionate responses, resolving disputes, facilitating dialogues and addressing the environmental harms caused, people will lose confidence in the ability of environmental adjudicatory bodies to resolve disputes and environmental rule of law will become increasingly difficult to establish. Adjudicatory bodies should therefore have a range of remedies available to them, which not only have a deterrent effect but also focus on encouraging regulated communities to comply with environmental laws.

6.3.1 CONTEXT AND TARGETS:

In the light of these features and the quickly developing Ethiopian economy, there is a need to review existing legislation and enact amendments to develop, update, fill gaps and operationalise the relevant proclamations. There is a further need to enact new legislation to address issues surrounding standing, remedies, whistle blower protection, administrative enforcement action, facilitation of public participation and access to information, and various other distinctive procedural aspects of environmental law. A framework environmental law that contributes towards the avoidance of fragmentation and closes gaps common to much of the existing environmental legislation will therefore be developed.

6.3.1.1 *STANDING*

As environmental law seeks to protect common interests and resources and aims to prevent damage before it occurs, a narrow interpretation of standing, or the right to bring a matter before court, can prove to be a significant obstacle for the effective implementation and enforcement of environmental law. If communities and individuals are prevented from utilizing courts and adjudicatory bodies to enforce environmental law, they will be unlikely to participate in the monitoring and enforcement of environmental laws and will lose confidence in the ability of courts to provide relief.

While the Ethiopian Constitution gives everyone the right to bring a justiciable matter to a court of law or any other competent body with judicial power,⁹⁵ and affirms the right of any association representing the collective or individual interests of its members, any group, or person to seek a judgment or decision;⁹⁶ the application of standing principles in practice is decidedly narrow. The Ethiopian Civil Procedure Code⁹⁷ allows only a person with a vested interest to act as a plaintiff and the interpretation of what constitutes a vested interest is particularly narrow.

Further, there appear to be significant misconceptions of both the substantive and procedural laws, as well as, a lack of awareness and judicial activism when environmental matters are concerned.⁹⁸ The matter of *Action for Professional's Association for the People (APAP) vs. Environmental Protection Authority*⁹⁹ illustrates these legislative and interpretive short-comings. In this matter, both the court of first instance and the appeal courts held that article 11(2) of the Environmental Pollution Control Proclamation,¹⁰⁴ which deals specifically with standing and the right of a party to institute court action should it be dissatisfied with a decision of the then EPA, did not permit the APAP to sue the then EPA to take action. This decision was based on reasoning that held the provisions of the Environmental

⁹⁵ Section 37 of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

⁹⁶ Section 37(1) & (2) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

⁹⁷ Article 33(2) of the Civil Procedure Code, Decree 52 of 1962.

⁹⁸ M.G. Faure & W. Du Plessis (Eds) *The Balancing of Interests in Environmental Law in Africa* (2011), Pulp

⁹⁹ *Action for Professional's Association for the People (APAP) vs. Environmental Protection Authority*, the Federal Democratic Republic of Ethiopia Federal First Instance Court, File No. 64902, 1999 E.C.; Federal High Court, File No. 51052 (12 June 2008); Federal Supreme Court Cassation Division, File No. 39779 (3 December 2008). ¹⁰⁴

Proclamation 300 of 2002.

Pollution Control Proclamation did not permit civil society organisations to bring action against government organs.

These difficulties show not only the importance of judicial awareness surrounding environmental law but also the need for strong environmental framework legislation capable of creating a cohesive and uniform legal approach to environmental matters. The APAP case also highlights the need for a broadened threshold for standing and institutional support for civil society legal interventions, even when such interventions are targeted towards the environmental protection agencies.

Proposed legal developments on environmental standing:

- Expand standing for all environmental Proclamations;
- Expand legislation to allow interested parties to hold environmental wrongdoers (including government) accountable through both civil and criminal actions (alternatively create an environmental ombudsman for complaints against government);
- Expand standing to allow pre-emptive environmental protective action;
- Expand standing to allow for actions in the public interest (discontinue the vested interest and actual harm requirements for environmental matters);
- Expand standing to include the right to bring “citizens suits” to enforce environmental law (upon notice to government and accused party).

6.3.1.2 REMEDIES

The absence of legal remedies that provide meaningful redress for environmental harms has the potential to undermine the perceived legitimacy of adjudicatory processes and thus environmental law as a whole. The majority of existing Ethiopian environmental legislation provides only for the imposition of fixed, often inappropriate monetary fines or imprisonment.¹⁰⁰ While these remedies for environmental wrongdoings may have a deterrent effect, they do not provide sufficient scope for the provision of proactive relief, capable of preventing environmental harm from occurring, or rehabilitating environments already damaged. Remedies that focus solely on the catching and punishment of environmental wrongdoers contribute towards the creation of a culture of noncompliance, particularly when inadequate enforcement action or disproportionate consequences exist.

In this regard, the current use of fixed fine amounts presents difficulties. In certain circumstances the stipulated amount may be too low or devalue over time due to inflation and currency fluctuations. This can leave monetary penalties too low and easily factored into a violator’s “costs of doing business”. In other circumstances, particularly in more rural or impoverished areas, the amounts can be perceived as excessive and thus impact on the willingness of courts and prosecutors to enforce the legislation and its penalties. An important principle to follow when imposing monetary fine amounts is therefore

¹⁰⁰ While a number of the existing Proclamations do provide for remedies beyond imprisonment and fines and recognize certain administrative remedies, the relevant environmental bodies and agencies are not empowered to enforce them.

to ensure, at the very least, that the amounts imposed aim to recapture the economic benefits or profits gained from environmental violation.

The deterrent effect of current criminal sanction and terms of imprisonment are also limited in certain circumstances. Firstly, the emergence of new industry structures not recognised as ‘juridical persons’ in terms of the Ethiopian Revised Criminal Code¹⁰¹ have created loopholes that create difficulties in holding certain entities accountable.¹⁰² Secondly, there is ambiguity regarding how to hold government bodies accountable.¹⁰⁸ Since the ability to hold government bodies accountable and seek proactive remedial orders is an important aspect of establishing environmental rule of law, this issue must be clarified and actions against government bodies for the enhancement of environmental protection allowed. Thirdly, Criminal prosecutions may only be instituted by public prosecutors. While provision is made for private prosecutions¹⁰³ only those directly affected, their spouse, legal representative or body corporate may do so. This restriction prevents the institution of proceedings in the public interest and removes a valuable tool for the creation of environmental rule of law and effective enforcement.

The current availability of civil remedies for environmental damages is also limited. Only those with a vested interest, and only in circumstances where there is material damage or clear imminent harm, can these remedies be utilised. This means civil action cannot be taken against those who have knowingly violated environmental Proclamations but caused no actual damage at the time relief is sought.¹⁰⁴ This means preventative action for environmental protection cannot be taken.

In the light of this and the inability of available remedies to adapt to the nature or severity of a violation, the perceived legitimacy of environmental laws and thus the willingness of enforcement officials to implement them is impacted. More responsive and environmentally focused remedies must therefore be provided for. An escalation approach, starting with education, persuasion and warning letters and ending with criminal sanctions and licence revocations is preferred. In addition, adjudicatory bodies will be given the necessary discretion to ensure that not only do environmental wrongdoers receive appropriate punishments, but also that damaged environments are rehabilitated, and affected communities are compensated. A range of flexible, timely, responsive and proportionate remedies, including informal, administrative, civil and criminal measures, will therefore be made available.

Proposed legal developments on environmental remedies:

¹⁰¹ Ethiopian Revised Criminal Code, 2004.

¹⁰² In terms of the Revised Criminal Code criminal sanctions can only be sought against ‘juridical persons’ as defined in section 34(4). While ‘Juridical persons’ are defined broadly to include a range of legally recognized organisational arrangements, the definition unfortunately excludes newly emerging industrial structures that do not fall within the definition. ¹⁰⁸

Section 34(1) specifically excludes administrative bodies of the State but section 34(4) includes governmental structures.

¹⁰³ Article 44 and 47 of the Criminal Procedure Code Proclamation 1961

¹⁰⁴ DG Janka, *Remedies for Environmental Wrong-doings in Ethiopia* 1 Mekelle University Law Journal 2 (2013) at p.17.

- Adjudicatory bodies are empowered to exercise discretion in the formulation of responsive and circumstance appropriate legal remedies;
- Remedies are expanded to include supplemental environment projects;
- Remedies are expanded to include corrective and restorative orders (clean-up of contaminated areas/ rehabilitate damaged ecosystems to previous condition etc.);
- Remedies are expanded to include preventative and declaratory orders (maintain the status quo/ cease harm/ take immediate preventative action);
- Remedies are expanded to include compensation (Compensation from time of loss until environment restored to baselines levels/ restoration plans to restore or replace the damaged resource and ecosystems/ medical monitoring or insurance for impacted individuals);
- Remedies are expanded to include broad civil penalties;
- Remedies are expanded to include broad criminal penalties (Imprisonment should be reserved for cases where defendants intended to engage in illegal conduct or were grossly negligent. Penalties against companies could include loss of license to operate, disbarment from government contracts);
- Remedies are expanded to include sliding fine determinations (taking into consideration how much money a violator profited or benefited from the violation/ States investigation and enforcement costs/ legal fees of government agency or citizen or NGO bringing the action);
- Remedies are expanded to include innovative programs such as environmental education programmes for violators, community service etc.;
- Power of adjudicatory bodies to exercise oversight and judicial monitoring functions is expanded.

6.3.1.3 *PROCEDURAL AND INSTITUTIONAL*

In addition to addressing broad legal issues of remedy and standing, legislative developments that allow for administrative environmental law enforcement are needed. By empowering environmental agencies to take effective enforcement action for less serious and more commonplace infractions, the costs and delays associated with formal court processes can be avoided and the burden of regulating minor offences on judicial enforcement mechanisms can be removed. The possibility of instituting appeal or review proceedings to judicial bodies will remain.

Within the current Ethiopian context, while environmental agencies are empowered in numerous Proclamations to make orders for corrective action, they have not been empowered to enforce such orders and lack the necessary procedural competencies. Further, there is an absence of reciprocal duties and obligations on other government institutions to ensure co-operation with the federal and regional environmental agencies and relevant action.

Environmental law developments dealing with procedural and institutional matters will therefore take a two pronged approach. Firstly, the Green Tribunals and Benches discussed under Aim 1.2. above will ensure environmental adjudication by specialised officers, who have a range of available tools to respond to environmental law violations quickly, flexibly, and meaningfully. Secondly, the enforcement

authority of environmental agencies will be strengthened. Legislative developments to ensure enforcement officials are appropriately empowered to take effective enforcement actions, such as the right to carry out planned and unannounced inspections, seize evidence, issue infraction notices and administrative proceeding notifications, amongst others, will be needed. The legal framework to allow for these institutional enforcement mechanisms is also needed.

Proposed Legal Developments for effective procedural and institutional structures:

- Legislation to remove financial barriers to court access is developed;
- Legislation and guidelines for the determination and calculation of monetary compensation is developed;
- Legislation to allow for the hearing of matters with environmental expert assessors is developed;
- Legislation to allow for continuing court or tribunal oversight of corrective orders (commission appointment/ periodic observer etc.) is developed;
- Legislation to allow for the creation of green benches is developed;
- Legislation to allow for the creation of an environmental tribunal is developed;
- Legislation to protect whistle blowers and environmental defenders is developed;
- Legislation to allow for administrative remedies and effective (non-legal) monitoring and enforcement action by environmental bodies is developed. Officials will be empowered to carry out:
 - Inspections (incl. right to enter) ○
Investigation (incl. right to seize evidence)
 - Persuasion
 - Warning letters/ Notice of violation ○
Administrative penalties
 - Corrective orders and forfeiture of items ○
License or permit variation
 - License or permit suspension or revocation
 - Compliance monitoring and inspection capabilities ○ Internal review and appeal
- Legislation to allow for integrated permitting systems is developed;
- Legislation to compel institutional co-operation with environmental bodies is developed;
- Legislation to encourage and regulate public participation is developed;

- Legislation to encourage and regulate access to information is developed
- Legislation and guidelines for the facilitation of alternative dispute resolution at community level and the encouragement of legal pluralism is developed;
- Legislation to allow for the redirection of a portion of fine amounts to enforcement agencies or rehabilitation funds is developed;
- Legislation to establish incentive mechanisms is developed.

Target 1: A comprehensive review of existing environmental legislation is conducted and legislative gaps and institutional capacity constraints are identified.

Target 2: Required secondary environmental legislation is developed, updated and enacted.

Target 3: Existing environmental Impact Assessment legislation, institutional capacity and implementation mechanisms are strengthened.

Target 4: Framework legislation to address unique environmental law requirements is developed.

Target 5: Guidelines and handbooks for the effective implementation and use of legislation are developed for adjudicatory bodies and environmental bodies.

6.3.2 Environmental Law Development Action Plan:

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
A im 1.3.1: Existing national environmental laws are reviewed, gaps are identi fied, an d secondary legislative resources are developed.									
i)	Conduct a review of existing environmental legislation	a) Comprehensive review of all national environmental legislation is conducted to identify legislative, implementation, and capacity gaps					- EFCCC - Attorney General - ERCs - Regional Justice Bureaus - Regional EPA’s - Relevant line ministries - Development Partners	Legislative, capacity and implementation gaps are identified. Institutional weaknesses and needs are determined. Practical mechanisms are identified.	Links to Aims 1.1.1, 1.3.1(ii), 1.4.3(i)(b)&(d), 2.2.1(i)(a), 2.3.1(i)(a),(b)&(c), 2.3.1(iii)(l)
		b) Comprehensive review of all international environmental agreements ratified by Ethiopia is conducted to identify legislative, implementation, and capacity gaps							Links to Aims 1.4.2(i)(e), 1.4.3, 2.2.1(i)(a), 2.3.1(i)(b)&(c), 2.3.1(iii)(l)
		c) Comprehensive review of secondary legislation is conducted to identify legislative, implementation, and capacity gaps.							Links to Aims 1.4.3(i)(d), 2.2.1(i)(a), 2.3.1(i)(b)&(c), 2.3.1(iii)(l)
	ii)	Update, amend and develop all relevant	d) Update and amend all relevant primary legislation						Legislative gaps are closed and

	environmental legislation	e) Update, amend and enact relevant secondary legislation						comprehensive environmental legislation is in place to ensure environmental protection	1.4.1(i)(f), 1.4.2(i)(c), 1.4.3(i)(d), 2.1.3(i)(d)&(e), 2.1.4(i)(h), 2.1.4(iii)(p)&(o), 2.2.1(i)(b), 2.2.1(iv)(k),(m)&(s), 2.2.2(ii)(f), 2.2.3(i)(a), 2.3.1(i)(e),
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									2.3.1(iii)(m)		
iii)	Conduct Institutional mandate and process mapping	f) Identify mandates of all relevant institutions engaged by legislation						Institutions are aware of their legislative obligations. Processes and working relationships are defined and regularised.	Links to Aims 1.2.1(i)(b), 1.3.3(i)(c), 1.4.1(i)(a), 1.4.3, 2.1.2(ii)(f), 2.2.1(i)(b), 2.2.1(iv)(l)&(m), 2.2.2(i)(a), 2.2.2(ii)(e)&(g), 2.2.3(i)(b), 2.3.1(i)(a), 2.3.1(iii)(l)&(p), 2.3.1(iv)(s)		
		g) Define operational structures and jurisdictions							Links to Aims 1.2.1(i)(b), 1.3.3(i)(c), 1.4.1(i)(c)&(d), 1.4.3, 2.1.2(ii)(f)&(g), 2.1.4(i)(d), 2.1.4(ii)(k), 2.2.1(i)(b), 2.2.1(iv)(l)&(n), 2.2.2(i)(a), 2.2.2(ii)(e), 2.2.3(i)(b), 2.3.1(i)(a),(c)&(d), 2.3.1(iii)(l), 2.3.1(iv)(s), 2.3.2(i)(e)		
A im 1.3.2: Framework envi ronm										ental law and additional legislation is	develo ped where necessary

i) Develop framework laws and additional updated environmental	a) Expand the standing requirements for environmental matters					- EFCCC - Attorney General	Environmental challenges in the public interest can be brought	Links to Aims 1.1.3, 1.2.1(i)(a), 1.2.2, 1.4.1(i)(f), 1.4.3(i)(c),
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legislation	b) Expand the range of remedies available to address environmental harms and wrongdoings					- ERCs - Regional Justice Bureaus - Regional EPA's - Relevant line ministries - General Public - Development Partners	Remedies that prevent damage from occurring and remedy damage to the environment can be ordered	3.2.3(i)(c), 3.2.3(ii)(k), 2.2.1(i)(b), 2.2.1(vi)(t), 2.2.3(i)(a)
	c) Develop specialised procedures for the adjudication of environmental matters						Environmental matters are dealt with in appropriate and effective manner	Links to Aims 1.2.1(i)(a),(c)&(d), 1.2.2(i)(a)(d)&(f)
	d) Develop legislation for the establishment of Green Benches and Tribunal						Environmental issues are dealt with by specialised adjudicators and forums	Links to Aim 1.2.1(i)(a), 1.2.2(i)(a)&(d)
	e) Develop legislation to protect whistle blowers and environmental defenders						Citizens and civil society assist in environmental protection	Links to Aims 1.1.3(i)(e), 1.2.3(i)(a), 3.1.3(ii) 3.2.2(ii)(h), 3.2.3(i)&(ii)

		f) Develop legislation to expand the monitoring and enforcement capacity of environmental bodies across sectors and administrative levels.					Investigators and institutions are able to take effective proactive action to stop and address environmental harm	Links to Aims 1.2.1(i)(h), 1.4.3(i), 2.1.1(i)(b), 2.1.3(i)(b)&(e), 2.1.4(ii)(j), 2.1.4(iii)(o)&(p), 2.2.1(i)(b), 2.2.1(vi)(s), 2.2.2(ii)(f), 2.2.2(iv)(k), 2.2.3(i)(a), 2.3.1(i)(c), 2.3.1(iii)(l), 2.3.1(iv)(t)
		g) Develop legislation and regulations to ensure institutional co-operation and integrated permitting					Environmental issues are regulated in a comprehensive, integrated and coordinated manner	Links to Aims 1.2.1(i)(h), 1.3.1(iii)(f), 1.3.3(i)(h), 1.4.1(i)(a),(b)&(c), 2.1.3(i)(a)&(d), 2.2.1(iv)(l), 2.2.2(i)(a), 2.2.2(ii)(f),(g)&(i), 2.3.1(i)(c), 2.3.1(iv)(q), 2.3.2(i)(c), 2.3.2(ii)(f)
		h) Develop legislation to require annual reviews of natural resource and status of the environment					Clear baselines of environmental progress and vulnerabilities exist. Awareness IS created	Links to Aims 2.1.1(v)(u)&(v), 3.1.1(ii)(o)&(p)

		i) Develop legislation to address identified sector gaps						Environmental issues within specific sectors are addressed sustainably	Links to Aims 1.1.1(i)(b), 2.1.1(i)(b), 2.2.1(i)(b)&(d), 2.3.1(i)(b), 2.3.1(iii)(m)
		j) Develop legislation to facilitate public participation						Public become engaged in environmental protection efforts. Local knowledge is utilised. Enforcement efforts gain legitimacy	Links to Aims 1.4.3(i)(b), 3.2.1(i)(a)
		k) Develop legislation to regulate access to information						Citizens are aware of environmental issues and can engage in protection efforts	Links to Aim 3.1.1(i)(a)
Aim 1.3.3: Environmental Impact Assessment legislation, mechanisms and procedures are strengthened									
i)	Strengthen EIA mechanisms, coordination and procedures	a) Develop updated legislation to close identified gaps				- EFCCC - Attorney General - ERCs	No legislative and regulatory loopholes exist as barriers to		Links to Aims 1.3.1(ii)(d), 2.2.2(ii)(d)
		b) Develop and update secondary EIA legislation							Links to Aim 1.3.1(ii)(e)

	c) Rationalise federal and regional EIA processes and jurisdictions					- Regional Justice Bureaus - Regional EPA's - Relevant line ministries - General Public - Development Partners	effective EIA implementation.	Links to Aim 1.3.1(iii)(f)&(g), 2.1.2(ii)(f), 2.1.4(i)(d), 2.2.2(i)(a), 2.2.2(ii)(g), 2.3.1(i)(b), 2.3.1(iii)(l), 2.3.1(iv)(s)
	d) Develop institutional and sector coordination plan						Mandates and responsibilities of all parties are clear. Parties work together to ensure comprehensive EIA system implementation	Links to Aim 1.4.1(i)(c), 2.1.1(ii)(f), 2.1.4(i)(g), 2.2.1(iv)(l), 2.2.2(i)(a), 2.3.1(i)(d), 2.3.1(iii)(k), 2.3.1(iv)(q), 2.3.2(i)(a)
	e) Develop implementation and enforcement strategy							Links to Aims 1.4.1(i)(d), 2.1.1(iv)(o), 2.1.2(i)(a), 2.2.1(i)(b), 2.3.2(ii)(h)

							3.1.1(ii)(n)
	f) Develop environmental cost benefit analysis system					Objective system to evaluate longterm cost benefits of projects is put in place and utilized during EIA approval process.	Links to Aims 2.2.1(v)(q), 2.2.1(vi)(t), 2.2.3(i)(a)
	g) Link EIA approvals to monitoring and evaluation plans					EIA approvals and conditions are linked to M&E plans and schedules within the EFCCC and across line ministries	Link to Aims 1.4.3(i)(a)&(d), 2.1.3(i)(b), 2.2.2(i)(a)
	h) Link EIA approvals to integrated permitting approach						Link to Aims 1.3.2(i)(g), 2.1.3(i)(a)&(c), 2.2.2(ii)(g)

6.4 *OPERATIONALISATION OF LEGISLATION*

Aim 1: Develop phase-in plan for all environmental legal instruments

Aim 2: Develop regulatory operational tools

Aim 3: Develop monitoring and review mechanisms for all environmental legal instruments.

