

ልውጥ ሕያዋንን ለማጓጓዝና ለማከማቸት መሟላት ስላለባቸው

ጉዳዮች ለመወሰን የወጣ መመሪያ

ልውጥ ሕያዋን በሚጓጓዙበት እና በሚከማቹበት ወቅት መሟላት የሚኖርባቸውን አስፈላጊ ሁኔታዎች መወሰን አስፈላጊ ሆኖ ስለተገኘ፤

የአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር ስለደረሰበት ሕይወት በወጣው አዋጅ ቁጥር 655/2001 (በአዋጅ ቁጥር 896/2007 እንደተሻሻለው) አንቀጽ 25 መሠረት ይህን መመሪያ አውጥቷል፡፡

1. አጭር ርዕስ

ይህ መመሪያ “ልውጥ ሕያዋን ለማጓጓዝና ለማከማቸት መሟላት ስላለባቸው ግዴታዎችን ለመወሰን የወጣ መመሪያ ቁጥር ፬/2010” ተብሎ ሊጠቀስ ይችላል፡፡

2. የተፈጻሚነት ወሰን

ይህ መመሪያ ማንኛውም በደህንነት ሕይወት ህግ ጥበቃ ስር ያለ ልውጥ ህያው በአየር ወይም በየብስ በማንኛውም ዓይነት መንገድ ከአንድ ቦታ ወደሌላ ቦታ ሲጓጓዝ ወይም እንቅስቃሴ ሲካሄድ ወይም ሲከማቹ ተፈጻሚ ይሆናል፡፡

3. ልውጥ ህያውን ከአንድ ቦታ ወደ ሌላ ቦታ ማጓጓዝ

- 1/ ልውጥ ሕያዋንን በማጓጓዝ ሥራ መስማራት የሚፈልግ ማንኛውም ሰው ከአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር ወይም ሥልጣን ከተሰጠው ፈቃድ ሰጪ ባለሥልጣን የተሰጠ የማጓጓዝ ፈቃድ መያዝ አለበት፡፡
- 2/ ልውጥ ሕያዋንን ለማጓጓዝ የተሰጠ ፈቃድ ፈቃዱ ከተሰጠበት ቀን ጀምሮ በየሁለት ዓመቱ መታደስ ይኖበታል፡፡
- 3/ የአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር የልውጥ ሕያዋንን ከቦታ ቦታ ዝውውር የሚከታተልበትና የሚቆጣጠርበት አሰራር የሚዘረጋ ሲሆን ሆኖም ልውጥ ሕያዋንን በአንድ ማከማቻ ውስጥ ከአንድ ቦታ ወደ ሌላ ቦታ ማንቀሳቀስን አያካትትም፡፡
- 4/ ልውጥ ሕያዋንን ለማጓጓዝ ፈቃድ የተሰጠው ሰው በዚህ መመሪያ አንቀጽ 4 የተቀመጠውን አሟልቶ ካልተገኘ የተሰጠው ፈቃድ ሊሰረዝ ወይም ለተወሰነ ጊዜ ሊታገድ ይችላል፡፡



