

# ETHIOPIA

## WILDLIFE TRADE LEGAL GAP ANALYSIS



SEPTEMBER 2020



# LICIT

## LEGAL INTELLIGENCE FOR CHEETAH ILLICIT TRADE



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# INTRODUCTION

Legal Intelligence for Cheetah Illicit Trade (LICIT) is a 3-year project (2019-2022) sponsored by the UK Department for Environment Food and Rural Affairs (DEFRA) through the Illegal Wildlife Trade Challenge Fund (IWT Fund). It is implemented by an alliance between the Cheetah Conservation Fund (CCF), the Legal Atlas and The International Fund for Animal Welfare (IFAW). The expected impact of the project is that trafficking of live cheetahs and gazelle decreases between the Horn of Africa and the Arabian Peninsula as an established public and private sector network effectively enforces wildlife trafficking legislation. LICIT aligns with and supports a wider effort by Horn of Africa regional governments and partners to strengthen ongoing cooperation to end trafficking of cheetahs and other endangered wildlife in the region. The principal project activities include legal research and analysis, training and capacity building, and network building. This assessment and the accompanying legislative agenda are the outputs of the legal research component of the project conducted by Legal Atlas.

The objective of this assessment is to take a simultaneously broad and detailed look at the current international and national legal frameworks that apply to wildlife trade in Ethiopia, with a particular focus on their application to illicit cheetah trade. It is one of four reports produced by Legal Atlas in the LICIT project covering three jurisdictions in the Horn of Africa (Ethiopia, Somalia and Somaliland) and one in the Arabian Peninsula (Yemen).

The methods used to identify and compile related legislation are based on those developed by Legal Atlas® for use in its legal intelligence platform. In addition to independent review, the methods also include review and identification of relevant legal material by local sources. The results of the compilation can be accessed in the Legal Atlas® platform by going to [www.legal-atlas.net](http://www.legal-atlas.net).

**Legal Atlas® Platform** - Legal Atlas provides Ethiopian authorities with easy access to the legislation of neighboring jurisdictions. This open resource is intended to facilitate understanding of

commonalities and differences in laws regulating wildlife, offering the ability to benchmark laws and identify opportunities for harmonization at international and regional levels, as well as support inquiries related to mutual legal assistance when combatting international crimes. The platform contains legislative frameworks for wildlife trade for more than 70 jurisdictions. In May 2020, Legal Atlas presented a demonstration of the platform to government officials from countries served by the LICIT project. This initial training focused on an overview of content, its application to investigation and prosecution strategies, as well as research inquiries.



The writing of this report coincided with one trip by Legal Atlas and CCF staff to Ethiopia to meet with local officials. The timing also overlapped with ongoing efforts by the government to introduce revisions to two core wildlife trade laws and a new regulation:

- *draft* Proclamation to Provide for the Development, Protection and Utilization of Wildlife,
- *draft* Council of Ministers Regulation to Provide Re-Establishment of the Ethiopian Wildlife Development and Protection Authority
- *draft* Wildlife Conservation Area Development Fund Establishment Regulation

Legal Atlas had the opportunity to comment on the first two of these drafts and those comments have been included in the annexes to this country assessment as additional reference.

## COUNTRY OVERVIEW

Ethiopia occupies a unique position in Africa, both geographically and demographically, located where the Sahara Desert meets sub-Saharan Africa, and with a population growing faster than almost any other country in Africa. For the past roughly eight



decades, Ethiopia's wildlife has been in steady decline, attributed to a combination of population growth, habitat loss, climate change and trade. Some species have gone extinct, while many others have become increasingly threatened by domestic and international trade, as well as human development and habitat loss. Excluding plants and invertebrates, the country is currently home to six (6) critically endangered species, 23 endangered species,<sup>1</sup> and 70 vulnerable species.

Ethiopia is the only country in this review that is home to all four of the species of concern in this assessment:

- Cheetah (*Acinonyx jubatus*)
- Dorcas gazelle (*Gazella dorcas*)
- Soemmerring's gazelle (*Nanger soemmerringii*)
- Speke's gazelle (*Gazella spekei*)

The species of primary concern in this research, however, is the cheetah. It is also the species for which the most information concerning trade is available. What is known about trade in the region for the three gazelle species will have to be advanced during in-country review as there is little published concerning trade practices, volumes, and values specific to Ethiopia. To the extent these species are listed by CITES or otherwise covered by Ethiopia's wildlife and trade related legislation, a majority of this review will nonetheless be applicable.

## Wildlife Trade Environment

Wildlife is one of a number of illicit goods targeted by organized crime groups that challenge governments throughout the Horn of Africa region. Such trade is facilitated by poverty, conflict and instability. As will be highlighted in this report, there is still much that can be done to improve Ethiopia's legal foundations to combat this illicit trade and protect its wildlife heritage.

Ethiopia has been both a source and transit country for illicit international wildlife trade for many years,

trading in at least 32 species<sup>2</sup> and acting as a source for cheetah. According to one report "[i]llegal trade in cheetahs (and other African wild animals) is opportunistic and low-volume compared to other types of smuggling activity in the region. Still, it is apparently profitable, comparing prices from observations of cases of illegal trade along the trade chain," and given the high prices paid by end consumers for some species.

## International Demand for Cheetahs

Trade appears to be driven by the demand for cheetah cubs as exotic pets in the Arabian Peninsula as well as poaching pressures in the Horn of Africa resulting from Human-Wildlife Conflict. "A year-long journalistic investigation conducted in 2013 documented cheetah cubs, along with other live African wildlife, being smuggled by boat out of Somaliland, through Yemen, and up the coastal road to the border crossing with Saudi Arabia.<sup>3</sup> This international demand challenges Ethiopia's efforts to prevent trade for the same reason other jurisdictions are challenged.

## Ethiopia as Source Country

East Africa is the region with the highest recorded levels of illegal cheetah trade, and Ethiopia is a known source. This is true even though Ethiopia's cheetahs are protected by general prohibitions and despite the additional protections that a little over half of the cheetah population receives by being inside one of the country's protected areas.<sup>4</sup>

## Ethiopia as Transit Country

Other reports indicate that the trafficking networks that target Ethiopia as a source for cheetah may also use Ethiopia as a transit country. Confiscations in Ethiopia<sup>5</sup> and other monitoring information<sup>6</sup> have both indicated that cubs in transit there did not in fact originate in Ethiopia, evidence, if not yet confirmation of, its role as a transit country.

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<sup>1</sup> These include the gazelle species of concern in the LICIT project.

<sup>2</sup> Interview with IFAW staff, Fetene Hailu Buta.

<sup>3</sup> Sheffer (2013); Sheffer and Kennedy (2013)

<sup>4</sup>

<http://www.catsg.org/fileadmin/files/3.Conservation>

[\\_Center/3.4.\\_Strategies\\_\\_\\_Action\\_Plans/cheetah/EWCA\\_2012\\_Conservation\\_of\\_Cheetah\\_and\\_Wild\\_Dogs\\_in\\_Ethiopia.pdf](#)

<sup>5</sup> Id; citing Mesfin 2011.

<sup>6</sup> #Id; citing CCF in litt. 2014.



## Taking and Moving Cheetahs

Taking cheetahs from the wild does not appear to be difficult or require sophisticated equipment. According to reports, “[c]heetah mothers do not defend their cubs as some other larger predators might, and the most likely method of obtaining cubs is through opportunistic tracking or sighting the mother’s movements and snatching them when they are too young to flee.”<sup>7</sup>

However, those interviewed in the context of this research also identified shooting the mother and stealing the cubs as another probable method.<sup>8</sup> One article seems to confirm this,<sup>9</sup> although further data has not yet been obtained. If true, it would represent a significant, additional negative impact on the cheetah population.

Conveyance methods out of Ethiopia have included both vehicle and camel.<sup>10</sup> Air travel does not appear to be a significant concern. The distance, altitude, and risk of being caught all make this an undesirable, and therefore, unlikely trading route for cheetahs.

## The Role of Ethiopia’s Protected Areas

Although trade (either for cheetah or gazelle) does not appear to be affected by the existence of protected areas, they nonetheless play a critical role in the continued viability of the species and likely provide protection for source populations.<sup>11</sup> There is, however, still the basic need to map them accurately<sup>12</sup> and promulgate the laws and rules necessary for the management of the resources they encompass.<sup>13</sup>

## Enforcement Environment

### Enforcement Data

Since 2005, the Cheetah Conservation Fund (CCF) has compiled records of confiscations (many arranged through cooperation between national authorities and conservationists) as well as of illegal trade.

Earlier records are scarce, and likely reflect an absence of active trade monitoring efforts rather than an absence of trade. Verified records are those that NGOs observed or where they facilitated the disposition of animals. In other instances, reports of illegal trade were communicated by others to researchers.

While records from the last decade are now being analyzed, initial analysis of 2020 data (January to June) offers 20 cheetahs being confiscated in the Somaliland region that borders the Gulf of Aden, with 22 additional cheetahs allegedly in trade though seizures were not made.

As with any other illicit activity, experts suspect actual trade is much larger but worry that even this smaller number represents an estimated 15% of the remaining known cheetah (*soemmeringii*) population in a single year. ‘Relative to the surviving populations, this trade is large and is, almost certainly, driving the small, vulnerable cheetah populations in this region to extinction.’<sup>14</sup>

Suffering dehydration, malnutrition and exposure to infectious disease and trauma, mortality rate for these young animals is high, with many dying within 72-hours of confiscation.<sup>15</sup>

### Training

There have been numerous training sessions in Ethiopia specifically addressing wildlife trade. Among them have been:

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<sup>7</sup> Id.

<sup>8</sup> Interview with IFAW Staff, Fetene Hailu Buta.

<sup>9</sup> The Reporter. (2018). Saving Ethiopian wildlife. Available at <https://www.thereporterethiopia.com/article/saving-ethiopian-wildlife>

<sup>10</sup> CCF in litt. 2014

<sup>11</sup> Durant, S., et. al. (2017). The global decline of cheetah (*Acinonyx jubatus*) and what it means for conservation. PNAS, Vol 114, No. 3. January 17, 2017.

<sup>12</sup> Ethiopia Wildlife Policy

<sup>13</sup> Id.

<sup>14</sup> Durant, S. (2019) Cheetahs, CITES, and illegal trade: Are consumer countries doing enough? Mongobay

<sup>15</sup> Id.