Legislation that is not efficiently implemented or enforced can have significant negative impacts beyond a mere failure to comply. Non-implementation or ineffective implementation of environmental legislation has the potential to undermine the rule of law, as well as, efforts to establish a culture of environmental compliance.

One of the main difficulties encountered within the Ethiopian context is newly enacted, and even existing environmental legislation, is not widely known about. This lack of awareness can be found both within the public and private sectors and amongst the broader population. Further, when awareness of specific legislation exists, there is often a lack of understanding regarding the underlying purpose of the legislation, how the legislation should be implemented in practice and how it is linked to broader environmental threats. In the absence of this underlying environmental understanding on the part of those expected to implement and comply with environmental legislation, it is unlikely any meaningful environmental protection or enforcement can be achieved.

For this reason, phase-in plans will be developed in conjunction with all new legislation, regulations, and treaties. Similar plans will be developed for already enacted legislation. These plans will aim to ensure a pro-active and holistic approach to environmental legislative instruments, the development of strategic partnerships for effective implementation, and appropriate awareness raising strategies at all levels. These plans will also aim to find practical methods to develop co-ordinated responses, delineate mandates and map processes that will ensure environmental legislation is properly implemented and applied.

Target 1: Develop comprehensive phase-in plans for all environmental legal instruments (legislation, regulations, and treaties).

Target 2: Establish institutional co-operation and communication mechanisms.

Target 3: Establish monitoring and evaluation mechanisms for all current and future environmental legislation, regulations, and treaties.

6.4.1 Operationalisation of Environmental Legislation Action Plan:

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
Ai m 1.4.1: Develop phase-i n plan for all environmental legal instruments									
i)	Develop operationalisation plans for all environmental legal instruments	a) Identify institutional stakeholders and mandates					- EFCCC - ERCs - CSU - Regional EPA’s - Relevant line ministries - Development Partners - Civil Society	Institutional mandates are mapped for each sectoral legislative framework and process for effective communication, coordination and cooperation exist	Links to Aims 1.2.1(i)(b), 1.3.1(i), 1.3.1(iii)(f), 1.3.2(i)(g), 1.3.3(i)(c), 2.1.2(ii)(f), 2.1.4(iii)(q), 2.2.1(ii)(e), 2.2.1(iv)(m), 2.2.2(i)(a), 2.2.3(i)(a), 2.3.1(i)(d)&(f), 2.3.1(ii)(g), 2.3.1(iii)(k),(n)&(p), 2.3.1(iv)(s)&(r), 2.3.2(i)(e), 2.3.2(iii)(l)
		b) Develop institutional implementation plans for all environmental legal instruments							
		c) Develop inter-institutional communication and co-operation plans for environmental legal instruments							

		d) Develop enforcement strategies for environmental legal instruments					Methods for effective enforcement are developed for each sectoral legislative framework	Links to Aims 1.3.3(i)(d),(e)&(f), 2.1.1(i)(c), 2.1.4(ii)(k), 2.2.1(ii)(d), 2.2.3(i)(b)
		e) Develop awareness raising, education and community compliance strategies for all environmental legal instruments					High-level strategies for broad-based environmental legislative awareness are developed concurrently with legislation.	Links to Aims 1.1.2, 1.2.3(i)(b), 2.1.1(iv)(o)&(r), 2.1.2(i)(c), 2.1.3(i)(g), 2.1.4(ii)(n), 2.3.1(ii)(g), 3.1.1, 3.2.3(i)&(ii)
		f) Engage regional EPAs during the development of environmental legislation and ensure information sharing					Regional EPAs are aware of ongoing activities coordinate their efforts.	Links to Aim 1.3.1(ii)(d)&(e), 1.3.2(i)(a), 2.2.1(i)(b), 2.2.1(iv)(n), 2.3.1(ii)(h)
Aim 1.4.2: Develop regulatory operational tools								
i)	Develop practical measures and tools to facilitate the implementation of environmental legislation	a) Develop guides and explanatory manuals for environmental legal instruments				- EFCCC - ERCs - CSU - Attorney General - Regional EPAs	Accessible level appropriate guides exist for various stakeholders	Links to Aims 1.1.4(i)(a)&(g), 2.1.1(iii)(j), 2.1.1(iv)(r), 2.1.4(ii)(j), 2.1.4(iii)(o), 2.2.1(ii)(c), 2.2.1(iii)(j)

		b) Provide training and capacity development resources on environmental law amendments					- Regional Justice Bureaus - Relevant line ministries - MOF - ESA - CSU - Development Partners - Civil society	Stakeholders are aware of and equipped to integrate legislative amendments	Links to Aims 1.1.1, 1.1.4(i)(b),(c),(d),(e), 1.1.4(ii)(f), 1.2.1(i)(f), 1.2.2(i)(c), 1.2.3(i)(b), 2.1.4(ii)(k), 2.2.1(iii)(h)&(i), 2.2.2(i)(b)&(c), 2.3.1(v)(x), 2.3.2(i)(h)
		c) Conduct monetary and capacity resource analysis for environmental legal instruments						Resources for the effective implementation and enforcement of legislation are	Links to Aims 1.1.1, 1.2.2(i)(a)&(e), 1.3.1(i)(a)&(c), 1.3.1(ii)(d)&(e), 1.3.2, 2.2.1(iii)(g), 2.2.1(v)(o),

								budgeted for and available	2.2.1(vi)(t), 2.2.3(i)(a), 2.3.2(i)(h)
		d) Develop necessary baseline standards for environmental legal instruments						Sector relevant standards necessary for enforcement are in place	Links to Aims 1.1.1, 1.3.1(i)(a)&(c), 1.3.2(i)(f)&(h), 1.3.3(i)(f), 2.1.1(i)(e), 2.1.1(ii)(g), 2.1.2(i)(b), 2.2.1(iii)(g)&(j)
		e) Translate Federal level environmental legislation and treaties into relevant regional languages.					- EFCCC - Attorney General - Regional Justice Bureaus	Federal level legislation is accessible and understandable to regional authorities	Links to Aims 1.3.1(i)(b), 3.1.1(ii)(f)&(g), 3.1.3(i)(a), 3.2.3(i)&(ii)
Ai m 1.4.3: Develop monitoring and review mechanisms for all environmental legal instruments									
i)	Establish monitoring and review mechanisms for all environmental legal instruments	a) Develop regular monitoring mechanisms and periodic impact assessment mechanism for all environmental legal instruments (legislation, regulations, and treaties)					- EFCCC - ERC's - Regional EPAs	Implementation difficulties, legislative gaps and unplanned consequences are detected and addressed efficiently.	Link to Aims 1.1.4, 1.2.1, 1.2.2, 1.3.2(i)(f), 1.3.3(i)(e),(f)&(h), 1.4.1, 1.4.2, 2.1.1(iv)(t), 2.1.2(ii)(i), 2.1.3(i)(d), 2.1.4(i)(b), 2.2.1(iv)(k)

		b) Facilitate periodic comments and inputs from external stakeholder (Universities, Justice Bureaus, Judiciary, Private sector, Civil Society)					Stakeholders can provide feedback at regular intervals	Links to Aims 1.1.1(i)(e), 1.1.3(i)(d), 1.2.3(i), 1.3.1(i), 1.3.3(i)(g), 2.3.1(ii)(i), 3.2.1, 3.2.2(i)(d), 3.2.3,
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		c) Encourage test cases for legislation and jurisprudence development				- ERCs - Civil society - Courts	Legislative frameworks and processes are tested, awareness is raised and environmental rule of law developed.	Links to Aims 1.1.3, 1.3.2(i)(a)&(e), 3.1.1(ii), 3.1.2(i)(h), 3.2.3(i)(c), 3.2.3(ii)(k),(o) &(p)
		d) Establish input and output indicators, and intermediate and final outcome indicators for all environmental legislation, regulations, and treaties				- EFCCC	Success of legislation and extent of implementation is clearly measurable and necessary adjustments can be made.	Links to Aim 1.3.3(i),(ii)&(iii), 1.3.2(i)(f), 2.2.1(i)(a), 2.3.2(ii)(i)&(j)

PILLAR 2

ENFORCEMENT AND INSTITUTIONAL STRENGTHENING



7.1 DEVELOPMENT OF SECTOR SPECIFIC ENFORCEMENT STRATEGIES¹⁰⁵

Aim 1: Priority sectors are identified, profiled and sector specific enforcement strategies are developed

Aim 2: State institutions and key actors engaged across each sector are identified

Aim 3: An Integrated permitting system is established

Aim 4: A system to publish information on and evaluate key actors' environmental performances is established

One of the main reoccurring challenges of ensuring environmental law compliance and enforcement are institutional capacity and coordination. Difficulties, common to the experiences of many countries, include a lack of readiness on the part of regulatory bodies to enforce across all sectors; decentralization and multiple agencies regulating one issue with different or conflicting mandates; challenges in linking various permit systems; financial considerations overriding environmental considerations; a lack of available baseline information and information transparency; and a lack of knowledge from regulated communities regarding what is expected of them.¹⁰⁶

To overcome these difficulties, enforcement solutions tailored to specific sectors and industries are most likely to succeed in achieving sustainable environmental outcomes. A focused approach that facilitates both context specific cooperation and when necessary enforcement is therefore required. To develop such focused compliance and enforcement strategies, information and knowledge of the institutional landscape is needed. From this information well-planned, resource efficient, systematic and appropriate enforcement strategies can be developed and implemented.

These sector specific enforcement strategies, developed from a solid knowledge of sectoral contexts, and spelling out the objectives and methods of the enforcement strategy, will help focus institutions, officials and regulated communities to the most important issues within identified areas. Further, these detailed strategies have the potential to bring public attention to areas of non-compliance and also encourage regulated communities to take pre-emptive corrective action.

¹⁰⁵ A sectoral approach is in-line with the Climate Resilient Green Economy (CRGE) strategy.

¹⁰⁶ Enforcement of Environmental Law: Good Practice from Africa and Asia (Volume II) UNEP (2017).

7.1.1 Context and Targets:

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Over recent years aggressive development programmes have been pursued and implemented across Ethiopia. These programmes and projects have often been implemented without sufficient consideration for environmental impacts and in contravention of various environmental laws and policies. These actions have resulted, amongst others, in the ongoing clearing of virgin indigenous forests for commercial agriculture, uncontrolled use of chemical fertilizers and pesticides, and the conversion of large areas of wetland into commercial farms.

To date, the response of the EFCCC to these violations has been limited. One of the reasons for this limited enforcement response and failure to ensure the integration of environmental considerations and precautions into development programmes has been the diffusion of responsibilities across different sectoral ministries. These diffused responsibilities combined with a lack of coordination and clarity concerning mandate responsibilities has created enforcement gaps and hesitations by responsible institutions to take necessary action. Beyond these institutional co-ordination difficulties, a lack of communication to regulated communities of expected compliance standards, combined with poor knowledge and understanding on the part of regulated communities of how to achieve compliance, and the absence of sectoral industry accountability are strong contributing factors for the existing weak enforcement of environmental laws.

To address these issues, focused and strategic oversight is needed. For this reason, sector specific focused co-ordination, environmental targets, and tactical priorities must be determined. To be effective, these objectives, standards and strategies must be clearly communicated to all interested parties and systematically implemented with partner agencies. Further, it will be necessary to ensure clear responsibilities are assigned and that established priorities and targets remain responsive and flexible to monitoring feedback and changing circumstances. A mixture of incentive-based and command and control measures will form the basis of sector specific strategies and initial guidance and support will be given to regulated communities. As intra-governmental, private sector partnerships and public engagement are vital for ensuring realistic and legitimate environmental goals and a broad understanding of the consequences of non-compliance, collaborative mechanisms will also need to be developed to address environmental impacts.

Target 1: Private sector and intragovernmental partnerships are strengthened.

Target 2: Regulated communities are engaged and encouraged to voluntarily comply and take preemptive corrective action.

Target 3: Information and understanding of priority sectors' institutional landscapes is established.

Target 4: Sector specific, focused, resource efficient and systematic enforcement strategies are developed and implemented.

Target 5: Objectives, environmental targets, standards, and methods of enforcement strategies are clearly established and understood.

Target 6: Public attention and pressure is brought to areas of potential non-compliance.

Target 7: Improved institutional and sectoral co-ordination is established.

Target 8: Information on key sectoral actors' environmental performances is publicly available.

7.1.2 Sector Specific Enforcement Strategy Development Action Plan:

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
Ai m 2.1.1: Priority sectors are identified, profiled and sector specific enforcement strategies are developed									
i)	Identify priority and high risk sectors and develop tailored inspection and enforcement strategies	d) Identify significant sectors within each region					- EFCCC - Regional EPAs - ERCs - Regional Justice Bureaus - Sectoral Regulatory bodies - Sectoral research institutions - Investment Commission - ESA - ECAE - Private sector	In collaboration with regional EPAs environmentally significant sectors are identified for each region	Links to Aims 1.1.1(i)(b), 2.1.4(i)(a), 2.1.4(ii)(q) 3.2.3(i)(f)
		e) Determine sector specific emissions and risks							Links to Aims 1.3.2(i)(f)&(l), 2.1.1(i)(c) 2.1.1(iii)(i), 2.1.1(iv)(o),(p)&(s) 2.1.4(i)(c), 2.2.1(ii)(h), 3.2.3(i)(f)
		f) Develop inspection and enforcement policies for each identified sector						Sector specific enforcement strategies are developed based on risk assessments and sector best practice	Links to Aims 1.1.4(ii)(f), 1.4.1(i)(d), 2.1.3(i)(f), 2.2.1(ii)(e), 2.2.1(vi)(t), 2.2.3(i)(a)&(b), 2.3.1(iii)(k), 2.3.1(iv)(q)
		g) Establish standard inspection protocols for each sector							Links to Aims 1.1.4(ii)(f), 2.1.1(iii)(l), 2.1.4(i)(c), 2.2.1(i)(c), 2.3.1(i)d)&(e), 3.1.1(ii)(h)

	h) Develop standard methods for the collection of samples and evidence						Links to Aims 1.4.2(i)(d), 2.1.1(iii)(n), 2.1.4(i)(b)&(f), 2.2.1(ii)(d),

								2.2.1(iii)(g), 2.2.1(iii)(j), 2.2.1(v), 2.3.2(ii)(i)
		i) Establish pollution release registers or inventories for all relevant facilities within identified sectors (businesses/ facilities can provide relevant data) ¹¹³					Baseline data on existing emissions is gathered	Links to Aims 2.1.2(i)(b) 2.1.4(i)(c),(e)&(f) 2.1.4(ii)(k), 2.2.1(ii)(h), 3.1.1(ii)(l),(m)&(p), 3.1.3(i)(c), 3.2.3(i)(b)&(h)
ii)	Establish sector specific standards and indicators	j) Determine objective standards and baseline indicators for each sector (against which compliance can be measured and enforced)					Objective pollution standards, levels and indicators are established for sectoral pollution regulation	Links to Aims 1.1.4(i)(g), 1.4.2(i)(d), 2.2.1(iii)(i), 3.1.1(ii)(h)
		k) Determine acceptable sector emission levels and pollution standards						Links to Aims 1.1.1(i)(c), 2.1.1(i)(b)&(f), 3.1.1(ii)(h)
iii)	Develop sector specific enforcement capacity and information resources	l) Develop assessment criteria and technical compliance guidelines for sector facilities (for regulated community)				- EFCCC - ERCs - Regional EPAs - Justice Bureaus - ECAE - Sectoral regulatory bodies - Private sectors	Regulated communities are aware of expected compliance levels and standards, as well as, how to reach and maintain them.	Links to Aims 1.1.1, 2.1.1(i)(b), 2.1.1(ii)(g), 2.1.1(iv)(r), 2.2.1(ii)(c), 2.2.1(iii)(g)
		m) Develop sector specific information packs and quick guides (applicable laws, regulations, standards, clean production technologies and techniques etc)						Links to Aims 1.4.2(i)(a), 2.1.1(iv)(q)&(r), 2.1.4(iii)(o), 2.3.2(i)(a), 3.2.2(ii)(g)
Available and accessible information on pollution levels is expected to reduce pollution as companies will not want to be identified as major polluters and also raise awareness and enable the public to play a larger role in monitoring and enforcement of pollution but bringing information into the public domain.								
		n) Conduct sector specific training for regulated communities						Links to Aims 2.1.1(iv)(r), 2.3.2(iii)(m), 3.2.3(i)(b)&(C)

		o) Develop training curricula for sector specific inspection and enforcement actions					Enforcement officials are aware of sector specific environmental risks, how to regulate and respond to such risks and when necessary gather evidence for effective enforcement actions.	Links to Aims 1.1.1(i)(l), 1.1.4(ii)(f)&(g), 2.1.1(i)(b), 3.1.1(ii)(j)
		p) Develop inspection handbooks						Links to Aims 2.2.1(i)(d), 2.3.2(ii)(g)
		q) Conduct sector specific training for inspectors and enforcement officials						Links to Aims 1.1.4(i)(f)&(g), 2.1.1(i)(e), 2.3.1(iii)(k), 2.3.1(iv)(q)
iv)	Develop annual EFCCC work plans and strategies for identified sectors	r) Identify planned routine inspection activities for work period based on pollution potential (target groups, frequency, times and budgets)				- EFCCC - Regional EPAs - ERCs - Private sector	Highest environmental risk sector industries are subject to greatest oversight	Links to Aims 1.3.3(i)(e), 1.4.1(i)(c)&(e), 2.1.1(i)(b), 2.1.3(i)(c), 2.1.4(ii)(m), 2.2.1(ii)(e), 3.2(i)(h),
		s) Establish minimum number of inspections per work period					Consistent and regular enforcement activities take place	Links to Aim 2.1.1(i)(b), 2.1.3(i)(c), 2.1.4(i)(i) 2.1.4(ii)(n), 2.1.4(iii)(s)
		t) Develop planned communication and promotion activities for work period					Enforcement activities are implemented strategically and in coordination with public awareness raising activities	Links to Aims 2.1.2(ii)(h), 2.1.4(ii)(n), 2.1.4(iii)(s), 2.2.1(iii)(j), 3.1.1(i)(j)&(l), 3.2.3(i)(b),(c)&(f)