- 10/ የአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር መመሪያዎችና ደንቦች መከበራቸውን ለማረጋገጥ የኢንስፔክሽን ሥራ ሊያካሂድ ይችላል፤ ለዚህም ይረዳው ዘንድ በቦታው ላይ በመገኘት ቁጥጥር የማካሄድ ሥልጣን ተሰጥቶታል።
- 11/ እንዲያንጉዝ ፈቃድ የተሰጠው ሰው ተቀባዩ ዕቃው ልውጥ ሕያው መሆኑን ወይም ልውጥ ህያው የያዘ መሆኑን መለየት በሚያስችለው ሁኔታ ምልክት መደረጉን ማረጋገጥ ይኖርበታል።
- 12/ የሚጓጓዘው ዕቃ በሚጠፋበት፣ በሚጎዳበት፣ ወይም ያለአቅጣጫው በሚንቀሳቀስበት ጊዜ የዕቃውን ባለቤት በቀላሉ ማግኘት እንዲቻል በዕቃው ላይ በሚደረገው ምልክት የባለቤቱ ስም፣ አድራሻና ሌሎች የመገናኛ ዝርዝሮች በግልፅ ማሳየት አለበት።
- 13/ በማንኛውም ወቅት በመጫንና በማውረድ፣ እንዲሁም በጉዞ ሊያጋጥም የሚችል መናወጥን መቋቋም የሚችል ጥራት ባለው ማሽኒያ ልውጥ ሕያው መታሸጉን ፍቃድ የተሰጠው አካል ማረጋገጥ ይኖርበታል።
- 14/ ልውጥ ሕያው በየብስ በሚጓጓዝበት ጊዜ የመፍሰስ ወይም ሌላ አደጋ ቢያጋጥም ፈቃድ የተሰጠው አንጓኝ የሚከተሉትን ተግባራት መፈፀም ይኖርበታል፤
 - ሀ) የተሽከርካሪውንና ጭነቱ የፈሰሰበትን አካባቢ የመከለል፤
 - ለ) አስፈላጊ ሆኖ ሲገኝ የአደጋ ጊዜ የእርዳታ አገልግሎት መጥራት ፤
 - ሐ) ሁኔታውን መገምገምና ተገቢውን እርምጃ መውሰድ፤
 - መ) ስለተፈጠረው አደጋ ወይም ስለአፈሳሰሉ ለአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር የማሳወቅ።

4. ከልውጥ ሕያዋን መጓጓዝ ጋር መያያዝ ያለባቸው ሰነዶች

- 1/ ከአንድ ቦታ ወደ ሌላ ቦታ ወይም ወደ አገር ውስጥ የሚገቡ ወይም ወደ ውጭ የሚላኩ ልውጥ ሕያዋን ሲጓጓዙ ከአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር የተሰጠ የማንኛውም ፈቃድ አብሮ መያያዝ አለበት፤ ይህም አግባብ ባለው ባለሥልጣን ወይም ተቆጣጣሪ ለሚደረግ ቁጥጥር በማንኛውም ጊዜ መቅረብ ይኖርበታል።
- 2/ በዚህ አንቀፅ ንዑስ አንቀጽ (1) የተመለከተው እንደተጠበቀ ሆኖ ፍቃድ የተሰጠው ሰው ቢያንስ የሚከተሉትን መረጃዎች የያዘ ሰነድ ሊኖረው ይገባል፤
 - ሀ) ጥቅሉ የሚደርስበት ቦታ ወይም ሀገር ስምና አድራሻ፤
 - ለ) የልውጥ ሕያው ሳይንሳዊና የተለምዶ ስሞችና የተለወጠበት ክንዋኔ፤
 - ሐ) የሚጓጓዘው ዕቃ ጠቅላላ መጠን ወይም የጥቅሎቹ ብዛት፤





ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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5/ ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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4/ ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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3/ ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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2/ ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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1/ ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

5. የልውጥ ስያሜ ማስፈራሪያ

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2) ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

ሠ) ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

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መ) ላክምቶች ለመግደብ ይገባል፡፡ ለዚህም ምክር ቤቱ ማስፈራሪያ ይሰጣል፡፡

