



Waggaa 21th.. Lak. 2/2005

ጸሐፊ ዓመት.... ቁጥር ፪/፻፲፭

21st year No. 2/2012

Finfinnee, Sadaasa 21/ 2005

ፊንፊኔ ህዳር ፳፩ ቀን ፻፲፭

Finfine, November 30, 2012

MAGALATA OROMIYAA

መ ገ ለ ተ ኦ ሮ ሚ ያ

MEGELETA OROMIA

Gatiin Tokkoo Qar. 5.20

ያንዱ ዋጋ ፩ ብር ከ፩ ሃገተም

Unit Price Birr 5.20

To'annoo Caffee Mootummaa Naannoo
 Oromiyaatiin Kan Bahe

በኦሮሚያ ብሔራዊ ክልላዊ መንግሥት
 በጨፌ ኦሮሚያ ጠባቂነት የወጣ

Lak. S. Poostaa 21383-1000

የፖ.ሣ.ቁጥር

P.O.Box

OABIYYEE

Labsii Lak. 176/2005

Labsii Sakatta'iinsa Dhiibbaa Naannoo
 Mootummaa Naannoo Oromiyaa Murteessuuf
 BaheFuula 1

Labsii Lak. 176/2005

Labsii Sakatta'iinsa Dhiibbaa
 Naannoo Mootummaa Naannoo
 Oromiyaa Murteessuuf Bahe

Karoorri hojii misoomaa yookiin
 projektiin yoo wixineeffamuu fi iddoon
 hojii yoo filatamu, hojiin ijaarsaa yoo
 gaggeeffamu yookiin adeemsa hojii
 keessatti fooyya'iinsi hojiirratti yoo
 taasifamu yookiin hojiin isaa yemmuu
 addaan citu dhiibbaa naannoo irra gahuu
 danda'u tilmaamuu, adda baasuu fi
 to'achuun misooma barbaadamu fiduuf
 sakatta'iinsi dhiibbaa naannoo murteessaa
 ta'ee waan argameef;

Sanada Mootummaan baasuu keessatti
 kanneen dhiibbaa naannoo irratti geessisan
 osoo hin ragga'in dursanii dhiibbaa
 naannoo irra gahuu danda'u sakatta'uun,
 eegumsi naannoo, dinagdee, aadaa fi
 hawaasummaa waliin xiyyeeffannaa
 argatanii akka wal-simanii fi waliin
 qindaa'anii akka deeman kan taasisuu
 fi misooma itti fufiinsa qabu fiduu kan
 dandeessisu waan ta'eef;

ግዕዝ

አዋጅ ቁጥር ፲፱፻፲፭

በኦሮሚያ ብሔራዊ ክልላዊ መንግሥት የአካባቢ
 ተፅዕኖ ግምገማ ለመወሰን የወጣ አዋጅ.....ገጽ ፩

አዋጅ ቁጥር ፲፱፻፲፭

የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት የአካባቢ
 ተፅዕኖ ግምገማ ለመወሰን የወጣ አዋጅ

የልማት ሃሳብ ገደብ ወይም ፕሮጀክት ሲዘጋጅ፣
 ወይም ቦታው ሲመረጥ፣ ሲገነባ ወይም ሲተገበር
 እንደዚሁም በመተግበር ላይ እያለ ሲሻሻል ወይም
 ሲቋረጥ በአካባቢ ላይ የሚያስከትለውን ተፅዕኖ
 በመተንበይ፣ በመለየትና በመቆጣጠር የተፈለገውን
 ልማት ለማምጣት የአካባቢ ተፅዕኖ ግምገማ
 ወላኝ ሆኖ በመገኘቱ፣

መንግስታዊ ሰነድ በአካባቢ ላይ ሊያስከትለው
 የሚችለውን ተፅዕኖ ለመለየት ገና ከመፅደቁ
 በፊት መግምገም፣ የመፅደቂያው ውሳኔ በሚሰጥበት
 ወቅት አካባቢያዊ፣ ኢኮኖሚያዊ፣ ባህላዊ፣
 ማህበራዊ ታላቢዎችና ግቦች ትኩረት አግኝቶ
 ዘላቂ ልማትን ለማምጣት በሚያመች ሁኔታ
 እንዲዋሃዱና እንዲቀናጁ ለማድረግ የሚያስችል
 በመሆኑ፣

CONTENT

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Oromia National Regional State Environmental
 Impact Assessment Proclamation.Page 1

Proclamation No. 176/2012

Oromia National Regional State
 Environmental Impact Assessment
 Proclamation

WHEREAS, environmental impact
 assessment is used to identify, predict
 and manage the environmental effects
 which a proposed development activity
 or project as a result of its design and
 location, construction or its modification
 or termination entails and thus helps to
 bring about intended development;

WHEREAS, assessment of possible
 impact on environment prior to the
 approval of a public instrument provides
 an effective means of harmonizing and
 integrating environment with economic,
 cultural and social considerations into a
 decision making process in a manner that
 promotes sustainable development;

Dhiibbaa naannoo irra gahuu danda'u tilmaamuun tarkaanfii sirreeffamaa fudhachuuf faayidaa dinagdee fi hawaasummaa guddisuuf, mirga, dirqamaa fi kaayyoo eegumsa naannoo ilaalchisee Heera Mootummaa Naannichaa keessatti tumaman hojiirra oolchuuf kan gargaaru waan ta'eef;

Sakatta'iinsa dhiibbaa naannoo ilaalchisee seerota akka biyyaatti bahan haala qabatamaa naannoo keenyaa wajjin walsimsiisuun barbaachisaa waan ta'eef;

Sakatta'iinsi dhiibbaa naannoo sirni to'annoo cimaa, bulchiinsa iftoominaa fi ittigaafatamummaa qabu akka diriiru ummanni keessattuu hawaasni dhiibbaan naannoo irra gahuu danda'u karoora misoomaa yookiin pirojektii naannoo isaanitti gaggeeffamuuf karoorafamu keessatti hirmaachuun dhiibbaa isaan irra gahuu danda'u xiqqeessuun hirmaannaa ummataa cimsuuf kan gargaaru waan ta'eef;

Akkaataa Heera Mootummaa Naannoo Oromiyaa Fooyya'ee Bahe Labsii Lak. 46/1994 Keewwata 49(3) (a)tiin kan kanatti aanu labsamee jira.

KUTAA TOKKO TUMAALEE WALIIGALAA

1. Mata Duree Gabaabaa

Labsiin kun "Labsii Sakatta'iinsa Dhiibbaa Naannoo Mootummaa Naannoo Oromiyaa Lak.176/2005" jedhamee waamamuu ni danda'a.

2. Hiika

Akkaataan jechichaa hiika biroo kan kennisiisuuf yoo ta'e malee Labsii kana keessatti:

- 1) "Mootummaa" jechuun Mootummaa Naannoo Oromiyaati.
- 2) "Biirroo" jechuun Biirroo Lafa Baadiyyaa fi Eegumsa Naannoo Oromiyaa fi caasaalee isaa jechuudha.
- 3) "Naannoo" jechuun waliigala haala sochii ilma namaa fi lubbu qabeeyyii biroo, akkasumas lafa, qilleensa, bishaan, sagalee, foolii, dhandhama, dhimmoota hawaasummaa, miidhagina uumaa yookiin uumamaan osoo hin daangeeffamin namaan fooyya'e yookiin jijjiiramee jiru hundaa fi iddoo wantootni lubbu-qabeeyyii fi lubbu-dhabeeyyiin hundi keessa jiraatan, walitti hidhamiinsa jidduu isaanii jiraatu kan agarsiisu ta'ee, dimshaashaan sochii fi walitti dhufeenya waan hundaa kan ibsu jechuudha.

በአካባቢ ላይ ሊደርስ የሚችለውን ተፅዕኖ በመተንበይ የማስተካከያ እርምጃ በመውሰድ የማህበራዊና ኢኮኖሚያዊ ጠቀሜታን ለማሳደግ የአካባቢ ጥበቃን አስመልክቶ በክልሉ ሕገ መንግሥት የተደነገጉትን መብት፣ ግዴታና ዓላማ ሥራ ላይ ለማዋል የሚረዳ በመሆኑ፤

የአካባቢ ተፅዕኖን በተመለከተ እንደ ሀገር የወጡ ሕጎች ከክልሉ ነባራዊ ሁኔታ ጋር ማጣጣም አስፈላጊ በመሆኑ፤

የአካባቢ ተፅዕኖ ግምገማ ጠንካራ ቁጥጥር፣ ግልፅነትና ተጠያቂነት ያለው አስተዳደራዊ ስርዓት እንዲዘረጋ፣ ሕዝቡ በተለይ ሕብረተሰቡ በአካባቢው ላይ ሊደርስ የሚችለውን ተፅዕኖ የልማት ዕቅድ ወይም በአካባቢያቸው በሚካሄዱት ፕሮጀክቶች እቅድ ውስጥ በማሳተፍ ሊደርስባቸው የሚችለውን ተፅዕኖ በመቀነስ የሕዝቡን ተሳትፎ ለማጎልበት የሚረዳ በመሆኑ፤

ተሻሽሎ በወጣው የኦሮሚያ ብሔራዊ ክልላዊ መንግስት ሕገ መንግሥት አዋጅ ቁጥር ፵፮/፲፱፻፺፬ አንቀጽ ፵፱ (፫) (ሀ) መሠረት የሚከተለው ታውጧል፡፡

ክፍል አንድ

ጠቅላላ ድንጋጌዎች

፩. አጭር ርዕስ

ይህ አዋጅ "የኦሮሚያ ብሔራዊ ክልላዊ መንግስት የአካባቢ ተፅዕኖ ግምገማ አዋጅ ቁጥር ፩፻፳፯/፪ሺ፭" ተብሎ ሊጠቀስ ይችላል፡፡

፪. ትርጓሜ

የቃሉ አገዛዝ ሌላ ትርጉም የሚያሰጠው ካልሆነ በስተቀር በዚህ አዋጅ ውስጥ፡-

፩) "መንግሥት" ማለት የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት ነው፡፡

፪) "ቢሮ" ማለት የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት የገጠር መሬትና አካባቢ ጥበቃ ቢሮና በየደረጃው ያሉ መዋቅሮች ማለት ነው፡፡

፫) "አካባቢ" ማለት በአጠቃላይ የሰው ልጅ እና ሕይወት ያላቸው ነገሮች እንቅስቃሴ እንዲሁም በመሬት፣ በአየር፣ በውሃ፣ በድምፅ በሽታ፣ በጣሌም፣ በማህበራዊ ኑሮና በሥነ ውበት ሳይወሰን በሰው አማካኝነት ተሻሽለው ወይም ተለውጠው የሚገኙ ነገሮች በሙሉ ያሉበት ቦታ፣ እንዲሁም መጠናቸው ወይም ሁኔታቸው የሰውና ወይም የሌሎችን ህያዋንን በጎ ሁኔታ የሚነኩ የመስተጋብሮቻቸው ድምር ነው፡፡

WHEREAS, the implementation of the environmental rights, obligations and objectives enshrined in the constitution of the regional state would be fostered by the prediction and management of likely adverse environmental impacts, and the maximization of their socio-economic benefits;

WHEREAS, it is found necessary to adopt laws enacted regarding environmental impact assessment as a country to the regional context;

WHEREAS, environmental impact assessment serves to bring strong regulatory procedures, administrative transparency and accountability, as well as to involve the public, particularly the affected community in the planning and decision taking on development which may affect them and their environment;

NOW, THEREFORE, in accordance with Proclamation No. 46/2001 Article 49(3) (a) of the Revised Constitution of the National Regional State of Oromia, it is hereby proclaimed as follows:

PART ONE

GENERAL PROVISIONS

1. Short Title

This Proclamation may be cited as "Oromia National Regional State Environmental Impact Assessment Proclamation No.176/2012."