**2014** – A training workshop hosted by the Ethiopian Wildlife Conservation Authority (EWCA) with participants drawn from the Horn of Africa, East Africa and the Arabian Peninsula (Kenya, Uganda, Ethiopia, Somalia, Tanzania, Yemen, Saudi Arabia, United Arab Emirates, Oman and Jordan). Target participants comprised the enforcement community including INTERPOL agents, custom departments, CITES-MA and wildlife enforcement officers.

**2015** – Wildlife Criminal Justice Assistance training held in Addis Ababa for the enforcement community (rangers, prosecutors, judges). Hosted by African Wildlife Foundation (AWF) and the Ethiopian Wildlife Conservation Authority (EWCA), through support from the U.S. Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INL), the two-day training provided an analytical legislative review of Ethiopia’s existing wildlife laws and assist in identifying ways to improve the investigative, prosecutorial and judicial responses to wildlife crime. Representatives from AWF, EWCA, INTERPOL, the United Nations Office on Drugs and Crime, and the Lusaka Agreement Task Force (LATF) lead the various training sessions.

**2016** – IFAW hosted a training workshop in Addis Ababa, Ethiopia, to increase the expertise of law enforcement officers from customs, federal police, airport police and, Ethiopian Wildlife Conservation Authority (EWCA) as CITES management authorities based at Bole International Airport, to combat wildlife crime.

**2019** - IFAW hosted a training workshop in Addis Ababa, Ethiopia to increase the expertise of law enforcement officers from customs, federal police, airport police and, Ethiopian Wildlife Conservation Authority (EWCA) as CITES management authorities.

## Geographic Factors

Much of the wildlife trade in Ethiopia, and the cheetah trade in particular, is centered in the Somali Regional State, which has struggled with conflict and instability that prevents access to certain regions for enforcement and monitoring,<sup>16</sup>. Further investigation is needed to identify other areas involved.

According to interviewees, enforcement efforts may be hampered or completely negated by lack of capacity in law enforcement organizations and lack of training among law enforcement officers.

## Cross-Border Collaboration

The international community has recognized the need to deploy a broader spectrum of government resources to counter illegal wildlife trafficking.

The 2014 training workshop hosted by the Ethiopian Wildlife Conservation Authority (EWCA) had among its objectives the goal of strengthening in-country and cross-border collaboration in combating the illegal wildlife trade.<sup>17</sup> This was later followed up by a second workshop in March 2020. This ‘Cheetah Workshop’ took place in Addis Ababa. It was convened by the Cheetah Conservation Fund and IFAW and the help of the United State government.

During this workshop, advances in rescue capacity were presented including the two CCF-run safe houses for confiscated cubs and the planning of a third one. Participants discussed strategies to end the trade and protect the species, focusing on three themes: sources of cheetah trafficking, trafficking routes, and demand. Participants synthesized their inputs into priority topics that cut across the three themes, and identified key activities related to each topic. This new ‘Cheetah Action Plan’ was intended to build on the original Cheetah Blueprint (2016), the Hargeisa Workshop (2017), and other cheetah-focused initiatives to date, to provide an updated and revised framework to inform current and future projects and programs and promote closer coordination among cheetah stakeholders. The new Cheetah Action Plan offers priority actions in areas of community engagement, mapping of trafficking networks, strengthening laws and law enforcement, reducing demand, and providing solutions for live confiscated animals that are welfare-minded.

Ethiopia’s involvement with the HAWEN, TRAFFIC, and the TWIX Platform are concrete positive steps towards that objective. However, Ethiopia’s would benefit from greater engagement in regional and global operations against wildlife trafficking.

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<sup>16</sup> ICCWC, (2016). Second Global Meeting of the Wildlife Enforcement Networks. Meeting Report; confirmed in Interview with IFAW Staff, Fetene Hailu Batu.

<sup>17</sup> AWF. (2014) Combating Wildlife Trafficking, Building Law Enforcement Capacity



## Policy Environment

Since 1986 Ethiopia has been a member of IGAD, which released a Regional Biodiversity Action Plan and Statement on Wildlife Trade in 2017. Ethiopia is also committed to implementing the African Strategy on Combating Illegal Exploitation and Illegal Trade in Wild Fauna and Flora in Africa, adopted by the African Union in 2015.

Ethiopia's domestic wildlife policy addresses a few key issues [listed as found in the policy]:<sup>18</sup>

- establishing checkpoints at ports;
- meeting international wildlife safety standards;
- conducting trade pursuant to national and international law; and
- establishing quarantine procedures.

Some of these are broad objectives that could include any number of actions, but they have not yet been spelled out in detail either in the Policy, existing legislation, or the current legislative proposals. There is substantial room for interpretation and guidance is still needed concerning what should be achieved. Among the issues that should be considered are:

- the powers and authorities of wildlife enforcement officers
- the role and authority of the military in managing border areas where most trade occurs;
- the regulation of online wildlife trade;
- the application of AML and organized crime legislation to wildlife crime;
- the use of mobile phone technology facilitating on demand illicit trade,
- the investigation into suspected holding centers
- the regulation of rescue centers

This list is not intended to be exhaustive list; merely highlight some of the areas that are known or thought to be important to the management of wildlife trade in Ethiopia. Comments on these and others are contained in the Gap Analysis that follows this section.

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<sup>18</sup> Ethiopia Wildlife Policy



# GAP ANALYSIS

The following sections look at the international and national legal frameworks as they apply to wildlife trade in Ethiopia.

For the most part, each type of law (international or national) is reviewed independent from the other. However, the national laws intended to implement CITES have been reviewed in the international section as CITES requires national legislation for compliance. This review overlaps with but is still separate from review of national legislation.

## INTERNATIONAL LEGAL FRAMEWORK

This section reviews the international laws and agreements that apply to wildlife trade either directly or indirectly and to which Ethiopia is either a member, a signatory, or eligible to sign.

### Relevant Treaties and Adherence

Research identified 28 international and regional agreements relevant to wildlife trade management and enforcement for Ethiopia. These are organized in the following table according to their primary focus. As with the national legal frameworks, the method for identifying and compiling relevant international agreements is based on those developed by Legal Atlas® for use in its legal intelligence platform.<sup>19</sup> The method also includes input by EWCA legal staff and other members of the LICIT project team.

In general, the results indicate that Ethiopia has a stronger basis in international agreements compared to the other three jurisdictions reviewed. It is already a member of 18 of the 28 agreements, including the majority of the key agreements related to wildlife; in particular CITES, the UN Convention

Against Transnational Organized Crime, and the IGAD Mutual Legal Assistance Agreement. Nonetheless, it has significant opportunities to improve its adherence to international agreements, as outlined below.

### Treaties signed, but not ratified

Of the remaining 10 treaties and treaty decisions relevant to wildlife trade, the country has signed three (3) more that are pending ratification. These include one key treaty related to enforcement and two more related to management:

#### Enforcement

- Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora
- Resource Management
- AU-Convention on Conservation of Nature and Natural Resources
- AU-Revised Convention on Conservation of Nature and Natural Resources

### Treaties not signed

It has also neither signed nor implemented seven others, most of which are trade agreements that have the ability to harmonize and improve border controls. Organized by type, these include:

#### Enforcement

- AU-Statute of the African Union Mechanism for Police Cooperation (AFRIPOL)
- Trade
- WCO-Convention on the simplification and harmonization of Customs procedures (Kyoto Convention) as amended
- WCO-Convention on mutual administrative assistance for the prevention, investigation and repression of Customs offences (Nairobi Convention)
- WCO-Convention A.T.A. Carnet for the temporary admission of goods
- WCO-Convention on Temporary Admission (Istanbul Convention)

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<sup>19</sup> Results WCO-Convention on the simplification and harmonization of Customs procedures (Kyoto Convention) as amended can be viewed online at [www.legal-atlas.net](http://www.legal-atlas.net)



- WTO-Agreement on Sanitary and Phytosanitary Measures

### Governance

- UNWTO-Framework Convention on Tourism Ethics

### List of Relevant Treaties

Table 1 on the following page lists the international and regional agreements deemed relevant to wildlife trade occurring within, passing through, or coming from Ethiopia.

Treaties have been organized by their overarching purpose, starting with those most directly relevant to trade and enforcement.

This organization is not intended to indicate that some are less important than others, as any given instance of trade may make any of them more important than the others for that particular question.

**Table 1. List of applicable international and regional agreements relevant to the management of wildlife trade in Ethiopia**

#	Convention Name	Ethiopia Status
1	CITES	Party, 1989
2	UN Convention against Transnational Organized Crime, including: • Resolution E/2013/30 to treat Wildlife Crime as a "Serious Crime" <sup>22</sup>	Party, 2007
3	Lusaka Agreement on Co-operative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora	Signatory, 1995
4	AU African Common Strategy on Combating Illegal Exploitation and Trade in Wild Fauna and Flora	AU Members
CMS, including:		
5	• Decisions 12.55 to 12.60 and 13.86 to 13.87 on Joint CMS-CITES African Carnivores Initiative • Decisions 12.61 to 12.66 and 13.92 to 13.95 on Conservation and Management of Cheetah and African Wild Dog	Party, 2010
6	WHO-Convention concerning the Protection of the World Cultural and Natural Heritage	Party, 1977
7	Convention on Biological Diversity	Party, 1994
8	AU-Convention on Conservation of Nature and Natural Resources	Signatory, 1968
9	AU-Revised Convention on Conservation of Nature and Natural Resources	Signatory, 2004
10	UN Convention Against Corruption	Party, 2007
11	AU-Convention on Corruption	Party, 2007
12	UNWTO-Framework Convention on Tourism Ethics	Not Signed
13	Agreement Establishing the Inter-Governmental Authority on Development (IGAD)	Party, 1986
14	WCO-Convention on the simplification and harmonization of Customs procedures (Kyoto Convention) as amended	Not Signed
15	WCO-Convention on mutual administrative assistance for the prevention, investigation and repression of Customs offences	Not Signed
16	WCO-International Convention on the Harmonized Commodity Description and Coding System	Party, 1995
17	WCO-Convention A.T.A. Carnet for the temporary admission of goods	Not Signed
18	WCO-Convention on Temporary Admission (Istanbul Convention)	Not Signed
19	WTO-Agreement on Sanitary and Phytosanitary Measures	Observer, 2003
20	AU-Phyto-Sanitary Convention for Africa	Party, 1972
INTERPOL Constitution, including:		
21	• INTERPOL Rules on the Processing of Data	Party, 1958
22	AU-Statute of the African Union Mechanism for Police Cooperation (AFRIPOL)	Not Signed
23	AU-African Maritime Transport Charter (Revised)	Party, 2012
24	OAU Convention on the Prevention and Combating of Terrorism	Party, 2003
25	Protocol of the OAU Convention on the Prevention and Combating of Terrorism	Party, 2008
26	IGAD Convention on Mutual Legal Assistance in Criminal Matters	Ratified, 2012
27	IGAD Regional Biodiversity Action Plan - Statement on Wildlife Trade	Adopted 2017
28	IGAD Hawen Protocol	Adopted 2017

## CITES Compliance Assessment

Of the treaties reviewed in this assessment, there is only one (CITES) that requires compliance in the form of national legislation with specified content and a set of best practices that can be reviewed in a standardized format across jurisdictions.