- ሐ) የልውጥ ሕያው ማከማቻ ቦታ ስምና አድራሻ፤
- መ) በማከማቻው ተቋም የሚተገበረው የአደጋ የመከላከልና ዝግጁነት እርምጃዎች መግለጫ፡፡
- 6/ ማንኛውንም ልውጥ ሕያውን ለማከማቻት ማመልከቻ ሲቀርብ የአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር የሚከተሉትን ለመወሰን የማከማቻ አካባቢውን እንዲፈተሽ ያደርጋል፤
- ሀ) የተመለከተውን ልውጥ ሕያው ደህንነቱ በተጠበቀ ሁኔታ ለማከማቻት በቂ የአገልግሎት መስጫ ተቋም መኖሩን፤
- ለ) የተሟላ ጥበቃ፣ ለይቶ ማቆያና አስፈላጊ የደህንነት መቆጣጠሪያ በአካባቢው መኖሩን፤
- ሐ) ልውጥ ሕያዋንን አያያዝ በሚመለከት የባለሙያዎች ስልጠና መካሄዱን፡፡
- 7/ አስፈላጊውን ቁጥጥር ካካሄደ በኋላ የአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር ከሚከተሉት መካከል አንዱን ይወስናል፤
- ሀ) ልውጥ ሕያዋንን በማከማቻ የማቆየት ፈቃድ መስጠት፤
- ለ) የማከማቻ አካባቢውን አጥጋቢ ለማድረግ ተጨማሪ ስራዎች የሚያስፈልጉ መሆናቸውን ማሳወቅ፤
- ሐ) ጉዳትን ማስቀረት የማይቻል መስሎ ከታየ ፍቃድ መከልከል፡፡
- 8/ በአካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር የሚሰጠው ፈቃድ የሚከተሉትን መረጃዎች ማካተት ይኖርበታል፤
- ሀ) ልውጥ ሕያው የሚከማችበት ቦታ ስምና አድራሻ፤
- ለ) ለክምችት የታሰበው ልውጥ ሕያው የተሟላና ትክክለኛ ዝርዝር መግለጫ፣ ሳይንሳዊና የተለምዶ ሰሞች እንዲሁም የተለወጠበት ክንዋኔ፤
- ሐ) የክምችቱ መጠንና የሚቆይበት ጊዜ ገደብ፤
- መ) የአደጋ መከላከያ እርምጃዎች፡፡
- 9/ አካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር ልውጥ ሕያውን ለማከማቻት ለአመልካቹ በሰጠው ፈቃድ የተዘረዘረ ማንኛውም ግዴታ በተገቢው መንገድ እየተሟላ ባልሆነበት በማንኛውም ጊዜ ስምምነቱን ሊሰርዝና ሥራውን ሊያስቆም ይችላል፡፡
- 10/ በዚህ መመሪያ መሰረት ፈቃድ ከተሰጠ በኋላ በሰባት ቀን ውስጥ አካባቢ፣ የደን እና የአየር ንብረት ለውጥ ሚኒስቴር ቅጂውን በብሔራዊው የደህንነት ሕይወት የመረጃ ስርዓት ውስጥ ማስቀመጥ አለበት፡፡



[Handwritten signature]

11/ ማንኛውም ልውጥ ሕያውን ለማከማቸት አገልግሎት ላይ የሚውል ሥፍራ የተከማቹት ዕቃዎች የታሸጉ፤ ምንነታቸውን የሚገልፅ ጽሁፍ የተለጠፈባቸውና ተለይቶ የተቀመጡ መሆናቸውን ማረጋገጥ ይኖርበታል።

12/ ልውጥ ሕያው ማከማቻ ኃላፊ የሆነው ግለሰብ ከዚህ በታች የተዘረዘሩትን ተግባራት መፈፀም አለበት፤

ሀ) በክምችት ያለው ልውጥ ሕያው ያልተጤነ ልቀት ወይም መፍሰስ እንዳያጋጥም ኃላፊነት የተሰጠው ባለሙያ በየቀኑ ቁጥጥር ማድረግ ይኖርበታል።

ለ/ ያልተፈቀደለት ማንም ሰው ልውጥ ሕያው ወደተከማቸበት ቦታ አለመግባቱን ማረጋገጥ፤

ሐ) በክምችት ስለሚቆይ ማንኛውም ልውጥ ሕያው መረጃ መያዝና ተቆጣጣሪ ሲፈልገው ማቅረብ፤

መ) ያልተጤነ ልቀት ወይም ሌላ አደጋ ቢያጋጥም ለመቋቋም የሚያስችሉ የአሰራሮች ሁሌም ዝግጁ መሆናቸውን ማረጋገጥ፤

6. መመሪያው የሚፀናበት ጊዜ

ይህ መመሪያ ከ ፕሮ 8 ቀን 2010 ዓ.ም. ጀምሮ የፀና ይሆናል።

አዲስ አበባ ፕሮ 8 ቀን 2010 ዓ.ም



ዶ/ር ለመዶ ዳሌ

የአካባቢ የደንና የአየር ንብረት ልውጥ

ሚኒስቴር ሚኒስትር



**DIRECTIVE ISSUED TO DETERMINE THE REQUIREMENTS FOR TRANSPORT
AND STORAGE OF MODIFIED ORGANISMS**

WHEREAS it is become necessary to determine the requirements for the transport, and storage of modified organisms;

NOW THEREFORE, this directive is issued by the Ministry of Environment, Forest and Climate Change in accordance with Article 25 of the Biosafety Proclamation No. 655/2009 (as amended by Proclamation No. 896/2015):

1. Short Title

This Directive may be cited as the “Directive to Determine the Requirements for the Transport and Storage of Modified Organisms No. 07/2018”.