2. Definition

Unless and otherwise the context requires, in this Proclamation:

- 1) "Government" means the National Regional Government of Oromia.
- 2) "Bureau" means the Rural Land and Environmental Protection Bureau of Oromia and its structures at different levels.
- 3) "Environment" means the totality of all materials whether in their natural state or modified by humans; where biotic and abiotic interact; their external spaces and the interactions which affect their quality or quantity and the welfare of human or other living beings, including but not restricted to land, atmosphere, weather and climate, water, living things, sound, odor, taste, social factors, and aesthetics.

- 4) “**Sakatta’iinsa Dhiibbaa Naannoo**” jechuun sababa pirojektoota misoomaa karoorfamaniin yookiin sanada Mootummaa hojiirra oolfamuun, dhiibbaa naannoo irra gahuu danda’uu fi faayidaa isaan qaban dursanii qorachuu, adda baasuun beekuu fi madaaluuf kan gargaaru tooftaa to’annoo jechuudha.
- 5) “**Dhiibbaa**” jechuun naannoo yookiin qabiyyee naannoo irratti jijjiirama uumameen badii yookiin jijjiirama nageenyaa yookiin fayyaa namaa, biqiltuu, beeylada, bineensota, biyyee, bishaan, qilleensa, hambaalee aadaa yookiin qabeenya uumamaa irra yookiin waliigala jijjiirama naannoorratti, iireenya hawaasummaa, sochii diinagdee yookiin qabeenya aadaa irratti mul’achuu danda’an jechuudha.
- 6) “**Miidhaa**” jechuun misooma gaggeeffamu keessatti sababa misooma gaggeeffamuun hubaatii yookiin miidhama qabeenya naannoo, fayyaa namaa fi sirna xinqeeyyaa irra gahuu danda’u kamiyyuu jechuudha.
- 7) “**Qaama Hayyama Kennu**” jechuun qaama mootummaa hayyama investimantii yookiin hayyama daldalaa yookiin hayyama hojii yookiin hayyama ijaarsaa yookiin dhaabbata hayyama daldalaa akka galmeessuuf aangoon seeraan kennameef kamiyyuu jechuudha.
- 8) “**Qooda Fudhattoota**” jechuun naannoo Oromiyaa keessatti qaama mootummaa yookaan miti-mootummaa yookaan abbootii qabeenyyaa hojiiin eegumsa naannoo isa ilaallatu kamiyyuu jechuudha.
- 9) “**Faaltota**” jechuun wanta dhangala’aa, jajjaboo, gaazii yookiin sagalee ta’anii kallattiinis ta’e al- kallattiin sadarkaa qulqullina naannoo jijjiiruun tajaajila naannicha irraa argamuu danda’an kan miidhu, fayyaa namaa, lubbu-qabeeyyii biroo fi naannoo irratti miidhaa geessisuu kan danda’an kan akka summii, dhibee, foolii, ajaa, aara, qaayyoota, raadiyoo-aktiivii, sagalee, oo’ina hamaa yookiin miidhaa biraa kan uumuu danda’u jechuudha.

- ፬) “**የአካባቢ ተፅዕኖ ግምገማ**” ማለት የታቀዱ የልማት ፕሮጀክቶች ወይም መንግሥታዊ ሠነድ ተግባራዊ በመሆኑ ምክንያት በአካባቢው ላይ ሊደርስ የሚችለውን ተፅዕኖ እና ያላቸውን ጠቀሜታ በቅድሚያ በማጥናት፣ ለይቶ ለማወቅና ለመመዘን የሚረዳ የቁጥጥር ዘዴ ማለት ነው።
- ፭) “**ተፅዕኖ**” ማለት በአካባቢ ወይም በአካባቢ ይዘት ላይ የተፈጠረው አሉታዊ ለውጥ ወይም ደህንነት ወይም በሰው ጤንነት፣ በዕዕዋት፣ በእንስሳትና፣ በአራዊት፣ በአፈር፣ በውሃ፣ በአየር የተለያዩ ቅርሶች፣ ወይም በተፈጥሮ ሀብት ወይም በአጠቃላይ በአካባቢ፣ በማህበራዊ ኑሮ፣ በኢኮኖሚያዊ ወይም በጠህላዊ ሀብት ላይ ሊታይ የሚችል ለውጥ ማለት ነው።
- ፮) “**የአካባቢ ጉዳት**” ማለት በሚካሄደው ልማት ምክንያት በአካባቢ ሀብት፣ በሰው ጤንነትና በአየር ንብረት ላይ ሊደርስ የሚችል አሉታዊ ተፅዕኖ ወይም ጉዳት ማለት ነው።
- ፯) “**የፈቃድ ሰጭ አካል**” ማለት እንደሁኔታው የኢንቨስትመንት፣ የንግድ ወይም የሥራ ወይም የግንባታ ፈቃድ ለመስጠት ወይም የንግድ ድርጅት ለመመዝገብ በሕግ ሥልጣን የተሰጠው ማንኛውም የመንግስት አካል ነው።
- ፰) “**የባለድርሻ አካላት**” ማለት በኦሮሚያ ክልል ውስጥ የአካባቢ ጥበቃ ጉዳይ የሚመለከታቸው ማንኛውም መንግሥታዊና መንግሥታዊ ያልሆኑ አካላትና ባለሀብቶች ማለት ነው።
- ፱) “**ጥኩድ**” ማለት ፈሳሽ፣ ጠጣር፣ ጋዝ ወይም ድምፅ ሆነው በቀጥታም ሆነ ቀጥተኛ ባልሆነ መንገድ የአካባቢ የጥራት ደረጃን በመለወጥ ከክልሉ ሊገኝ የሚችለውን አገልግሎት የሚጎዳ፣ በሰው ጤና፣ በሌሎች ሕያዋን ላይ እና በአካባቢ ላይ ጉዳት ሊያደርሱ የሚችሉ እንደ መርዝ፣ በሽታ፣ ክርፋት፣ ጭስ፣ ጨረር፣ ድምፅ፣ ሙቀት ወይም ሌላ ክስተትን የሚመነጭ፣ ማንኛውም ነገር ነው።

- 4) “**Environmental Impact Assessment**” means the methodology of identifying and evaluating in advance any effect, be it positive or negative, which results from the implementation of a proposed development project or public instrument.
- 5) “**Impact**” means any change to the environment or to its components that may affect human health and safety, flora, fauna, soil, air, water, climate, natural or cultural heritage, other physical structure, or in general, subsequently alter environmental, social, economic or cultural conditions.
- 6) “**Effect**” means any positive or negative effect on environment, human beings or life forms, and ecosystems that could result from the impacts of a proposed development project.
- 7) “**Licensing Agency**” means any organ of government empowered by law to issue an investment permit or a trade or operating license or a work permit or to register a business organization, as the case may be.
- 8) “**Stakeholders**” means any organ of government, non-government or private dealing with environmental issues in the region and thus concerned about environment.
- 9) “**Pollutant**” means any substance whether liquid, solid or gas which directly or indirectly alters the quality of any part of the receiving environment so as to affect its beneficial use adversely, or produces toxic substances, diseases, objectionable odour, radioactivity, noise, vibration, heat or any other phenomenon that is hazardous or potentially hazardous to human health or to other living things.

10) “**Pirojektii**” jechuun hojii misoomaa haaraa gaggeeffamu yookiin kan duraan ture babal’isuuf yookiin jijjiiruuf yookiin hojii dhaabbatee ture deebisanii jalqabuuf sochii taasifamu kamiyyuu jechuudha.

11) “**Abbaa pirojektii**” jechuun qaama mootummaa yookiin dhuunfaa pirojekticha abbummaan gaggeessu jechuudha.

12) “**Gorsaa**” jechuun nama ragaa gahumsa ogummaa eegumsa naannoo irratti qabuu fi kan Abbaan Taayitaa Eegumsa Naannoo Federaalaa yookiin Biiroon hayyama hojii gorsaa dhimma eegumsa naannoo irratti akka hojjetu kenneef jechuudha.

13) “**Sanada Mootummaa**” jechuun imaammata, tarsiimoo, sagantaa, seerota yookiin waliigaltee aqduyaa biyyattiin mallatteessite jechuudha.

14) “**Nama**” jechuun nama uumamaa yookiin qaama seeraan namummaa argate jechuudha.

3. Ibsa Saalaa

Labsii kana keessatti jechi saala dhiiraatiin ibsame dubartiis ni dabalata.

4. Daangaa Raawwatiinsaa

Labsiin kun pirojektootaa fi sagantaalee misoomaa Naannoo Oromiyaa keessatti gaggeeffaman hunda irratti raawwatiinsa ni qabaata.

KUTAA LAMA

SAKATTA’IINSA DHIIBBAA NAANNOO PIROJEKTOOTAA

5. Adeemsa Kenna Hayyamaa

1) Namni kamiyyuu bu’uura Labsii kanaa Keewwata 7 jalatti tumameen, pirojektii sakatta’iinsa dhiibbaa naannoo isa barbaachisu kamiyyuu, Biiroo irraa hayyama osoo hin argatin hojii isaa jalqabuun dhorkaadha.

2) Pirojektiin wal-fakkaatu bakka adda addaatti yoo karoorfame, qorannoon sakatta’iinsa dhiibbaa naannoo bakka pirojektiin itti hojjatamuuf karoorfameen addaan bahee gaggeeffamuu fi Biiroon mirkaneeffamuu qaba.