		u) Develop compliance assistance activities for work period (guidance for compliance and reward for good practice)						Compliance weaknesses are identified and strengthened.	Links to Aims 1.1.4(ii)(g), 1.4.1(i)(e), 1.4.2(i)(a), 2.1.2(i)(d), 2.2.1(iii)(i),(j)&(k)
		v) Establish environmental targets for work period						Effectiveness of enforcement activities and success is measured and tied to meaningful environmental improvement	Links to Aims 2.1.1(i)(b), 2.1.1(v)(u)
		w) Establish monitoring and evaluation systems that will be put in place for work period							Links to Aims 1.2.1(i)(h), 1.4.3(i)(a), 2.1.4(i)(d), 2.2.1(ii)(f), 2.1.2(i)(o), 2.1.2(ii)(h)
v)	Regions prepare comprehensive annual environmental reports	x) Ensure annual environmental reports are submitted by the Regions					- EFCC - ERCs - Regional EPAs - Civil Society	Baseline of regional environmental status is available for planning and responses	Links to Aims 1.1.1(i)(e), 1.3.2(i)(h), 2.1.1(iv)(s), 2.3.1(iv)(s), 2.3.2(i)(e), 3.1.1(ii)(o)
		y) Establish required content and reporting criteria of annual ARER reports							Links to Aim 1.1.1(i)(e), 1.3.2(i)(h), 3.1.1(i)(p)
Ai m 2.1.2: State institutions and key actors engaged across each sector are identified									
i)	Key actors engaged in each sector are identified	a) Identify the name, contact information, geographic location, and type of business or operation of key facilities within identified sectors					- EFCCC - Regional EPAs - ERCs - Investment Commission	Regulated communities are identified	Links to Aims 1.3.3(i)(e), 2.1.4(i)(a), 3.1.1(ii)(l)&(m), 3.2.3(i)(f),

		b) Identify existing licences or permits, emission types, emission baselines, and risks associated					- Sectoral regulatory institutions	All regulatory actors are identified	Links to Aims 1.4.2(i)(d), 2.1.1(i)(f), 2.1.3(i)(a),(c)&(e),
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		with key facilities within identified sectors					- Private Sector		3.1.3(i)(c)
		c) Conduct in plant risk based assessments.						Environmental risk and baseline compliance levels are determined for significant sectoral facilities	Links to Aims 1.1.4(ii)(g), 1.4.1(i)(e), 2.1.1(i)(b), 2.1.1(iv)(t), 2.1.4(i)(c) 3.2.3(i)(b)&(c)
		d) Develop plant improvement plans for key facilities within identified sectors							Links to Aims 1.1.4(ii)(g), 2.1.1(iv)(r), 3.2.3(i)(c)
		e) Identify surrounding communities and interested parties, develop educational strategies and provide information						Affected communities and their concerns are identified and awareness of remedial steps is raised	Links to Aims 2.1.3(i)(f), 2.1.4(ii)(n), 3.2.3(i)(a)(b)&(g), 3.2.3(ii)(j)
ii)	State institutions engaged in each sector are identified	f) Review mandates of State institutions identified across key sectors					- EFCCC - ERCs - Regional EPAs - Sectoral regulatory institutions	Sectoral regulatory institutions and actors are identified and methods for improved communication, collaboration and coordination are developed	Links to Aims 1.3.1(iii)(f)&(g), 1.3.3(i)(c)&(d), 1.4.1(i)(a), 2.1.3(i)(a)&(b), 2.2.2(ii)(g),(h)&(i), 2.3.1(i),(ii)(iii)&(iv)
		g) Appoint focal points within relevant institutions							Links to Aims 2.2.1(ii)(e), 2.2.1(iv)(m)&(n) 2.3.1(i)(a), 3.1.1(ii)(i)

		h) Develop communication and coordination strategy for each sector						Links to Aims 1.1.4(i)(d),(c)&(e), 1.1.4(ii)(f)&(g), 2.1.1(iv)(t), 2.1.1(v)(q), 2.3.1(ii)(g), 2.3.1(iii)(p)

									2.3.2(ii)(f)
		i) Establish co-ordination committees for each sector							Links to Aims 1.2.1(i)(h), 1.4.3(ii)(a), 2.2.1(iv)(n), 2.3.1(ii)(h)
aim 2.1.3: Integrated permitting mechanisms and procedures are established									
i)	Establish centralised multipurpose environmental permitting and monitoring mechanisms (ESIA, Water permits, Investment permits etc)	a) Designate the EFCCC as the coordinating permitting authority as appropriate					- EFCCC - ERCs - Regional EPAs - Sectoral regulatory bodies - Line ministries	Mechanisms for efficiently regulating and coordinating cross-cutting environmental issues is created. Expert inputs from diverse sectors are provided and comprehensive integrated monitoring and enforcement methods are put in place.	Links to Aims 1.3.2(i)(g), 1.3.3(i)(h), 2.1.2(i)(b), 2.1.2(ii)(f) 2.2.1(ii)(e), 2.2.1(iv)(l), 2.2.2(i)(d), 2.3.1(ii)(h), 2.3.1(iv)(t)
		b) Establish multilateral review panel (to include officials and experts from different sectors)							Links to Aims 1.3.2(i), 1.3.3(i)(g), 2.1.2(ii)(f), 2.2.1(iv)(n), 2.2.2(ii)(h)
		c) Allow for scaled permitting, renewal periods and reporting obligations depending on environmental performance.							Links to Aims 1.3.3(i)(h), 2.1.1(iv)(o)&(p), 2.1.2(i)(b), 2.1.4(i)(d), 2.2.1(vi)(t) 3.1.3(i)((c), 3.2.2(i)(d)

		d) Provide legislative framework for the application of appropriate,						Links to Aims 1.3.1(ii)(d)&(e), 1.3.2(i)(g)

		clear and enforceable permit conditions ¹¹⁴							1.4.3(i)((a), 2.2.3(i)(b))
		e) Provide for permit condition monitoring and revocation mechanisms							Links to Aims 1.3.1(ii), 1.3.2(i)(f), 2.1.2(i)(b)
		f) Ensure transparency in the permitting process							Links to Aims 2.1.1(i)(c), 2.1.2(i)(e), 2.2.1(ii)(f), 3.1.1(i)(a), 3.1.1(ii)(l)
		g) Ensure stakeholder involvement and outreach to regulated communities							Links to Aims 1.4.1(i)(e), 2.2.1(ii)(f), 2.2.2(ii)(h), 2.3.1(ii)(i), 2.3.1(iii)(o)
Ai m 2.1.4: System to publish information on and evaluate key actors' environmental performance is established									
i	act								
i)	Enable selfreporting by identified facilities (to include water and raw material consumption, air and water pollution discharged, hazardous waste generation, methods of	a) Select sectoral polluters					- EFCCC - Regional EPAs - ERCs - MoIT - Universities - Private sector - Development partners	Identified sector polluters monitor their pollution emissions according to predetermined schedules and parameters and communicate these to designated authorities.	Links to Aims 1.1.1(i)(a), 2.1.1(i)(a), 2.1.2(i)(a)
		b) Establish data collection processes							Links to Aims 1.4.3(i)(a), 2.1.1(i)(e), 2.3.2(ii)(k)
		c) Determine reporting content and parameters							Links to Aims 2.1.1(i)(b), (d)&(f), 2.1.2(i)(c)
		d) Ensure reporting mechanisms to both federal and regional authorities							Links to Aim 1.3.1(i)(g), 1.3.3(i)(c), 2.1.1(iv)(t), 2.1.3(i)(c),

Conditions can include submission of regular facility reports and pollution data, application of best available technology principle, incorporation of sectoral guidelines and standards etc.

	disposal, mitigation measures)							2.3.1(i)(d)
		e) Ensure equipment and experts are available for accurate data measurements (facilities can hire these)					Reported data is accurate and within the determined parameters. Data is analysed and awareness of pollution levels within sectors exists	Links to Aims 1.1.2(i)(c), 1.1.4(ii)(f)&(g), 2.1.1(i)(f), 2.2.1(iii)(g), 2.2.1(v)(q)
		f) Develop a system to store, access and analyse data on regulated communities within specific sectors						Links to Aim 2.1.1(i)(e)&(f), 2.1.4(ii) 2.3.2(ii)(g)&(h) 3.1.3(i)(c)
		g) Establish institutional capacity for system administration and data verification and analysis						Links to Aim 1.1.4(ii)(f)&(g), 1.3.3(i)(d), 2.2.1(v)(q)
		h) Establish penalties for false reporting or failure to report					Reported data is verified and sectoral industries incentivised to provide accurate information	Links to Aims 1.3.1(i)(d)&(e)
		i) Ensure randomised verification inspections						Links to Aims 1.1.4(i)(f)&(g), 2.1.1(iv)(o)
ii)	Develop Ranking system for industry environmental performance	j) Develop ranking system guidelines				- EFCCC - Regional EPAs - ERCs - Sectoral regulatory institutions - Private sector - Development partners	Objective ranking system for industries based on environmental performance, reported pollution data and mitigation efforts is developed for identified polluting sectors	Links to Aims 1.3.2(i)(f), 1.4.2(i)(a)
		k) Develop institutional capacity for ranking assignment and verification						Links to Aims 1.3.1(ii)(g), 1.4.1(i)(b),(c)&(d), 1.4.2(i)(b), 2.1.1(i)(f), 2.1.4(i) 2.2.1(ii)(c), 2.2.1(v)

		I) Introduce incentives to encourage achievement of high rankings (access to more favourable loans/					- International industry associations	Sectoral industries are encouraged to improve	Links to Aims 3.1.3(ii)(f), 3.2.3(i)(h)

		preference for government contracts/ enhanced influence and market recognition/ reduced reporting requirements/ longer permit validity)						environmental performance based on regulatory incentives, as well as, penalties and public pressure	
		m) Introduce penalties for poor performance (name and shame, higher reporting burdens, shorter permit validity, more frequent inspections)							Links to Aims 2.1.1(iv)(o), 2.2.3(i)(a)&(b) 3.2.3(i)(b)
		n) Ensure sufficient public disclosure and public awareness							Links to Aims 1.4.1(i)(e), 2.1.1(iv)(p)&(q), 2.1.2(i)(e), 2.2.1(ii)(f), 3.1.1(ii)(j),(k)(l)&(m), 3.1.3(i)(c), 3.2.3(i)(a)&(g), 3.2.3(ii)(k)
iii)	Develop broad Eco-Certification Programme	o) Establish guidelines for ecocertification					- EFCCC - Regional EPAs - ERCs	Eco-certification system is developed for relevant sectors and sector industries are provided with	Link to Aims 1.3.1(ii)(d)&(e), 1.3.2(i)(f), 1.4.2(i)(a), 2.1.1(iii)(j)
		p) Establish eco-certification incentives							Link to Aims 1.3.1(ii)(d)&(e), 1.3.2(i)(f)

		q) Identify sectors and institutions eligible for eco-certification					- Sectoral regulatory institutions	regulatory and commercial incentives to obtain certification.	Links to Aims 2.1.1(i)(a), 1.4.1(i)(a)
		r) Link to existing certification structures and private sector initiatives (corporations)					- Private sector - Development partners - International industry associations		Links to Aims 2.3.2(ii)(d), 2.3.2(iii)(m)
		s) Create public awareness surrounding eco-certified products							Links to Aims 2.1.1(iv)(p)&(q), 3.1.1(ii)(m), 3.1.3(i)(c), 3.2.3(i)(b)

7.2 *STRENGTHENING OF INSPECTION AND ENFORCEMENT CAPACITY*

Aim 1: Inspection and enforcement capacities are strengthened

Aim 2: Joint Enforcement Units are established

Aim 3: Polluter Pays Principle is enforced

The consistent enforcement of environmental law acts as a strong deterrent to potential violations and contributes towards creating a culture of compliance. To be effective, inspections and enforcement actions need to become a system of practice that is understood, implemented and followed by both government agencies and regulated communities. An expectation of environmental enforcement must be developed, which expectation can encourage broader voluntary compliance and accelerate the incorporation of environmental standards and goals into business activities.

In order to foster an expectation of enforcement or culture of compliance, monitoring and enforcement actions must be understandable and readily available through clear and focused policies, guidelines and protocols. Beyond the potential deterrent value of consistent inspections and enforcement actions, monitoring and enforcement activities must ensure meaningful consequences result from detected violations or failures to take remedial action. To ensure these consequences and successfully prosecute environmental crimes the correct information must be gathered, evidence collected, and chains of custody ensured. Inspections must therefore be properly prepared in advance, in coordination with other enforcement agencies, and carefully conducted on-site. Follow-up action and reporting must also be prepared to assist in decisions regarding further enforcement activities and, when necessary, prosecution.

Lastly, inspections coupled with the ability to take corrective action or order administrative penalties is an important element for ensuring compliance with environmental laws. Administrative enforcement mechanisms should therefore be put in place and inspection and enforcement officials empowered to take the necessary actions. As local and regional level officials and agencies are often best placed to monitor context specific environmental impacts, and enforcement action taken with the involvement of local level agencies is easier to manage and enjoys great legitimacy, the involvement and knowledge of these institutions must be incorporated into the inspection and enforcement actions of the federal level. Through this collaboration and inclusion, knowledge, skills and capacity can also be diffused to the Regional Environmental Agencies.

7.2.1 Context and Targets:

Currently the inspection and enforcement capacity of the EFCCC is limited. Shortages of monitoring equipment, limited laboratories to process samples, minimal facilities to manage and dispose of environmentally damaging pollution, as well as, the absence of technical manuals and policies, limited expert knowledge at different levels, failures to integrate stakeholders into enforcement process, and gaps between laws, policies and standards, are all factors hindering effective and deterrent generating inspection and enforcement action. A lack of political focus and buy-in has also been a major contributing factor to the weak enforcement capabilities that currently exist and undermine efforts to encourage environmental compliance.

At present most inspections take place on the basis of checklists developed from existing legislation and most enforcement actions deemed necessary are delegated to the relevant REAs. Co-operation with REAs, however, is not uniform and enforcement measures often fall short of encouraging voluntary compliance or compulsory action. In addition, many significant environmental polluters are government entities, against which it is often difficult to take formal legal enforcement action.

In the light of these difficulties the Programme intends to take a two pronged approach to the strengthening of inspection and enforcement actions. Firstly, measures to address physical hurdles, such as shortages of technical equipment, laboratories and disposal facilities, and financing mechanisms will be introduced. Secondly, steps to strengthen institutional capacity and expertise will be taken. The Establishment of a federal level inspection, investigation and enforcement oversight body, responsible for overseeing and directing inspection schedules, developing clear inspection objectives and methods, documenting inspection results, conducting technical conferences, mediating remedial measures, referring matters for further adjudication and issuing of environmental clearance letters is one such step. The specific empowerment of inspectors to conduct routine and exceptional inspections, allow for the questioning of persons, enter premises, obtain samples and seize items, as well as, enforcement of the polluter pays principles by requiring violators to pay for expenses incurred by enforcement authorities in taking action to end or control its pollution are other such measures.

Target 1: Inspection and enforcement actions are consistent, effective and balanced.

Target 2: A culture of compliance is established through consistent inspection and enforcement actions.

Target 3: Inspection and enforcement policies are clear, understandable and readily available. **Target 4:** Inspections are conducted in collaboration with relevant law enforcement agencies.

Target 5: Enforcement officials have the necessary skills and knowledge to effectively achieve environmental compliance.

Target 6: Enforcement officials have adequate technological resources and capacity.

Target 7: Inspectors and enforcement officials are equipped to properly handle evidence and prepare matters for possible future adjudication.

Target 8: Mechanisms are established to ensure monitoring and inspection activities are followed-up and appropriate enforcement actions taken.

Target 9: Polluters pay for the costs of rehabilitation and any increased inspection and enforcement actions necessitated by unlawful activities.

7.2.2 Strengthening of Inspection and Enforcement Capacity Action Plan:

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
Aim 2.2.1: Inspection and enforcement capacities are strengthened									
i)	Ensure legislative framework exists for conducting of effective Inspections and monitoring of environmental compliance	a) Conduct legislative review of existing legislative framework					- EFCCC - Regional EPAs - ERCs - Regional Justice Bureaus	Enforcement officials are empowered to effectively and efficiently undertake environmental enforcement action	Links to Aim 1.3.1(i)(a),(b)&(c)
		b) Develop appropriate legislation, regulations and directives for efficient enforcement activities							Links to Aims 1.3.1(ii)(d)&(e), 1.3.1(iii)(f)&(g), 1.3.2(i)(b),(f)&(i), 1.3.3(i)(e), 1.4.1(i)(f), 1.4.3(i)(d), 2.2.1(iv)(k), 2.2.2(ii)(f) 2.3.1(iii)(m)
ii)	Develop clear and consistent inspection and enforcement capacities	c) Develop standard inspection protocols and manuals					- EFCCC - Regional EPAs - ERCs - Justice Bureaus - Universities - MoIT - CSU - Development Partners	Enforcement officials and regulated communities are aware of what is required for environmental compliance.	Links to Aims 1.2.1(i)(h), 1.4.1(i)(d), 1.4.2(i)(a), 2.1.1(i)(d), 2.1.1(iii)(i), 2.1.4(ii)(k)
		d) Develop evidence handling protocols and manuals							Links to Aims 1.1.4(ii)(f)&(g), 1.2.1(i)(d)&(h), 1.4.2(ii)(c), 2.1.1(i)(e), 2.2.1(v)(q)

		e) Develop EFCCC Investigative oversight mechanisms					Transparency in enforcement activities will encourage greater collaboration between	Links to Aims 1.2.1(i)(h), 1.4.1(i)(a), 2.1.1(i)(c), 2.1.1(iv)(o), 2.1.2(ii)(g)&(h), 2.1.3(i)(a), 2.2.1(iv)(l),
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								stakeholders and more efficient enforcement.	2.2.2(i)(d), 2.2.3(ii)(h)&(i)
		f) Role of the public and civil society in monitoring and compliance reporting is encouraged							Links to Aims 2.1.1(iv)(t), 2.1.3(i)(f)&(g), 2.1.4(ii)(n), 2.2.2(ii)(i), 2.3.1(ii)(i), 3.1.1(ii)(j),(k),(l),(m), 3.1.3(ii)(d), 3.2.3(i)(a),(c)&(e), 3.2.3(ii)(j),(l)&(p)
iii)	Ensure inspectors have the necessary skills, resources and training to ensure environmental enforcement	g) Ensure availability of necessary monitoring and evaluation equipment and facilities						Equipment and facilities to verify emission levels and environmental compliance are available	Links to Aims 1.1.1(i)(f), 1.1.4(ii)(f)&(g), 1.4.2(i)(c)&(d), 2.1.1(i)(e), 2.1.1(iii)(i), 2.1.4(i)(e), 2.2.1(iv)(t), 2.2.1(v)(q) 2.3.2(iii)(l)&(m)
		h) Ensure clearly defined capabilities when hiring and appointing staff						Enforcement officials have the necessary skills and qualifications to effectively enforce environmental law	Links to Aims 1.4.2(i)(b), 2.2.1(i)(c) 2.3.1(v)(v)
		i) Develop training programme on technical and legal aspects of enforcement action							Links to Aims 1.1.1(i)(e),(k)&(l), 1.1.2(i)(c), 1.1.4(i)((f)&(g), 2.4.2(i)(b), 2.2.2(i)(b), 2.3.1(v)(v)

		j) Ensure the availability of technical resources and support							Links to Aims 1.1.1(i)(h), 1.4.2(i)(a)&(d), 2.1.1(i)(e), 2.2.1(v)(r)
iv)	Establish EFCCC Inspection, Investigation, and enforcement oversight body	k) Ensure enabling legislative framework is in place					- EFCCC - Regional EPAs - ERCs	Inspections are coordinated and targeted. Institutional collaboration and communication limitations do not prevent effective monitoring and enforcement action.	Links to Aims 1.3.1(ii)(d)&(e), 1.3.2(i)(f), 1.4.3(i)(a), 2.2.1(i)(b)
		l) Ensure the body is empowered to oversee and coordinate inspection and enforcement actions and direct further corrective actions							Links to Aims 1.2.1(i)(h), 1.3.1(iii)(f)&(g), 1.3.2(i)(g), 1.3.3(i)(d), 1.4.1(i)(c), 2.1.3(i)(a), 2.2.1(ii)(e), 2.2.2(i)(d), 2.3.1(i)(c)
		m) Develop operating rules and clearly establish jurisdiction							Links to Aims 1.1.1(i)(a), 1.3.1(ii)(e), 2.1.2(ii)(g), 2.2.2(i)(d)&(g), 2.2.2(ii)(g)