This section is therefore dedicated to reviewing the degree of implementation of CITES in Ethiopia's national legal framework.

### Minimum Requirements

Ethiopia is listed as a Category 1 country by CITES Secretariat, meaning it meets the four minimum requirements for compliance with the Convention. These requirements were agreed in Resolution Conf. 8.4 (Rev. CoP15) and dictate that every state member, within its national legislation, must:

- designates at least one Management Authority and one Scientific Authority;
- prohibits trade in specimens in violation of the Convention;
- penalizes such trade; and
- confiscates specimens illegally traded or possessed.

As a Category 1 country, Ethiopia's legislation is believed to generally meet these core requirements. There are, however, questions concerning the actual designation of Management and Scientific Authorities, which CITES mandates they should be independent from each other.

For purposes of comparison, the other jurisdictions in this project have the following CITES Category:



- Yemen is also a Category 1 country;<sup>20</sup>
- Somalia is a Category 3, listed as needing priority attention and currently under a notice suspending all commercial trade;<sup>21</sup> and
- Somaliland is not eligible to sign the treaty, and therefore not assessed regarding CITES compliance levels.

## CITES National Legislation Checklist

The foregoing requirements are, however, considered only a minimum. To fully secure the implementation of CITES, the Secretariat has developed an assessment guideline ('Legislation Checklist') that identifies legal content (herein referred to as best practices, or BPs) to enable the consistent and detailed review of CITES implementing legislation. The checklist contains 70 concepts for consideration and is organized in 13 major conceptual categories.<sup>22</sup>

Annex II recreates a portion of that compliance checklist. For several reasons, not all 70 have been used in this assessment:

- Some have been eliminated as they do not apply to the inquiry of this report (e.g., BP#14. definition of introduction from the sea, which is relevant to marine species but not cheetah trade).
- Others are not considered essential as indicated by the text making the recommendation (e.g., BP#70. Some countries may wish to...).
- Some are repetitive or at least overlapping and can either be merged or modified such that a single concept is reviewed.
- Others are potentially contrary to existing national legislation (e.g., earmarking of funds) and should be reviewed in a larger legal context.
- And finally, some are suggestive of general rather than specific content (e.g., the call to include 'more detail' concerning CITES permitting procedures), and therefore not ripe for assessment.

All 70 recommendations were reviewed for their applicability to this assessment, and a final selection of 43 was made. Ethiopia's legislation was then assessed to determine the degree of compliance

with those 43 CITES recommendations. Detailed results are available in Annex II and the following is a summary of them.

## Summary Results

Ethiopia – CITES Compliance Analysis		
Based on 43 Recommendations (100%)		
Full Compliance	Partial Compliance	No Compliance
11	14	18
26%	32%	42%

The results indicate substantial room for improvement. Of the 43 best practices (herein BP) included in this review, only 11 of them are deemed fully incorporated in Ethiopia's legislation and do not present any gap. Of the 32 remaining, 14 of them require improvements (marked - partial compliance) and the remaining 18 are completely missing (marked - no compliance) at this point.

These gaps are distributed along the six main categories of recommendations established by CITES, but the area most in need is the one concerning permitting requirements.

CITES relies heavily on the integrity of the permitting process but Ethiopia's legislation is silent on most of the 16 selected best practices related to permitting: *n*.11 are full gaps (69%) and *n*.6 are partial gaps (38%). Among the full gaps are the prescription of the permit form, all of the permit procedures listed in BP #33 – as per CITES notation-, as well as guidelines for captive breeding.

Other individual areas of concern include the lack of specific mention of a Scientific Authority (CITES-SA), its rights and duties (BP #21); the need to more explicitly prohibit acts along the trade chain (BP #50); the powers of enforcement officers (BPs #49, #51, and #53), and penalties that are sufficient to act as a deterrent (BP #64).

<sup>20</sup> Status of Legislative Progress for Implementing CITES (Updated November 2019) Parties with Legislation in Category 1.

<sup>21</sup> CITES Notification to the Parties, No. 2019/035, extending a pre-existing suspension of trade pending

approval of implementing legislation. Available at <https://cites.org/eng/resources/ref/suspend.php>.

<sup>22</sup> CITES National Legislation Checklist



Summary listing of the best practices either not addressed (Gap), or partially addressed (Partial Gap) in the legislation:

#### General provisions, scope of application and authorities

1. **Partial Gap** - Inclusion of CITES Appendices I, II, and III, and requirement to amend as soon as CITES amendments come into force.
2. **Gap** - Definition of transit or transshipment (BP #16)
3. **Partial Gap** - Statement that the legislation is applicable to trade in CITES specimens with any country, whether a Party or not. (BP #19)
4. **Partial Gap** - Express statement granting power to issue permits and certificates to a Management Authority. (BP #20)
5. **Gap** - Specific mention of a 'scientific authority' including rights and duties (BP #21)

#### Permit requirements, form, validity, conditions and procedures

6. **Gap** - Requirement that Management Authority be satisfied live specimens will be shipped so as to minimize the risk of injury, damage to health or cruel treatment (BP #26)
7. **Gap** - CITES quotas (BP #29)
8. **Gap** - Prescribed form, template or other content requirements for permits (BP #30)
9. **Partial Gap** - Period of validity of permits (BP #31)
10. **Gap** - Separate permit or certificate is required for each consignment of specimens (BP #32)
11. **Gap** - Permit procedures and conditions as per BP #33.
12. **Partial Gap** - Power to amend, suspend or revoke permits or certificates, including procedures. (BP #35)
13. **Gap** - Authority to disqualify a person, temporarily or permanently, from obtaining a permit or certificate (BP #36)
14. **Gap** - Guidelines for captive breeding (BP #41)
15. **Gap** - Export permit requirements for captive-bred Appendix I specimens for commercial purposes; certificates of captive-breeding for all others (BP 42)
16. **Gap** - Licensing procedures and conditions for commercial operations (BP 43)
17. **Gap** - Definition of artificially propagated (BP #44)
18. **Gap** - Exchange of scientific material and registration of institutions (BP 45)

19. **Gap** - Management Authority's power to mark any CITES specimen, including offenses for removing, altering, etc. (BP #47)

#### Border Control, consignments, traders, possession and domestic trade

20. **Partial Gap** - Power to refuse to accept permits from exporting countries based on 'reasonable grounds' (BP #49)
21. **Partial Gap** - Prohibition of the possession, transport, sale, offering for sale, and purchasing of any specimen of CITES-listed species that has been imported. (BP #50)
22. **Partial Gap** - Power to conduct investigations and detain specimens (BP #51)
23. **Partial Gap** - Specification of ports of entry and exit (BP #52)
24. **Partial Gap** - Mandatory seizure requirement whenever there are reasonable grounds (BP #53)
25. **Gap**: Requirement that traders exporting or re-exporting CITES specimens keep a register of all transactions (BP #56)

#### Enforcement and Penalties

26. **Partial Gap** - Clear designation of enforcement departments and agents (BP #58)
27. **Partial Gap** - Powers of enforcement officers (BP #59)
28. **Partial Gap** - Offences committed by corporations punishable by national legislation. (BP #61)
29. **Partial Gap** - Attempts, aiding and abetting are also offences. (Checklist 62)
30. **Gap** - Penalties sufficient to constitute deterrent (BP #64)

#### Disposal of Confiscated Specimens

31. **Gap** - Allow for the costs of returning confiscated live specimens to the country of origin or re-export to be charged to the guilty importer and/or carrier (BP #65)

#### Reports

32. **Gap** - Management Authority has duty to prepare and submit annual reports and biennial reports on legislative measures (BP #69)



## NATIONAL LEGAL FRAMEWORK

This section takes a detailed look at the national laws governing several key components of wildlife trade in Ethiopia. Our analysis is informed by the following:

- the practicalities of wildlife trade principally for cheetah;
- the high mortality rate of confiscated cubs, and therefore the need to regulate placement;<sup>23</sup>
- concerns raised by reports and key informants with knowledge of wildlife trade in Ethiopia;
- the project goal of examining the penalty provisions;
- the project goal of considering other areas of law, in particular legislation that may support local communities.

In addition, CITES concerns have been taken into account. In 2014, the CITES Secretariat issued its Decision 16.72 highlighting the ‘importance of legislative and regulatory controls in detecting and preventing illegal trade in cheetahs.’<sup>24</sup> Of particular concern, the Decision includes some conclusions that are also guiding the review:

- The opportunity for Gulf States to adopt measures to tackle region-wide problems of uncontrolled keeping of and illegal trade in big cats;
- The need for East Africa to develop and adopt a common strategy to deal more effectively with confiscated live cheetahs.
- The possibility of cheetah parts and derivatives entering the traditional medicine market.

### Summary of the Legal Framework

A total of 38 national laws and regulations were reviewed (see Table 2), as well as another three proposed legislative proposals – including a revised Wildlife Conservation and Utilization Proclamation, a revised Wildlife Development, Conservation and

Utilization Council of Ministers Regulation; and a new regulation for the establishment of a Wildlife Conservation Area Development Fund.

The entire framework was reviewed by local staff and EWCA counterparts and is considered complete for the national level as of the date of this report. As per EWCA’s Legal Director, the complete legal framework includes:

- 3 Proclamations ratifying 3 international conventions
- 2 Proclamations (Wildlife and EWCA)
- 1 Regulation
- 7 Demarcation Areas (protected areas instruments)
- 6 Directives (3<sup>rd</sup> level regulation, containing guidelines for implementation)

Additionally, two regions of the country have their own Wildlife Proclamations. The Somali Region, however, is not one of them.