፩) “**ፕሮጀክት**” ማለት አዲስ የሚካሄድ የልማት ስራ ወይም የነበረውን ማስፋፋት ወይም መለወጥ ወይም ተቋርጦ የነበረውን መልሶ ለመጀመር የሚደረግ ማንኛውም እንቅስቃሴ ማለት ነው።

፪) “**ፕሮጀክት ባለቤት**” ማለት የመንግሥት ክልል ወይም ግለሰብ ፕሮጀክቱን በባለቤትነት የሚመራ ማለት ነው።

፫) “**አማካሪ ማለት**” በአካባቢ ጥበቃ ጉዳዮች ላይ በቂ እውቀት ኖሮት፣ በፌዴራል አካባቢ ጥበቃ ባለሥልጣን ወይም በቢሮው የስራ ፈቃድ የተሰጠው አካል ማለት ነው።

፬) “**መንግሥታዊ ሠነድ**” ማለት ፖሊሲ፣ ስልት፣ መርሐ ግብር፣ ሕግ ወይም ሀገሪቱ የፈረመችው የዓለም አቀፍ ስምምነት ነው።

፭) “**ሰው**” ማለት የተፈጥሮ ሰው ወይም በሕግ የሰውነት መብት የተሰጠው አካል ነው።

፫. የየታ አገላለጽ

በዚህ አዋጅ ውስጥ በወንድ የታ የተገለጸው አባባል የሴትንም የታ ይጨምራል።

፬. የአፈጻጸም ወሰን

ይህ አዋጅ በክልሉ ሊተገበሩ በታቀዱ ፕሮጀክቶችና የልማት ፕሮግራሞች ሁሉ ላይ ተፈጻሚነት ይኖራቸዋል።

ክፍል ሁለት

የፕሮጀክቶች የአካባቢ ተፅዕኖ ግምገማ

፭. ስለ ፈቃድ አሰጣጥ ሂደት

፩) ማንኛውም ሰው በዚህ አዋጅ አንቀጽ ፯ ድንጋጌ መሠረት የአካባቢ ተፅዕኖ ግምገማ የሚያስፈልገውን ማንኛውም ፕሮጀክት፣ ከቢሮው ፈቃድ ሊያገኝ ተግባራዊ ለማድረግ አይፈቀድለትም።

፪) ተመሳሳይ ባህርይ ያላቸው ፕሮጀክቶች በተለያዩ ቦታዎች የሚተገበሩ ከሆኑ የአካባቢ ተፅዕኖ ግምገማ ጥናት በቦታው ተለይቶ በመቅረብ በቢሮው መፅደቅ አለበት።

10) “**Project**” means any new development major expansion or alteration activity or any existing undertaking, or any resumption of work that had been discontinued.

11) “**Proponent**” means any organ of government if in the public sector or any person if in the private sector that initiates a project.

12) “**Consultant**” means any organ who has proficiency certificate on environment and thus allowed by Federal Environmental Protection Authority or the Bureau to carry out consulting services on environment in the region.

13) “**Public Instrument**” means a policy, a strategy, a programme, a law or an international agreement ratified by the country.

14) “**Person**” means any natural or juridical person having legal personality.

3. Gender Description

Gender defined in this Proclamation as masculine shall be applicable for feminine as well.

4. Scope of Implementation

This Proclamation shall be fully effective and implemented on development projects and programs to be undertaken in the territories of Oromia regional.

PART TWO

PROJECT’S ENVIRONMENTAL

IMPACT ASSESSMENT

5. License Approval Process

1) In accordance with Article 7 of this Proclamation, no person shall commence implementation of a project that requires environmental impact assessment without authorization from the Bureau.

2) Projects of similar nature which are to be implemented at different sites shall be subjected to environmental impact assessment in accordance with their specific site, shall receive authorization from the Bureau.

- 3) Keewwata kana Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee, Biiron sababa pirojektii gaggeeffamuun dhiibbaan naannoo irra gahuu danda'u daran xiqqaa ta'uu isaa yoo itti amane, abbaan pirojektii qorannoo sakatta'iinsa dhiibbaa naannoo akka adeemsisu dirqisiisuu dhiisuu ni danda'a. Haalli raawwii isaa Dambii bahun kan murtaa'u ta'a.
- 4) Qaamni hayyama kennu kamiyyuu, hayyama investmentii yookiin hayyama daldalaa yookiin hayyama hojii kennuu yookiin hayyama hojii eegalsiisuu yookiin hayyama ijaarsaa osoo hin kenniin dura pirojektichi sakatta'iinsa dhiibbaa naannoo kan barbaachisu yookiin kan hin barbaachifne ta'uu, akkasumas Biiron pirojekticha ilaalchise yaada yookiin murtii kenne ragaa gaafachuun mirkaneeffachuu qaba.
- 5) Abbaan pirojektii, pirojektii isaa babal'isuu yookiin fooyyessuu yookiin iddoo pirojektichi itti gaggeeffamu jijjiiruu yoo barbaade, qaamni hayyama kennu yookiin haaromsu, pirojektichaaf hayyama kennuun dura, pirojektichi sakatta'iinsa dhiibbaa naannoo kan isa barbaachisuu fi kan hin barbaachisne ta'uu isaa Biiroo irraa mirkaneeffachuu qaba.
- 6) Gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo dhiyaate Biiroo irratti fudhatama yoo argatellee, dhiibbaan naannoo irra yoo gahe abbaan pirojektichaa badii gaheef itti gaafatamummaa irraa bilisa hin ta'u.
- 7) Keewwata kana Keewwata Xiqqaa 6 jalatti kan tumame akkuma jirutti ta'ee, abbaan pirojektii itti gaafatamummaa irraa bilisa kan ta'u, dhiibbaan gahe abbaan dhiibbaan irra gaheen yookiin qaama sadaffaa itti waamamni isaa abbaa pirojektii ala ta'een dhiibbaan kan gahe ta'uun isaa yoo mirkanaa'e qofadha.

፫) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ የተደነገገው አንደተጠበቀ ሆኖ፣ ቢሮው የአካባቢ ተፅዕኖ ግምገማ ከሚያስፈልገው ማንኛውም ፕሮጀክት የሚያስከትለው ተፅዕኖ በጣም ትንሽ ነው ብሎ ካመነ የፕሮጀክቱ ባለቤት የአካባቢ ተፅዕኖ ግምገማ አንዲያካሂድ ላያስገድደው ይችላል። አፈፃፀሙ በሚወጣው ደንብ የሚወሰን ይሆናል።

፬) ማንኛውም ፈቃድ ሰጭ አካል የኢንቨስትመንት፣ የንግድ ወይም የሥራ ወይም የግንባታ ፈቃድ ከመስጠቱ በፊት ፕሮጀክቱ የአካባቢ ተፅዕኖ ግምገማ የሚያስፈልገው ወይም የማያስፈልገው መሆኑን እንዲሁም ፕሮጀክቱን አስመልክቶ ቢሮ የሰጠው ሀሳብ ወይም ውሳኔ መረጃ በመጠየቅ ማረጋገጥ አለበት።

፭) የፕሮጀክቱ ባለቤት ፕሮጀክቱን ለማስፋፋት ወይም ቦታ ለመቀየር ወይም ማሻሻያ ለማድረግ ሲፈልግ፣ ፈቃድ ሰጭው የአካባቢ ተፅዕኖ ግምገማ ጥናት የሚያስፈልገውና የማያስፈልገው መሆኑን ቢሮው ማረጋገጥ አለበት።

፮) የአካባቢ ተፅዕኖ ጥናት ዘገባ ተቀባይነት ማግኘቱን ከቢሮው ይሁንታ ቢያገኝም ፕሮጀክቱ ለሚያደርገው ጉዳት ባለቤቱን ከተጠያቂነት ነፃ አያደርገውም።

፯) የዚህ አንቀጽ ንዑስ አንቀጽ ፮ ድንጋጌ አንደተጠበቀ ሆኖ፣ የፕሮጀክቱ ባለቤት ከተጠያቂነት ነፃ መሆን የሚችለው ጉዳቱ በተገኝው በራሱ ወይም ደግሞ የፕሮጀክቱ ባለቤት ኃላፊነት በሌለበት በሦስተኛ ወገን መድረሱ ሲረጋገጥ ብቻ ነው።

3) Without prejudice to Sub Article 1 of this Article, where the Bureau believes the possible impact of the project to be insignificant, it may decide not to force the concerned proponent to conduct an environmental impact assessment. Its implementation shall be determined by the Regulation to be issued.

4) Any licensing organ shall prior to issuing an investment permit or a trade or an operating license or construction license for a project, ensure whether the said project requires environmental impact assessment or not, and by presenting evidence on views or decision the Bureau has given about the project.

5) If a proponent requests for a project expansion or improvement or site change, the license provider or license renewer organ shall ensure whether the project needs environmental impact assessment or not from the Bureau before issuing license.

6) Even though an environmental impact assessment report submitted have received approval, its authorization by the Bureau does not exonerate the proponent from liability for damage on environment.

7) Without prejudice to Sub Article 6 of this Article, exemption of a proponent from liability shall be granted only when verified that it is the victim himself or a third party for whom the proponent is not responsible that has caused the damage.

8) Gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo dhiyaatee Biiroon fudhatama erga argateen booda, abbaan pirojektii gosa pirojektii gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo irratti dhiyaateen ala jijjiiree hojii yoo eegale, itti gaafatamummaa jalaa bilisa hin ta'u.

9) Abbaan pirojektii, gosa pirojektii gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo irratti dhiyaatee fudhatama argate jijjiiruu yoo barbaade, qaamni hayyama kennu, Biiroo irraa pirojektichi fudhatama qabaachuu isaa mirkaneeffachuu qaba.

6. Dhimmoota Dhiibbaa Madaaluu fi Murteessuu Keessatti Ilaalaman

1) Dhiibbaan pirojektii yoo sakatta'amu bal'inna pirojektichaa, iddoo pirojektichi itti gaggeeffamu, amala pirojektichaatiin, miidhaa kuufamaa dhiibbaa biroo waliin fiduu danda'uun, yeroo pirojektichi fudhatu, miidhaa gahuu danda'u haala duraan irra tureetti deebisuu kan danda'amu yookiin kan hin danda'amne ta'uu isaatiin, akkasumas, haala wal-fakkaataa biroo waliin sakatta'amuu qaba.

2) Pirojektiin gaggeeffamu kamiyyuu faayidaa fi dhiibbaa qabaatee, faayidaa irra dhiibbaan kan caalu yookiin madaaluuf rakkisaa yoo ta'e Biirichi gara tarkaanfii of-eeggannoo qabutti deemuudhaan pirojektichi dhiibbaa geessisuu danda'a jedhee murteessuu qaba.

7. Pirojektoota Sakatta'iinsa Dhiibbaa Naannoo Barbaadan

Pirojektiin kamiyyuu naannoo irratti dhiibbaa kan geessisu ta'us pirojaktoota hunda irratti sakatta'iinsi dhiibbaa naannoo hin gaggeeffamu. Pirojaktoota sakatta'iinsa dhiibbaa naannoo irratti gaggeeffamu Dambii bahuun kan murtaa'u ta'a.