		n) Establish institutional structures, coordination and communication mechanisms for effective functioning							Links to Aims 1.3.1(iii)(f)&(g), 1.4.1(i)(f), 2.1.1(ii)(g), 2.1.2(ii)(i), 2.1.3(i)(a), 2.3.1(ii)(g), 2.3.1(iii)(p), 2.3.1(iv)(u), 2.3.2(ii)f)
v)	Develop technical testing laboratories and waste management facilities	o) Identify existing facilities and capacity					- EFCCC - Regional EPAs - ERCs - Investors - Development	Investigators are able to accurately test pollution levels and reliable evidence for the development of	Links to Aims 1.1.1(i)(d)&(f), 1.4.2(i)(c)
		p) Develop partnerships with relevant institutions							Links to Aims 1.1.1(i)(e),(g)&(i), 1.1.3(i)(c)
		q) Develop necessary capacity and resources for facilities					Partners - Investment Commission - MoIT - MoSHE - MoF	improvement plans, monitoring of performance or legal prosecution is available. Regulated communities are able to sustainably manage and dispose of waste.	Links to Aims 1.1.1(i)(i), 1.1.4(i)(g), 1.3.3(i)(f), 2.1.4(i)(e)&(g), 2.1.4(ii)(k), 2.2.1(iii)(d),(g)&(j)
		r) Establish additional facilities in strategic areas							Links to Aims 1.1.1(i)(e)&(f), 2.1.1(i)(e)
vi)	Develop financing mechanisms for monitoring and	s) Ensure necessary legislative, regulatory and policy frameworks exist						Framework and mechanisms exist	Links to Aims 1.3.1(ii)(d)&(e), 1.3.2(i)(f)

	enforcement activities	t) Develop institutional mechanisms (permit fees, fines, lease of equipment, monetary penalties)						to finance required monitoring and enforcement activities	Links to Aim 1.3.2(i)(b), 1.3.3(i)(f), 1.4.2(i)(c), 2.1.1(i)(c), 2.1.3(i)(c), 2.2.1(iii)(g), 2.2.3(i)(a)&(b)
Aim 2.2.2: Joint Enforcement Units are established									
i)	Green existing law enforcement agencies	a) Identify relevant law enforcement institutions from different sectors and geographical areas (police, customs, prosecutors, local, district, regional etc.)					- EFCCC - Regional EPAs - ERC - Justice Bureaus - Regional Authorities	Law enforcement agencies relevant to environmental enforcement are identified, trained in environmental enforcement issues and coordinated to ensure consistent and effective	Links to Aims 1.2.1(i)(h), 1.3.1(iii)(f)&(g), 1.3.2(i)(g), 1.3.3(i)(c)(d)&(g), 1.4.1(o)(b)&(c), 2.3.1(i)(a)&(b)
		b) Provide specialised environmental training to identified officials from within identified law enforcement institutions					- Land administration authorities - Customs		Links to Aims 1.1.1(i)(l), 1.1.4(ii)(f)&(g), 1.4.2(i)(b), 2.2.1(iii)(i)
		c) Designate trained officials as environmental focal points and task team members					Commission - Investment Commission - MoA	monitoring and enforcement action.	Links to Aims 1.1.1(i), 1.4.2(i)(b), 2.2.1(iii)(h), 2.3.1(iii)(l)

		d) Establish EFCCC as coordinating body for <i>ad hoc</i> environmental task teams					- MoWIE - MoTI - MoP - Development Partners		Links to Aims 1.3.2(i)(i), 1.3.3(i)(a) 2.1.3(i)(a), 2.1.3(i)(a), 2.2.1(ii)(c)&(e), 2.2.1(iv)(l)&(m), 2.3.1 (ii)(h) 2.3.1(iii)(l), 2.3.1(iv)(s)&(t), 2.3.2(i)(c)&(e)
ii)	Develop joint environmental enforcement units	e) Engage relevant sectoral ministries on the development of JEEUs						Specialised joint environmental enforcement units function to ensure the focused and efficient detection of environmental threats by multidisciplinary experts. Resources are used efficiently. Collaboration and coordination is achieved within enforcement actions	Links to Aims 1.3.1(iii)(f)&(g), 1.4.1(i)(a), 2.2.2(i)(b)
		f) Ensure necessary legislative provisions are in place							Links to Aims 1.3.1(ii)(d)&(e), 1.3.2(i)(f)&(g), 2.2.1(i)(b) 2.3.1(i)(e)
		g) Develop institutional structure for specialised joint enforcement unit within the EFCCC							Links to Aims 1.2.1(i)(h), 1.3.1(iii)(f)&(g), 1.3.3(i)(d)&(h) 1.4.1(i)(c)&(d), 2.1.2(ii)(f), 2.2.1(iv)(m)&(n) 2.1.3(i)(b), 2.3.1(iii)(k), 2.3.1(iv)(q)
		h) Make multi-party monitoring teams a part of permit conditions							Links to Aims 1.3.2(i)(g), 2.1.2(ii)(f), 2.1.3(i)(g), 2.3.1(iii)(k),

								2.3.1(iv)(q)
		i) Ensure federal, regional, local and community levels are engaged and incorporated (co-ordination and priority setting to come from Federal level EFCCC)						Links to Aims 1.3.2(i)(g), 2.1.2(ii)(f), 2.2.1(ii)(f), 2.3.1(iii)(k), 2.3.1(iv)(q), 3.1.1(ii)(j)&(l), 3.1.3(ii)(f), 3.2.3(i)(c)&(e)
Aim 2.2.3: Polluter Pays Principle is enforced								
i)	Violators pay for the expenses incurred by enforcement authorities to take corrective action	a) Enact necessary regulatory framework to allow for cost recovery against polluters. e.g. - Investigation expenses - Administration of imposed penalties - Cleaning up of contaminated areas - Legal costs - Increased monitoring costs				- EFCCC - ERCs - Justice Bureaus - MoF	Polluters pay for the costs associated with pollution mitigation and control. Polluters have financial incentive to comply with legal requirements and environmental protection measures	Links to Aims 1.2.2(i)(d), 1.3.1(ii)(d)&(e), 1.3.2(i)((b)&(f), 1.3.3(i)(f), 1.4.2(i)(c), 2.1.1(i)(c), 2.1.4(ii)(m) 2.2.1(vi)(t)
		b) Establish institutional mechanism for the administration and enforcement of the polluter pays principle						Links to Aims 1.3.1(iii)(f)&(g), 1.4.1(i)(a),(c)&(d), 2.1.1(i)(c), 2.1.3(i)(d), 2.1.4(ii)(m), 2.2.1(vi)(t)

7.3 STRENGTHENING OF INSTITUTIONAL COORDINATION AND COOPERATION

Aim 1: Institutional roles are strengthened, and effective working relationships established

Aim 2: Information sharing platforms and efficient lines of communication are established

Aim 3: Integrated permitting mechanisms and procedures are established

Environmental law enforcement engages a number of broad and cross-cutting issues. As such, a number of institutions effectively working together need to be engaged in the process of ensuring compliance with environmental laws and policies. It is these institutions that are the key drivers for sustainable development and are the structures responsible for translating environmental law and policies into action. For such action to be effective, however, the various institutions engaged by environmental law must have the necessary capacity, accountability, and adequate resources. Further, mechanisms to facilitate beneficial co-operation, co-ordination and feedback across all the engaged institutions must exist.

To achieve this, well-defined jurisdictions and unambiguous mandates for action are needed. In addition, context appropriate institutional structures, effective internal controls, enhanced accountability procedures, and broad based institutional collaboration must be facilitated. In the absence of these factors and on-going co-ordination across the multiple vertical and horizontal institutional levels, conflicts, duplication of efforts, wasted resources, and unnecessary delays will result.

7.3.1 Context and Targets:

The Right to a clean and healthy environment is recognised as a fundamental right by the Ethiopian Constitution,¹⁰⁷ which places the duty to respect and enforce such right on all three branches of government, at both the regional and federal levels.¹⁰⁸ In addition, all citizens, organs of state, political organisations, other associations, and their officials have the duty to obey and ensure that the provisions of the Constitution are upheld.¹⁰⁹ As such, there is a clear obligation on all institutions engaged by the cross-cutting nature of environmental protection to ensure the realisation of the right to a clean and healthy environment.

Unfortunately, the capacity to do this is often undermined by a lack of institutional coordination, communication and collaboration both across the Woreda, Regional, and Federal levels (vertical plane) and sectoral ministries (horizontal plane). Although the Ethiopian Environment Policy envisages a multi-level and cross-ministerial approach to the management of environmental resources this approach is hindered by institutional weaknesses. These institutional weaknesses are caused by numerous factors such as structural instability and frequent mandate transfers; conflicting and

¹⁰⁷ Article 44(1) of the Constitution of the Federal Democratic Republic of Ethiopia.

¹⁰⁸ Article 13(1) of the Constitution of the Federal Democratic Republic of Ethiopia.

¹⁰⁹ Article 9(2) of the Constitution of the Federal Democratic Republic of Ethiopia.

overlapping mandates; high staff turnovers and understaffing; limited expertise; the absence of approved and integrated strategies, directives or regulations; and financial constraints.¹¹⁰

These institutional constraints contribute towards the current ineffectual translation of federal level laws and strategies into practice and limit the ability of Regional Environmental Agencies (REAs) to achieve practical implementation of the laws.¹¹¹ The decentralisation of environmental project and legal implementation activities and responsibilities to Woredra level government, which often experience acute capacity shortages, further amplifies the institutional limitations surrounding environmental protection within Ethiopia.¹¹²

Beyond existing institutional capacity constraints, a lack of communication and co-ordination between Woredra level government and REAs,¹¹³ particularly with regard to land allocations and mandate responsibilities, and REAs and Federal environmental protection agencies, significantly destabilises the practical implementation of Ethiopian environmental laws. Critical environmental decisions are often made without consultation of relevant Woredra, regional or sectoral offices which prevents important environmental considerations being brought to light. The diffusion of responsibility across sector offices and the absence of effective coordination and collaboration also creates difficulties for the collection and communication of information, thus making many responses uncoordinated and disorganised. Although legislative provisions for the creation of Sectoral Environmental Units exists,¹¹⁴ only a limited number of SEUs exist at the Federal level and where they do exist, they are often understaffed, focus on limited issues and do not enjoy sectoral independence¹¹⁵. Further, not all Regions have dedicated REAs or clearly designated environmentally responsible authorities.¹¹⁶

The aim of the Programme under this strategic intervention is therefore to improve coordination, communication and collaboration across both the horizontal and vertical levels. To achieve this the clarification of mandates and jurisdictions, formulation of collaboration strategies, and establishment of communication mechanisms and structures will need to take place. Through these actions the EFCCC will be able to effectively provide the oversight and coordination role it is empowered to take and ensure the appropriate direction of institutional resources and staff attention, while also preserving the customs and contexts in which the regional and sectoral institutions continue to operate.

Target 1: Institutions engaged by environmental laws are strengthened, accountability is improved, and resources are efficiently allocated.

Target 2: Institutional jurisdictions and mandates are clarified and defined.

¹¹⁰ Getu M. *The Ethiopian Environmental Regime Versus International Standard: Policy, Legal, and Institutional Frameworks* 43 Haramaya Law Review Vol 1:1 (2012); McKee J. *Ethiopia Country Environmental Profile* (2007).

¹¹¹ Getu M. *The Ethiopian Environmental Regime Versus International Standard: Policy, Legal, and Institutional Frameworks* 43 Haramaya Law Review Vol 1:1 (2012) at 63.

¹¹² McKee J. *Ethiopia Country Environmental Profile* (2007) at 57.

¹¹³ Section 15 of the Environmental Protection Organs Establishment Proclamation 295 of 2002.

¹¹⁴ Section 14 of the Environmental Protection Organs Establishment Proclamation 295 of 2002.

¹¹⁵ Sectoral desks have been created within the framework of the CRGE Strategy and EIAs in MoA, MoWIE, MoUDC, MoTI, MoT, MoMP and until recently EWCA. These desks however fall within the institutional structures of the respective sectoral ministries and have little formalized contact, reporting or accountability to the EFCCC.

¹¹⁶ Only six of the eleven Regions have established REAs. Others have designated focal points.

Target 3: A broad-based institutional collaboration framework is established and institutional cooperation between institutions is encouraged and facilitated.

Target 4: EFCCC becomes the primary environmental resource institute.

Target 5: Institutional support is provided to the Regional Environmental Authorities and bodies.

Target 6: Regions are supported in the development of regional environmental conservation plans and strategies.

Target 7: Institutional communication mechanisms are established.

Target 8: Institutional accountability and responsibilities are clearly articulated.

7.3.2 Strengthening of Institutional Coordination and Cooperation Action Plan:

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
Aim 2.3.1: Institutional roles are strengthened and effective working relationships established									
i)	Identify key ministries and organs of state engaged by key environmental Proclamations and multilateral agreements	a) Clarify roles, responsibilities and mandates of EFCCC, sectoral ministries, and regional environmental agencies.					- EFCCC - Regional EPAs - ERCs - Regional Justice Bureaus - Sectoral regulatory bodies - Line ministries - Customary governance structures - Development partners	Institutions are aware of their legislative obligations. Processes and working relationships are defined and regularised. Regulatory accountability and performance is defined. Collaboration between institutions is strengthened.	Links to Aim 1.1.1(i)(e), 1.3.1(iii)(f)&(g), 2.1.2(ii)(f)&(g), 2.2.2(i)(a)
		b) Identify regulatory overlap or underlap and rationalize any conflicts							Links to Aims 1.3.1(a),(b)&(c), 1.3.2(i)(l), 1.3.3(i)(c), 2.2.2(i)(a)
		c) Allocate responsibility for the implementation of specific environmental treaties and legislation							Links to Aims 1.3.1(i)(a),(b)&(c), 1.3.1(iii)(g), 1.3.2(i)(f)&(g), 2.3.1(iv)(l)&(s)
		d) Allocate accountability (each institution should focus on its core activities)							Links to Aims 1.3.1(iii)(g), 1.3.3(i)(d), 1.4.1(i)(a), 2.1.1(i)(d), 2.1.4(i)(d)
		e) Ensure authority to take necessary actions is in place (align strategy with authority)							Links to Aims 1.3.1(ii)(d)&(e), 2.1.1(i)(e), 2.2.1(ii)(f), 2.2.2(ii)(f), 2.3.1(iii)(m)

		f) Develop cooperation and coordination MoUs between relevant institutions						Links to Aims 1.1.1(i)(g), 1.4.1(i)(b), 2.2.2(ii)(g), 2.3.1(iii)(p)
ii)	Encourage cooperation, coordination and collaboration between relevant environmental actors	g) Enhance coordination between statutory and customary institutions and dovetail statutory bodies with existing community structures					Environmental protection is integrated with Indigenous governance practices	Links to Aims 1.1.1(i)(f), 1.2.3(i)(a)&(b), 1.4.1(i)(b),(c)&(e) 2.1.2(ii)(h)&(f), 2.2.1(iv)(n), 2.3.1(ii)
		h) Develop EFCCC as a resources and oversight Body					EFCCC fulfils its mandate of ensuring coordination and collaboration to achieve environmental protection	Links to Aims 1.4.1(i)(c), 2.1.2(i)(i) 2.1.3(i)(a), 2.2.1(ii)(e), 2.2.2(i)(d), 2.3.1(iv)(t), 2.3.2(i)(d) 2.3.2(iii)(m)
		i) Establish environmental stakeholders' forums with regular meetings, defined reporting mechanism and co-ordination through the EFCCC					Public can bring environmental concerns to one point. Procedure for how to process concerns or complaints is clear. Concerned parties are aware of how to access remedies	Links to Aims 1.1.1(i)(d)&(e), 1.2.2(i)(e), 1.4.1(i)(f), 1.4.3(i)(b), 2.1.3(i)(g), 2.2.1(ii)(f),
		j) Develop clear environmental complaint procedures						Links to Aims 3.1.3(ii)(d)

iii)	Horizontal Coordination	k) Establish explicit goals and outcomes for cooperation					- EFCCC - ERCs - Regional EPAs - Regional authorities - Line ministries	Institutions collaborate on cross-cutting issues to ensure effective monitoring and enforcement for sustainable environmental outcomes.	Links to Aims 1.3.3(i)(d), 1.4.1(i)(a), 2.1.1(i)(c), 2.1.1(iii)(n), 2.2.2(ii)(e),(g),(h)&(i), 2.3.2(i)(e)
		l) Clearly delineate overall responsibility for management of activities					- Regional sectoral		Links to Aims 1.3.1(i)(a),(b)&(c), 1.3.1(iii)(f)&(g), 1.3.2(i)(f),

							authorities	Duplication and resource wastage is avoided. Existing capacities are leveraged for improved outcomes.	1.3.3(i)(c), 2.1.2(ii)(f), 2.2.2(i)(d), 2.3.1(ii)
		m) Ensure all parties are empowered to take relevant action							Links to Aims 1.3.1(ii)(d)&(e), 1.3.2(i)(i), 2.2.1(i)(b), 2.3.1(i)(e)
		n) Ensure parties have comparable levels of responsibility							Links to Aims 1.4.1(i)(b)
		o) Ensure communication lines between environmental agencies and sector-specific Ministries							Links to Aim 2.1.3(i)(g), 2.3.2(ii)(f)
		p) Identify linkages and manner of coordination (inter-ministerial and inter-level working groups/ coordinating councils/task forces)							Links to Aims 1.1.1(i)(h), 1.3.1(iii)(f)&(g), 1.4.1(i)(a), 2.1.2(ii)(h), 2.2.1(iv)(n), 2.3.1(i)(f), 3.1.1(ii)(i)
iv)	Vertical Coordination	q) Establish explicit goals and outcomes of cooperation					- EFCCC - ERCs - Regional EPAs	Institutions collaborate on cross-cutting issues to ensure effective monitoring and enforcement for	Links to Aims 1.2.3(i)(g), 1.3.3(i)(d), 2.1.1(i)(c), 2.1.1(iii)(n), 2.2.2(ii)(g),(h)&(i)
		r) Designate EFCCC regional support focal points							Links to Aims 1.4.1(i)(b), 2.3.2(ii)(f)

		s) Clearly delineate overall responsibility for management of activities					sustainable environmental outcomes. Duplication and resource wastage is avoided. Existing capacities	Links to Aims 1.3.1(iii)(f)&(g), 1.3.3(i)(c), 1.4.1(i)(a), 2.1.1(v)(u), 2.1.2(ii)(f), 2.2.2(i)(d), 2.3.1(i)(c), 3.1.1(ii)(i),
		t) Develop oversight and coordination function of the EFCCC					are leveraged for improved outcomes. Information resources are shared	Links to Aims 1.2.1(i)(h), 1.3.2(i)(f), 2.1.3(i)(a), 2.2.2(i)(d), 2.3.1(ii)(h)
		u) Ensure communication lines between environmental agencies and sector-specific Ministries						Links to Aims 1.4.1(i)(c), 2.2.1(iv)(n), 2.3.2(i)(e), 2.3.2(ii)(f)
v)	Establish regular staff training programmes and standards	v) Determine clear and specific skill sets for each position (ensures clear responsibilities and expectations)				- EFCCC - ERCs - Regional EPAs - CSUs - Universities	Position outcomes are objectively determinable and performance measurable.	Links to Aims 1.1.1(i)(l), 2.2.1(iii)(h)
		w) Develop secondment programmes for staff						Links to Aims 1.1.1(i)(i)&(j)

		x) Provide training on latest environmental developments and specializations (subject to fixed period commitments)						Institutional capacity and expertise are appropriate and improved where necessary. Human resource capacity is up to date and responsive.	Links to Aims 1.1.1(i)(f),(g)&(j) 1.4.2(i)(b), 2.2.1(iii)(i), 3.1.2(i)(c)&(e), 3.2.2(i)(a),(b)&(e)
Aim 2.3.2: Information sharing platforms and efficient lines of communication are established									
i)	EFCCC is established as the key environmental resource institute	a) Information, regulations, standards and expert resources are managed and accessible					- EFCCC - Regional EPAs - ERCs - MoIT	EFCCC fulfils its mandate of coordinating body for the realization of environmental rights and policy objectives.	Links to Aims 1.1.1(i)(h), 1.3.3(i)(d), 2.1.1(iii)(j), 2.3.2(ii)(g), 3.1.1(ii)(f),(g)&(h), 3.1.3(i)(b)&(c)
		b) Research is made available							Links to Aims 1.1.1(i)(e)&(m), 3.1.1(ii)(f)&(g)
		c) Processes impacting on the environment are co-ordinated							Links to Aims 1.3.2(i)(g), 2.2.2(i)(d), 2.2.2(ii)(i)
		d) External environmental expertise are co-ordinated and utilized							Links to Aims 1.1.1(i)(f)&(i), 2.1.4(iii)(r), 2.3.1(ii)(h), 2.3.2(iii)(l)&(m)

		e) EFCCC Environmental desks/ focal points are established at REAs to facilitate communication and coordination						Links to Aims 1.3.1(iii)(g), 1.4.1(i)(b)&(c), 2.1.1(v)(u), 2.1.2(ii)(g) 2.2.2(i)(d), 2.3.1(i)(f), 2.3.1(ii)(g) 2.3.1(iii)(k), 2.3.1(iv)(u)
ii)	Establish Institutional communication mechanisms (information allows for the determination of risks, how to focus resources, verification of compliance, and the evidence necessary to prove non-compliance in court)	f) Designate counterpart focal points at both vertical and horizontal partner institutions				- EFCCC - ERCs - Regional EPAs - Line ministries - Sectoral regulatory authorities - Development partners	Clearly identified communication links and information sharing pathways exist	Links to Aims 1.3.2(i)(g), 1.3.3(i)(d), 2.1.2(ii)(g)&(h), 2.2.1(iv)(n), 2.3.1(iii)(o), 2.3.1(iv)(r)&(u)
		g) Determine what information should be collected, who should collect it, how it should be managed, and how it should be shared ¹¹⁷					Information is managed and shared for effective environmental protection and enforcement.	Links to Aims 2.1.1(iii)(m), 2.1.4(i)(f), 2.1.1(iv)(t), 2.1.2(ii)(h) 2.3.2(ii)(g) 3.1.3(i)(b)
		h) Develop data and information management systems and guidelines (bad data and				- EFCCC - ERCs - Regional	Collected data is reliable and	Links to Aims 1.1.1(i)(e),(f)&(h), 1.3.3(i)(e), 1.4.2(i)(b)&(c),

