

**Proclamation No. -----/2005**

**A PROCLAMATION TO PROVIDE FOR THE DEVELOPMENT,  
CONSERVATION AND UTILIZATION OF WILDLIFE**

WHEREAS unintegrated and unplanned utilization of wildlife has resulted in their depletion and endangered existence;

WHEREAS the conservation of wildlife undertaken so far is not productive;

WHEREAS allowing local communities residing around conservation areas and private investors to actively participate in wildlife development, conservation and utilization has significant value;

WHEREAS the proclamations, regulations and directives issued previously and still in force are not in line with the existing objective reality and the present state structure;

WHEREAS it is appropriate to enhance the contribution of the wildlife sector towards poverty reduction strategy by maximizing the economic and social benefit to be derived from the wildlife resource;

NOW, THEREFORE, in order to conserve, develop and properly utilize wildlife, in accordance with Article 55(1) of the Constitution of the Federal Democratic Republic of Ethiopia, it is hereby proclaimed as follows:

**PART ONE**

**GENERAL PROVISIONS**

**1. Short Title**

This Proclamation may be cited as the “Development, Conservation and Utilization of Wildlife Proclamation No. ----- /2005”.

**2. Definitions**

In this Proclamation, unless the context requires otherwise:

- 1/ “aircraft” means any type of airplane, helicopter, airship, balloon or kite, whether or not controlled or directed by human agency and without being limited to devices flown by automotive power;
- 2/ “hunting” means any measure or action taken to kill, wound, eliminate, scare, chase, capture or trap a wild animal or take an egg or feather of same;
- 3/ “Ministry” or “Minister” means the Ministry or Minister of Agriculture and Rural Development, respectively;

- 4/ “wildlife conservation area” means an area designated for the conservation of wildlife by regulations issued in accordance with this Proclamation and includes national parks, wildlife sanctuaries, wildlife reserves and controlled hunting areas.
- 5/ "national park" means an area studied and legally designated to conserve wildlife and associated natural resources and to preserve the scenic and scientific value of an area which may include lakes and other aquatic areas.
- 6/ "wildlife sanctuary" means an area designated to conserve one or more species of wildlife that require high conservation priority.
- 7/ "wildlife reserve" means an area designated to conserve wildlife where indigenous local communities are allowed to live together with and conserve wildlife.
- 8/ "controlled hunting area" is an area designated by the Ministry or by the region to conserve wildlife and carry out legal and controlled hunting.
- 9/ “region” means any region referred to in Article 47 of the Constitution of the Federal Democratic Republic of Ethiopia;
- 10/ “trade” means the import, export or re-export of wildlife or their products or any kind of business transaction related thereto;
- 11/ “weapon” means firearm, dart-gun, missile, explosives, electrical devise, bow and arrow, stick, sword, trap, net, holes, poison, chemical or any other instrument used to kill, capture or disable wild animals;
- 12/ “wildlife” means any live or dead vertebrate or invertebrate animal, other than domestic animal, and includes its habitat;
- 13/ “wildlife resource” means wild animals found in Ethiopia and includes those species migrating from country to country and temporarily staying in Ethiopia;
- 14/ “wildlife product” means any sample of wild animal or its body part, egg, embryo, horn, tooth, nail, skin, meat, hair, feather and or trophy and includes products made thereof as well as bird nest, wood, bark, flower and honey obtained from the habitat of the wildlife;
- 15/ “wildlife development, conservation and utilization officer” means an officer, team leader, senior expert, park and sanctuary warden or expert, game scout or assistant game scout assigned under the Wildlife Development and Conservation Department of the Ministry or under the relevant regional office.

**3. Gender Reference**

In this Proclamation, any reference to the masculine gender shall also include feminine gender.

**4. Objectives**

This Proclamation shall have the following major objectives:

- 1/ to conserve, manage, develop and properly utilize the wildlife resources of Ethiopia;
- 2/ to create conditions necessary for discharging government obligations assumed under treaties regarding wildlife protection, development, and utilization;
- 3/ to promote wildlife-based tourism and to encourage private investment.

**PART TWO**

**WILDLIFE CONSERVATION AREAS  
AND HUNTING ACTIVITIES**

**5. Designation of Wildlife Conservation Areas**

- 1/ A wildlife conservation area shall be designated as a national park, sanctuary, reserved area or controlled hunting area on the basis of the objective and the conservation programmes intended for it.
- 2/ The kinds of utilization activities to be undertaken within the wildlife conservation areas referred to in sub-article (1) of this Article shall be determined by regulations to be issued under this Proclamation.

**6. Administration of Wildlife Conservation Areas**

Wildlife conservation areas shall be administered based on the following conditions:

**1/ Areas Administered by Federal Government**

- a/ conservation areas geographically situated between two or more regions;
- b/ trans-boundary wildlife conservation areas that shall be established upon agreement with the neighboring countries;
- c/ conservation areas that are inhabited by the country's endemic and endangered species;
- d/ conservation areas that are nationally and globally significant and known to have representative ecological zones and embrace immense diversity of wildlife.