፩) የአካባቢ ተፅዕኖ ጥናት ዘገባ በቢሮ ተቀባይነት ካገኘ በኋላ የፕሮጀክቱ ባለቤት የፕሮጀክቱን ዓይነት ፈቃድ ከተሰጠው አይነት ውጭ ቀይሮ ቢገኝ ከተጠያቂነት ነፃ አያደርገውም።

፪) የፕሮጀክቱ ባለቤት የአካባቢ ተፅዕኖ ጥናት ዘገባ ተቀባይነት ያገኘበትን ፕሮጀክት ለመቀየር ቢፈልግ፣ ፈቃድ ሰጭው አካል ፕሮጀክቱ በቢሮው ተቀባይነት ያገኘ መሆኑን ማረጋገጥ አለበት።

፮. በተፅዕኖ መመዘኛና መወሰኛ ውስጥ የሚታዩ ጉዳዮች

፩) የፕሮጀክት ተፅዕኖ ሲገመገም የፕሮጀክቱ ስፋት፣ ፕሮጀክቱ የሚካሄድበት ቦታ፣ የፕሮጀክቱ ባህሪ ከሌሎች ተፅዕኖዎች ወይም ከስተቶች ጋር የሚያመጣው ተፅዕኖ፣ ፕሮጀክቱ የሚወሰደው ጊዜ፣ ሊደርስ የሚችለውን ጉዳት በፊት ወደክበረበት ሁኔታ መመለስ የሚቻል ወይም የማይቻል መሆኑን፣ እንዲሁም ከሌሎች ተመሳሳይ ሁኔታ ጋር መገምገም አለበት።

፪) ማንኛውም የሚካሄድ ፕሮጀክት ጠቀሜታ እና ጉዳት ኖሮት፣ ከጥቅሙ ጉዳት የሚያመጣ ከሆነ ወይም ለመገምገም አስቸጋሪ ሆኖ ከተገኘ ቢሮው ወደ ማስጠንቀቂያ እርምጃ በማዘዝል ፕሮጀክቱ ተፅዕኖ ያደርሳል ብሎ መወሰን አለበት።

፯. የአካባቢ ተፅዕኖ ግምገማ የሚያስፈልጋቸው ፕሮጀክቶች

ማንኛውም ፕሮጀክት በአካባቢ ላይ ተፅዕኖ ሊያደርስ የሚችል ቢሆንም በሁሉም ፕሮጀክቶች ላይ የአካባቢ ተፅዕኖ ግምገማ ጥናት አይካሄድበትም። የአካባቢ ተፅዕኖ ግምገማ ጥናት የሚካሄድባቸው ፕሮጀክቶች በሚወጣው ደዝቦ ይወሰናል።

8) If environmental impact assessment report of a project has been submitted to the Bureau and has received approval, changing project to another type by a proponent shall not make him free from being subject to liability.

9) If a proponent decides to change environmental impact assessment report of a project that has received approval, the licensing organ shall ensure the said project has got acceptance by the Bureau.

6. Issues to Consider in the Evaluation and Determination of Impacts

1) Any comenced project that has its own advantages and disadvantages, but if its disadvantage outweigh its advantages, or assessing the project is problematic the Bureau thus determine that it entails an impact.

2) The Bureau shall err on the side of caution while determining the negative impact of a project having both beneficial and detrimer effects, but which, on balance, is only slightly or arguably beneficial, and thus determine that it is likely to entail a negative significant impact.

7. Projects Requiring Environmental Impact Assessment

Eventhough every project has an impact on the environment, all projects shall not be subjected to environmental impact assessment. Projects which are subjected to environmental impact assessment study shall be determined by the Regulation to be issued.

8. Sakatta'iinsa Dhiibbaa Naannoo Sanada Mootummaa Wajjiin Walqabate

- 1) Sanada mootummaa dhiibbaa naannoo irratti qabaachuu danda'an hojii irra oolchuun dura sakatta'iinsi dhiibbaa naannoo irratti gaggeeffamu qaba.
- 2) Qaamni sanada mootummaa qopheessu kamiyyuu, sanadicha dhiibbaa naannoo irratti geessisuu danda'u ilaalchisee, gamaaggama hojii irra oolmaa sanadichaa gaggeessuun gabaasa Biiroof dhiyeessuuf dirqama qaba.
- 3) Qaamni mootummaa sanada qopheesse sakatta'iinsa dhiibbaa naannoo akka gaggeeffamu deeggarsa kan gaafate yoo ta'e Biiron deeggarsa barbaachisaa ta'e kennuu ni danda'a.

9. Sakatta'iinsa Dhiibbaa Naannoo Daangaa Naannoolee Ollaa Qaxxaamuranii

- 1) Pirojektiin gaggeeffamu daangaa naannichaa qaxxaamuruun naannoo ollaa irratti dhiibbaa kan geessisuu yoo ta'e, Biiron abbaa pirojekticha adeemsisu ajajuun qorannoon sakatta'iinsa dhiibbaa naannoo akka irratti gaggeeffamu gochuu, hojii irra oolmaa isaa hordofuu fi gabaasa xiinxala qorannoo sakatta'iinsa dhiibbaa naannoo Abbaa Taayitaa Eegumsa Naannoo Federaalaatiif dhiyeessuun beeksisuu qaba.
- 2) Abbaan pirojektii, pirojektii daangaa ollaa qaxxaamuruun dhiibbaa geessisuu danda'uuf qorannoo sakatta'iinsa dhiibbaa naannoo yemmuu gaggeessu, ummata dhiibbaan irra gahuu danda'uu fi qooda fudhattoota dhimmi ilaalu hunda hirmaachisuu qaba.
- 3) Pirojektii daangaa naannoo Oromiyaa qaxxaamuruun dhiibbaa geessisuu danda'u ilaalchisee, pirojektichi Abbaa Taayitaa Eegumsa Naannoo Federaalaatiin kan hogganamu yoo ta'e, xiinxala gabaasa qorannoo sakatta'iinsa dhiibbaa naannoo dhiyaate irratti Biiron hirmaachuu fi yaada irratti kennuu qaba.

፩) ከመንግሥት ሠነድ ጋር የተያያዘ የአካባቢ ተፅዕኖ ግምገማ

- ፩) የመንግሥት ሠነድ በአካባቢ ተፅዕኖ ላይ ሊኖረው የሚችለውን ተፅዕኖ ሥራ ላይ ከማዋሉ በፊት የአካባቢ ተፅዕኖ ግምገማ መካሄድ አለበት።
- ፪) የመንግሥት ሠነድ የሚያዘጋጅ ማንኛውም አካል ሰነዱ በአካባቢ ተፅዕኖ ላይ ሊያደርስ የሚችለውን አሉታዊ ተፅዕኖ አስመልክቶ ሰነዱ ሥራ ላይ የሚውለበትን ለቢሮ ሪፖርት የማድረግ ግዴታ አለበት።
- ፫) የመንግሥት አካል ሰነድ አዘጋጅቶ የአካባቢ ተፅዕኖ ግምገማ እንዲካሄድ ድጋፍ የጠየቀ ከሆነ ቢሮው አስፈላጊውን ድጋፍ ሊያደርግ ይችላል።

፪. ክልል ተሻጋሪ የአካባቢ ተፅዕኖ ግምገማ

- ፩) የሚካሄደው ፕሮጀክት ክልል ተሻጋሪ ሆኖ በአጎራባች ክልሎች ላይ የአካባቢ ተፅዕኖ የሚያስከትል ከሆነ ቢሮው የፕሮጀክቱን ባለቤት የአካባቢ ተፅዕኖ ግምገማ ጥናት እንዲካሄድ ማዘዝ፣ ክትትል በማካሄድ የፕሮጀክቱን አተገባበር ሁኔታ በተመለከተ ለፌዴራል አካባቢ ጥበቃ ባለሥልጣን ወቅታዊ መረጃ መስጠት ይኖርበታል።
- ፪) የፕሮጀክት ባለቤት ክልል ተሻጋሪ ተፅዕኖ ሊያስከትል የሚችል ፕሮጀክት ሊተገብር፣ በፕሮጀክት ላይ የአካባቢ ተፅዕኖ ግምገማ ጥናት ማካሄድ እንዳለበትና ሲካሄድ ጉዳት ሊደርስባቸው ይችላል ተብለው የሚገመቱ ማስረጃዎችና የሚመለከታቸውን ባለድርሻዎች ማሳተፍ አለበት።
- ፫) የኦሮሚያን ድንበር በመሻገር ተፅዕኖ ሊያስከትል የሚችለውን ፕሮጀክት በተመለከተ የአካባቢ ተፅዕኖ ግምገማ ጥናት ዘገባ በፌዴራል አካባቢ ጥበቃ ባለሥልጣን የሚገመገም ከሆነ ቢሮው መሳተፍና ሃሳብ ሊሰጥበት ይገባል።

8. Environmental Impact Assessment Related to Public Instrument

- 1) A public instrument which is likely to entail significant environmental impacts shall be subjected to environmental impacts assessment study prior to its implementation,
- 2) Any organ of government which initiates a public instrument shall have the responsibility to undertake the evaluation of its likely environmental impacts and submit impact assessment report to the Bureau.
- 3) Where a government organ which initiates a public instrument requests for environmental impact assessment study support, the Bureau may provide technical support.

9. Trans-Regional Impact Assessment

- 1) If a proposed project is trans-regional and is assumed to cause environmental impact and adversely affects neighbouring regions, the Bureau shall order the proponent to carry out the environmental impact assessment on the project, monitor its implementation, and shall provide timely information about the project to Federal Environmental Protection Authority.
- 2) Where a proponent carry out trans-regional projects assumed to cause an impact on the environment shall commence an environmental impact assessment and while conducting shall involve those communities and all the concerned stakeholders assumed to be affected.
- 3) Where the evaluating organ regarding environmental impact assessment of trans-regional projects that may affect the environment is Federal Environmental Protection Authority, the Bureau shall participate and give comments up on it.

- 4) Pirojektichi kan daangaa ollaa qaxxaamuru yoo ta'e, Federaalaa, Naannoolee fi qaamolee biroo dhimmi ilaalu waliin qindoominaan kan hordofamu ta'a.