The framework compiled by Legal Atlas contains all five (5) Proclamations, the one (1) Regulation and seven (7) Demarcation Areas, as well as several other relevant laws. Still missing from this analysis are the 6 Directives and one of the two regional Wildlife Proclamations.

The degree to which the missing documents impact the review cannot be estimated. Implementing legislation is often the vehicle through which laws are finally implemented. Their content could change some of the results included in this assessment.

There are also gaps in the overall framework that appear to be a function of incomplete legal development (as opposed to laws that exist but have not been found); e.g., research has not located a hunting regulation, although it is called for in the Proclamation. Unlike the preceding, the impact of these gaps can be discussed, as the failure to develop such regulations may at least be highlighted by comparison to the format and content of similar regulations from other jurisdictions.

A quick reference to the list of legislation is provided here.<sup>25</sup> Additionally, Annex III provides a

<sup>23</sup> CITES SC65 Doc. 39 (Rev. 2): Illegal Trade in Cheetahs (*Acinonyx jubatus*), Sixty-fifth meeting of the Standing Committee Geneva (Switzerland), 7-11 July 2014

<sup>24</sup> CITES Decision 16.72: Illegal Trade in Cheetahs (*Acinonyx jubatus*), 27<sup>th</sup> meeting of the Animals Committee Veracruz (Mexico), 28 April – 3 May 2014.

<sup>25</sup> The same list can also be found online in the Legal Atlas® platform at [https://www.legal-atlas.net/Wildlife\\_Trade/Legal\\_Framework/Ethiopia](https://www.legal-atlas.net/Wildlife_Trade/Legal_Framework/Ethiopia).



brief overview of the content of each piece of legislation in relation to wildlife trade.

**Table 2. List of Ethiopia's Legislation relevant to Wildlife Trade**

PRIMARY LEGISLATION	
1.	Establishment of the Ethiopian Wildlife Development and Conservation Authority Proclamation
2.	Wildlife Conservation and Utilization Proclamation
3.	Wildlife Development, Conservation and Utilization Council of Ministers Regulation
4.	Ratification of the Convention on Migratory Species
5.	Ratification of the African-Eurasian Migratory Water Birds Agreement
6.	CITES Ratification Proclamation
7.	Ratification of IGAD Convention on Mutual Legal Assistance in Criminal Matters

  

RELATED LEGISLATION	
1.	Constitution
2.	Executive Powers Proclamation
3.	Environmental Authority Proclamation
4.	Environmental Pollution Control Proclamation
5.	Environment Research Institute Regulation
6.	Biodiversity Conservation Institute Law
7.	Biodiversity Conservation Institute Law (1999 Amendment)
8.	Biodiversity Conservation Institute Law (2004 Amendment)
9.	Forest Development, Conservation and Utilisation Proclamation
10.	Animal Disease Prevention Proclamation
11.	Hides and Skins Marketing Proclamation
12.	Hides and Skins Marketing Proclamation (2018 Amendment)
13.	Hides and Skins Marketing Regulation
14.	Park Regulation (Alitash)
15.	Park Regulation (Awash)
16.	Park Regulation (Borena)
17.	Park Regulation (Gambella)
18.	Park Regulation (Qafta Shiraro)

19. Park Regulation (Simien Mountains)
20. Park Regulation (Bale Mountains)
21. Park Regulation (Senkele Swayne's Hartebeests)
22. Criminal Code
23. Criminal Procedure Code
24. Corruption Crimes Proclamation
25. Anti-Money Laundering Law
26. Whistleblower Proclamation
27. Federal Police Commission Establishment Proclamation
28. Federal Police Commission Proclamation (2016 Amendment)
29. Customs Proclamation
30. Transport Proclamation
31. Firearm Proclamation

## Framework Analysis

The Gap Analysis method draws primarily from four sources:

- ICCWC Wildlife and Forest Crime Analytic Toolkit (Revised Edition)<sup>26</sup>
- Previous gap analyses conducted for Ethiopia wildlife legislation,<sup>27</sup>
- Legal Atlas methods for best practice assessment, and
- Research conducted by the LICIT team.

## Legal Strategy

Before discussing the details, this section takes a brief look at the overarching framework to highlight major concerns. The visual that accompanies this initial inquiry and that appears in Figure 1, referred to as the '**Legal Strategy**', is drawn from the Legal Atlas® online platform and can be viewed there in interactive form using the links provided below.<sup>28</sup> The commentary included here is in addition to what is contained in the platform.

<sup>26</sup> International Consortium on Combating Wildlife Trade. (2012). Wildlife and Forest Crime Analytic Toolkit (Revised Edition).

<sup>27</sup> Ayalew, M., M. Cirelli, and W. Sintayehu. (2013). Analysis of the Policy and Legal Frameworks for the Management of Wildlife Resources in Ethiopia; and Wamukoya, D. (2017).

Analysis of Ethiopia's Wildlife Policies and Laws. African Wildlife Foundation.

<sup>28</sup> Account holders can follow this link directly to access the information - [https://www.legal-atlas.net/Wildlife\\_Trade/Legal\\_Framework/Ethiopia/legal\\_strategy](https://www.legal-atlas.net/Wildlife_Trade/Legal_Framework/Ethiopia/legal_strategy).



Figure 1. Wildlife Trade – Ethiopia Legal Strategy



Whether or not intended, the types of laws used represent the ad hoc regulatory ‘strategy’ followed by a particular jurisdiction in addressing a given topic. The Legal Strategy visual recognizes three things:

- **that any given topic will be regulated by more than one law.** This is illustrated by **Error! Reference source not found.**, which lists the 38 pieces of Ethiopia’s legislation that in some way apply to wildlife trade.
- **that these laws come from different parts of a country’s legal system** (e.g., administrative, constitutional, criminal, environmental law, etc.). This is discernible just from the names of the laws, even if it is not stated explicitly. The Regions and Districts Law, for example, would most likely be classified as an “Administrative” law as it regulates administrative authorities generally; whereas the Public Order and Security Law would fall under the category of “Defense and Security”. This categorization is important because it means they are often developed, at least initially, by different committees or groups

within a given legislative body in response to different concerns, expertise, and interests.

- **that the type of law means they naturally have different objectives, mandates, jurisdictional reach, and implementing agencies.** The kind of law, and therefore its regulatory objectives, mandates, etc., have an impact on what is being regulated and how. This in turn impacts the law’s ability to address issues specific to a particular topic, in this case wildlife trade. The COVID-19 crisis has provided an unfortunate example of this, revealing that health and safety laws applicable to those markets where wildlife is sold, are primarily concerned with domesticated species and the meat processing industry, with little attention paid to the risk of zoonotic diseases coming from or affecting wildlife.<sup>29</sup> As a result, the markets that sell wildlife where zoonotic disease is a concern fall into an unintended and mostly invisible gap.

Before considering the question of ‘how well’ something is regulated, the initial inquiry is whether

<sup>29</sup> Wingard, J. et. al. (2020) Regulatory Frameworks Governing Wet Markets, Wildlife, and Zoonotic Disease:

Rapid Survey of 37 Jurisdictions – Preliminary Results. Legal Atlas.



certain types of law are being used at all as part of the country's overall strategy to combat illegal wildlife trade.

In Ethiopia's case, there are three types of law often found in the wildlife trade frameworks of other countries, but which are not being used.<sup>30</sup> These include:

- **Telecom and Media** – used to regulate advertising of wildlife, including online trade and liability for advertisements deemed illegal. In some jurisdictions this can include illegal wildlife.
- **Health** – used to regulate foods and medicines that contain wildlife-based ingredients. They will usually include sourcing, labeling, testing and reporting requirements
- **Commerce** – used to regulate the commercial aspects of wildlife trade including trade licenses, marks affecting wildlife products, etc.

This is not to suggest that these types of laws *must* be used to regulate the issues listed, or that this is the only way to regulate. It is, however, indicative of major areas of regulation that are currently not part of the available strategy and that bear consideration going forward. For example, there has been some concern mentioned about wildlife trade connected to traditional medicine uses. The visual highlights a potential overarching legislative gap for this type of trade.

## National Gap Analysis

Since LICIT is focused on fighting illicit wildlife trade, the analysis is consequently driven by that interest, resulting in the following areas being identified as the core legal areas or concerns to address:

- **Scope and Application** – discussing regulatory elements that manage the jurisdictional divisions and/or the extent to which the trade chain is covered by the identified legislation.
- **Regulatory Development** – discussing the status of implementing regulations and any gaps observed in the general development of such legislation.

- **Enforcement and Intelligence** – discussing the legal mandates for enforcement as they apply to various parts of the wildlife trade chain.
- **International cooperation in criminal matters** – discussing the legal tools available for managing instances of cross-border trade requiring judicial and investigatory support from foreign jurisdictions.
- **Crimes and penalties** – discussing the types of crimes and the applicable penalties directly applicable to wildlife trade.

This focus implies that not all of the laws included in the framework have provided inputs for the gap analysis. All of them show relevance to wildlife issues, but only a selection has a significant bearing on the core concerns outlined.

This gap analysis also omits questions concerning the overall functioning of some of the laws, as well as the prosecutorial system. In other words, this assessment does not pretend to cover all of the gaps that might be associated with, for example, Ethiopia's protected areas system or its veterinary laws. Nor does it examine closely how prosecutions are conducted, the use of investigators, forensics and the like. However, all of these also have an impact on how well the country manages wildlife trade.

## Scope and Application

### 1. Overlapping Federal and Regional Authority

This is an issue in the current legislation, as well as in the proposed drafts. As structured, the legal system allows for the regulation of wildlife trade at both the national and regional level. It does not, however, provide guidance in instances for overlapping authority.

### 2. Inconsistent Definitions of Wildlife Trade

The term '**wildlife trade**' is defined in Art. 2(12) of the Wildlife Proclamation as "the import, export or re-export of wildlife or their products or any kind of business transaction related thereto;"

Art. 12 of the same law states that the following are prohibited unless a permit has been obtained:

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<sup>30</sup> Based on results from Legal Atlas® platform covering 60 jurisdictions, primarily in Africa, South East Asia and the Americas.



- a) Any activity of trade in wildlife and their products;
- b) the ownership, sale, transfer, export or import of any processed or unprocessed wildlife product.

The separate treatment of ‘trade in wildlife’ in Art. 12(a) is inconsistent with the concepts listed in Art. 12(b), as these would also normally be associated with trade. The differences between Art. 2 and 12 may seem subtle but as “**wildlife trade**” is one of the foundational concepts of the law with repercussions for its application as a whole, the inconsistency requires attention.