## **2/ Areas Administered by Regional States**

- a/ conservation areas excluding those indicated under Article 6 (1) and those that are not administered by private investors and communities;
- b/ wildlife habitats which are located outside of wildlife conservation areas;
- c/ conservation areas that shall be established by regions to conserve and develop wildlife resources.

## **3/ Areas Administered by Private Investors**

- a/ federally or regionally administered conservation areas that are given or shall be given to private investors upon contractual agreements with federal or regional states;
- b/ wildlife habitats situated outside wildlife conservation areas and studied by the private investors and given or shall be given to entrepreneur based on contractual agreements between the Federal or regional states and the private investors;

## **7. Hunting Permit**

- 1/ No person, other than the Ministry or the concerned regional office in the discharge of their duties, may hunt any game animal unless he is in possession of a hunting permit.
- 2/ The conditions applicable for the granting, suspension, revocation and renewal of each kind of hunting permit shall be determined by regulations and directives to be issued under this Proclamation.
- 3/ Notwithstanding the provisions of sub-article (1) of this Article, it shall not be prohibited to kill or chase any wild animal to avert any threat to human life or any damage to property.
- 4/ The Ministry shall issue directives pertaining to appropriate hunting methods.

**8. Permit for Collection of Wildlife or Wildlife Products for Scientific Purposes**

- 1/ The Ministry may grant permit to an applicant in possession of a recommendation letter from a recognized scientific institution for collecting wildlife or their products for scientific or academic purpose.
- 2/ The Ministry shall grant the permit referred to in sub-article (1) of this Article in accordance with directives issued by it in conformity with the provisions of this Proclamation and other laws and regulations pertaining to biodiversity.

**PART THREE**

**ECONOMIC ACTIVITIES AND BENEFITS**

**9. Economic Activities**

- 1/ Any economic activity to be undertaken within a wildlife conservation area shall be carried out in accordance with this Proclamation and regulations and directives to be issued hereunder.
- 2/ The Ministry shall, in consultation with the regions, issue directives pertaining to wildlife farming and ranch, wildlife related tourism, sport hunting and conservation of wildlife outside conservation areas.
- 3/ The mechanism whereby the federal government, regional states and the community may use the income derived from wildlife development, conservation and consumptive and non-consumptive utilization shall be determined by regulations and directives to be issued under this Proclamation.

**10. Wildlife Resource Based Tourism**

- 1/ The Ministry shall, in collaboration with the relevant bodies, promote investment in wildlife based tourism.
- 2/ Any development activity to be undertaken in or outside of wildlife conservation areas shall be carried out in a manner that the well-being of the ecosystem of the area is not disturbed.

**11. Trade in Wildlife and their Products**

- 1/ Any activity of trade in wildlife and their products or directly or indirectly related thereto is prohibited unless it is done in accordance with a permit granted by the Ministry.
- 2/ The ownership, sale, transfer, export or import of any processed or unprocessed wildlife product shall be effected in accordance with regulations or directives to be issued under this Proclamation. Such regulations and directives shall not be contradictory with the biodiversity laws of the country.
- 3/ The development and conservation of wildlife or any trade activity in wildlife or their product or access to wildlife shall be undertaken in accordance with the international laws and conventions that are ratified or shall be ratified and on the basis of the proclamation, regulations and directives issued hereunder;
- 4/ The Ministry is hereby designated as a management and scientific competent authority as per Article 9(1) of the treaty regarding the Convention on International Trade in Endangered Species of Fauna and Flora as referred to in sub-article (3) of this Article.

**PART FOUR**

**MISCELLANEOUS PROVISIONS**

**12. Powers and Duties of the Ministry**

The powers and duties of the Ministry shall be to:

- 1/ develop and administer wildlife conservation areas and wildlife resources that are established or shall be established in accordance with Article 6(1) of this Proclamation and ensure that their operation is in accordance with international standard;
- 2/ monitor and control wildlife conservation areas of the country;
- 3/ ensure the conservation of threatened endemic wildlife species and safeguard them from extinction;
- 4/ control illegal activities committed in wildlife conservation areas administered at federal level;

- 5/ provide support to the regions with respect to the development and conservation of wildlife;
- 6/ provide hunting license and health certificate for wildlife and their product's trade;
- 7/ study, delineate and establish conservation areas in collaboration with regions and neighboring countries in order to conserve, develop and utilize trans-boundary wildlife;
- 8/ issue directives necessary for the proper implementation of this Proclamation and regulations issued hereunder;
- 9/ delegate its powers and duties to other legally established body where deemed necessary;
- 10/ conform that conservation areas that shall be established by regions and private investors fulfill international standard and facilitate their enrollment in the International Union for Conservation of Nature (IUCN);
- 11/ establish international relations with all bodies having the potential of providing technical assistance and other aid for wildlife development and conservation; endeavor to obtain and receive aid and other contributions;
- 12/ implement international treaties to which Ethiopia is a party and compile reports about the implementation of the treaties to concerned global institutions;
- 13/ conduct research and training programme and collect, process and provide to users up-to-date information on wildlife development, conservation and utilization;
- 14/ prepare and present to the government draft policy and laws which enable the better development, conservation, utilization and administration of wildlife; and follow up the implementation of same upon approval.