KUTAA SADI

HAALA GABAASAA, XIINXALAA FI DIRQAMA ABBAA PIROJEKTII

10. Gabaasa Qorannoo Sakatta'iinsa Dhiibbaa Naannoo

- 1) Gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo odeeffannoo dhugaa yookiin ragaa gahaa fi qulqullina qabu waa'ee pirojektichaa, pirojektichi waan guutuu qabuu fi haala kamiin hojii irra ooluu akka qabu murteessuuf kan Biiricha dandeessisu ta'uu qaba.
- 2) Gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo yoo xiqqaate qabxiwwan armaan gaditti tarreeffaman of-keessaa qabaachuu qaba:
 - (a) Amala pirojektichaa, gosa teknooloojii fi akkaataa itti fayyadama isaa;
 - (b) Galteewwan pirojektichi itti fayyadamu, adeemsa oomishaa, yookaan tajaajila projektichi keessa darbu, bu'aa argamu fi dhiibbaa naannoo irratti geessisu kan agarsiisu;
 - (c) Umrii Pirojektichaa, qabiyyee fi baay'ina faaltotaa gara naannootti gadi- lakkisu;
 - (d) Daangaa naannoo ollaa qaxxaamuruu isaatiin dhiibbaa naannoo irratti geessisuu danda'u ilaalchisee ragaa kan of-keessaa qabu ta'uu isaa;
 - (e) Tilmaama dhiibbaa kallattiin yookiin kallattiin ala gahuu danda'u, dhiibbaa eeyyattii yookiin waawwattii inni qabu, amalaa fi turtee tilmaamaan kaa'ame;
 - (f) Dhiibbaa gahu hambisuuf, yookiin hir'isuuf yookiin salphisuuf tarkaanfii sirreeffamaa fudhatamu;
 - (g) Balaa naannoorra gahuu danda'u ittisuuf hojii karoofamee fi qophii jiru;
 - (h) Yemmuu pirojektichi hojii irra oolu, adeemsa odiitii naannoo keessaa fi haala to'annoo fi hordoffiin irratti gaggeeffamu qabaachuu qaba.

- ፬) ፕሮጀክቱ የአገራባች ክልል የሚሻገር ከሆነ የፌዴራል መንግስት፣ ክልል እና ሌሎች ጉዳዩ የሚመለከታቸው አካላት በጋራ በትንጅት የሚከታተሉት ይሆናል።

ክፍል ሦስት

የዘጠነ ሁኔታ፣ ምግግ እና የፕሮጀክቱ

ባለቤት ግዴታ

፲. የአካባቢ ተፅዕኖ ምግግ ጥናት ዘገባ

- ፩) የአካባቢ ምግግ ጥናት ዘገባ፣ ስለ ፕሮጀክቱ በቂ መረጃ ወይም ትክክለኛ ማስረጃ የያዘ ፕሮጀክቱ ማሟላት ያለበትን በምን ሁኔታ ስራ ላይ መዋል እንዳለበት ለመወሰን ቢሮውን የሚያስችለው መሆን አለበት።
- ፪) የአካባቢ ተፅዕኖ ጥናት ዘገባ ቢያንስ ከዚህ በታች የተዘረዘሩትን ነጥቦች ያካተተ መሆን አለበት፡
 - (ሀ) የፕሮጀክቱን ባህሪ፣ የቴክኖሎጂ ዓይነትና የአጠቃቀም ሁኔታ፣
 - (ለ) ፕሮጀክቱ የሚጠቀምባቸው ግብአቶች የምርት ሂደት ወይም ፕሮጀክቱ የሚያልፍበት ሂደት፣ የሚገኝ ውጤትና በአካባቢ ላይ የሚያደርሰውን ተፅዕኖ የሚያሳይ፣
 - (ሐ) የፕሮጀክቱ ዘመን፣ ወደ አካባቢ የሚለቀው የበካይ ይዘትና ብዛት፣
 - (መ) በድንበር ተሻጋሪነቱ በአካባቢ ላይ ሊያደርስ የሚችለውን ተፅዕኖ በተመለከተ ማስረጃ ያለው መሆኑን፣
 - (ሠ) በቀጥታም ሆነ በተዘዋዋሪ፣ በምግግ ሊደርስ የሚችለውን ተፅዕኖ፣ አዎንታዊ ወይም አሉታዊ ተፅዕኖዎች፣ ባህሪያትና ምግታዊ የቆይታ ጊዜ፣
 - (ረ) የሚደርሰውን ተፅዕኖ ለማስቀረት ወይም ለመቀነስ ወይም ለማቃለል የሚወሰዱ የማስተካከያ እርምጃዎች፣
 - (ሰ) በአካባቢ ላይ ሊደርስ የሚችለውን አደጋ ለመቀነስ የታቀዱ ሥራዎችና ያለው ዝግጅት፣
 - (ሸ) ፕሮጀክቱ ሥራ ላይ በሚውልበት ወቅት የአካባቢ የውስጥ አዲስና የከትትል ሥራዎች የሚካሄድበት ሂደት ሊኖረው ይገባል።

- 4) Where the project is trans-regional, the federal, regions and other concerned bodies shall monitor its implementation.

PART THREE

REPORTING CONDITTONS, REVIEWING AND DUTY OF THE PROPONENT

10. Environmental Impact Assessment Report

- 1) An environmental impact study report shall contain sufficient information or accurate data, its implementation requirements and procedures of implementation that enable the Bureau to give decision.
- 2) An environmental impact study report shall contain, as a minimum, a description of:
 - (a) The nature of the project, type of technology and its application process;
 - (b) Project inputs, project process, production process or output, and its adverse impacts on the environment;
 - (c) Project life span, the content and amount of pollutant that will be released to the surrounding environment;
 - (d) Information on environment impact due to its trans-regional nature;
 - (e) Characteristics and duration of all the estimated direct or indirect, positive or negative impacts, nature and assumed time limit;
 - (f) Measures proposed to eliminate, minimize, or mitigate the impact;
 - (g) Plan and preparedness in case of accident on the environment;
 - (h) Procedures of auditing, monitoring and evaluation during project implementation.

3) Biiron gadi-faggeenya qorannoon sakatta'iinsa dhiibbaa naannoo itti gaggeeffamuu fi ulaagaa gabaasni sakatta'iinsa dhiibbaa naannoo ittiin xiinxalamu Dambii bahu irratti hundaa'ee ni qopheessa.

11.Xiinxala Gabaasa Qorannoo Sakatta'a Dhiibbaa Naannoo

- 1) Gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo xiinxalaaf Biiroof dhiyaatu jechoota qaamni kamiyyuu salphaatti hubachuu danda'u, gabaabbinaan kan barreeffame ta'ee, gabaasichi odeeffannoo guutuu fi ragaalee sirrii ta'e qabaachuu qaba.
- 2) Biiron gabaasa qorannoo sakatta'iinsa dhiibbaa naannoo dhiyaate erga xiinxaleen booda, yaada ummataa fi ogeessota irraa kenname hubannoo keessa galchuudhaan guyyaa hojii 10 keessatti dhiibbaan pirojektichaan naannoorra gahu kan hin jirre ta'uu isaa yoo itti amane, haalduree tokko malee pirojektichi akka hojiirra oolu hayyamuu qaba.
- 3) Dhiibbaa gahu hambisuun yookiin haala gahaa ta'een ittisuun kan danda'amu ta'uu isaa yoo itti amane, dhiibbaa gahu hambisuuf yookiin dhiibbaa gahu sadarkaa quubsaa ta'een gadi-buusuuf tarkaanfii fudhatamuufi haal dureewwan barbaachisan tarreessuun akka guutaman ajajuun pirojektichi akka hojiirra oolu hayyamuu ni danda'a,
- 4) Pirojektichi yeroo gaggeeffamu dhiibbaa naannoorra gahu haala quubsaa ta'een hambisuun kan hin danda'amnee fi dhiibbaan gahu kan qabeenya uumamaa naannoo yookiin jireenyaa fi fayyaa ummataa daran miidhu ta'uu isaa yoo itti amane, pirojektichi akka hojiirra hin oolle dhorkuu qaba.

12. Hirmaannaa Ummataa

Biiron raawwii pirojektichaa ilaalchisee ummata keessumattuu hawaasa dhiibbaan irra gahuu danda'a jedhamee yaadamu irraa yaadni fudhatamee gabaasa qorannoo sakatta'iinsa dhiibbaa naannoo keessa galuu isaa, akkasumas yeroo xiinxalli gabaasa qorannoo adeemsifamu hirmaannaan isaanii jiraachuu isaa mirkaneeffachuu qaba.

፫) ቢሮው ጥልቀት ያለው የአካባቢ ተፅዕኖ ግምገማ ጥናት ዘገባ የሚካሄድበትና የአካባቢ ተፅዕኖ ጥናት ዘገባ የሚመረመርበት መስፈርት በሚወጣው ደንብ ላይ ተመስርቶ ይዘጋጃል።

፲፩. የአካባቢ ተፅዕኖ ጥናት ዘገባ ግምገማ

- ሀ) ለቢሮው የሚቀርብ የአካባቢ ተፅዕኖ የጥናት ዘገባ ማገም አካል በተላለ ሊረዳው በሚችል ቃላቶች፣ በአጭሩ የተጻፈ ሆኖ ዘገባው መሉ መረጃና፣ ትክክለኛ የሆነ ማስረጃ መያዝ አለበት።
- ለ) ቢሮው የቀረበለትን የአካባቢ ተፅዕኖ ጥናት ዘገባ ከገመገመ በኋላ አሕዝብና ከባለሙያዎች የተሰጠ አስተያየት ከግምት ውስጥ በማስገባት በፕሮጀክቱ ምክንያት በአካባቢ ላይ የሚደርስ ተፅዕኖ የሌለ መሆኑን ካመነ በ፲ የሥራ ቀናት ውስጥ ያለምንም ቅድመ ሁኔታ ፕሮጀክቱ እንዲተገበር መፍቀድ አለበት።
- ሐ) የሚደርሰውን ተፅዕኖ ለማስቀረት ወይም በበቂ ሁኔታ ለመከላከል የሚቻል መሆኑን ካመነ፣ ሊደርስ የሚችለውን ተፅዕኖ ለማስቀረት ወይም ሊደርስ የሚችለውን ተፅዕኖ በአጥጋቢ ሁኔታ ለመቀነስ የሚገባውን እርምጃና የሚያስፈልጉትን ቅድመ ሁኔታዎች ዘርዘሮ እንዲሟሉ በማዘዝ ፕሮጀክቱ እንዲተገበር ይሁንታ መስጠት ይችላል።
- ከ) ፕሮጀክቱ ተግባራዊ በሚሆንበት ጊዜ በአካባቢ ላይ የሚደርሰውን አሉታዊ ተፅዕኖ በአጥጋቢ ሁኔታ ለማስቀረት የማይቻል ከሆነ የሚደርሰው ተፅዕኖ በአካባቢው ተፈጥሮ ሀብት ወይም በሕዝብ ኑሮና ጤና ላይ ከፍተኛ ጉዳት የሚያደርስ መሆኑን ካመነና ፕሮጀክቱ ስራ ላይ እንዳይውል መከላከል አለበት።

፲፪. ስለሕዝብ ተሳትፎ

ቢሮው የፕሮጀክቱን አፈፃፀም በተመለከተ ስሕተት በተለይም የፕሮጀክቱ አፈፃፀም ጉዳት ያስከትልባቸው ይሆናል ተብለው የሚታሰቡ ማኅበረሰቦች የተወሰደው አስተያየት በአካባቢ ተፅዕኖ ጥናት ዘገባ ውስጥ መካተቱን፣ እንዲሁም የዘገባ ጥናቱ ላይ ምርምር በሚካሄድበት ወቅት የሕዝቡ ተሳትፎ መኖሩን ማረጋገጥ አለበት።

3) The Bureau shall develop a criteria to determine detailed level of environmental impact assessment study and its report reviewing procedures, based on the Regulation to be issued.