### 3. Incomplete Coverage of the Wildlife Trade Chain

As stated before, the term ‘**wildlife trade**’ is defined in Art. 2(12) of the Wildlife Proclamation as “the import, export or re-export of wildlife or their products or any kind of business transaction related thereto;”

Lacking a formal definition for the term ‘business transaction’ in Art. 2(12) turns raises questions about the coverage of some parts of the wildlife trade chain that ideally should be specified in the law.

- Sale Acquisition, including purchase and solicitation for purchase of wildlife products
- Advertising wildlife and wildlife products, including online advertising and transactions
- Processing of wildlife
- Transportation of wildlife
- Consumption of wildlife
- Possession of wildlife
- Use of wildlife in exhibitions and performances
- Use of wildlife for scientific research

### Regulatory Development

In addition to the gaps identified in the ‘Legal Strategy’ section, there are a number of areas that either have minimal or no legislative basis for their management.

This may be a function of how the power to issue laws and regulations is formulated and practiced; or it may be that certain areas are not yet recognized as critical to the adequate management of wildlife trade in Ethiopia. In either case, the following have been identified as candidates for further regulatory development.

### 4. Power to Issue Regulations

The power to issue regulations is stated in the Wildlife Conservation and Utilization Proclamation but may need clarification:

- Art. 13 lists the powers and duties of the Ministry
- Art. 14 lists them for Ethiopia’s Regions
- Art. 17 delegates:
  - to the Council of Ministers, the authority to issue regulations; and
  - to the Ministry, the power to issue Directives.

It is not clear, however, whether this is intended to confer broad discretionary powers or whether it can only be exercised where the Proclamation also calls for a specific regulation.

### 5. Regulatory Development Needs

There are provisions in the Wildlife Proclamation that expressly state that regulations will be issued to further develop specific procedures, and it would be considered best practice to have them. Unfortunately, there is no similar statement in the law for a number of management issues whose regulations are also missing, posing challenges for both implementation and enforcement.

Areas that should be considered for regulatory development, in addition to those already identified in the CITES Legislation Checklist, include:

- **Hunting and Hunting Areas** – Art. 8 calls for the regulation of the hunting permits but does not otherwise call for the full regulation of hunting overall. Numerous areas of management need to be addressed, including some of the ones already listed in Art. 8, *inter alia* 1) listing game animals, 2) hunting seasons, 3) permitted and prohibited methods for hunting and trapping; 4) hunting areas; 5) procedures for setting hunting quotas, and more.
- **Wildlife Trade Regulations** – Art. 12 regulates trade in wildlife and their products ostensibly permitting trade pursuant to a permit but otherwise provides no details on whether and how particular forms of trade will be regulated, including but not limited to:
  - Processing
  - Hide and leather trade
  - Live animal trade
  - Exhibitions
  - Markets (where wildlife are sold)



- **Protected Areas** – Arts. 4 and 5 call for the designation of federal and regional protected areas, but there is no overarching set of management standards and practices common protected area systems.
- **Evidentiary Protocols** – a key impediment to the adequate prosecution of wildlife trade comes from the lack of evidentiary protocols adapted to the particular needs that identifying and preserving perishable wildlife evidence requires. While this may be more detail than can be adequately covered in the law, reference could be made to establish such and for these to be based on accepted best practices.
- **Confiscated animal protocol** – according to reports and as confirmed in interviews, the question of how to manage confiscated animals is a critical regulatory development need for cheetah.

## Enforcement

### 6. Limited Powers of Wildlife Anti-Poaching Officer

The Anti-Poaching Officers' power to arrest is limited to when they find that an offense has been committed. This may be a translation problem, but the question is whether a person must be observed committing the crime or whether there need only be sufficient evidence for the enforcing officer to believe a crime has been committed.

Regardless, there are several desirable enforcement powers/duties of the anti-poaching officers not mentioned in the law, among them:

- Which laws they may enforce
- Whether, how and when they may use force
- Power to carry and use of weapons
- Power to investigate
- Power to collect evidence

### 7. Investigations

There are wide variety of investigation powers, procedures and techniques that are commonly present in wildlife laws and regulations but that are missing in Ethiopia's Wildlife Proclamation. Among these are:

- Types of investigative powers
- Investigation procedures and techniques
- Information and evidence gathering

- Identification of suspects
- Interviewing
- Forensics and crime scene investigation
- Witness and victim protection
- Community policing
- Partnerships
- Reporting offences
- Facilities and equipment
- Financial investigations

The Criminal Code addresses investigations in several articles but only for purposes of their effect on statutes of limitation, what constitutes a criminal investigation, etc. Powers, techniques and procedures are otherwise not directly mentioned. The Criminal Procedure Code addresses some of the powers in the list (e.g., interviews) but not all and only as they apply to the authorities of the police. The relationships between the Anti-Poaching Officers, the Police and the powers mentioned in the Criminal Procedure Code are unclear.

Related to the foregoing are the following intelligence gathering powers that would be worth considering as additional to the investigation powers listed above:

- Intelligence gathering and exchange
- Covert techniques
- Informants
- Patrols and checkpoints
- Proactive investigations

## International cooperation in criminal matters

### 8. Foreign Crimes

Ethiopia's Criminal Code, Art. 22, provides for the prosecution of crimes predicated on acts committed in a foreign jurisdiction. There is no limit on the type of crime, but the Code does limit the court's jurisdiction to instances of dual criminality; i.e., the crime alleged must be a crime in both jurisdictions before the court will exercise authority to hear the case. Ethiopia's list of wildlife crimes is more detailed than the other three jurisdictions in the LICIT project, but there is still little overlap and consistency between it and its neighbors. The differences in wildlife crime concepts likely limits the successful exercise of jurisdiction over crimes committed in a foreign jurisdiction.

Ethiopia ratified in 2012 the IGAD Convention on Mutual Legal Assistance (MLA) (see Table 1), which encourages member states 'to render assistance in



the absence of dual criminality’ and to adopt such measures allowing it to render such service.<sup>31</sup> The fact that the Criminal Code requires dual criminality poses an obstacle, if not an absolute barrier to the national implementation of those regional commitments. Several areas covered by the MLA Convention of particular interest in the prosecution of wildlife crimes are:

- Extradition
- Confiscation of assets
- Transfer of proceedings
- Transfer of sentenced persons

## 9. IGAD, African Union and Other Regional Instruments and Strategies

A major concern in the region is the need to harmonize wildlife trade related legislation to address cross-border trafficking and international trade that threatens certain species, e.g., cheetah. In addition to the IGAD MLA already mentioned, there are several other wildlife trade related instruments and strategies issued by IGAD, the African Union and other Regional Organizations that Ethiopia is committed to support/implement.

However, a formal statement connecting these international instruments with national legislation is missing. The Wildlife Proclamation is an opportunity to make that connection and include a specific reference to the international instruments that is intended to implement or for which compliance is a requirement. Depending on drafting requirements, this can be done in the Preamble or directly in the Objectives of the Proclamation, as guiding both the intent and application of the law.

## Crimes Analysis

### 10. Penalties across the Framework

Of the 38 laws identified as part of Ethiopia’s legal framework for wildlife trade, more than half (*n.* 20) contain no penalty provisions. For some, this is a normal format, as they are either ratifying documents, administrative or other general governance related legislation for which penalties are not usually included. For others (*n.* 7), however, the activities and resources they regulate can be focal points for wildlife trade and therefore would

benefit from the express inclusion of penalties for the acts they regulate. These include:

- **Wildlife Development, Conservation and Utilization Council of Ministers Regulation** – this regulation implements the Development Conservation and Utilization of Wildlife Proclamation, stating that any violation of the Regulation is to be penalized under the Proclamation.
- **Environment Research Institute Regulation** - establishes the government entity (Art 3) responsible for, inter alia, designing environment and forest conservation research strategies; preparing action plans and schedules, and implementing them once approved. (Art 6). In some jurisdictions, the failure to implement or the failure to abide by established management plans is the subject of administrative penalties.
- **Environmental Authority Proclamation** – primarily directed at establishing this government body, it also includes provisions specific investigations. In particular, this includes the power to ‘enter any land, premise or any other place that falls under the federal jurisdiction, inspect anything and take samples as deemed necessary with a view to discharging its duty and ascertaining compliance with environmental protection requirements’ (Art. 6(15)). An authority of this type is often coupled with fines and penalties for preventing the exercise of this lawful authority but in this case, penalties are missing.
- **Hides and Skins Marketing Regulation** – despite containing several obligations in Part III, governing several activities related to trade in hides, the regulation contains no penalties.
- **Park Regulation (Alitash)** – grants the power to the park authority to ‘tak[e] ...legal measures against those individuals who commit prohibited acts in the park.’ (Art. 6(3)), and contains a list of prohibitions that are directly relevant to wildlife trade. However, it contains no penalties for such violations.
- **Park Regulation (Borena)** – grants the power to the park authority to ‘tak[e] ...legal measures against those individuals who commit prohibited acts in the park.’ (Art. 6(3)), and contains a list

<sup>31</sup> Art. 33 of the MLA Convention.



of prohibitions that are directly relevant to wildlife trade. However, it contains no penalties for such violations.

- **Transport Proclamation** – this proclamation is generally applicable to transport but contains no penalties for the violation of its requirements.

### 11. Definition of offenses in the Wildlife Conservation and Utilization Proclamation

The law dedicates a single article (Article 16) to define all wildlife offenses and penalties. The article covers:

- hunting offenses;
- wildlife trade offenses;
- unauthorized activities in conservation areas, and
- possession offenses.

There are numerous gaps between the acts being prohibited or deemed illegal along the different articles of the law and the acts being declared offenses in Art. 16. Critically, several parts of the trade chain do not appear to be penalized at all. That poses unnecessary legal obstacles to prosecute offenders that, while not directly responsible for the illegal take of a cheetah, for example, are caught during:

- Transportation
- Processing
- Sale
- Purchase
- Online trade

### 12. Matching the crime to the perpetrator

It is well known that criminal activities carried out by business or by individuals have substantially different degrees of impact. In the context of wildlife crimes, best practices call for differentiated and higher penalties to legal entities when compared with individual offenders.