¹¹⁷ Centralized environmental data collection, management and accessibility is an important tool for environmental monitoring and enforcement. The coordination of collected information is vital for numerous components of an effective environmental law enforcement programme.

		information can result in poor regulations)					EPAS - MoIT - MoSHE	verifiable.	2.1.4(i)(f), 2.3.2(iii)(l)&(m) 3.1.1(ii)(h),(l),(o)&(p)
		i) Ensure standardised data collection, uniform data reporting forms, formats, and methods							Links to Aims 1.1.1(i)(l), 1.1.2(i)(b), 1.1.4(i)(f)&(g), 1.4.2(i)(d), 1.4.3(i)(a)&(d), 2.1.1(i)(e), 2.1.4(i)(b)&(e)
		j) Ensure data is verifiable and collection circumstances carefully documented							Links to Aims 1.1.2(i)(c), 1.2.1(i)(d), 1.4.3(i)(a)&(d) 2.1.1(i)(e), 2.2.1(ii)(d)
		k) Ensure data and information transparency by making all general data and regulatory framework available online							Links to Aims 2.1.4(i)(b), 2.1.3(i)(g), 2.2.1(ii)(f) 3.1.1(ii), 3.1.3(i), 3.2.3(i)(a)
iii)	Non-governmental Organisations and Development Partner projects engaged in each sector are identified and environmental impact of activities maximised	l) All relevant organisations and projects engaged in sector specific projects or cross-cutting activities are identified					- EFCCC - Regional EPAs - Development Partners	Projects are coordinated and project duplication/ overlap avoided. Existing project resources are leveraged and integrated into sustainable structures	Links to Aims 1.4.1(i)(a), 2.2.1(iii)(g), 2.3.2(i)(d), 2.3.2(ii)(h)
		m) Ongoing projects analysed and potential contributions to programme objectives identified.							Links to Aims 1.1.1(i)(i), 2.1.1(iii)(k), 2.1.4(iii)(r), 2.2.1(iii)(g) 2.3.1(ii)(h) 2.3.2(i)(d) 2.3.2(ii)(h)



PILLAR 3

CITIZEN AND CIVIL SOCIETY ENGAGEMENT



8.1 ACCESS TO INFORMATION AND EFFECTIVE PUBLIC COMMUNICATION

Aim 1: Information is disseminated and accessibility ensured

Aim 2: Institutional procedures and responses to access to information requests are improved.

Aim 3: Up-to-date website and public communication links are developed and maintained.

Public compliance and environmental law enforcement can be significantly improved by simply making relevant information available to the public. With improved access to information, the general public can contribute towards the monitoring of environmental issues and participate in environmental law enforcement more effectively. In addition, increased citizen-led accountability and compliance, facilitated by freely available information, has the potential to ensure a more consistent enforcement of environmental laws, more informed and effective public participation, and improved environmental rule of law.

Access to information, together with public participation and access to justice, forms one of the three components crucial to environmental rule of law. By empowering stakeholders to understand environmental threats, what is required by environmental laws, and to determine for themselves whether their involvement is necessary; environmental degradation can be avoided, polluters can be held accountable, the costs of enforcement reduced, and the space for potential corruption narrowed. Access to information also has the potential to improve the quality of public participation and thus reinforce the contribution citizens can make to environmental protection.

8.1.1 CONTEXT AND TARGETS:

Access to information can be divided into two main forms. Firstly, it can be active with government making information available on its own initiative. Secondly, it can be passive with interested individuals making requests for information and relevant institutions responding to such requests. Access to information is most effective when legal provisions and institutional strategies facilitate both forms of information access.

Currently Ethiopia is ranked overall as fiftieth out of a total of seventy countries for on the Environmental Democracy Index (EDI)¹¹⁸ and received a ranking of sixty-one out of seventy, and a categorisation of “poor” for transparency and access to information. This ranking was made on the basis of an assessment of federal level environmental laws measured against the Bali Guidelines and numerous EDI indicators. Some of the highlighted reasons for the poor Ethiopian performance was the lack of overarching access to information legislation; silence on ensuring affordability and timely access procedures; failure to make the data on major cities’ air and drinking water quality available; no requirement to place environmental information influencing human health within the public domain; no requirements for the severability of sensitive information; no mandate to monitor and regularly update information on industry emissions; no legislative details or practice of producing a state of the environment report; and the absence of legal requirements for early warning systems.¹¹⁹ In the light of this assessment there is a clear need for enhanced legal and procedural mechanisms to improve the current level of transparency and availability of information concerning environmental matters.

Through its recognition of a broad right to information and protection of the right to seek, receive and impart information of all kinds, including the right to access information in the public interest; the Ethiopian Constitution provides sufficient room for the necessary transparency and access to information legislation to be developed.¹²⁰ While the Constitution does not specifically require the proactive dissemination of information,¹²¹ the Environmental Policy of Ethiopia contains numerous provisions intended to ensure the regular and accurate assessment of environmental conditions and the subsequent dissemination of such information to the general public,¹²² as well as, the need to foster understanding through the provision of information,¹²³ and the right to be informed about environmental issues and have such information made available.¹³²

To achieve the EEP objectives and implement the Constitutional vision of accessible information, legislative developments to ensure both active and passive access to information is facilitated are therefore necessary. In addition to enabling legislation, it is important that environmental standards become mainstreamed and the EFCCC must therefore take steps to pro-actively disseminate such information to the general public. Environmental information will inform citizens of what is required, encourage public participation in non-compliance detection, act as a deterrent for future violations, and motivate and facilitate compliance. While efforts will need to be made to ensure proactive access to information takes place across various media, the development and maintenance of an upto-date EFCCC website will be a valuable tool for both providing information and interacting with the general public. It is also envisaged that eventually identified industries will be able to submit data, the general public report environmental violations, and access to information requests be made through the website.

¹¹⁸ <http://environmentaldemocracyindex.org/rank-countries#all> accessed on 04 December 2019.

¹¹⁹ Environmental Democracy Index Full Result Data - <http://environmentaldemocracyindex.org/about/resources>

¹²⁰ Article 29(2) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹²¹ Article 29(6) allows for the limitation of the right of access to information through laws and in order to protect the well-being of the youth or individual honour and reputation. Limitations are to be guided on the principle that freedom of expression and information cannot be limited on account of content.

¹²² Ethiopian Environmental Policy, 1997, 2.3 (m) Key Guiding Principles.

¹²³ Ethiopian Environmental Policy, 1997, 3.8(j) & (q) Control of Hazardous Materials and Pollution from Industrial Waste. ¹³²

Ethiopian Environmental Policy, 1997, 4.7 (e), (f) & (g) Environmental Information System.

Information published on the website will eventually include:

- Environmental laws, regulations, directives and treaties (ensure they are up-to-date)
- Environmental decisions and cases
- Annual State of the Environment Reports¹²⁴
- EIA information and application details
- Industry and sector standards
- Industry data¹²⁵
- Sector and Facility rankings
- Inspection guidelines and procedures
- Enforcement actions taken and outcomes
- Access to information guidelines
- Contact details and focal points of relevant departments
- Industry data submission porthole
- Access to information request porthole
- Hotline or violation reporting porthole

Further, the EFCCC will be guided by the following principles when ensuring access to environmental information:

- Information provided will be accurate, complete and reflect unbiased information
- Broad access to information will be ensured (regardless of legal interests)
- Clear and realistic timeframes for responses will be established and maintained
- Accessibility will be ensured through considerations of affordability, language, format
- Confidential and personal information will be protected
- The principle of severability will be applied
- Clear grounds for refusal will be established
- Reasons for refusals will be provided
- Clear consequences for non-compliance will exist

¹²⁴ Section 6(16) of the Environmental Protection Organs Establishment Proclamation 295 of 2002 require the preparation and publication of such a report.

¹²⁵ By making emissions data, permits, environmental audits etc. available, the public, civil society, business and the government can track pollution and hold those who act illegally accountable.

Target 1: Enabling access to information legislation is developed in accordance with international standards (Rio Principle 10; Bali Guidelines; Aarhus Convention and AU model laws)

Target 2: Clear mechanisms and procedures for accessing information exist

Target 3: Accurate, complete and unbiased information is actively and passively available

Target 4: Improved citizen awareness and understanding of environmental issues exists

Target 5: An increasingly engaged and empowered citizenry and civil society

Target 6: Increased citizen driven accountability and mainstreaming of environmental standards and laws.

8.1.2 Access to Information and Effective Public Communication Action Plan:

	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
A im 3.1.1: Information dis seminated, and accessibility ensured									
i)	Develop overarching access to information legislation	z) Draft necessary legislation, regulations and directives					- EFCCC - Regional EPAs - ERCs - Attorney General - Regional Justice Bureaus - Civil society	Clear legislative framework and institutional mechanisms to facilitate both active and passive access to information exist	Links to Aims 1.3.2(i)(k), 1.4.1(e), 2.1.3(i)(f)
		aa) Establish clear request procedures and responsibilities							Links to Aims 1.3.1(iii)(f), 1.4.1(i)(b)
		bb) Establish clear consequences for failures to make information available							Links to Aims 1.3.2(k), 1.4.1(i)(d), 1.2.2
		cc) Establish clear grounds for refusal and severability							
		dd) Establish clear appeal, review and enforcement procedures.							
ii)	Ensure all relevant environmental information and resources are made available (active dissemination)	ee) Publish and ensure availability of all current environmental laws, regulations, directives and treaties						Interested parties and the general public can easily access information relevant to Ethiopia’s	Links to Aims 1.1.2(i)(e), 1.1.3(i)(d)&(e), 1.3.1(i),(ii),(iii), 1.3.3(i)(e), 1.4.1(i)(e), 1.4.2(i)(e), 2.1.1(ii)(h), 2.3.2(i)(a)&(b), 2.3.2(ii)(h)
		ff) Ensure all published environmental laws,							

		regulations, directives and treaties are kept up-to-date						environmental protection.	3.1.3(i)(c)
		gg) Publish and ensure the availability of all current standards, enforcement protocols, procedural							

		guidelines and compliance manuals ¹³⁵						Relevant officials are easily identifiable and contactable. Expected standards and environmental performance is easily determined and verified. Citizens can play a greater role in environmental compliance monitoring and are empowered to take proactive steps towards environmental rule of law.	
		hh) Publish and ensure correctness of EFCCC and Regional EPA's institutional structure, information officers, sectoral contacts, and contact information.							Links to Aims 2.1.2(ii)(g), 2.3.1(iii)(p), 2.3.1(iv)(s)
		ii) Publish details of enforcement actions taken and the outcomes.							Links to Aims 2.1.1(ii)(l), 2.1.1(iv)(q), 2.1.4(ii)(n), 2.2.1(ii)(f), 2.2.2(ii)(f)
		jj) Publish details and findings of environmental tribunals, courts or review panels							Links to Aims 1.2.1(i)(c), 1.3.2(i)(c), 2.1.4(ii)(n), 2.2.1(ii)(f)
		kk) Publish information on regulated communities' environmental performance.							Links to Aims 1.3.2(i)(h), 2.1.1(i)(f), 2.1.1(iv)(q), 2.1.2(i)(a), 2.1.3(i)(f), 2.1.4(ii)(n), 2.2.1(ii)(f), 2.2.2(ii)(i), 2.3.2(i)(h)
		ll) Publish information on industry environmental rankings and certifications							Links to Aims 2.1.1(i)(f), 2.1.2(i)(a), 2.1.4(ii)(n), 2.1.4(iii)(s), 2.2.1(ii)(f), 3.2.3(i)(h)

A clear system for determining and designating which documents are official or confidential must be put in place.

		mm) Publish information on EIA applications, natural resource concessions granted and environmental audit outcomes.							Links to Aims 1.3.3(i)(e)&(h)
		nn) Publish reports on the annual Ethiopian state of the environment and regional state of the environment.							Links to Aims 1.3.2(i)(h), 1.3.3(i)(e), 2.1.1(v)(u)&(v), 2.3.2(ii)(h)
		oo) Publish and ensure availability of up to date emission data for major cities and regions							Links to Aims 1.3.2(i)(h), 1.3.3(i)(e), 2.1.1(i)(f), 2.3.2(ii)(h)&(k)
Aim 3.1.2: Institutional procedures and responses to access to information requests are improved									
i)	Ensure efficient and substantive responses to access to information requests	a) Develop clear processes, guidelines and forms for making access to information requests					- EFCCC - ERCs - Regional EPAs - Sectoral regulatory authorities - CSUs - Civil society	A clear, consistent and objective process to deal with access to information requests is in place. Transparent appeal and review mechanisms are in place. Officials are	Links to Aims 1.3.1(iii)(f), 1.4.1(i)(b), 1.4.2(i)(a)
		b) Develop clear internal processes and guidelines for responding to access to information requests							
		c) Appoint and train information officers or focal points responsible for processing access to information requests							Links to Aims 1.1.1, 1.1.4(i)(d)&(f), 1.4.2(i)(a)&(b), 2.3.1(v)(x)
		d) Establish appeal process mechanisms and guidelines							Links to Aims 1.1.4, 1.2.1, 1.4.1(i)(b)

		e) Develop institutional understanding and awareness of the need for transparency and access to						aware of the importance of transparency and easily accessible information for	Links to Aims 1.1.1, 1.1.3, 1.1.4, 1.4.1(i)(e), 1.4.2(i)(b), 2.3.1(v)(x),
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		information						environmental protection and enforcement.	3.2.3(i)&(ii)
A im 3.1.3: Up-to-date web site and public communication links are developed and maintained									
i)	Develop interactive EFCCC website	a) Designate relevant officials responsible for maintaining a functional and updated website.					- EFCCC - ERCs - Regional EPAs - MoIT - Development Partners	Proactive access to information is facilitated. General public, research facilities and government officials are easily able to obtain relevant environmental information. Information can be quickly and efficiently managed and shared.	Links to Aims 1.3.2(i)(e), 1.4.1(i)(d), 2.3.2(ii)(k)
		b) Designate relevant officials for curating website information (gather information, co-ordinate, process and update website information.							Links to Aims 1.4.1(i)(d), 1.4.2(i)(e), 2.3.2(i)(a), 2.3.2(ii)(g)
		c) Develop facilities for internet based reporting of information, institutional linking, and internal information management and processing.							Links to Aims 1.1.1(i)(h), 1.2.1(i)(g)&(h), 1.3.2(i)(e),(f),(g)&(k), 1.4.1(i)(c), 2.1.1(i)(f), 2.1.2(i)(b), 2.1.3(i)(c), 2.1.4(i)(f), 2.1.4(ii)(n), 2.1.4(iii)(s), 3.1.1(ii)
ii)	Establish a public reporting, enquires and complaint hotline	d) Designate an official environmental complaint or reporting hotline.					- EFCCC - Regional EPAs - ERCs - General Public	Extended environmental monitoring and	Links to Aims 1.3.2(i)(e), 1.4.1(i)(d), 2.2.1(ii)(f), 2.3.1(ii)(j)

		e) Designate officials responsible for providing information or following up on environmental complaints.					- Civil society	reporting. Public engagement regarding environmental	Links to Aim 1.4.1(i)(d), 2.2.1(ii)(f)
		f) Raise public awareness of the environmental complaint and reporting hotline and what issues could be raised.						issues. Availability of solutions for environmental violations or complaints.	Links to Aims 1.1.3(i)(d)&(e), 1.3.2(i)(e), 1.4.1(i)(e), 1.4.3(i)(c), 2.1.4(ii)(l), 2.2.2(ii)(i), 3.2.3(i)&(ii)

8.2 **PUBLIC PARTICIPATION AND PUBLIC AWARENESS**

Aim 1: Legislation, regulations and guidelines for meaningful public participation is developed.

Aim 2: Institutional capacity and methods of facilitating meaningful public participation are developed.

Aim 3: Awareness and capacity of local communities, general public and civil society to engage on environmental concerns is developed

The meaningful participation of the public and civil society in environmental decision making can substantially improve the quality and legitimacy of the final decisions reached. Public participation has the potential to improve citizen awareness, ensure various citizen interests and local contexts are adequately reflected, and enhance institutional accountability and transparency. Public participation is important for the enforcement of environmental law as it builds public support for and awareness of laws, improves overall compliance, and engages citizens as allies in the monitoring and reporting of illegal behaviours. As such, public participation, together with access to information and effective access to justice, is recognised in Rio Principle 10 as one of three core components for sound environmental governance.

By engaging civil society and the public at an early stage in the decision making process, the quality of the final decisions is improved by bringing to light different perspectives, assisting to avoid conflicts and build social cohesion, improving the quality of available information and the knowledge base, and facilitating the development of innovative and integrated solutions. Early stage public participation makes it more likely public concerns will surface early and can be dealt with before private or government resources have been invested. In addition, public participation can be a valuable tool for identifying risks, necessary interventions and potential gaps within various planning and legislative processes.

For these reasons, it is important meaningful public participation should seek feedback on both proposed and ongoing projects and go beyond simply presenting options. The process should be treated as a consensus seeking exercise through which a two-way conversation can take place. For public participation to be meaningful it should take place on the basis of prior notice, with information relevant to the discussions made available prior to engagement, and ample opportunity for interested parties to express their opinions.

8.2.1 **CONTEXT AND TARGETS:**

Ethiopia has been given a ranking of “good” on the Environmental Democracy Index for the inclusion of public participation requirements in its legislative documents. Overall it is ranked thirteen out of seventy on public participation.¹²⁶ The Constitution provides for the full consultation and expression of views by people in the planning and implementation of environmental policies and projects that affect them directly¹²⁷ and requires that the government promote the participation of the people in

¹²⁶ <http://environmentaldemocracyindex.org/rank-countries#all> accessed on 04 December 2019

¹²⁷ Article 92(3) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

the formulation of national development policies and programmes.¹²⁸ Further, the Ethiopian Environmental Policy contains numerous sections intended to advance the empowerment and participation of the people and their organisations at all levels in environmental management activities.¹²⁹ The EEP provides for the full participation of women in environmental decision making, resource ownership and management;¹³⁰ the development of effective methods of popular participation in the planning and implementation of environmental law, resource use, and the management of projects and programmes; the development of legislation, training and financial support to empower local communities to ensure genuine grassroots decisions in resources and environmental management;¹³¹ and to provide a legislative framework to encourage participation by the peoples of Ethiopia in the development of federal and regional policies, laws and plans for the sustainable use of the environment.¹³² The Proclamation for the Establishment of Environmental Protection Organs also establishes the duty of the EFCCC to prepare, review and update environmental policies, strategies and laws in consultation with the general public.¹³³

There are thus compelling grounds for the development of the legislative, procedural, and institutional mechanisms necessary to realise the ambitions of both the Constitution and the EPP. Unfortunately, this has not yet taken place and the EDI practical implementation score, indicating negative or limited results for each practical implementation indicator, is reflective of this. Several gaps in the meaningful facilitation of public participation within the Ethiopian environmental context have been identified, namely the opportunity for early stage public participation in the decision making process; the proactive and timely provision of understandable information to the public; the availability of EIA reports, extractive industry licenses and forestry contracts; information on permit violators for waste water and emissions; comprehensive legislative obligations to engage with public comments and views; and public participation in reviews of previous decisions when new impacts become apparent. In addition, the underuse of strong local institutions¹³⁴ with the potential for addressing various aspects of environmental management and related issues has been highlighted.^{135 136}

In the light of these gaps, public participation legislation, regulations and guidelines will be developed according to the following principles:

- Early involvement of the public
- Broad consultation of all interested and affected parties
- Differing rights and interests will be taken into account

¹²⁸ Article 89(6) of the Constitution of the Federal Democratic Republic of Ethiopia, Proclamation 1 of 1995.