11.Reviewing of Environmental Impact Report

- 1) An environmental impact study report that is submitted to the Bureau for review shall be clear and brief with so as for any organ to understand, and contain complete information and accurate data.
- 2) If convinced that the project will not cause an impact, the Bureau shall, after evaluating an environmental impact study report by taking into account public opinions and expert comments, approve the project without conditions and issue authorization within 10 working days.
- 3) Where the Bureau is convinced that the negative impact can be effectively countered, it shall order project implementation by stating conditions that need to be fulfilled in order to eliminate or to reduce adverse impact.
- 4) Where it is convinced that the impacts of the project cannot be satisfactorily avoided and its adverse impact significantly affect the natural resources, life and health of a community the Bureau shall refuse the implimentation of the project.

12. Public Participation

Regarding the project implementation, the Bureau shall ensure the inclusion of opinion of public, particularly of the affected community in environmental impacts assessment study and their participation while review of the envionmental impact assessment report is made.

13. Yeroo Gabaasni Qorannoo Sakatta'iinsa Dhiibbaa Naannoo Ragga'ee Itti Turu

- 1) Gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo fudhatama argate hojiin isaa yeroo jedhame keessatti raawwatamuu yoo baate fudhatama ni dhaba.
- 2) Keewwata kana Keewwata Xiqqaa 1 jalatti kan tumame akkuma eeggametti ta'ee, tarkaanfii fudhatamu irratti mormiin yoo jiraate, abbaan pirojektichaa iyyannoo isaa Biiroof dhiyeessuu ni danda'a.
- 3) Biiron guyyaa iyyannoon dhiyaate irraa eegalee sababni humnaa ol ta'e yoo jiraate malee guyyaa 15 keessatti yeroo fudhatamni gabaasa qorannoo itti dheeratu yookiin qorannoon sakatta'iinsa dhiibbaa naannoo akka keessa deebi'amee ilaallamu yookiin akka irra deebi'amee adeemsifamu murteessuu qaba.
- 4) Keewwata kana Keewwata Xiqqaa 3 jalatti kan tumame akkuma eeggametti ta'ee, Biiron guyyaa 15 keessatti kan hin murteessine yoo ta'e iyyannoon dhiyaate akka fudhatama argateetti lakkaa'amee naannoo irratti dhiibbaa gahuu fi badii uumamuuf Biiron kan itti gaafatamu ta'a.

14. Dirqama Abbaa Pirojektii

- 1) Abbaan pirojektii sakatta'iinsa dhiibbaa naannoo adeemsisuun dhiibbaa pirojektichaan naannoo irra gahu dursee adda baasuun, tooftaa yookiin mala dhiibbaa gahu ittiin hambisu yookiin salphisu gabaasa qorannoo keessatti galchuun, ragaalee seera-qabeessa ta'an waliin gabaasa qorannoo sakatta'iinsa dhiibbaa naannoo Biiroof dhiyeessuu qaba.
- 2) Sakatta'iinsi dhiibbaa naannoo yemmuu adeemsifamu, gorsaan qorannoo sakatta'iinsa dhiibbaa naannoo gaggeessu ulaagaalee Biiron baasu kan guutu ta'uu isaa abbaan pirojektichaa mirkaneeffachuu qaba.

፲፫. የፀደቀ የአካባቢ ተፅዕኖ ጥናት ዘገባ ፀንቶ የሚቆይበት ጊዜ

- ፩) የአካባቢ ተፅዕኖ የጥናት ዘገባ ተቀባይነት አግኝቶ ሥራው በተባለው ጊዜ ውስጥ ሳይፈጸም ቢቀር ተቀባይነት ያጣል።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ የተደነገገው እንደተጠበቀ ሆኖ በሚወሰደው እርምጃ ላይ ተቃውሞ ካለ የፕሮጀክቱ ባለቤት ማመልከቻውን ለቢሮ ማቅረብ ይችላል።
- ፫) ቢሮው ማመልከቻ ከቀረበለት ዕለት ጀምሮ ከአትም በላይ የሆነ ችግር ካላጋጠመ በስተቀር በ፲፭ ቀናት ውስጥ የአካባቢ ተፅዕኖ ዘገባ መርዘም ወይም የአካባቢ ተፅዕኖ ግምገማ ጊዜ እንዲከለስ ወይም እንደገና እንዲካሄድ መወሰን አለበት።
- ፬) በዚህ አንቀጽ ንዑስ አንቀጽ ፫ ሥር የተደነገገው እንደተጠበቀ ሆኖ ቢሮው በ፲፭ ቀናት ውስጥ ካልወሰነ፣ የቀረበው አቤቱታ ተቀባይነት እንዳገኘ ተቆጥሮ በአካባቢ ላይ ለሚደርሰው ተፅዕኖ እና ለሚፈጠረው ጥፋት ቢሮው ተጠያቂ ይሆናል።

፲፬. የፕሮጀክቱ ባለቤት ግዴታ

- ፩) የፕሮጀክት ባለቤት የአካባቢ ተፅዕኖ ግምገማ በማካሄድ በአካባቢ ላይ የሚደርሰውን ተፅዕኖ አስቀድሞ በመለየት የሚደርሰውን ተፅዕኖ የሚያስቀርበት ወይም ማስቀላቀያ ዘዴ በጥናት ዘገባ ውስጥ በማካተት ሕጋዊ ከሆኑ ሰነዶች ጋር የአካባቢ ተፅዕኖ የጥናት ዘገባውን ለቢሮው ማቅረብ አለበት።
- ፪) የአካባቢ ተፅዕኖ ግምገማ ጥናት በሚካሄድበት ጊዜ የአካባቢ ተፅዕኖ ግምገማ ጥናት የሚያካሂድ አማካሪ፣ ቢሮው የሚያወጣውን መስፈርት ያሟላ መሆኑን የፕሮጀክቱ ባለቤት ማረጋገጥ አለበት።

13. Validity of Approved Environmental Impact Study Report

- 1) The authorized environmental impact study report shall expire if the project has not been implemented within a time frame set during its authorization.
- 2) Without prejudice to Sub Article 1 of this Article, a proponent who has complaints on measures taken may submit an application to the Bureau.
- 3) Unless special circumstances so dictate the Bureau shall decide within 15 days from the receipt of an application whether to extend the validity of the report or to order the revision or the redoing of the environmental impact assessment.
- 4) Without prejudice to sub Article 3 of this Article, where response is not given for the applicant within 15 days, it shall be considered accepted and the Bureau shall be responsible for environmental impact and damages.

14. Duties of a Proponent

- 1) After undertaking environmental impact assessment, identifying and predicting the likely adverse impacts of the project with the inclusion of meanses or methods of impact prevention or containment into an environmental impact assessment report, together with all essential data, a proponent shall submit the environmental impact study report to the Bureau.
- 2) A proponent shall ensure a consultant in charge of conducting an environmental impact assessment must fulfill the criteria and requirements of the Bureau.

3) Qorannoon sakatta'iinsa dhiibbaa naannoo of eegannoo cimaan akka gaggeeffamuu fi itti gaafatamummaan akka jiraatu gochuuf gorsaadhaan gaggeeffamuu qaba.

4) Qorannoo sakatta'iinsa dhiibbaa naannoo adeemsisuu fi gabaasa qorannoo sakatta'iinsa dhiibbaa naannoo qopheessuuf baasii barbaachisu hundaa abbaan pirojektichaa danda'uu qaba.

5) Abbaan pirojektii, pirojektii isaa yemmuu gaggeessu gabaasa qorannoo sakatta'iinsa dhiibbaa naannoo irratti hundaa'uun hayyama fudhate waliin dirqama itti kenname hundaa bahuu qaba.

6) Pirojektii dhiibbaan isaa daran hamaa jedhamee yaadamu ilaalchisee, qorannoo sakatta'iinsa dhiibbaa naannoo gadi-fageenyaan osoo hin gaggeessin dura, abbaan pirojektii qorannoo duraa naannoo irratti adeemsisuun gabaasa qorannoo duraa Biiroof dhiyeessuu qaba. Gosti yookiin akaakuun pirojektoota kanaa Dambii bahuun kan tarreeffamu ta'a.

7) Abbaan pirojektii, gabaasa qorannoo sakatta'iinsa dhiibbaa naannoo Biiroof dhiyeessuun fudhatama argatee hojii isaa eegale yeroo haaromsa hayyama daldalaa gaafatu gabaasa raawwii hojii eegumsa naannoo pirojektichaan raawwatame Biiroof dhiyeessuun xalayaa deeggarsaa Biiricha irraa argachuu qaba.

15. Sakatta'iinsa Dhiibbaa Naannoo Irra Deebiidhaan Gaggeessuu

Gabaasni qorannoo sakatta'iinsa dhiibbaa naannoo dhiyaatee erga ragga'ee booda, rakkoo cimaan haaraa dhiibbaa ol'aanaa qabu yoo mul'atee fi kan duraan hin hubatamin hafe adeemsa keessatti yoo mul'ate, Biiroon waan haaraa uumame hubachuudhaaf akka danda'amuutti sakatta'iinsa dhiibbaa naannoo akka barbaachisummaa isaatti keessa deebi'amee yookiin akka haaraatti irra deebi'amee akka adeemsifamu ajajuu ni danda'a.