In Ethiopia, Art. 16 of the Wildlife Proclamation applies penalties to ‘persons’, which includes legal entities as defined in Art. 2(5). There is, however, no differential penalty for legal entities, no structure

for the application of liability in the context of a business, and no mention of how a prison sentence might be applied.

### 13. Identifying all possible actors in the criminal chain

The profile of the cheetah trafficking outlined in the introductory section describes networks involved in harvesting cubs in the wild, holding them before and after crossing international borders, land and sea transport, and end market sales. Tackling networks requires specific language because many of those involved solely provide logistical support which, by itself, would not be considered a crime.

Unlike Ethiopia’s Criminal Code and Anti-Money Laundering law, the Wildlife Proclamation makes no inclusive mention of the possible actors in the criminal activity. To cover this gap, the recommendation is to consider adding language similar to Ethiopia’s Anti-Money Laundering Statute:

Any person who participates in the commission, conspires to commit, attempts to commit or aids, abets, facilitates or conceals the commission of any of the elements of the offence mentioned in paragraphs (a) to (c) of this sub-article;

### 14. Closing gaps in penalizing misconduct along the trade chain

Annex III presents the result of applying a standardized classification of wildlife offenses to Ethiopia’s legislation. This classification was developed by Legal Atlas after an exhaustive review of offenses a cross-section of eight jurisdictions representing a variety of legal systems, languages, and approaches.<sup>32</sup> The classification serves multiple purposes, starting with providing a first-ever panoramic view of all possible wildlife-related crimes. As used in this assessment, its application allows a rapid comparison of a given country’s approach to criminalizing misconduct along the trade chain, highlighting strengths and weaknesses. The following table summarizes the results, which can be reviewed in detail in Annex III. The table takes the main wildlife offenses (77 level-2 offense types) and

<sup>32</sup> Pascual, M., J. Wingard, N. Bhatri, A. Rydannykh, and J. Phelps. (2020). Global taxonomy of wildlife offenses. (In progress). The classification includes 487 offense types organized into 16 overarching categories (level-1) divided into 77 main types of wildlife offenses (level-2). In some cases,

wildlife offense types are disaggregated to provide more detail resulting in 256 level-3 wildlife offenses and 138 level-4 wildlife offenses.



shows the degree to which this offense is included in the country's laws.

While Ethiopia has one of the stronger approaches within the Horn of Africa region, there are nonetheless a number of related activities for which there is only partial or no criminalization. Of the 77 offense types reviewed, Ethiopia's legislation fully incorporates just 16. Another 17 are partially included and 22 (almost 30%) are not considered crimes. Several offenses (11) were considered not applicable (N/A) as Ethiopia's approach to management make that offenses unnecessary. Finally, another 11 offenses have been not yet classified, pending refinement of legal interpretation.

Annex III shows how gaps presented in Table 3 (in yellow and red) are distribute along the entire chain, affecting hunting, transportation, trading breeding, scientific research, uses, possession and exhibition of wildlife.

**Table 3. Potential Gaps in Ethiopia Criminalization of Wildlife Offenses**

Global Wildlife Offenses Classification – Ethiopia Status				
Based on 77 Level-2 Wildlife Offenses				
YES	PARTIAL	NO	N/A	Unknown
16	17	22	11	11
21%	22%	29%	14%	14%

### 15. Considering expanding Penalty Types

Penalty design is at the core of justice administration as it represents the attempt to pair offenses with meaningful sanctions. Many objectives can inspire the design of penalties including the following:

- deterring and preventing illegal conduct
- removing offenders
- repairing damage caused
- denying the benefit of the crime to offenders
- denying access to privileges
- rehabilitating the conduct of the offender
- compensating the government for the expenses of law enforcement
- compensating society for the damages

Those objectives are achieved usually through the combination of different types of penalties. Table 3 presents a list of 22 penalty options that Legal Atlas has compiled through the review of offenses

and penalties associated with wildlife crimes in different legislations.

Annex IV shows which penalty types are being used for which crime types based only on the wildlife offenses that apply to Ethiopia. The country uses a total of eight penalty types when sanctioning wildlife offenses including fines (1), confiscations (3), license revocation (7), and disqualification for license (8), imprisonment (17), reparation (19), compensation (20).

**Table 4. Administrative and Criminal Penalty Types**

Economic	
1	Fines
2	Reimbursement of the process expenses
Product	
3	Confiscation/seizure
4	Reintroduction to nature
5	Repatriation of non-native specimen
6	Product destruction
Rights	
7	Revocation of rights, permits and licences
8	Ban from future rights, permits, and licences
9	Suspension of public position
10	Ban from public position
11	Temporary suspension of corporate activities
12	Permanent suspension of or ban on corporate activities
13	Loss of corporate custom benefits and incentives
14	Loss of corporate right to conduct customs activities
Loss of personal freedom	
15	Administrative arrest
16	Community service
17	Imprisonment
18	Deportation of foreign offenders
Environment	
19	Reparation
20	Compensation/indemnification
Information	
21	Warning letter
22	Inscription in public register of environmental offenders

The analysis calls for the potential benefits of exploring additional penalty types to better cover sanctioning objectives.

### 16. Penalty levels

This country assessment took into account the increased penalties included in the 2019 Wildlife Proclamation Bill. Similarly, Annex IV takes into account both current and proposed new fines. The determination of penalty levels is indeed a complex national subject but the goal of harmonizing wildlife



crime laws in the region makes this a critical task. Uneven penalty approaches open the door to venue shopping either by the criminal organizations involved or by defense at the time of prosecution.

**Table 5. Comparative Penalties for the “Hunting Protected Wildlife” in 8 countries, 2019**

	Angola	Brazil	Cambodia	Costa Rica	Indonesia	Kenya	Mexico	Vietnam
Administrative Fine	Min \$ 900		\$ 2,450			\$ 49,157	\$ 221	\$ 22
	Max \$ 1,800		\$ 36,750		\$ 6,988	\$ 196,628	\$ 308,722	\$ 21,500
Criminal Fine	Min \$ 22	\$1.295 x S					\$ 1,608	\$ 2,163
	Max \$ 133	\$2.591 x S					\$ 16,080	\$ 64,917
Imprisonment Years	Min 0.5	0.8	1	1		5	1	0.5
	Max 3	1.5	10	3	5	Life	9	5

For benchmark purposes, Table 5 shows the levels of fines and prison time for hunting protected species in jurisdictions that, like Ethiopia, qualify as source countries for transnational wildlife crime. The table includes sanctions from eight different jurisdictions and was elaborated in a 2018 by Legal Atlas. Ethiopia is on the lower end of the monetary fines with a maximum fine of USD 3,000 for protected species if inside a protected area; and USD 9,000 if a species is subjected to a ban.

### 17. Absence of Aggravating and Mitigating Circumstances

For the crimes and penalties listed, the law makes no mention of any aggravating or mitigating circumstances – facts that increase or decrease the applicable penalties based on culpability, seriousness of the crime, or environmental impact. The Criminal Code recognizes them in numerous provisions (see Art. 22, Art. 25, 38, etc.). It would be consistent with Ethiopia’s legal system to recognize them here as well.

Consider increasing penalties for:

- Prior record for similar offenses
- Prior record for the same offense
- Operating in the context of an organized crime group
- Violations by government officials (Corruption)
- Violations involving any endangered species
- Violations of more than a defined volume or defined value.

**Table 6. Classification of Aggravating and Mitigating Circumstances applicable to Wildlife Offenses**

Category	Aggravating or Mitigating Crime Circumstances
Type or risk of harm caused	1 Caused harm to public security
	2 Caused harm to public health
	3 Caused harm to the broader ecosystem/environmental
	4 Caused harm to private property
	5 Caused harm to fauna that was irreversible
	6 Caused harm to multiple individuals (number of specimens)
	7 Caused harm to species that were protected
Technical characteristics of the offence (e.g., methods, time, place)	8 Used methods of mass destruction
	9 Used cruel methods
	10 Used illegal methods
	11 Used aerial, terrestrial or river transportation
	12 Used weapons
	13 Used violence
	14 Used coercion
	15 Used false documents
	16 Occurred inside protected areas
	17 Occurred inside areas under legal protection
	18 Occurred inside wilderness areas
	19 Occurred inside an urban area
	20 Occurred at night
	21 Occurred in times of drought or flood
22 Occurred during closed hunting seasons	
23 Occurred on Sundays or public holidays	
24 Occurred using fraud or involving breach of trust	
25 Took improper advantage of authority	
26 Involved corrupt officers	
27 Took advantage of national disasters, wars, states of emergency	
28 Occurred in breach of the terms of a licence	
29 If continued crime	
30 Was of international nature	
31 Involving minors	
Economic characteristics of the offence	32 Depending on the monetary value of the affected wildlife
	33 Depending on the scale of the gain or estimated proceeds
	34 If damage was caused to private property
Offender’s circumstances	35 Involved recidivism (repeat offending)
	36 Depending on offender’s age
	37 Depending on offender’s criminal past record
	38 Depending on offender’s educational level
	39 Depending on offender’s economic condition
	40 Depending on offender’s social condition
	41 Depending on offender’s psychological and psychiatric condition
	42 Involved a professional hunter
	43 Involved a legal entity
	44 Involved a public officer
	45 Involved a legal guardian of the wildlife resource
	46 Involved an organized group
	47 Involved an indigenous person with traditional uses for wildlife
	Offender’s degree of intent
49 Demonstrated intent	
50 Made the offender profit or was motivated by commercial profit	
51 Done in the interest of a legal entity receiving public funds	
52 Depending on the offender’s behaviour following the crime	



# CONCLUSIONS

This review covers more than just the current legislation, including commentary on the proposed amended Proclamation and its implementing Regulation (see Annex IV and V).

A number of the conclusions are nonetheless similar, as several of the gaps observed are the same or substantially so for both the current and proposed laws.

## POLICY ENVIRONMENT

Ethiopia's wildlife policy only identifies four measures:

- establishing checkpoints at ports;
- meeting international wildlife safety standards;
- conducting trade pursuant to national and international law; and
- establishing quarantine procedures.