2. Scope of Application

This Directive shall apply to the transportation or movement of any regulated modified organisms via air or land by any means from one place to another or storage of modified organism.

3. Transportation of Modified Organism

- 1/ Any person who engages in transportation of modified organisms shall obtain a transport authorization permit from the Ministry of Environment, Forest and Climate Change or from the designated competent authority.
- 2/ The transport authorization permit shall be renewed every two years from the date of its issuance.
- 3/ The Ministry of Environment, Forest and Climate Change shall establish a procedure for tracking and monitoring of modified organisms transported; provided, however, this does not include the transportation of modified organism within the same building.
- 4/ The transport authorization permit may be revoked or suspended when a permit holder fails to comply with the provisions of Article 4 of this Directive.
- 5/ The Ministry of Environment, Forest and Climate Change shall ensure that persons authorized to transport modified organisms receive adequate training on safe handling of modified organisms and shall register the personnel trained to undertake the transport.



- 6/ Any route for the consignment shall, where practicable, be planned carefully to minimize risks to human and animal health and the environment.
- 7/ Any person with the transport authorization permit shall notify and communicate the Ministry of Environment, Forest and Climate Change, on a monthly basis, of any transportation of modified organisms through a notification form to be developed by the Ministry.
- 8/ Failure to notify to the Ministry of Environment, Forest and Climate Change the transportation of modified organism on a monthly bases, may lead to cancelation or suspension of transport authorization permit.
- 9/ The notification form shall include, *inter alia*:
- a) Name and address of the owner of the consignment of modified organism, person responsible for the transport of the modified organism and transporting institution if different;
 - b) Information concerning packaging means of transport, transport route and date of dispatch and delivery;
 - c) Information concerning the organism: Common and scientific name of the donor and recipient organisms and description of the modified organism;
 - d) Amount: such as the quantity of culture or number of packages to be transported;
 - e) Information concerning when and by which authority the genetically modified organism was approved or reported for contained use or deliberate release pursuant to relevant laws;
 - f) Precautions to be taken in connection with safe handling of the modified organism;
 - g) the name and signature of person permitted to transport and date.
- 10/ If necessary, the Ministry of Environment, Forest and Climate Change or the relevant competent authority responsible for granting approval or receiving notification may request further information in addition to those prescribed under sub-article (10) of this Article.
- 11/ The Ministry of Environment, Forest and Climate Change shall have the power to carry out inspection to ensure compliance with the conditions of permit and to this effect can execute spot inspection to ensure compliance with any requirement.
- 12/ The person secured authorization permit to transport shall ensure that the label is placed in a manner that enables other handlers know the material to be transported is modifies organism or contains modified organisms.



- 13/ The label shall clearly show the name, address and contact details of the owner of the consignment, so that the owner can be contacted should the container be lost, damaged or misdirected.
- 14/ While transporting, the authorized person shall ensure that the packaging of the modified organism is of adequate quality to withstand the shocks and loadings normally encountered during transport and subsequent handling.
- 15/ In the event of any spill or other accident during the transportation of any modified organism over land, it shall be the responsibility of the authorized person to:
 - a) secure the area around the vehicle and the spill;
 - b) when necessary calling emergency service;
 - c) assess the situation and react in an appropriate manner;
 - d) immediately notify to the Ministry of Environment, Forest and Climate Change of the nature of the spill or accident.