፫) የአካባቢ ተፅዕኖ ግምገማ ጥናት በከፍተኛ ጥንቃቄ እንዲካሄድ እና ተጠያቂነት እንዲኖር ለማድረግ በአማካሪ መካሄድ አለበት።

፬) የአካባቢ ተፅዕኖ ግምገማ ጥናት ለማካሄድ የአካባቢ ተፅዕኖ የጥናት ዘገባን ለማዘጋጀት የሚያስፈልገው ወጪ ሁሉ የፕሮጀክቱ ባለቤት መሸፈን አለበት።

፭) የፕሮጀክቱ ባለቤት፣ ፕሮጀክቱን በሚከናወንበት ወቅት በአካባቢ ተፅዕኖ ግምገማ የጥናት ዘገባ ላይ በመመስረት ከወሰደው ፈቃድ ጋር የተጣለበትን ግዴታ ሁሉ መወጣት አለበት።

፮) በአካባቢ ላይ ከፍተኛ ጉዳት ሊያስከትሉ ይችላሉ ተብለው የሚታሰቡ ፕሮጀክቶች የአካባቢ ተፅዕኖ ግምገማ ጥናት በጥልቀት ከመካሄዱ በፊት፣ የፕሮጀክቱ ባለቤት ቅድመ-ጥናት በአካባቢ ላይ አካሂዶ የመጀመሪያውን የጥናት ዘገባ አስቀድሞ ለቢሮው ማቅረብ አለበት። የእነዚህ ፕሮጀክቶች አይነት በሚወጣው ደንብ የሚዘረዘር ይሆናል።

፯) የአካባቢ ተፅዕኖ ግምገማ ጥናት ዘገባን ለቢሮ በማቅረብ ተቀባይነት አግኝቶ ሥራውን የጀመረ የፕሮጀክት ባለቤት የንግድ ፈቃድ ዕድሳት በሚጠይቅበት ጊዜ በፕሮጀክቱ የተከናወነ የአካባቢ ጥበቃ ሥራዎች አፈጻጸም ዘገባ ለቢሮው በማቅረብ የድጋፍ ደብዳቤ ከቢሮው ማግኘት አለበት።

፲፭. የአካባቢ ተፅዕኖ ግምገማ በድጋሚ ስለማካሄድ

የአካባቢ ተፅዕኖ ተፅዕኖ የጥናት ዘገባ ቀርቦ ከፀደቀ በኋላ በአካባቢው ከፍተኛ ተፅዕኖ የሚያስከትል የቀረበ ሰላይነት የታየ ክስተት ቢኖር ቢሮው አዲስ የተፈጠረውን ሁኔታ ለመረዳት እንዲቻል እንደአስፈላጊነቱ ተፅዕኖ ግምገማ በድጋሚ ወይም እንደአዲስ እንዲካሄድ ማዘዝ ይችላል።

3) To undertake environmental impact assessment with due care and responsibility, environmental impact assessment study shall be conducted by a consultant.

4) The cost of undertaking an environmental impact assessment and its environmental impact study report preparation shall be borne by the proponent.

5) During project implementation a proponent shall fulfill all terms and conditions of authorization in accordance with environmental impact assessment study report.

6) With regards to a development project with highly significant environmental impacts, before going into detail environmental impact assessment, the proponent shall conduct environmental survey and present the survey report to the Bureau. Projects of such categories shall be specified by the regulation to be issued.

7) The proponent who has received authorization after submitting environmental impact assessment study report and commenced the project, shall be subjected to present an environmental protection performance report when requesting for renewal of trade license and get supporting letter.

15. Redoing Environmental Impact Assessment

Where an unforeseen circumstance of a very serious nature is realized after the submission of an environmental impact study report, the Bureau in order to understand the nature of new circumstances, shall, as may be appropriate, order the environmental impact assessment to be revised or to be redone.

KUTAA AFUR

**HORDOFFII, DEEGGARSAA
FI SIRNA KOMIIN ITTI
DHIYAATU**

16. Hordoffii fi Gamaaggama Raawwii

- 1) Abbaan pirojektii hayyama argate dirqama itti kennamee fi waadaa galeen pirojekticha gaggeessaa jiraachuu isaa, Biirtoon gamaaggama raawwii hojii fi hordoffii gaggeessuu qaba.
- 2) Abbaan pirojektii hayyama argate, dirqama itti kennamee fi waadaa galeen pirojektii isaa raawwachuu yoo baate, Biirtoon tarkaanfii sirreeffamaa fudhatamuu qabu ibsuudhaan of-eegannoo barreeffamaa kennuu qaba.
- 3) Abbaan pirojektii hayyama argate dirqama itti kennamee fi waadaa gale guutummaatti yoo raawwachuu baate, Biirtoon akeekkachiisa itti barreessuu yookiin hayyamni isaa akka hin haaromsamneef gochuu ni danda'a. Qaamni hayyama kennus murtii Biirtoon dabarse kabajuudhaan hayyama kenne dhoorkuu yookiin haquu qaba.

17. Deeggarsa Kennuu

- 1) Naannoo dhiibbaan irra gahe deebisanii kunuunsuuf tattaaffii yookiin tarkaanfii abbaan pirojektii fudhatu jajjabeessuuf Biirtoon deeggarsa barbaachisu ni kenna. Haalli raawwii isaa Dambii bahuun kan murtaa'u ta'a.
- 2) Keewwata kana Keewwata Xiqqaa 1 jalatti kan tumame akkuma jirutti ta'ee, naannoo dhiibbaan irra gahe deebi'ee akka kunuunsamu gochuu yookiin faalama hambisuu yookiin kan faalame qulqulleessuuf pirojektii qophaa'e irratti Biirtoon deeggarsa teeknikaa taasisuu ni danda'a.

18. Sirna Komiin Itti Dhiyaatu

- 1) Haala raawwii pirojektichaa irratti yaada kennameen yookiin yeroo hordoffii yookiin pirojekticha ilaalchisee Biirtoon irraa murtii kenname kamiyyuu irratti komii namni qabu komii isaa hogganaa Biirichaatiif dhiyeessuu ni danda'a.
- 2) Bu'uura Keewwata kana Keewwata Xiqqaa 1 tiin komii dhiyaate irratti hogganaan Biirichaa komiin isa dhaqqabee guyyaa 15 keessatti murtii kennuu qaba.

ክፍል አራት

ከትትል፡ ድጋፍና ቅሬታ የሚቀርብበት ሥርዓት

፲፮. የአፈጻጸም ከትትልና ግምገማ

- ሐ) ፈቃድ ያገኘ የፕሮጀክቱ ባለቤት የተሰጠውን ግዴታ በገባው በየጊዜው የሥራ አፈጻጸም ግምገማ እና ከትትል ማድረግ አለበት።
- ለ) ፈቃድ ያገኘ የፕሮጀክቱ ባለቤት የተሰጠውን ግዴታ በገባው ቃል መሠረት ፕሮጀክቱን ካልተገበረ ቢሮው መወሰድ ያለበትን የእርምጃ እርምጃ በመግለጽ የጽሑፍ ማስጠንቀቂያ መስጠት አለበት።
- ሐ) የፕሮጀክቱ ባለቤት ፈቃድ አግኝቶ የተሰጠውን ግዴታ ቃል በገባው ማስጠንቀቂያ ሊጻፍበት ወይም ፈቃዱ እንዳይታደስ ማድረግ ይችላል። ፈቃድ ሰጪው አካልም ቢሮው ያስተላለፈውን ውሳኔ በማክበር የተሰጠውን ፈቃድ መከላከል ወይም መሠረዝ አለበት።

፲፯. ድጋፍ መስጠት

- ሐ) የአካባቢ ተፅዕኖ የደረሰበትን አካባቢ መልሶ ለመገንባት የፕሮጀክቱ ባለቤት የሚያደርገውን ጥረት ወይም የሚወስደውን እርምጃ ለማበረታታት ቢሮው አስፈላጊውን ድጋፍ ይሰጣል። የአፈጻጸም ሁኔታው በሚመጣው ደንብ የሚወሰን ይሆናል።
- ለ) በዚህ አንቀጽ ገደብ አንቀጽ ፩ ሥር የተደነገገው እንደተጠበቀ ሆኖ ቢሮው ጉዳት የደረሰበት አካባቢ ተመልሶ እንዲያገኝም ለማድረግ ወይም በዘነትን ለማስቀረት ወይም የተበዘለውን ለማፅዳት በተዘጋጀ ፕሮጀክት ላይ የቴክኒክ ድጋፍ ማድረግ ይችላል።

፲፰. የቅሬታ አቀራረብ ሥርዓት

- ሐ) በፕሮጀክቱ አፈጻጸም ላይ በተሰጠው አስተያየት ወይም በክትትል ጊዜ ወይም ፕሮጀክቱን አስመልክቶ ቢሮው በሰጠው ማግኛውም ውሳኔ ላይ ቅሬታ ያለው ሰው ቅሬታውን ለቢሮው ሃላፊ ማቅረብ ይችላል።
- ለ) በዚህ አንቀጽ ገደብ አንቀጽ ፩ መሠረት በቀረበው ቅሬታ ላይ የቢሮው ፖላሪ ቅሬታው በደረሰው በአስራ አምስት የሰራ ቀናት ውስጥ ውሳኔ መስጠት አለበት።

PART FOUR

**MONITORING, SOPPORT AND
GRIEVANCE PROCEDURES**

**16. Monitoring and Evaluation of
Implementation**

- 1) The Bureau shall monitor and evaluate implementation of an authorized project in order to assess his compliance with all commitments made by, and obligations imposed on the proponent during authorization.
- 2) When a proponent fails to implement the authorized project in compliance with all the commitments he entered and obligations imposed upon him, the Bureau shall write a warning letter stating corrective measures to be taken.
- 3) The Bureau shall write a letter of warning or suspend or cancel authorization of a project license if a proponent completely fails to implement his project in accordance with agreement reached upon authorization. An authorizing or licensing organ shall also comply based on the Bureau's decision, suspend or cancel any authorization of license to implement a project.

17. Support

- 1) The Bureau shall, support initiatives taken by a proponent to rehabilitate affected environment. The implementation procedure shall be specified by the Regulation to be issued.
- 2) Without prejudice to Sub Article 1 of this Article, the Bureau may provide technical support to a project on environmental rehabilitation or pollution prevention or cleaning up project.

18. Grievance Procedures

- 1) Any person dissatisfied with the authorization given during project implementation or during monitoring or any decision taken by the Bureau regarding the project may submit a grievance notice to the head of the Bureau.
- 2) The Bureau head shall provide a decision within 15 days following the receipt of the grivence submitted in accordance with Sub-Article 1 of this Article.

KUTAA SHAN TUMAALEE ADDA ADDAA

19. Balleessaa fi Adabbii

1) Abbaan pirojektii kamiyyuu pirojektii qorannoon sakatta'iinsa dhiibbaa naannoo akka irratti gaggeeffamu seeraan tumame hayyama Biiroo irraa osoo hin argatin hojii kan jalqabe yookiin hojii irra kan oolche yookiin qorannoo sakatta'iinsa dhiibbaa naannoo keessatti ibsaa fi ragaa sobaa kan dhiyeessee yoo ta'e:

(a) Qaama seeraan namummaa argate yoo ta'e, adabbii qarshii kuma shantamaa gadi hin taane fi qarshii kuma dhibba hin caalleen ni adabama.

(b) Gaggeessaan dhaabbatichaa adabbii hidhaa waggaa lamaa gadi hin taanee fi waggaa shan hin caalleen yookiin adabbii qarshii kuma kudhanii gadi hin taanee fi qarshii kuma digdama hin caalleen yookiin lamaaniinuu ni adabama.

(c) Nama uumamaa yoo ta'e, adabbii qarshii kuma kudhanii gadi hin taanee fi qarshii kuma digdama hin caalleen ni adabama.

(d) Keewwata kana Keewwata xiqqaa 1 (a-c) jalatti kan tumame akkuma eegametti ta'ee, miidhaan naannoo irratti gahe hundaa baasii isaatiin akka sirreessuu Manni Murti ajajuu ni danda'a.