### **13. Powers and Duties of Regions**

Regions shall have the powers and duties to:

- 1/ administer and develop wildlife conservation areas excluding those indicated under Article 6 (1,3,4);
- 2/ be accountable for the development, conservation and sustainable utilization of wildlife outside of conservation areas in accordance with the regulations that shall be developed to materialize this Proclamation;
- 3/ undertake the necessary study on wild animals causing threat to human life and property; take the appropriate measure to minimize and prevent the threat and report to the Ministry when the case is beyond their capacity;
- 4/ implement the provisions of this Proclamation, regulations and directives issued hereunder and treaties relating to wildlife resource to which the country is a party;
- 5/ identify areas that are rich in wildlife and present proposals to the Ministry for their designation as wildlife conservation areas through regulations to be issued hereunder;
- 6/ issue ranching and wildlife farming permits in accordance with regulations and rules to be issued under this Proclamation;
- 7/ issue regulations, taking into account their objective realities, for the implementation of this Proclamation;
- 8/ prevent illegal activities committed in wildlife conservation areas located in their region;
- 9/ control conservation areas administered by private investors and the community;
- 10/ control, and prevent incidents of wildlife diseases within and outside conservation areas and inform the Ministry when the case is beyond their capacity.

**14. Powers and Duties of Wildlife Development, Conservation and Utilization Officers**

A wildlife conservation, development and utilization officer shall have the following powers:

- 1/ to require any person who is in possession of wildlife or wildlife products to show the permit authorizing such possession;
- 2/ to enter and search any private landholding, building, tent, vehicle, aircraft or boat as well as search bags or sealed items, without court order, where there are sufficient grounds to believe that wildlife or wildlife products are kept illegally;
- 3/ with a view to secure an order of confiscation pursuant to Article 15(2) of this Proclamation, to seize and takeover upon issuing receipt in accordance with the format issued by the Ministry or the concerned regional office any wildlife or wildlife product which is a proceed of an offence as well as the weapon with which the offence has been committed;
- 4/ where a person is found committing an offence in violation of Article 15 of this Proclamation, to detain, without any court order, and handover him to the appropriate body.

**15. Penalty**

- 1/ Unless it entails higher penalty under the Penal Code:
  - a) any person who:
    - i. commits an act of illegal hunting or trade;
    - ii. carries out unauthorized activities within wildlife conservation areas or causes, in whatever way, damage thereto; or
    - iii. is found in possession of wildlife or wildlife products without having a permit;shall be punished with fine not exceeding Birr 30,000 or with imprisonment not exceeding five years or with both such fine and imprisonment.
  - b) any person who commits other offences in violation of the provisions of this Proclamation or regulations and directives issued hereunder shall be punished with fine not exceeding Birr 3,000 or with imprisonment not exceeding six months or with both such fine and imprisonment.

- 2/ Where a court passes a sentence pursuant to sub-article (1) of this Article, it shall, in addition to the sentence, order the confiscation of the wildlife or wildlife products which are the proceeds of the offence together with the weapon with which the offence is committed and any other article related thereto.
- 3/ The Ministry or the concerned regional office shall take over the confiscated item and shall, as may be appropriate, sale, give to notable scientific or academic institution or destroy such item or keep it in custody until such options could materialize.

**16. Repeal and Savings**

- 1/ The following are hereby repealed:
  - a) the Forestry and Wildlife Conservation and Development Proclamation No. 192/1980;
  - b) the Wildlife Conservation Regulations No. 416/1972 (as amended).
- 2/ The following legislations shall be deemed to have been issued under this Proclamation and shall remain in force:
  - a) the Awash National Park Establishment Order No. 54/1969;
  - b) the Simien National Park Establishment Order No. 59/1970.

**17. Inapplicable Laws**

No law, regulation or directive may, in so far as it is inconsistent with this Proclamation, be applicable to matters provided for in this Proclamation.

**18. Effective Date**

This Proclamation shall enter into force on the --- day of ---, 2005.

Done at Addis Ababa this--- day of ---, 2005

GIRMA WOLDEGIORGIS  
PRESIDENT OF THE FEDERAL DEMOCRATIC  
REPUBLIC OF ETHIOPIA