¹²⁹ Ethiopian Environmental Policy, 1997, 2.2 (h) Specific Policy Objectives.

¹³⁰ Ethiopian Environmental Policy, 1997, 4.1 (e) Population and the Environment.

¹³¹ Ethiopian Environmental Policy, 1997, 4.2 (c) & (d) Community Participation and the Environment.

¹³² Ethiopian Environmental Policy, 1997, 5.2 (a) Legislative Framework.

¹³³ Section 6(2) of Environmental Protection Organs Establishment Proclamation 295/2002.

¹³⁴ The *Goada* traditional authority amongst the Borena people; *Kobo* traditional forest management rights in the SNNPR; the *Gered* herding and grazing arrangements of the Afar pastoralists and the Tigrayan farmers; the traditional grassland management practices of the Agaw people are some examples.

¹³⁵ Danyo, Stephen; Abate, Asferachew; Bekhechi, Mohammed; Köhlin, Gunnar; Medhin, Haileselassie; Mekonnen, Alemu; Fentie, Amare; Ginbo, Tsegaye; Negede, Betelhem; Tesfaye, Haleluya and Wikman, Anna.

¹³⁶ . Realizing Ethiopia's Green Transformation: Country Environmental Analysis, Environment and Natural Resources Global Practice. Washington, DC: World Bank

- Clear timeframes and procedures established
- Flexible methods to inform and provide relevant information will be used (letters, phone calls, meetings with local citizens and citizens groups, distribution of information kits, non-technical summary documents in local languages, newsletters, press releases, radio shows, public displays, text messages etc.)
- Local communities and civil society will be capacitated to participate meaningfully (Determine local representatives; Community paralegals; Explanations on process; Management of expectations)
- Accessibility will be considered (Understandable information; Clear meeting schedules and identified locations; Understandable project descriptions; Clear purpose and expected outcomes)
- Flexible and appropriate methods of consultation will be utilized (Single meeting; Working groups; Ongoing forums; Oral or written comments; Public consultations; Onsite consultations)
- Consultations will be reflective of political, social, cultural and institutional context of proposed project or decision
- Careful documentation of comments, feedback and outcomes
- Meaningful consideration of citizen feedback
- Regular updates on developments and significant changes
- Project proponents will contribute towards the costs of public participation
- Citizen participation in information gathering etc (citizen science for species monitoring, illegal logging, poaching, air quality)¹³⁷

Public participation will be facilitated on the:

- Development of laws, regulations, policies, and programmes
- Awarding of concessions
- Review of permits and licenses
- Environmental Impact Assessments
- Compliance monitoring and reporting

Target 1: Citizens are given the opportunity to participate, engage and express their opinions on environmental matters.

Target 2: Meaningful, early stage public participation is facilitated.

Target 3: Citizens are provided with adequate information and empowered to participate meaningfully in environmental matters.

¹³⁷ Not only does this assist with monitoring and data collection it can encourage citizen engagement and develop partnerships. It cannot substitute for official data collection for more formal processes such as court proceedings etc.

Target 4: Citizen feedback is considered and incorporated into the decision making process.

Target 5: Public Participation is locally, and culturally relevant and community structures are incorporated into engagement processes.

Target 6: Public awareness of environmental issues is improved.

8.2.2 Public Participation and Public Awareness Action Plan:

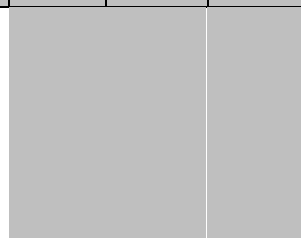
	Key activity	Secondary Activities	Timeframes				Responsible Bodies	Output/ Indicator	Overlaps/ Links
			2020	2023	2025	2028			
Aim 3.2.1: Legislation, regulations and guidelines for meaningful public participation is developed									
i)	Develop overarching public participation legislation	a) Draft necessary legislation, regulations and directives					- EFCCC - Regional EPAs - ERCs - Regional Justice Bureaus - Attorney General	General public is able to meaningfully participate in environmental decisions and legislative developments. Relevant and contextualized approaches are adopted. Oversight or errors are detected at an early stage. Environmental actions gain legitimacy	Links to Aims 1.3.2(i)(j), 1.3.3(i)(a), 1.4.1(e)
		b) Establish clear procedures and responsibilities							Links to Aims 1.3.1(iii)(f), 1.4.1(i)(b)
		c) Establish clear consequences for failures to facilitate public participation							Links to Aims 1.2.1, 1.3.2(i)(j), 1.4.1(i)(d)
		d) Develop multiple tools and methods of notifying and informing the public							
		e) Establish clear complaint and remedial procedures							
Aim 3.2.2: Institutional capacity and methods of facilitating meaningful public participation are developed									
i)	Establish institutional mechanisms and procedures to	a) Appoint and train dedicated public participation facilitation staff					- EFCCC - Regional EPAs - ERCs	Meaningful public participation takes place concerning	Links to Aims 1.1.1, 1.2.3, 1.3.1(ii)(g), 1.3.2(i)(e), 2.3.1(v)(x)

	facilitate public participation	b) Implement training programmes for the facilitation of public participation					- Regional Justice Bureaus - Attorney General	environmental issues. Expert public participation facilitators ensure circumstance	Links to Aims 1.1.4(i)(d)&(f), 1.2.3(i)(b), 1.4.1(i)(b), 1.4.2(i)(a)&(b), 2.3.1(v)(x)
		c) Develop detailed implementation guidelines and protocols for different public participation objectives						appropriate participation takes place. Procedures and circumstances for public participation are clear and objectively determinable.	Links to Aims 1.1.1, 1.4.3(i)(b)
		d) Develop guidelines and procedures for the management of public participation feedback and integration into decision making process						Importance and benefits of public Participation is clearly understood	Links to Aim 1.4.3(i)(b), 1.3.2, 2.1.3(i)(c), 3.1.3(i)(b)
	Develop institutional awareness and capacity on the importance and benefits of public participation	e) Provide institutional training on the reasons and benefits of public participation							Links to Aim 1.1.1, 1.1.2, 1.1.4, 1.2.1, 1.4.1(i)(b), 2.3.1(v)(x)
		f) Establish environmental law research and development institute accountable to the commission							
		g) Develop institutional culture and awareness of the need for public participation							Links to Aims 1.1.1, 1.1.3, 1.1.4, 1.4.1(i)(e), 1.4.2(i)(b), 3.2.3(i)&(ii)
		h) Develop community outreach procedures and mechanisms							Links to Aim 1.1.1, 1.1.3,

		i) Capacitate and facilitate civil society to participate meaningfully						1.2.3(i)(a), 1.4.1(i)(b),(d)&(e), 1.4.3(i)(b)&(e), 2.1.1(ii)(j), 3.2.3(ii)	
A im 3.2.3: Awareness and capacity of local communities, general public and civil society to en gage on environmental concerns is developed									
i)	Broad environmental awareness programmes are developed	a) Develop strategic awareness creation packages to establish broad public environmental awareness					- EFCCC - Regional EPAs - ERCs	Public is aware of environmental consequences and how to access remedies. Ground-up	Links to Aims 1.1.1, 1.1.3(i)(d), 1.2. 1(i)(e)&(g), 1.3. 2(i)(e), 1.4.1(i)(e), 1.4. 2(i)(e), 1.4.3(i)(b),
		b) Develop strategic awareness creation packages targeting specific					- Universities - Regional		

	environmental issues.					authorities - MoWCY - MoSHE - MoE - Civil society - Religious organisations - Private sector	accountability for environmental harms exists. Extended environmental monitoring and enforcement capacity. Public is engaged in environmental protection activities. Those most vulnerable to the effects of environmental degradation are empowered.	2.1.1(i)(f), 2.1.1(ii)(k), 2.1.1(iv)(q), 2.1.2(i)(c)&(e), 2.1.4(ii)(n), 2.1.4(iii)(s), 2.2.1(ii)(f), 2.3.2(ii)(k)
	c) Publicise risks of ongoing pollution and the consequences of noncompliance							Links to Aims 1.2.3(i)(a)&(b), 1.4.1(i)(e), 1.4.3(i)(c), 2.1.1(ii)(k), 2.1.1(iv)(q), 2.1.2(i)(c)&(d), 2.1.4(ii)(m), 2.2.1(ii)(f), 2.2.2(ii)(i)
	d) Encourage the development of local environmental awareness associations							Links to Aim 1.1.2(i)(d)
	e) Facilitate and encourage the support and involvement of community and religious associations and leaders.							Links to Aims 1.2.3(i)(a)&(b), 1.3.2(i)(e), 2.2.1(ii)(f), 2.2.2(ii)(i), 3.2.3(ii)(n),
	f) Actors within private and public sectors with significant environmental impacts are identified and targeted for environmental sensitisation							Links to Aims 1.4.1(i)(e), 1.4.3(1)(b), 2.1.1(i)(a)&(b), 2.1.1(iv)(q), 2.1.2(i)(a)

		g) Develop strategic awareness and inclusion packages for women, youth and vulnerable groups.						Links to Aims 1.1.2(i)(a), 1.1.3(i)(e), 1.4.2(i)(e), 2.1.2(i)(e), 2.1.4(i)(n)
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		h) Publicise environmental ranking and performance of industry							Links to Aims 2.1.1(i)(f) , 2.1.1(iii)(o), 2.1.4(ii)(l) 3.1.1(ii)(m)
		i) Communication strategies must take into account communication and geographical limitations							
ii)	Capacitate local communities, the general public and civil society to meaningfully engage in environmental protection and enforcement	j) Develop environmental education programmes					- EFCCC - Regional EPAs - ERCs	Public can exercise their environmental rights and fulfil their environmental obligations. Community leaders are able to advise and encourage good	Links to Aims 1.1.1, 1.1.2(i)(a),(d)&(e), 2.1. 2(i)(e), 2.2. 1(ii)(f)
		k) Ensure the public is aware of their environmental rights and obligations				- Universities - Regional authorities - MoSHE	Links to Aim 1.1.3, 1.2.1(i)(g), 1.2.3, 1.3.2(l)(b), 2.1.4(ii)(n)		
		l) Ensure the public is aware of and understands how to exercise access to information rights				- MoE - MoWCY	Links to Aims 2.2.1(ii)(f), 3.1.1(i)&(ii)		

		obligations, whistleblowing procedures, available institutional assistance)							3.2.3(i)(d), 3.2.2(ii)(g)&(h)
		m) Ensure the public is aware of and understands how to meaningfully engage in public participation					- Civil society - Religious organisations - Private sector	environmental practices	Links to Aim 3.2.1, 3.2.2(i)&(ii)
		n) Develop environmental training programmes for community and religious associations and leaders							Links to Aims 1.2.3(i)(a)&(b), 3.2.3(i)(e)
		o) Ensure independent advice and support is available (civil society, ERC's, Religious organisations, etc)							Links to Aims 1.1.3(i)(e), 1.2.3(i)(g), 1.4.3(i)(c)
		p) Engage civil society organisations in environmental awareness creation (environmental rights and							Links to Aims 1.1.3(i)(e), 1.4.3(i)(c), 2.2.1(ii)(f),

The Federal Constitution and numerous federal level environmental laws and policies all recognise women as key actors in natural resource use and management. These documents recognise the importance of women not only for the enhanced protection of the environment and sustainable utilization of natural resources but also for their heightened vulnerabilities to environmental degradation and climate change. Women are often the ones responsible for water points and vegetation in agro-pastoralist areas and can play an important part in the protection and management of the environment.¹³⁸ Environmental degradation and climate change, however, disproportionately impacts on women and other vulnerable groups, such as children and the youth, and increases poverty, workloads, greater risk exposure, and adverse health impacts.¹³⁹

As such this Programme will aim to ensure that:

1. The valuable contributions women can make towards environmental protection and natural resource conservation are recognised and utilised to achieve effective and meaningful change; and
2. The unique vulnerabilities and risks faced by women and vulnerable groups are taken into account and mitigation measures developed when implementing the National Environmental Law and Development Programme.
3. Equality and equal opportunities are promoted and established across all Programme activities.

To ensure this is achieved, all components of the Programme will be implemented according to the following guidelines:

- Role of women and vulnerable groups at all levels of environmental policy formulation and decision making will be increased;
- Women's skills in advocacy and monitoring of environmental protection and natural resource management will be fully utilized and leveraged for effective implementation;
- The needs and increased risks of women and vulnerable groups will be carefully considered and mitigation measures fully integrated into all activities under the Programme.
- Women and vulnerable groups will be encouraged and empowered to meaningfully participate in all Programme activities;
- Awareness of the increased risks and unique contributions to be made by women and vulnerable groups will be raised;

¹³⁸ National Action Plan for Gender Equality (NAP-GE), 2006-2010 at p8.

¹³⁹ Natural disasters and climate change make the pastoral environment more precarious to make a living, reduced fuel wood and water resources result in increased workloads as women need to spend more time walking and looking for resources, and traditional cooking methods expose women to high levels of pollution.

- All environmental awareness and public education components of the Programme will include women and vulnerable groups from all interested social, economic and cultural groups;
- Human resource capacity to integrate environmental issues and the concerns of women and vulnerable groups will be improved;
- An open, flexible and empowering environment will be encouraged within institutional structures and collaborative efforts;
- Gender and vulnerable group focal points will be incorporated into all activities and components of the Programme;
- Research and data on women and vulnerable groups in environmental issues will be encouraged.

Through the incorporation of these guidelines across the Programme components and activities, awareness of women's and vulnerable group's needs, as well as, the impacts and causes of gender inequality can be addressed. Through equally shared benefits and responsibilities, and a careful consideration of the needs, interests, priorities and perceptions of all citizens, the shared vision for effective Ethiopian environmental protection and natural resource conservation can be achieved, with all citizens sharing equally in the benefits and responsibilities.

10 RISKS AND MITIGATION MEASURES

There are a number of potential obstacles and risks faced for the full implementation of this Programme. As it is a comprehensive programme, scheduled to take place over a ten year period, it faces a numerous short-term and long-term risks. To ensure these potential obstacles do not prevent the realisation of the overall Programme vision and goals, they must be identified and the associated risks minimised through the development and implementation of mitigation strategies both ahead of time and for the duration of the Programme.

In the past, Ethiopian environmental law development and enforcement capacity has persistently been undermined by capacity limitations, staff turnover, weak institutional coordination, policy fragmentation and financial constraints. In addition, a lack of general awareness and understanding of the importance of environmental protection and natural resource conservation across all levels of society, has resulted in weak political will and failures to take decisive immediate action to address some of the most pressing environmental issues currently unfolding across the country.

This Programme seeks to address these very issues and will embark on a robust and comprehensive effort to ensure environmental considerations are fully integrated across all priority sectors and that the legal foundations for environmental protection are fully developed and enforced. In line with the GTPs, a key overarching mitigation strategy to avoid unnecessary costs and logistical obstacles in the implementation of this Programme is to maximise the utilisation of existing opportunities and infrastructure. There are already multi-level institutional structures and arrangements in place and numerous public programmes and projects are being implemented by the Ethiopian government and

its development partners. This Programme will leverage these existing resources and aim to utilise ongoing activities and capacity to ensure the integration of environmental protection and maximum use of existing institutional and human resources.

Through the lens of this programme the Commission will pursue its mandate of coordinating activities to ensure that the environmental objectives of the Constitution and the principles of the Environmental policy are realised. As such, a second overarching mitigation strategy of the Programme will be to mobilize the Ethiopian people, through community participation, transparency, access to justice and greater awareness of environmental issues. The need for citizen engagement and buy in, particularly in situations of limited government resources and reach, cannot be unstated.

A third key overarching mitigation strategy will be to highlight the importance of ensuring environmental protection and natural resource conservation for the country's continued economic growth. The heavy ongoing reliance of the existing economic strategies on the natural resource base and the opportunities environmental protection and conservation can offer will be actively promoted as part of the national agenda.

Below is a summary of the major risks identified for this Programme's success, as well as, the planned mitigation strategies to be implemented in conjunction with those already mentioned above.

Risk	Management Plan or Measure	Assessment of Risk
Changes in Institutional Structure beyond the control of EFCCC	Development of clear coordination and collaboration processes and systems; Gradual build-up of capacity; Appointment of focal points within substantive frameworks; Inbuilt flexibility; Linkages to external educational institutions	High
High Staff Turn Over and Human Resource Capacity	Partner arrangements with other government institutions, NGOs, Private Sector and University Environmental Resource Centres; Training programmes; Development of employment retention incentives; Clear management strategies and principles	Medium
Financial Constraints	Integration of design structure with administrative and financial institutions already mandated; Reinforcement with capacity building; Reduction of programme overlap; Leveraging of existing programmes and projects; Regular fiduciary risk assessments and mitigation measures; Forward Planning; Partnership development.	Medium

Federal and Regional Level Disconnect	Development of EFCCC and University support mechanisms; Communication platform establishment; Collaboration and cooperation linkages; Information accessibility; Improved regional capacity; Sectoral integration	Medium
Misalignment of Development Partner Objectives	Clear government vision; Use of existing country systems; Sectoral focus; Focused government commitment; Joint programme development; Centralised programme approval decision making and oversight.	Medium
Lack of Public Awareness and Engagement	Citizen education; Awareness raising; Access to information; Access to justice; Grass roots mobilisation; Improved transparency	Medium
Poor Information Exchange and Management	Coordination and collaboration agreements; Process flow design and mechanism creation; Mandate reviews, Research support; Capacity development; Technology development.	Medium
Political will and Consistent Support	Looking beyond immediate short term economic gains; Awareness raising; Linking to economic objectives; Alignment with national policy and strategic directions; Identification of strategic short term direct interventions	High
Rent Seeking	Structured, organised and coordinated responses; Increased citizen awareness and engagement; increased transparency and access to information; Government commitment	Medium
Programme Inertia – risk of delay or postponement due to long timeframes	Acknowledgement of need for gradual build-up of capacity; Parallel implementation activities; Clear outputs and timeframes; Identification of sectoral priorities and pressing needs; Strong monitoring and evaluation structures; Programme flexibility; Regular review and incremental planning; Government commitment	High
Institutional Collaboration and Cooperation	Coordination and collaboration agreements; Process flow design and mechanism creation; Mandate reviews; Embedded focal points; Increased transparency; Clearly defined objectives and outcomes	High

11 CONCLUSION

To enhance Ethiopian environmental rule of law, legislative gaps need to be addressed, mechanisms for efficient implementation and enforcement established, mandates and scope of authority clarified, clear strategic directions determined, and citizen engagement and awareness improved. Innovative

multi-sector approaches and strategies that respond to the nature of environmental pressures and take into account the vital link between articulated policy, the law, and tangible outcomes are needed. This Programme has taken the initial steps of identifying the main elements needed to achieve improved national environmental outcomes through the strengthening of these links and the legal frameworks that connect national policy ambitions to meaningful environmental outcomes.

Through a multi-pronged approach, the Programme aims to ensure a holistic systematic improvement in the protection of the Ethiopian environment and the sustainable management of its natural resources. By focusing on interventions to strengthen environmental legislative frameworks and knowledge; institutional arrangements and processes; and citizen engagement and awareness, it is envisaged that considered concurrent activities, which reinforce and enhance the impacts of each other will be implemented and accelerated improvements in environmental outcomes achieved.