There is no discussion of several regulatory and management issues known to affect the country's ability to combat wildlife crime. Developing a more robust policy would provide support to further legal development that targets critical problems. Among the issues identified are:

- the powers and authorities of wildlife enforcement officers
- the role and authority of the military in managing border areas where most trade occurs;
- the regulation of online trade;
- the application of AML and organized crime legislation;
- the use of mobile phone technology facilitating on demand trade,
- the investigation into suspected holding centers
- the application of money laundering charges or similar additional criminal charges
- the regulation of rescue centers

## LEGAL ENVIRONMENT

Not necessarily in order of importance, the key issues raised in the gap analysis are:

**Implementing CITES** – although Ethiopia is a Category I country, there are still numerous areas for improvement.

Ethiopia's legislation is, for example, silent on most of the 16 best practices directed at the CITES permitting process: n.11 are full gaps (69%) and n.6 are partial gaps (38%). Among the full gaps are the prescription of the permit form, all of the permit procedures listed in BP #33, as well as guidelines for captive breeding.

Other individual areas of concern include the lack of specific mention of a scientific authority, its rights and duties (BP #21); the need to more explicitly prohibit acts along the trade chain (BP #50); and the powers of enforcement officers (BPs #49, #51, and #53).

**Covering the Trade Chain** – noted in several parts of the current and draft laws is the need to consistently define and address activities across the trade chain. Major areas of law missing that are still missing from the framework are:

- Telecom and Media,
- Health, and
- Commerce

**Regulatory development** – numerous areas are ripe for the development of implementing regulations. Some of these have been identified in the law itself, but there are others whose drafting would be consistent with best practices. Including areas identified in both the current and proposed legislation, these are:

- Hunting and Hunting Areas
- Wildlife Conservation
- Wildlife Trade
- Protected Areas
- Evidentiary Protocols
- Confiscated Animals Protocol
- Revenue Sharing
- Rescue Centers



**Permitting Processes** – related to the preceding is the reliance on as yet undefined permitting processes. This is especially prevalent in the format for the proposed new legislation. The Proclamation mentions or appears to require at a minimum the development of the following:

1. Hunting
2. Breeding
3. Ranching
4. Capture
5. Trading
6. Ownership
7. Possession
8. Live Trade
9. Care of Confiscated Wildlife
10. Import and Export
11. CITES related trade
12. Filming
13. Study and Research
14. Private Protected Areas
15. Other forms of wildlife use

**Coordination and Collaboration** – both at the national and international level, Ethiopia would benefit from the definition and use of formal systems of coordination and collaboration to improve its ability to enforce, investigate, and prosecute wildlife crime.

At the national level, this would principally mean refining overlapping federal and regional powers.

At the international level, this would include making use of the IGAD Mutual Legal Assistance Convention, as well as the signing and/or implementation of the wildlife trade related international agreements identified in Table 1. List of applicable international and regional agreements relevant to the management of wildlife trade in Ethiopia.

**Criminal Sanctions** – the overall framework has a number of opportunities to improve sanctions for involvement in illegal wildlife trade.

Some of these include the addition of specific penalties for violations of laws and regulations that are currently silent on the application of penalties. These include:

- Wildlife Development, Conservation and Utilization Council of Ministers Regulation
- Environment Research Institute Regulation
- Environmental Authority Proclamation
- Hides and Skins Marketing Regulation
- Park Regulation (Alitash)

- Park Regulation (Borena)

In other instances, gaps are a function of the wording of specific penalty provisions. Of most concern is the criminalization of acts across the illicit trade chain. In the current law, several parts of the trade chain do not appear to be covered. These are:

- Transportation
- Processing
- Sale
- Purchase
- Online trade

Finally, there is the missed opportunity to adapt the penalty to the crime and perpetrator. Tools often used but not found in Ethiopia's criminal provisions (other than the Anti-Money Laundering Law) include:

- Aggravating and mitigating circumstances
- Identification of all possible actors and action engaged in illicit activities
- Matching the penalties to the perpetrator; e.g., higher penalties for organized crime syndicates or formal business operations, loss of licenses, etc.



# ANNEX I.

## NATIONAL FRAMEWORK OVERVIEWS

NO.	YEAR	LAW NAME	OVERVIEW
1	2008	Ethiopian Wildlife Development and Conservation Authority Establishment Proclamation	<p>Ethiopia's Ethiopian Wildlife Development and Conservation Authority Establishment Proclamation is directly related to wildlife trade. It establishes the Ethiopian Wildlife Development and Conservation Authority (Art. 3) and provides it with powers and duties that include the following:</p> <ol style="list-style-type: none"> <li>1. preparing draft policies and laws relating to the development, conservation and utilization of wildlife resources; as well as implementation;</li> <li>2. developing and administering wildlife conservation areas established under it and controlling illegal activities committed in the areas;</li> <li>3. issuing permits and health certificates to export and import any wildlife or wildlife products;</li> <li>4. controlling the utilization of wildlife products to ensure its compliance with the objectives of the permit, and make impact assessments on the product;</li> <li>5. ensuring the implementation of treaties to which Ethiopia is a party; compile and submit periodical reports to the concerned international institutions;</li> </ol>
2	2007	Development Conservation and Utilization of Wildlife Proclamation	<p>Ethiopia's Development Conservation and Utilization of Wildlife Proclamation directly regulates wildlife trade. Art. 12 expressly prohibits a) any activity of trade in wildlife and their products; and b) the ownership, sale, transfer, export or import of any processed or unprocessed wildlife product, unless a permit has been obtained. (Art. 12(1)(a-b)). According to the same article, the authority to issue such permits has been granted to the Ministry and the concerned regional organs. (Art. 12(2)). Wildlife trade crimes are subject to a fine of not less than Birr 5000 and not exceeding Birr 30,000 or with imprisonment not less than one year and not exceeding five years or with both such fine and imprisonment. (Art. 16(1)).</p>

NO.	YEAR	LAW NAME	OVERVIEW
3	2008	Wildlife Development, Conservation and Utilization Council of Ministers Regulations	Council of Ministers Regulations No. 163/2008 to Provide for Wildlife Development, Conservation and Utilization directly regulates wildlife trade. In particular, Art. 5 prohibits several activities inside protected areas, including a) possessing or transferring of any weapon; and b) hunting or fishing. (Art. 5(1)(a-b). Art. 5.b lists the activities that area allowed inside protected areas under permitting. Article 6 also prohibits hunting within controlled hunting areas or community conservation areas or any other potential wildlife area, "unless carried out in accordance with conditions of a permit issued pursuant to these Regulations with reference to a specific controlled hunting area." (Art. 6(1)). Article 25 sets out the list of prohibited methods.
4	2009	Convention of the Migratory Species of Wild Animals Ratification Proclamation No. 634/2009	Ethiopia's Convention of the Migratory Species of Wild Animals Ratification Proclamation is relevant to the regulation of wildlife trade, establishing the Ethiopian Wildlife Conservation Authority as the government body principally responsible for implementing the Convention. (Art. 3.) This law is not the full implementing legislation, as it is restricted to establishing the primary implementing agency.,
5	2002	Animal Diseases Prevention and Control Proclamation	Ethiopia's Animal Diseases Prevention and Control Proclamation has several provisions directly related to wildlife trade. Although directed principally at domestic animals (see Preamble), the definition of 'animal' includes wildlife (Art. 2(3)); and several provisions establish the foundations for controlling trade. Primarily these are directed at establishing and enforcing animal health standards (Part Two, Arts 3-9), but also include Establishment and Supervision of Quarantine Stations (Art. 10); Establishment of Entrance and Exit Posts (Art. 11); Export of Animals, Animal Products and By-Products (Art. 12); Importation of Animals, Animal Products and By-Products (Art. 13); International Animal Health and Sanitary Certificates (Art 14); Animal Movement Permits (Art. 15), among others.
6	1998	Institute of Biodiversity Conservation and Research Establishment Proclamation	Ethiopia's Institute of Biodiversity Conservation and Research Establishment Proclamation is directly related to wildlife trade. Primarily intended to establish the government body (Art. 3) responsible for conservation of biodiversity. It is also charged with initiating policy and legislative proposals, as well as ensuring their implementation and enforcement once approved. (Art. 6(1), as amended 2004). Although wildlife trade is not explicitly mentioned, several provisions suggest that its involvement is expected. See for example, Art. 6(9), as amended in 2004) calling for the Institute to identify processes that promote or threaten the existence of the Country's biodiversity resources; formulate and propose policy ideas to concerned authorities which enable to promote the healthy processes and control the threatening ones.'
7	1999	Institute of Biodiversity Conservation and Research	Ethiopia's 1999 Amendment to Institute of Biodiversity Conservation and Research Establishment Proclamation is relevant to wildlife trade to the extent it repeals Art. 15 of the 1998 Proclamation and states that the Wildlife Conservation and Development Authority

NO.	YEAR	LAW NAME	OVERVIEW
		Establishment (Amendment) Proclamation	shall continue to carry out its functions in accordance with the Wildlife Conservation and Development Proclamation No. 192/1980 (as amended).
8	2004	Institute of Biodiversity Conservation and Research Establishment (Amendment) Proclamation	Ethiopia's 2004 Amendment to Institute of Biodiversity Conservation and Research Establishment Proclamation is related to wildlife trade to the extent it amends several articles in the 1998 Proclamation, including in particular Article 6. Powers and Duties. Conservation and cooperation in the control of processes that threaten biodiversity is mandated by Art. 6(9). Wildlife trade, however, is not expressly mentioned.
9	2014	Ethiopian Environment and Forest Research Institute Establishment Council of Ministers Regulation	Ethiopia's Environment and Forest Research Institute Establishment Council of Ministers Regulation is related to wildlife trade, as it establishes the government entity (Art 3) responsible for, inter alia, designing environment and forest conservation research strategies; preparing action plans and schedules, and implementing them once approved. (Art 6). The Institute's jurisdiction includes wildlife to the extent wildlife fall within the definition of 'environment' and 'pollution' as defined in (see Article 2 (6) and (12) of the Environmental Pollution Control Proclamation No. 300/2002) (Art. 2(3)).
10	1995	Constitution	Ethiopia's Constitution has several provisions that are least indirectly related to wildlife trade. Pursuant to Art. 92(4), the government and all citizens have the duty to protect the environment. The ownership, management and use of natural resources are also mentioned several articles (e.g., Art. 40(3), Art. 49(5), Art. 51(5), Art. 52(2)(d), 55(2)(a), Art. 89(5), and Art. 97(10)). Further, Art. 44(1) states that '[a]ll persons have the right to a clean and healthy environment.' Paragraph (2) of the same article further states that '[a]ll persons who have been displaced or whose livelihoods have been adversely affected as a result of State programmes have the right to commensurate monetary or alternative means of compensation, including relocation with adequate State assistance.' There is, however, no express mention of wildlife.
11	2015	Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic	Ethiopia's Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation is related to wildlife trade to the extent it establishes the powers and duties of the executive branch, including the creation of the Ministry of Agriculture and Natural Resources. (Art. 9(7)). Relevant to the management of trade in terrestrial wild fauna, the Ministry has the authority to 'promote sustainable natural resources development and protection' (Art 19(1)(e)).