2) Gorsaan yookiin qaamni qorannoo sakatta'iinsa dhiibbaa naannoo gaggeesse ragaa qulqullina hin qabne yookiin ragaa sobaa yookiin dogoggoraa kan fayyadame yookiin odeeffannoo sirrii hin taane kan kenne yookiin gabaasa sirrii hin taane kan dhiyeessee yoo ta'e:

(a) Qaama seeraan namummaa argate yoo ta'e adabbii qarshii kuma soddamaa gadi hin taanee fi qarshii kuma jahaatama hin caalleen ni adabama.

(b) Gaggeessaan dhaabbatichaa adabbii hidhaa waggaa sadi gadi hin taanee fi waggaa torba hin caalleen yookiin adabbii qarshii kuma digdamaa gadi hin taane fi qarshii kuma soddama hin caalleen yookiin lamaaniinuu ni adabama.

ክፍል አምስት

ልዩ ልዩ ደንቦች

፲፱. ጥፋትና ቅጣት

፩) ማንኛውም የፕሮጀክት ባለቤት በፕሮጀክቱ ላይ የአካባቢ ተፅዕኖ ግምገማ እንዲያካሂድ በሕግ ተደንግጎ ከቢሮ ፈቃድ ሳያገኝ ስራ የጀመረ ወይም ስራ ላይ ያዋለ ወይም በአካባቢ ተፅዕኖ ግምገማ ጥናት ውስጥ ሀሳተኛ ማስረጃና መግለጫ ያቀረበ እንደሆነ፡-

(ሀ) ሕጋዊ ሰውነት ያገኘ አካል ከሆነ ከሃምሳ ሺ ብር በማያንስና ከመቶ ሺ ብር በማይበልጥ የገዝብ መቀጮ ይቀጣል፡፡

(ለ) የድርጅቱ ስራ አስኪያጅ ከሆነ ከሁለት አመት በማያንስና ከአምስት አመት በማይበልጥ አስራት ወይም ከአሥር ሺ ብር በማያንስና ከሃያ ሺ ብር በማይበልጥ የገዝብ መቀጮ ወይም በሁለቱም ይቀጣል፡፡

(ሐ) የተፈጥሮ ሰው ከሆነ፣ ከአሥር ሺ ብር በማያንስና ከሃያ ሺ ብር በማይበልጥ የገዝብ መቀጮ ይቀጣል፡፡

(መ) በዚህ አንቀጽ ንዑስ አንቀጽ ፩ (ሀ-ሐ) ሥር የተደነገገው እንደተጠበቀ ሆኖ፣ በአካባቢ ላይ የደረሰውን ጉዳት ሁሉ በራሱ ወጪ እንዲያስተካክል ፍርድ ቤት ማዘዝ ይችላል፡፡

፪) የአካባቢ ተፅዕኖ ግምገማ ጥናት ያካሂደ አማካሪ ወይም አካል ያልተማላ መረጃ ወይም የተሳሳተ ወይም ሐሳተኛ ማስረጃ የተጠቀመ ወይም ትክክለኛ ያልሆነ መረጃ የሰጠ ወይም ትክክለኛ ያልሆነ ዘገባ ያቀረበ እንደሆነ፡-

(ሀ) የሕጋዊ ሰውነት ያገኘ አካል ከሆነ ከሰላሳ ሺ ብር በማያንስና ከሰላሳ ሺ ብር በማይበልጥ የገዝብ መቀጮ ይቀጣል፡፡

(ለ) የድርጅቱ ስራ አስኪያጅ ከሆነ አመት በማያንስና ከሰላሳ አመት በማይበልጥ አስራት ወይም ከሃያ ሺ ብር በማያንስና ከሰላሳ ሺ ብር በማይበልጥ የገዝብ መቀጮ ወይም በሁለቱም ይቀጣል፡፡

PART FIVE

MISCELLANEOUS PROVISIONS

19. Offences and Penalties

1) Where any proponent commences a project requiring environmental impact assessment as per the law without of authorization from the Bureau, or presents false information and statement in the environmental impact assessment study report;

(a) Where it is a legal person, shall be liable to a fine of not less than fifty thousand Birr and not exceeding one hundred thousand Birr.

(b) Where it is a manager, shall be imprisoned for a term of not less than two years and not exceeding five years, or a fine of not less than ten thousand Birr and not exceeding twenty thousand Birr or both.

(c) Where it is a natural person, shall be liable to a fine of not less than ten thousand Birr and not exceeding twenty thousand Birr.

(d) Without prejudice to Sub Article 1 (a-c) of this Article, the court may order the convicted person to restore all damages on environment with its own expenses.

2) Where the advisor or any organ who is in charge of undertaking environmental impact assessment study presents poor quality data or false or wrong information or submits false statement in environmental impact statement report.

(a) Where it is a legal person, shall be liable to a fine of not less than thirty thousand Birr and not exceeding sixty thousand Birr.

(b) Where it is a manager, shall be imprisoned for a term of not less than three years and not exceeding seven years, or a fine of not less than twenty thousand Birr and not exceeding thirty thousand Birr or both.

(c) Nama uumamaa yoo ta'e adabbii qarshii kuma kudha shanii gadi hin taanee fi qarshii kuma soddoma hin caalleen ni adabama.

(d) Keewwata kana Keewwata Xiqqaa 2 (b) jalatti kan tumame akkuma jirutti ta'ee dabalataan miidhaa naannoo fi pirojekticha irra gaheef beenyaa gahaa ta'e akka kafalu Manni Murtii ajajuu ni danda'a.

3) Itti gaafatamaan yookiin ogeessi Biiroo sadarkaa sadarkaan jiru osoo beekuu faayidaa hin malle ofiif yookiin nama biraatiif argamsiisuuf yookiin of eeggannoo barbaachisu taasisuu dhabuudhaan hanqina xiinxala qorannoo sakatta'iinsa dhiibbaa naannoo uumameen naannoo irratti miidhaan kan dhaqqabe yoo ta'e, adabbii hidhaa waggaa tokko gadi hin taanee fi waggaa lama hin caalleen yookiin adabbii qarshii kuma kudhanii gadi hin taanee fi qarshii kuma kudha shan hin caalleen yookiin lamaaniiinu ni adabama.

20. Aangoo Dambii Baasuu

Manni Marii Bulchiinsaa Mootummaa Naannoo Oromiyaa Labsii kana raawwachiisuuf aangoo Dambii baasuu ni qabaata.

21. Dirqama Deeggarsa Kennuu

Qaamni kamiyyuu Labsii kana raawwachiisuuf deeggarsa barbaachisu kennuudhaaf dirqama qaba.

22. Seerota Raawwatiinsa Hin Qabaanne

Seeronnii fi barmaatileen hojii Labsii kanaan wal-faallessan kamiyyuu dhimmoota Labsii kanaan haguugaman irratti raawwatiinsa hin qabaatan.

23. Yeroo Labsiin Kun Hojii Irra Itti Oolu

Labsiin kun Sadaasa 21 Bara 2005 irraa eegalee kan hojii irra oolu ta'a.

Finfinnee, Sadaasa 21 Bara 2005

Alamaayyoo Atoomsaa

Pireezidaantii Mootummaa Naannoo Oromiyaa

(ሐ) የተፈጥሮ ሰው ከሆነ ከአስራ አምስት

ሺ ብር በማያንስና ከሰላላ ሺ ብር

በማይበልጥ የገዝብ መቀጮ ይቀጣል።

(መ) በዚህ አንቀጽ ንዑስ አንቀጽ ፪ (ለ) ሥር

የተደነገገው እንደጠበቀ ሆኖ በተጨማሪ

በአካባቢ እና በፕሮጀክቱ ላይ ለደረሰው

ጉዳት በቂ ካላ እንዲከፍል ፍርድ ቤት

ማዘዝ ይችላል።

፫) በየደረጃው የሚገኝ የሥራ ሃላፊ ወይም

ባለሙያ ሆኖ በሰው የማይገባ ጥቅም

ለራሳቸው ለማግኘት ወይም ከሌላ ሰው

ለማስገኘት ወይም አስፈላጊውን ጥንቃቄ

ባለማድረግ በአካባቢ ተፅዕኖ ግምገማ

ጥናት ዘገባ በጥንቃቄ በአካባቢ ላይ

ጉዳት የደረሰ እንደሆነ ከአንድ አመት

በማያንስና ከሁለት አመት በማይበልጥ

አስራት ወይም ከአስራ ሺ ብር በማያንስና

ከአስራ አምስት ሺ ብር በማይበልጥ የገዝብ

መቀጮ ወይም በሁለቱም ይቀጣል።

፩. ደንብ የማውጣት ሥልጣን

የክልሉ መንግስት መስተዳድር ምክር ቤት

ይህን አዋጅ ለማስፈፀም ደንብ የማውጣት

ስልጣን ይኖረዋል።

፪. የመተባበር ግዴታ

ማንኛውም አካል ይህን አዋጅ ለማስፈፀም

የመተባበር ግዴታ አለበት።

፫. ተፈጻሚነት የሌላቸው ሕጎች

ከዚህ አዋጅ ጋር ተቃራኒ የሆነ ሕግ ወይም

አሠራር በዚህ አዋጅ ውስጥ በተካተቱበት

ጉዳዮች ላይ ተፈጻሚነት አይኖራቸውም።

፬. አዋጁ ስራ ላይ የሚውለበት ጊዜ

ይህ አዋጅ ከሀዳር ፳፩ ቀን ፪ ሺ፭ ዓ.ም

ጀምሮ በሥራ ላይ የሚውል ይሆናል።

ፊንፊኒ፣ሀዳር ፳፩ ቀን ፪ሺ፭ ዓ.ም

ዓለማየሁ አቶምላ

የኦሮሚያ ብሔራዊ ክልላዊ መንግሥት

ፕሬዝዳንት

(c) Where it is a natural person, shall be liable to a fine of not less than fifteen thousand Birr and not exceeding thirty thousand Birr.

(d) Without prejudice to Sub Article 2 (b) of this Article, in addition, the court may order the convicted person to pay adequate compensatin for the damages caused on the environment and the preject with its own expenses.

3) A head or an expert of the Bureau at every level delebrately commits any acts which makes him benefit from environmental impact assessment process or benefits others illegally from the process using his power or without giving due attention to the review of environmental impact assessment report and there happen to occur adverse impact on environment as a result of, he shall be liable to imprisonment for a term of not less than one year and not exceeding two years, or a fine of not less than ten thousand Birr and not exceeding fifteen thousand Birr or both.

20. Power to Issue Regulations

The Regional Administratve Council shall have the power to issue a regulation for the implementation of this Proclamation.

21. Obligation to Cooperate

Any person shall be obliged to cooperate in the implementation this Proclamation.

22. Inapplicable Laws

Any law or practice inconsistent with this Proclamation is inapplicable regarding matters provided herein.

23. Effective Date

This Proclamation shall come into force as of the 30th day of November, 2012.

Finfine, November 30, 2012

Alemayehu Atomsa

President of the National Regional State of Oromia