As the environmental impacts caused by human activity and the various sectoral activities of the Ethiopian economic growth strategies are interrelated and often connected by common driving forces, the Programme has been designed around an integrated sectoral approach. This approach will see the development of sector specific enforcement and mitigation strategies that focus on improving sectoral compliance and enforcement mechanisms, as well as, institutional arrangements, while also developing cross-cutting coordination and oversight to ensure interlinked environmental impacts are properly monitored and responded to. This approach will also require looking beyond short-term economic benefits and technical feasibility and entrenching an understanding that for the country to achieve its ambitious growth targets, many of which are based on the utilization of Ethiopia's natural resources, long-term, multi-sectoral efforts to sustainably use and protect Ethiopia's natural resources are needed.

Due to the broad nature of the environmental threats facing Ethiopia and the extensive response needed to address the key driving forces of environmental degradation as quickly as possible, another key feature of the Programme will be the use of a modular intervention approach to achieve rapid Programme implementation. This approach will allow existing resources to be leveraged to maximise the impact of existing project and partner activities and encourage the on-going specialised thematic interventions of various development partners, civil society organisations and government actors. On-going short-term, immediate and direct interventions to halt environmental degradation will continue but efforts to ensure relevant elements of these activities are strategically co-ordinated to maximize their long-term contributions towards establishing environmental rule of law will be made. New projects and partner interventions will be encouraged to incorporate relevant elements of the Programme and project activities will be scrutinised to ensure their positive contribution towards its successful implementation.

The Programme will also focus on developing domestic environmental capacity and ensuring sustainable environmental knowledge retention, creation, and dissemination. Through the development and support of Environmental Resource Centres at selected regional universities, the knowledge base for future, locally driven, environmental and natural resource protection will be established.

The EFCCC through this comprehensive, government led, ten-year initiative has developed a clear vision to improve environmental protection and natural resource conservation. By establishing environmental rule of law through increased environmental awareness, clear legislative requirements, improved enforcement, access to environmental justice, and community empowerment, amongst others, Ethiopia's long-term environmental protection and natural resource sustainability will be enhanced. With dedicated leadership and commitment, the institutional cooperation, collaboration and strategic coordination that is necessary can be achieved and the long-term sustainability of Ethiopia's environment preserved for future generations.

Annex 1: CURRENT DOMESTIC FEDERAL ENVIRONMENTAL LEGISLATION AND POLICIES

<i>Environmental Impacts</i>	<i>Federal Level Legislation, Regulations, Directives</i>	<i>Policies & Strategies</i>	<i>Standards</i>	<i>Mandates</i>	<i>Gaps</i>
Soil Degradation	- Federal Democratic Republic of Ethiopia Rural Land Administration and Land Use Proclamation 456/2005	- Article 3.1 of Environmental Policy of Ethiopia, 1997 - Agricultural and Rural Development Policies and Strategies, 2002 - Food Security Strategy, 2002 - The Conservation Strategy of Ethiopia, 2005 - Sustainable Land Management Programme, 2008 - Ethiopian Soil Information System	<i>National soil quality standards, ICS (International Classification of Standards) 13.080</i>		Lack of Land Use Policy Laws for use and conservation of land (article 51(5) of FDRE Constitution)

<i>Pollution – water</i>	- Environmental Pollution Control - Proclamation 300/2002 Ethiopian Water Resource Management Proclamation 197/2000 - Water Resource Management Regulation 115/ 2005 - Prevention of Industrial Pollution Regulation 159/ 2008 - Code of Practice of Floriculture Sector Regulation 207/20011 - Floriculture Level Validators Competence Certification Directive 10/2019	- Environmental Policy of Ethiopia, 1997 - Water Sector Policy, 1999 - Water Sector Strategy, 2001 - Sanitation Strategy, 2004	<i>Emission Standards of Selected Industries, 2008</i> <i>National Water Quality Standards ICS 13.060</i>	EFCCC MOWIE	
	- Environmental Pollution Control	- Environmental Policy of	<i>Emission</i>	EFCCC	

<i>Pollution – Atmospheric and Climate Change</i>	- Proclamation 300/2002 Forest Development, Conservation and Utilization - Proclamation 1065/ 2018 Forest Development, Conservation and Utilization Regulation (Draft)	- Ethiopia, 1997 Climate Resilient Green Economy Strategy, 2011 - Climate Resilience Strategy: Agriculture and Forestry, 2011 - Climate Resilience Strategy: Water and Energy - Climate Resilience Strategy: Transport - National Health Adaptation Plan - National Urban Development Adaptation Plan - Ethiopian Programme of Adaptation to Climate Change, 2010 - National Adaptation Plan, 2019 - Environmental and Social Safeguards Framework for CRGE initiative, 2015 - Nationally Appropriate Mitigation Actions - REDD+ Strategy - Nationally Determined Contributions, 2015	<i>Standards of Selected Industries, 2008</i> <i>National Workplace Air Quality Standards ICS 13.040.01 & 13.040.30</i>	MoA MoF CRGE Facility	
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<i>Pollution – Substances</i>	- Environmental Pollution Control - Proclamation 300/2002 Solid Waste Management - Proclamation 513/2007 Radiation Protection - Proclamation 571/2008	- Environmental Policy of Ethiopia, 1997	<i>National standards ICS 13.030.30: Special Wastes, ICS 13.280</i>	EFCCC National Meteorological Agency	
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	- Pesticide Registration and Control Proclamation 674/2010 - Control of Ozone Layer Depleting Substances Proclamation 716/2009 - Hazardous Waste Management and Disposal Control Proclamation 1090/2018 - Industrial Chemical Registration and Administration Proclamation 1075/2018 - Prevention of Industrial Pollution Council of Ministers Regulation 159/2008 - Electrical and Electronic Waste Management and Disposal Council of Ministers Regulation 425/ 2018 - Lead in Paint Control Regulation 429/ 2018 - Floriculture Level Validators Competence Certification		<i>Radiation Protection and Safety of Radiation, ICS 65.100.01</i> <i>Pesticide Sources, ICS 29.02</i> <i>Electrical Engineering in General 29.120</i> <i>Electrical Accessories, 29.120.50</i> <i>Fuses and Other Over Current Protection Devices, 29.130</i> <i>Switchgear and Control Gear 29.220.10,</i> <i>Dry Cells & Voltage Regulators, ICS 31.080</i> <i>Semiconductor</i>		
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	Directive 10/2019		<i>devices</i>		
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Water Hydrology (wetlands & watersheds)	- Ethiopian Water Resources Management Proclamation 197/2000 - Wetlands Protection and Sustainable Management Proclamation (Pending) - Council of Ministers Ethiopian Water Resources Management Regulations 115/2005	- 3.4 of the Environmental Policy of Ethiopia, 1997 - Ethiopian Water Resources Management Policy, 1999 - Ethiopian Water Sector Strategy, 2001 - Watershed Development Program	<i>National Standards on Water of Natural Resources, ICS 13.060.10</i>		
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Bio-Diversity & Invasive Alien Species	- Access to Genetic Resources and Community Knowledge, and Community Rights Proclamation 482/2006 - Institute of Biodiversity Conservation and Research Establishment Proclamation 120/1998 - Institute of Biodiversity Conservation and Research Establishment (Amendment) Proclamation 167/ 1999 - Institute of Biodiversity Conservation and Research Establishment (Amendment) Proclamation 381/2004 - Access to Genetic Resources and Community Knowledge, and Community Rights Council of Ministers Regulation 169/2009 - Ethiopian Biodiversity Institute Establishment Council of Ministers Regulation 291/2013	- Article 3.3 of the Environmental Policy of Ethiopia, 1997 - Biodiversity Conservation and Research Policy, 1998 - National Biodiversity Strategy and Action Plan, 2015 - African Model Law on Community, Farmers' and Plant Breeders' Rights and Access to Biological Resources		EFCCC EBI MoA Regional & Kebele bodies Local Communities ECC Mail Service Institutions Quarantine Control Institution	Procedure for prior informed consent Procedure for Community identity and benefit sharing Responsible Ministry Remedies (particularly in relation to intellectual property) Fee Determinations Various Directives PES legal framework
	- Plant Quarantine Council of	- Article 3.3 of the	Not published	EFCCC	Rationalize fragmented

Bio-Safety	- Ministers Regulation 4/1992 - Seed Proclamation 782/2013 - BioSafety Proclamation 655/2009 - Bio-Safety Amendment Proclamation 896/2015 - National Bio-Safety Advisory Committee Establishment Council of Ministers Regulation 411/2017 - Food, Medicine and Health Care Administration and Control Council of Ministers Regulation 299/2013 - Ethiopian Seed Council of Ministers Regulation for 16/1997 - Directive to Establish Major Contents of an Application for Special Permit to Engage in Transactions of Modified Organisms for Research or Teaching 04/2018 - Directive to Provide Risk Assessment Parameters for Modified Organisms 05/2018 - Directive to Establish	Environmental Policy of Ethiopia, 1997		EBI EBTC EBTI ECC ESA FMHACA NBSAC MoA MoST MoTI Regional States	permitting system and mandates Establish administrative system for GMO transactions Issue Directives for National Bio-Safety Advisory Committee Issue Regulations and Directives for Grievance Hearing Committee Appoint National Bio-Safety Advisory Committee Secretariat Establish ECC import permissions for Special Permits Develop Public Participation Guidelines and system Develop Access to information guidelines and system Develop institutional biosafety committees Penalty responsiveness and flexibility
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	Procedures of a Risk Management Strategy for Dealing with Accidents Involving Modified Organisms 06/2018 Directive to Determine the Requirements for Transport and Storage of Modified Organisms				Develop Co-operation MOUs between relevant agencies
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	- 07/2018 Directive to Determine the Content of an application for the Deliberate Release of Modified Organisms 08/2018 - Directive to Establish Institutional Biosafety Committees 09/2019				
Deforestation	- Forest Development, Conservation and Utilization Proclamation 542/ 2007 (Repealed) - Forest Development, Conservation and Utilization Proclamation No. 1065/2018 - Forest Development, Conservation and Utilization Regulation (Draft) - Forest Seed Proclamation (Draft) - Forest Fund Proclamation (Draft) - Forest Business Competency Permit Directive	- Environmental Policy of Ethiopia, 1997 - Climate Resilient Green Economic Strategy - Forest Development, Conservation and Utilization Policy and Strategy, 2007 - National Forest Sector Development Programme, 2016 - National REDD+ Strategy, 2018 - Multi-Sector Investment Plan for Climate Resilient Agriculture and Forest Development, 2017 - National Strategy and Action Plan for the	<i>Forest Seeds Standards, National Standards on Plant Growing, ICS 65.020.20</i>		

		Implementation of the Great Green Wall Initiative in Ethiopia, 2012 National Bamboo Strategy and Action Plan, 2019			
Wildlife Conservation	- Development Conservation and Utilization of Wildlife Proclamation 541/2007	- Article 3.3 of Environmental Policy of Ethiopia, 1997 - Wildlife Policy and Strategy,		EFCCC EWDCA IBCR	Clear boundary identification and designation of protected

	- Ethiopian Wildlife Development and Conservation Authority Establishment Proclamation 575/2008 - Wildlife Development, Conservation and Utilization Council of Ministers Regulation 163/2008 - Awash National Park Establishment Order 54/ 1969 - Simien National Park Establishment Order 59/1970	- 2007 National Biodiversity Strategy and Action Plan, - 2005 Tourism Development Policy, - 2009			areas Missing Directives Legislative shortfalls PES legal framework
Driving Forces					
Industrialisation	- The Industrial Parks Development Corporation Establishment Council of Ministers Regulation 326/2014 - Industrial Parks Proclamation 886/2015	- Ethiopian Industrial Development Strategic Plan, - 2013			
Sense of Ownership (Beneficiary Sharing)	- Research and Conservation of Cultural Heritage Proclamation 209/2000		<i>National on social responsibility</i>	MoCT	
Energy Needs		- National Energy Policy, - 2015	<i>National standards on</i>		

			<i>energy management</i>		
Urbanisation		- National Urban Policy, 2005			
Environmental Impact Assessment	- Environmental Impact Assessment Proclamation 299/2002 - Environmental and Social		<i>National standards on Environmental Management,</i>		<i>PES Schemes</i>
	- Impacts Assessment Professional Licensing Directive 03/2010 - Directive Defining Projects Requiring EIA 01/2001 - Guidelines		<i>ICS 13.020.10:</i>		

Annex 2: MULTILATERAL ENVIRONMENTAL AGREEMENTS

<i>Environmental Impacts</i>	<i>Ratified Treaties</i>	<i>Protocols</i>	<i>Ratification and Related Domestic Legislation</i>	<i>Mandates</i>	<i>Gaps & Notes</i>
<i>Soil Degradation</i>	- 1994 United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa (UNCCD), Party 1997		- United Nations Convention to Combat Desertification in those Countries Experiencing Serious Drought and-or Desertification, Particularly in Africa Ratification Proclamation 81/1997	EFCCC in cooperation with concerned Government Organs, NGOs & Communities	
<i>Pollution – water</i>	- 1969 International Convention on Civil Liability for Oil Pollution Damage (CLC Convention), Party		- Civil Liability for Bunker Oil Pollution Damage Convention Ratification Proclamation 620/2009	Ministry of Transport and Communications in cooperation with concerned environmental organs	Adopted to ensure that adequate compensation would be available where oil pollution damage was caused by maritime casualties involving oil tankers (i.e. ships that carry oil as cargo)

		- CLC Protocol to the 1969 International Convention on Civil Liability for Oil Pollution Damage, Party			Amends the original CLC Convention
<i>Pollution – Atmospheric & Climate Change</i>	- 1985 Vienna Convention for the Protection of the Ozone Layer, Party 1995				
		- 1987 Montreal Protocol on Substances that Deplete the Ozone Layer (including the London Amendment (1990), the Copenhagen Amendment (1992), the Montreal Amendment (1997), the Beijing Amendment (1999) and Kigali Amendment (2019) Party 1995	- Montreal Protocol Amendments Ratification Proclamation 656/2009	National Meteorological Agency empowered to implement the amendments to the Protocols	
	- 1992 United Nations Framework Convention on Climate Change (UNFCCC), Party 1997		- United Nations Framework Convention on Climate Change Ratification Proclamation 97/1994		

		- 1997 Kyoto Protocol, Party 2005, amendment accepted 2015	- Kyoto Protocol Ratification Proclamation 439/2005	EFCCC in cooperation with appropriate Government Organs	
	- 2016 Paris Agreement, Party 2017		- Paris Agreement Ratification Proclamation 993/2017	EFCCC in collaboration with appropriate Government Organs,	
				Administrations and Institutions	
Pollution – Substances	- 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Party 2000		- Basel Convention on the Control of the Transboundary Movements of Hazardous Wastes and their Disposal Ratification Proclamation 192/2000	EFCCC in cooperation with the appropriate government organs	
		- 1999 Basel Protocol On Liability And Compensation For Damage Resulting From Transboundary Movements Of Hazardous Wastes And Their Disposal, Party 2003 (not yet in force)	- Basil Convention Amendment Ratification Proclamation 356/2003	EFCCC in cooperation with the appropriate government organs	

	- 1991 Bamako Convention on the ban on the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, Party 2003		- Bamako Convention Ratification Proclamation No. 355/2003	EFCCC in cooperation with the appropriate government organs	Region: Africa
	- 1998 Rotterdam Convention on the Prior Informed Consent Procedure for		- Rotterdam Convention Ratification Proclamation 278/2002	EFCCC in cooperation with appropriate Government Organs	
	Certain Hazardous Chemicals and Pesticides in International Trade, Party 2004				
	- 2001 Stockholm Convention on Persistent Organic Pollutants, Party 2004		- Stockholm Convention on Persistent Organic Pollutant Ratification Proclamation 279/2002		

Water Hydrology (wetlands & watersheds)	- Agreement on the Nile River Basin Cooperative Framework, Party 2013 (Treaty not yet in force) - Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat (not yet a party)				
Bio-Diversity & Invasive Alien Species	- 1992 Convention on Biological Diversity, Party 1994	- Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity	- Proclamation 98/1994	EFCCC	
		- 2010 Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on	- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising from their Utilization Ratification Proclamation 753/2012	Institute of Biodiversity Conservation in collaboration with the appropriate government organs	
		Biological Diversity, Party 2012			
	- 1991 Agreement on the Establishment of the International Plant Genetic Resources Institute, Party 2006				

	- 1951 International Plant Protection Convention (as revised), Party 1977				
	- 2001 Treaty on Plant Genetic Resources for Food and Agriculture, Party 2002		- International Treaty on Plant Genetic Resources for Food and Agriculture Ratification Proclamation 330/2003	MoA	
Bio-Safety		- 2000 Cartagena Protocol on Biosafety to the Convention on Biological Diversity, Party 2004	- Cartagena Protocol on Biosafety Ratification Proclamation 362/2003		
	- 1967 Phytosanitary Convention for Africa, Party 1973	-	-		
Deforestation	- African Union Convention on Desertification - Great Green Wall - REDD+				

Wildlife Conservation	- Agreement on the Conservation of African-Eurasian Migratory Water birds, Party, 2010		- Agreement for Conservation of African Eurasian Migratory Water Birds Ratification Proclamation 635/2009	Ethiopian Wildlife Conservation Authority in cooperation with concerned Government Organs, NGOs & Communities	An independent international treaty developed under the auspices of the United Nations Environment Programme's Convention on Migratory Species
	- 1979 Convention on the Conservation of Migratory Species of Wild Animals (CMS Bonn Convention), Party 2010		- Convention on the Conservation of Migratory Species of Wild Animals Ratification Proclamation 634/2009	Ethiopian Wildlife Conservation Authority in cooperation with concerned Government Organs, NGOs & Communities	
	- 1975, Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention (CITES), Party 1989			EFCCC EWCA	

	- 1994 Treaty Establishing the				
	Common Market for Eastern and Southern Africa (COMESA) articles 122, 123, 124 & 126				
Driving Forces					
<i>Sense of Ownership (Beneficiary Sharing)</i>	- 1972 UNESCO World Heritage Convention, Party 1977 - Convention for the Safeguarding of the Intangible Cultural Heritage, 2003		- Convention for the safeguarding of the Intangible Cultural Heritage Ratification Proclamation 484/2006	MoCT	

Energy Needs	- 2009 International Renewable Energy Agency Statute, Party 2012		- Statute of the International Renewable Energy Agency Ratification Proclamation 727/2011	Not indicated	IRENA encourages governments to adopt enabling policies for renewable energy investments, provides practical tools and policy advice to accelerate renewable energy deployment, and facilitates knowledge
					sharing and technology transfer to provide clean, sustainable energy for the world's growing population.
	- Agreement on the Establishment of the Global Green Growth Institute, Party 2012		- Establishment of the Global Green Growth Institute Ratification Proclamation 796/ 2013	EFCCC in cooperation with the appropriate government organs	

Annex 3: POWERS AND DUTIES OF THE EFCCC AND RELEVANT PROGRAMME DRIVEN IMPROVEMENTS

Section ¹⁴⁰	Powers and Duties	Relevant Programme Driven Improvements
32(3)(a)	- Coordinate activities to ensure realisation of Constitutional Environmental objectives; - Coordinate activities to ensure realisation of the National Environmental Policy principles.	- Institutional mandates are clarified; - Institutional coordination, communication and collaboration is strengthened; - Environmental Rule of Law is Strengthened; - Institutional information management, exchange and accessibility is improved.
32(3)(b)	- Establish a Strategic Environmental Impact Assessment system for government or private sector social and economic development policies, strategies, laws, programmes and projects; - Establish system to follow-up on implementation and compliance with EIA approvals.	- EIA assessments are coordinated; - Institutional mandates are clarified; - Information management is improved; - Human resource capacity and expertise are enhanced; - Monitoring and enforcement mechanisms are implemented; - Community engagement and information dissemination exists.
32(3)(c)	- Develop mechanisms for the promotion of social, economic and environmental justice; - Ensure derived benefits and gains from forest protection and conservation are channelled to affected communities for the further green- house gas reduction.	- Environmental Rule of law is improved; - Transparency and access to information is improved; - Public participation and community engagement is enhanced; - Access to environmental justice is advanced; - Legal frameworks for benefit allocations are developed.