4. Documents Accompanying the Transport of Modified Organisms

- 1/ Modified organism that is moved from one place to another, imported, or exported shall be accompanied by a transport authorization permit issued by the Ministry of Environment, Forest and Climate Change, which shall, at all times, be available for inspection by any competent authority or an inspector.
- 2/ Without prejudice to the provision of sub-article (1) of this Article, while transporting, the authorized person shall, at least, hold documents bearing the following information:
 - a) Name and address of the destination of the consignment;
 - b) Scientific and common names of the modified organism and its transformation event;
 - c) Quantity or total number of package within the consignment;
 - d) Additional handling information necessary to ensure that the consignment will be segregated correctly;
 - e) The addresses of the consigner and consignee, contact telephone numbers, and e-mail;
 - f) An emergency procedure guide providing emergency measures that are to be employed in the event of any unintentional release or any other accident.



5. Procedures for Storage of Modified Organisms

- 1/ Facilities to be used for storing modified organisms shall be registered by the Ministry of Environment, Forest and Climate Change and obtain permit.
- 2/ The Ministry of Environment, Forest and Climate Change in consultation with the competent licensing agencies for health and labor affairs, shall undertake licensing and registration of premises for the storage of modified organisms and for this purpose shall establish:
 - a) standards pertaining to the storage of modified organisms;
 - b) procedures and requirements for the licensing and registration of storage;
 - c) requirements for the training of employees in the safe handling of modified organisms.
- 3/ In undertaking the licensing and registration of premises under sub-article (2) of this Article, the Ministry of Environment, Forest and Climate Change may require the premises to carry adequate insurance to cover liability for harm to human or animal health or the environment.
- 4/ The person in charge of any premise that is to be used for the storage of any modified organism shall apply to the Ministry of Environment, Forest and Climate Change to secure permit.
- 5/ Any application submitted to store a modified organism shall contain the following information:
 - a) a full and accurate description of the modified organism that is to be stored including scientific and common names and transformation event;
 - b) a statement of the quantity of the modified organism to be stored and the duration of the storage or processing;
 - c) the name and location of the place where the modified organism is to be stored;
 - d) a description of the risk management strategy and emergency measures that operate within the facility.
- 6/ Upon receipt of any application to store any modified organism, the Ministry of Environment, Forest and Climate Change shall inspect the premise to determine:
 - a) adequate facilities exist for the safe storage of the specified modified organism;
 - b) adequate security, segregation and safety measures exist at the premise;



- c) employee training in the handling of modified organisms has been undertaken.
- 7/ Upon the completion of any inspection, the Ministry of Environment, Forest and Climate Change shall decide on one of the following:
 - a) issue permit for the storage of modified organisms;
 - b) specify conditions if some additional activities may make the premise satisfactory for storage;
 - c) refuse permit if it decides that a significant risk cannot be avoided.
- 8/ The permit issued by the Ministry of Environment, Forest and Climate Change shall contain information regarding:
 - a) the name and location of the place where the modified organism is to be stored;
 - b) full and accurate description of the modified organism that is to be stored including scientific and common names and the transformation event;
 - c) the quantity to be stored and the duration of the storage;
 - d) risk management measures.
- 9/ The Ministry of Environment, Forest and Climate Change may, at any time that it may consider appropriate, cancel the permit that has been issued, if any requirement contained therein is not strictly complied with and order the immediate cessation of the storage of the modified organism.
- 10/ Within seven days of issuing a permit under this Directive the Ministry of Environment, Forest and Climate Change shall keep its copy in the National Biosafety Clearing House.
- 11/ Any premise used for the storage of a modified organism shall ensure that all the stored material is packed, labeled and segregated.
- 12/ The person in charge of any premise used for the storage of any modified organism shall carry out the following activities:
 - a) ensure that a daily inspection of the modified organism stored in the premise is undertaken by a responsible person to check that no unintended release or leakage is occurring.
 - b) ensure that the entire modified organism in storage areas is secured against unauthorised access;
 - c) maintain data on any modified organism stored in the premise and ensure that the data are readily accessible to inspectors;



- d) ensure that emergency procedures that are to be employed in the event of any unintended release or other accident are always ready;

6. **Effective Date**

This directive shall enter into force as of 16/01...day of 2018

Done at Addis Ababa, this 16 day of Jan/2018

Dr. Gemedo Dalle

MINISTER OF MINISTRY OF ENVIRONMENT, FOREST AND
CLIMATE CHANGE