¹⁴⁰ Article 32(3) of the Definition of the Powers and Duties of Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation 1097/2018

32(3)(d)	- Coordinate actions to solicit resources necessary for building the CRGE across all sectors and at all regional levels; - Provide advisory services; - Provide capacity building support.	- Coordination and integration of environmental issues across sectors is improved; - Institutional coordination, collaboration and communication is improved;
		- Access to information is improved; - Development of EFCCC as a resource management and distribution institution; - ERC development and establishment is supported; - Development partner initiatives are coordinated and harmonised.
32(3)(e)	- Establish an EIA system for investment projects that will determine and evaluate environmental impacts prior to implementation approval by relevant sectoral licensing organs or regional authorities.	- Effective system EIA system for investment projects exists; - Institutional mandates are rationalised; - Institutional coordination, collaboration and cooperation is improved;
32(3)(f)	- Prepare programmes and directives for the implementation and follow-up, across all sectors and at all governance levels, of environmental agreements concerning the natural resource base, desertification, forests, hazardous chemicals, industrial waste, and anthropogenic environmental hazards; - Ensure no overlaps, resource wastage and gaps.	- Legislative gap analysis and gap filling takes place; - Legislative implementation plans are developed; - Institutional mandates are rationalised; - Institutional coordination, collaboration and communication is improved; - Resource leveraging and long-term sustainability measures are implemented; - Development partner initiatives are coordinated and harmonised.

32(3)(g)	- Participate in the negotiation of international environmental and climate change agreements; - Initiate ratification processes; - Play a key role in coordinating national responses to such agreements.	- Institutional mandate are rationalised; - Institutional coordination, collaboration and communication is improved; - Development partner initiatives are coordinated and harmonised; - Human resource capacity is developed; - Academic research and expertise development is supported.
32(3)(h)	- Initiate, formulate and coordinate the development of policies, strategies, laws, guidelines and programmes to implement international agreements to which Ethiopia is a party;	- Legislative gap analysis and gap filling takes place; - Legislative and policy implementation plans are
	- Oversee and ensure the implementation of such instruments.	- developed; - Institutional mandates are rationalised; - Institutional coordination, collaboration and communication is improved; - Resource leveraging and long-term sustainability measures are implemented; - Development partner initiatives are coordinated and harmonised; - Academic research and expertise development is supported.
32(3)(i)	- Formulate environmental safety laws and policies on the production, importation, management and utilization of hazardous substances or wastes; - Formulate environmental safety laws and policies on the development, importation, handling and utilization of genetically modified organisms or alien species; - Ensure implementation of the laws and policies.	- Legislative gap analysis and gap filling take place; - Environmental law enforcement is improved; - Environmental justice is improved; - Human resource capacity is improved; - institutional coordination, collaboration and communication is improved; - Public and regulated community engagement takes place; - Environmental awareness is improved.

32(3)(j)	- Prepare a system for environmental cost benefit analysis and environmental accounting; - Integrate cost benefit analysis and environmental accounting systems into development plans and investment programmes; - Monitor implementation of these systems.	- Legislative gap analysis and gap filling takes place; - Horizontal research partnerships are established; - Academic research partnerships and support capacity is established; - Institutional coordination, collaboration and communication takes place.
32(3)(k)	- Develop incentives to encourage environmental protection, resource conservation and pollution prevention; - Develop disincentives to discourage environmental degradation, resource over exploitation and pollution.	- Legislative gap analysis and gap filling takes place; - Environmentally protective remedies are introduced; - Environmental law enforcement is improved; - Regulated communities are engaged; - Ranking systems and compliance incentives are
		- implemented; - Public awareness exists; - Information transparency and access has been established.
32(3)(l)	- Establish an environmental information system that promotes efficiency in environmental data collection, management and use.	- Transparency and information accessibility is increased; - Human resource capacity is improved; - Research and institutional partnerships are established.
32(3)(m)	- Conduct and coordinate research activities that promote environmental sustainability, as well as, sustainable forest use and conservation; - Conduct and coordinate research activities that promote equitable benefit sharing; - Conduct and coordinate research activities that promote technology transfer; - Conduct and coordinate research activities that promote green job creation.	- Environmental Resource Centres are established at regional universities; - Integrated environmental research takes place; - Human resource capacity is improved; - Institutional coordination, cooperation and communication is improved; - Development partnerships are strengthened.

32(3)(n)	- In accordance with relevant laws, enter any land, premises or other place that falls within federal jurisdiction, to inspect and take samples in furtherance of environmental law enforcement.	- Environmental law enforcement is improved; - Inspection protocols are strengthened; - Law enforcement officials are engaged and environmentally aware; - Environmental justice is improved; - Human resource capacity is improved.
32(3)(o)	- Prepare and disseminate a periodic report on the state of the Ethiopian environment, forests, and climate resilient green economy.	- Consistency and accuracy of report is improved; - Transparency and access to information is improved; - Data collection and management systems are in place; - Regional and federal collaboration and coordination is established.
32(3)(p)	- Promote and provide non-formal environmental education programmes; - Cooperate with competent organs to integrate environmental concerns into the formal educational curricula.	- University Environmental Resource Centres are strengthened; - Environmental law curricula is developed; - Interdisciplinary environmental research and
		- collaboration is encouraged; - Human resource capacity is improved; - Academic partnerships are strengthened.
32(3)(q)	- Establish a system for the development and utilization of small and large-scale forest resources (including bamboo) on private, communal, and watershed areas; - Ensure implementation of the system.	- Legislative framework is strengthened; - Implementation and enforcement is enhanced; - Community engagement and awareness is enhanced.
32(3)(r)	- Establish a system for the protection and, where possible, sustainable utilization of natural forest resources of Ethiopia; - Ensure implementation of the system.	- Legislative framework is strengthened; - Implementation and enforcement is enhanced; - Community engagement and awareness is enhanced; - Community benefit sharing is clarified.

32(3)(s)	- Establish a system to rehabilitate degraded forest resources and lands to enhance their environmental and economic benefits; - Ensure implementation of the system.	- Legislative framework is strengthened; - Implementation and enforcement is enhanced; - Community engagement and awareness is enhanced; - Community benefit sharing is clarified. - Development partners sustainably engaged.
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Annex 4: SDG TARGETS ENGAGED BY THE NELDEP

	Sustainable Development Goal Targets Engaged by the National Environmental Law Development and Enforcement Programme	Programme Impact
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 	1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance. 1.5 By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters. 1.A Ensure significant mobilization of resources from a variety of sources, including through enhanced development cooperation, in order to provide adequate and predictable means for developing countries, in particular least developed countries, to implement programmes and policies to end poverty in all its dimensions. 1.B Create sound policy frameworks at the national, regional and international levels, based on pro-poor and gender-sensitive development strategies, to support accelerated investment in poverty eradication actions.	- Improved land use management and planning; - Natural resource conservation and management; - Environmental protection - Climate change mitigation measures; - Green-house gas reductions; - Enhanced institutional coordination and cooperation; - Focused development partnerships; - Improved environmental policy and legal frameworks
 	2.3 By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment. 2.4 By 2030, ensure sustainable food production systems and implement resilient agricultural practices that increase productivity and production, that help maintain ecosystems, that strengthen capacity for adaptation to climate change, extreme weather, drought, flooding and other disasters and that progressively improve land and soil quality. 2.5 By 2020, maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated	- Improved land use management; - Development of soil erosion preventative measures; - Regulation of agricultural chemicals (fertilizers and pesticides) - Improved water use and allocation frameworks;

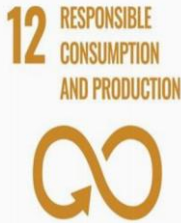
	animals and their related wild species, including through soundly managed and diversified seed and plant banks at the national, regional and international levels, and promote access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed. 2.A Increase investment, including through enhanced international cooperation, in rural infrastructure, agricultural research and extension services, technology development and plant and livestock gene banks in order to enhance agricultural productive capacity in developing countries, in particular least developed countries.	- Protection of conservation areas; - Strengthen biosafety and biodiversity frameworks - Promote green technologies;
	3.3 By 2030, end the epidemics of AIDS, tuberculosis, malaria and neglected tropical diseases and combat hepatitis, water-borne diseases and other communicable diseases. 3.9 By 2030, substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water and soil pollution and contamination. 3.B Support the research and development of vaccines and medicines for the communicable and noncommunicable diseases that primarily affect developing countries ...” 3.D Strengthen the capacity of all countries, in particular developing countries, for early warning, risk reduction and management of national and global health risks.	- Mitigate the impacts of climate change and spread of disease; - Reduce and control the use and release of hazardous pollution; - Strengthen biosafety and biodiversity frameworks; - Create enabling environment for biotechnology research; - Develop environmental early warning system.

4 QUALITY EDUCATION 	4.3 By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university. 4.4 By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship. 4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and nonviolence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development. 4.B By 2020, substantially expand globally the number of scholarships available to developing countries ... for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed	- Develop ERCs at Universities; - Green curricula and encourage inter-disciplinary collaboration; - Ensure the needs of women and vulnerable groups are adequately incorporated into educational activities; - Implement additional vocational environmental training programmes; - Develop partnerships with
	countries and other developing countries. 4.C By 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries ...”.	international academic institutions; - Secure conditional scholarships within environmentally relevant fields of study.
5 GENDER EQUALITY 	5.1 End all forms of discrimination against all women and girls everywhere. 5.5 Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision making in political, economic and public life. 5.A Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws 5.C Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels	- Importance of women for environmental protection and natural resource conservation is recognised and harnessed; - Heightened vulnerability of women to impacts of environmental degradation and climate change are recognised and addressed.

6 CLEAN WATER AND SANITATION 	6.1 By 2030, achieve universal and equitable access to safe and affordable drinking water for all. 6.3 By 2030, improve water quality by reducing pollution, eliminating dumping and minimizing release of hazardous chemicals and materials, halving the proportion of untreated wastewater and substantially increasing recycling and safe reuse globally. 6.4 By 2030, substantially increase water-use efficiency across all sectors and ensure sustainable withdrawals and supply of freshwater to address water scarcity and substantially reduce the number of people suffering from water scarcity. 6.5 By 2030, implement integrated water resources management at all levels, including through transboundary cooperation as appropriate. 6.6 By 2020, protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes. 6.A By 2030, expand international cooperation and capacity-building support to developing countries in water- and sanitation-related activities and programmes, including water harvesting, desalination, water efficiency, wastewater treatment, recycling and reuse technologies. 6.B Support and strengthen the participation of local communities in improving water and sanitation management.	- Sustainability of water supply is enhanced; - Laws preventing pollution and protecting water quality are enforced; - Valuable eco-systems are identified, protected, rehabilitated and awareness of their importance raised; - Local communities are engaged, educated and aware of water related issues; - Partnerships, cooperation and collaboration is improved.
7 AFFORDABLE AND CLEAN ENERGY 	7.1 By 2030, ensure universal access to affordable, reliable and modern energy services. 7.2 By 2030, increase substantially the share of renewable energy in the global energy mix. 7.A By 2030, enhance international cooperation to facilitate access to clean energy research and technology, including renewable energy, energy efficiency and advanced and cleaner fossil-fuel technology, and promote investment in energy infrastructure and clean energy technology. 7.B By 2030, expand infrastructure and upgrade technology for supplying modern and sustainable energy services for all in developing countries, in particular least developed countries, small island developing States, and land-locked developing countries, in accordance with their respective programmes of support.	- Pollution and GHG from energy production reduced; - Deforestation prevented; - Research capacity at tertiary institutions increased; - Partnerships, cooperation and collaboration is improved.

8 DECENT WORK AND ECONOMIC GROWTH 	8.4 Improve progressively, through 2030, global resource efficiency in consumption and production and endeavour to decouple economic growth from environmental degradation, in accordance with the 10-year framework of programmes on sustainable consumption and production, with developed countries taking the lead. 8.9 By 2030, devise and implement policies to promote sustainable tourism that creates jobs and promotes local culture and products.	- Private sector industry is aware of environmental impacts and consequences of degradation; - Partnerships for environmental protection are developed; - Sustainable production practices are adopted; - Wildlife and landscape conservation is advanced.
9 INDUSTRY, INNOVATION AND INFRASTRUCTURE 	9.4 By 2030, upgrade infrastructure and retrofit industries to make them sustainable, with increased resource-use efficiency and greater adoption of clean and environmentally sound technologies and industrial processes, with all countries taking action in accordance with their respective capabilities. 9.A Facilitate sustainable and resilient infrastructure development in developing countries through enhanced financial, technological and technical support to African countries, least developed countries, landlocked developing countries and small island developing States. 9.B Support domestic technology development, research and innovation in developing countries, including by ensuring a conducive policy environment for, inter alia, industrial diversification and value addition to commodities 9.C Significantly increase access to information and communications technology and strive to provide universal and affordable access to the Internet in least developed countries by 2020	- Environmental protection and natural resource conservation research, across sectors is enhanced; - Best available technologies are implemented; - Private sector is incentivised and encouraged to improve infrastructure; - Institutional Communication and Coordination is improved; - Information transparency and access is facilitated.

 10 REDUCED INEQUALITIES	10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.	- Laws are applied consistently and equally; - Access to environmental justice is enhanced; - Disproportionate impacts of environmental and natural resource degradation are acknowledged and addressed.
 11 SUSTAINABLE CITIES AND COMMUNITIES	11.3 By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries. 11.6 By 2030, reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality and municipal and other waste management. 11.A Support positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning. 11.B By 2020, substantially increase the number of cities and human settlements adopting and implementing integrated policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, and develop and implement, in line with the Sendai Framework for Disaster Risk Reduction 2015-2030, holistic disaster risk management at all levels. 11.C Support least developed countries, including through financial and technical assistance, in building sustainable and resilient buildings utilizing local materials.	- Land use planning and management systems are improved; - Urban pollution control and waste management practices are implemented; - Community participation and access to information is enhanced; - Greater community environmental awareness and education; - Construction is environmentally friendly and compliant.

 12 RESPONSIBLE CONSUMPTION AND PRODUCTION	12.2 By 2030, achieve the sustainable management and efficient use of natural resources. 12.4 By 2020, achieve the environmentally sound management of chemicals and all wastes throughout their life cycle, in accordance with agreed international frameworks, and significantly reduce their release to air, water and soil in order to minimize their adverse impacts on human health and the environment. 12.5 By 2030, substantially reduce waste generation through prevention, reduction, recycling and reuse. 12.6 Encourage companies, especially large and transnational companies, to adopt sustainable practices and to integrate sustainability information into their reporting cycle.	- Legal frameworks to ensure sustainable management and use of natural resources exist and are enforced; - Legal frameworks to ensure the sound management of hazardous waste exist and are enforced; - Incentives to encourage
	12.7 Promote public procurement practices that are sustainable, in accordance with national policies and priorities. 12.8 By 2030, ensure that people everywhere have the relevant information and awareness for sustainable development and lifestyles in harmony with nature. 12.A Support developing countries to strengthen their scientific and technological capacity to move towards more sustainable patterns of consumption and production 12.B Develop and implement tools to monitor sustainable development impacts for sustainable tourism that creates jobs and promotes local culture and products	sustainable use and consumption patterns exist and are enforced; - Private sector is aware and engaged in environmentally friendly and sustainable practices; - Public institutions are aware and ensure environmentally friendly and sustainable practices; - Public participation, engagement, access to information, and environmental awareness is ensured and improved; - Partnership, collaboration and cooperation are established; - Wildlife and landscape conservation and rehabilitation is prioritised.

	13.1 Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries 13.2 Integrate climate change measures into national policies, strategies and planning 13.3 Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning 13.B Promote mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities	- Greater integration of environmental and natural resource considerations across sectors; - Public awareness is raised; - Education on environment and climate change related issues is strengthened; - Improved institutional coordination and collaboration.
	14.1 By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from landbased activities, including marine debris and nutrient pollution 14.4 By 2020, effectively regulate harvesting and end overfishing, illegal, unreported and unregulated fishing and destructive fishing practices and implement science-based management plans, in order to restore fish stocks in the shortest time feasible, at least to levels that can produce maximum sustainable yield as determined by their biological characteristics	- Legal frameworks to ensure sustainable management and use of natural resources exist and are enforced; - Legal frameworks to ensure the sound management of hazardous waste exist and are enforced; - Improved research and management plans are implemented.

 15 LIFE ON LAND	15.1 By 2020, ensure the conservation, restoration and sustainable use of terrestrial and inland freshwater ecosystems and their services, in particular forests, wetlands, mountains and drylands, in line with obligations under international agreements. 15.2 By 2020, promote the implementation of sustainable management of all types of forests, halt deforestation, restore degraded forests and substantially increase afforestation and reforestation globally. 15.3 By 2030, combat desertification, restore degraded land and soil, including land affected by desertification, drought and floods, and strive to achieve a land degradation-neutral world. 15.4 By 2030, ensure the conservation of mountain ecosystems, including their biodiversity, in order to enhance their capacity to provide benefits that are essential for sustainable development. 15.5 Take urgent and significant action to reduce the degradation of natural habitats, halt the loss of biodiversity and, by 2020, protect and prevent the extinction of threatened species. 15.6 Promote fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed. 15.7 Take urgent action to end poaching and trafficking of protected species of flora and fauna and address both demand and supply of illegal wildlife products. 15.8 By 2020, introduce measures to prevent the introduction and significantly reduce the impact of invasive alien species on land and water ecosystems and control or eradicate the priority species. 15.9 By 2020, integrate ecosystem and biodiversity values into national and local planning, development processes, poverty reduction strategies and accounts 15.A Mobilize and significantly increase financial resources from all sources to conserve and sustainably use biodiversity and ecosystems	- Legal frameworks to ensure sustainable management and use of natural resources exist and are enforced; - Environmental funding mechanisms and benefit sharing frameworks exist and are implemented; - Communities and general public are aware of the consequence of environmental and resource degradation; - Alternatives to natural resource exploitation are available; - Rehabilitation and conservation mechanisms are available and enhanced; - Environmental capacity of customs officials is improved; - Research and education in
	15.B Mobilize significant resources from all sources and at all levels to finance sustainable forest management and provide adequate incentives to developing countries to advance such management, including for conservation and reforestation 15.C Enhance global support for efforts to combat poaching and trafficking of protected species, including by increasing the capacity of local communities to pursue sustainable livelihood opportunities	priority environmental areas is advanced; - Environmental Rule of Law is enhanced; - Institutional coordination, cooperation and communication is improved;

		- Environmental issues are integrated across sectors.
16 PEACE, JUSTICE AND STRONG INSTITUTIONS 	16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all. 16.5 Substantially reduce corruption and bribery in all their forms. 16.6 Develop effective, accountable and transparent institutions at all levels. 16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels 16.10 Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements 16.A Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime 16.B Promote and enforce non-discriminatory laws and policies for sustainable development	- Environmental Rule of Law becomes established; - Clear environmental legislation exists and is enforced; - Legal framework for access to information exists and is enforced; - Legal framework for meaningful public participation exists and is enforced; - Environmental justice is consistent, predictable, accessible and equitable; - All relevant institutions and officers are aware of environmental issues;

17 PARTNERSHIPS FOR THE GOALS



17.6 Enhance North-South, South-South and triangular regional and international cooperation on and access to science, technology and innovation and enhance knowledge sharing on mutually agreed terms, including through improved coordination among existing mechanisms, in particular at the United Nations level, and through a global technology facilitation mechanism.

17.7 Promote the development, transfer, dissemination and diffusion of environmentally sound technologies to developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed.

17.8 Fully operationalize the technology bank and science, technology and innovation capacitybuilding mechanism for least developed countries by 2017 and enhance the use of enabling technology, in particular information and communications technology.

17.9 Enhance international support for implementing effective and targeted capacity-building in developing countries to support national plans to implement all the sustainable development goals, including through North-South, South-South and triangular cooperation.

17.14 Enhance policy coherence for sustainable development.

17.15 Respect each country's policy space and leadership to establish and implement policies for poverty eradication and sustainable development.

17.16 Enhance the global partnership for sustainable development, complemented by multistakeholder partnerships that mobilize and share knowledge, expertise, technology and financial resources, to support the achievement of the sustainable development goals in all countries, in particular developing countries.

17.17 Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships.

17.18 By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts

- Institutional integration, communication, coordination and cooperation is enhanced;
- International partnerships are coordinated and outputs leveraged for maximum impact;
- Green technologies and all necessary accessory infrastructure is utilized and maintained;
- Knowledge exchange is facilitated through Environmental Resource Centres;
- Knowledge management and dissemination mechanisms are developed and implemented;
- EFCCC mandate to coordinate activities for the achievement of environmental objectives is fully realised.
- Effective partnerships with civil society, development partners, private industry and public institutions are built.