NO.	YEAR	LAW NAME	OVERVIEW
		of Ethiopia Proclamation	
12	2002	Environmental Protection Organs Establishment Proclamation	<p>Ethiopia's Environmental Protection Organs Establishment Proclamation reestablishes the Environment Authority to act as a coordinating body for environmental management (Art. 3), including several powers relevant to wildlife trade. (Art. 6). Among these are:</p> <ul style="list-style-type: none"> <li>• the preparation of environmental policies strategies and laws, as well as monitoring and enforcement (Art. 6(2));</li> <li>• take part in the negotiations of international environmental agreements (Art. 6(8));</li> <li>• formulate, or initiate and coordinate the formulation of policies, strategies, laws and programs to implement international environmental agreements (Art.6(9));</li> <li>• in accordance with the provisions of the relevant laws, enter any land, premise or any other place that falls under the federal jurisdiction, inspect anything and take samples as deemed necessary with a view to discharging its duty and ascertaining compliance with environmental protection requirements. (Art. 6(15)).</li> </ul>
13	2002	Environmental Pollution Control Proclamation	<p>Ethiopia's Environmental Pollution Control Proclamation has two provisions potentially relevant to wildlife trade. The first is the definition of environment in Art. 2(6), (which is cross-referenced by ...) and states that "Environment" means the totality of all materials whether in their natural state or modified or changed by humans, 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.' Also potentially relevant is the definition of 'pollution' in Art. 2(12) which includes 'any condition which is hazardous or potentially hazardous to human health, safety, or welfare or to living things created by altering any physical, radioactive, thermal, chemical, biological or other property of any part of the environment in contravention of any condition, limitation or restriction made under this Proclamation or under any other relevant law.'</p>
14	2005	The Alitash Park Demarcation and Administrative Determination, Council of Regional Government Regulation	<p>Ethiopia's Alitash Park Demarcation and Administrative Determination, Council of Regional Government Regulation establishes a national protected area (Art. 3) named after the river that flows dividing the interior of the area by half. (Art. 3(1)). It has three articles directly related to wildlife trade. The first, Art. 2(3), defines 'wild life' as 'a phrase that accommodates a host of untamed, terrestrial and aquatic various species of animals found in nature, move on land and fly in the air, also encompassing their habitat, sanctuary and breeding areas, and is thereby an expression of diverse biological resources.' Under Art. 6(3), it has the authority to 'tak[e] ...legal measures against those individuals who commit prohibited acts in the park.'</p> <p>Under Art. 7, relevant prohibited activities include:</p> <ul style="list-style-type: none"> <li>• Entering the park with any firearms; (Art. 7(1))</li> <li>• Hunting for, frightening or driving away wild animals; (Art. 7(3))</li> <li>• Taking away eggs of birds and reptiles; (Art. 7(5))</li> </ul>

NO.	YEAR	LAW NAME	OVERVIEW
			<ul style="list-style-type: none"> <li>Picking up, taking away, damaging, polluting or ruining natural or man-made items; (Art. 7(6))</li> <li>Being apprehended with a trap or setting same in order to attack wild animals; (Art. 7(16)).</li> </ul>
15	2009	The Borena-Saynt Park Demarcation and Administrative Determination, Council of Regional Government Regulation	<p>Ethiopia's Borena-Saynt Park Demarcation and Administrative Determination, Council of Regional Government Regulation establishes a national protected area (Art. 3) named after the river the Denkoro forest found within it. (Art. 3(1)). It has three articles directly related to wildlife trade. The first, Art. 2(3), defines 'wild life' as 'a phrase that accommodates a host of untamed, terrestrial and aquatic various species of animals found in nature, move on land and fly in the air, also encompassing their habitat, sanctuary and breeding areas, and is thereby an expression of diverse biological resources.' Under Art. 6(3), it has the authority to 'tak[e] ...legal measures against those individuals who commit prohibited acts in the park.'</p> <p>Under Art. 7, relevant prohibited activities include:</p> <ul style="list-style-type: none"> <li>Entering the park with any firearms; (Art. 7(1))</li> <li>Hunting for, frightening or driving away wild animals; (Art. 7(3))</li> <li>Taking away eggs of birds and reptiles; (Art. 7(5))</li> <li>Picking up, taking away, damaging, polluting or ruining natural or man-made items; (Art. 7(6))</li> <li>Being apprehended with a trap or setting same in order to attack wild animals; (Art. 7(16)).</li> </ul>
16	2014	Awash National Park Designation Council of Ministers Regulation	<p>Ethiopia's Awash National Park Designation Council of Ministers Regulation establishes a national protected area in the Oromia and Afar States (Art. 4). Under Art. 9, the following activities relevant to wildlife trade, in addition to those listed in Article 5(1) of the Wildlife Development, Conservation and Utilization Council of Ministers Regulation No. 163/2008, are prohibited:</p> <ul style="list-style-type: none"> <li>entering the park holding poisonous substances; Art. 9(1)</li> <li>entering the park with a snare or a hunting weapon. Art. 9(3)</li> </ul>
17	2015	Gambella National Park Designation Council of Ministers Regulation	<p>Ethiopia's Gambella National Park Designation Council of Ministers Regulation establishes a national protected area in the Gambella State (Art. 3). Under Art. 9, the following activities relevant to wildlife trade, in addition to those listed in Article 5(1) of the Wildlife Development, Conservation and Utilization Council of Ministers Regulation No. 163/2008, are prohibited:</p> <ul style="list-style-type: none"> <li>entering the park holding poisonous substances; Art. 9(1)</li> <li>entering the park with a snare or a hunting weapon. Art. 9(3)</li> </ul>
18	2015	Qafta Shiraro National Park Designation Council	<p>Ethiopia's Qafta Shiraro National Park Designation Council of Ministers Regulation establishes a national protected area (Art. 3) in the Tigray State (Art. 4). Under Art. 9, the following activities relevant to wildlife trade, in addition to those listed in Article 5(1) of the Wildlife Development, Conservation and Utilization Council of Ministers Regulation No. 163/2008, are prohibited:</p>

NO.	YEAR	LAW NAME	OVERVIEW
		of Ministers Regulation	<ul style="list-style-type: none"> <li>entering the park holding poisonous substances; Art. 9(1)</li> <li>entering the park with a snare or a hunting weapon. Art. 9(3)</li> </ul>
19	2015	Simien Mountains Nations Park Designation Council of Ministers Regulation	<p>Ethiopia's Simien Mountains Nations Park Designation Council of Ministers Regulation establishes a national protected area (Art. 3) in Amhara State Gander Zone in Debarq, Janamora, Adi'arqay, Beyeda and Tselemt. (Art. 4). Under Art. 9, the following activities relevant to wildlife trade, in addition to those listed in Article 5(1) of the Wildlife Development, Conservation and Utilization Council of Ministers Regulation No. 163/2008, are prohibited:</p> <ul style="list-style-type: none"> <li>entering the park holding poisonous substances; Art. 9(1)</li> <li>entering the park with a snare or a hunting weapon. Art. 9(3)</li> </ul>
20	2015	Senkele Sanctuary Designation Council of Ministers	<p>Ethiopia's Senkele Swayne's Hartebeest Sanctuary Designation Council of Ministers Regulation establishes a national protected area (Art. 3) in the Siraro wereda of West Arsi zone and the Hawassa wereda of Sidama zone (Art. 4). Under Art. 9, the following activities relevant to wildlife trade, in addition to those listed in Article 5(1) of the Wildlife Development, Conservation and Utilization Council of Ministers Regulation No. 163/2008, are prohibited:</p> <ul style="list-style-type: none"> <li>entering the park holding poisonous substances; Art. 9(1)</li> <li>entering the park with a snare or a hunting weapon. Art. 9(3)</li> </ul>
21	2014	Bale Mountains Nations Park Designation Council of Ministers Regulation	<p>Ethiopia's Bale Mountains Nations Park Designation Council of Ministers Regulation establishes a national protected area (Art. 3) in Oromia State in Adaba, Disho, Goba, Dolo, Mena and Harena Beluku woredas. Under Art. 9, the following activities relevant to wildlife trade, in addition to those listed in Article 5(1) of the Wildlife Development, Conservation and Utilization Council of Ministers Regulation No. 163/2008, are prohibited:</p> <ul style="list-style-type: none"> <li>entering the park holding poisonous substances; Art. 9(1)</li> <li>entering the park with a snare or a hunting weapon. Art. 9(3)</li> </ul>
22	2013	Raw Hides and Skins Marketing Proclamation	<p>Ethiopia's Raw Hides and Skins Marketing Proclamation may indirectly apply to wildlife trade. Pursuant to Art. 2(1) and (2), it covers raw hides and skins from ox, cow, steer, heifer, camel, sheep, goat, calf, crocodile, rabbit, ostrich, fish or other similar animals. It is not clear whether the 'other animals' would include wild fauna. It also only applies to persons directly or indirectly involved 'in raw hides and skins marketing within the country.' (Art. 3).</p> <p>Penalties are directed principally at those that violate the standards and requirements for those engaged in the industry. Two of these may be applicable to illegal trade in wildlife.</p>

NO.	YEAR	LAW NAME	OVERVIEW
23	2018	Raw Hides and Skins Marketing (amendment) Proclamation	Ethiopia's Raw Hides and Skins Marketing (amendment) Proclamation is potentially applicable to wildlife trade but does not amend either the definitions of raw hides and skins, the scope of application; nor does it provide penalties different from those in the 2013 version of the Proclamation. It is included here for reference to the amended articles.
24	2015	Raw Hides and Skins Marketing Council of Ministers Regulation	Ethiopia's Raw Hides and Skins Marketing Council of Ministers Regulation implements the Raw Hides and Skins Marketing Proclamation and is generally relevant to wildlife trade to the extent it defines and limits legal trade in raw and fresh hides and skins. It provides for reporting illegal activity (Art. 15) and the disposal of seized hides and skins (Art. 16). However, raw and fresh hides and skins from wild terrestrial fauna are not expressly mentioned.
25	2018	Forest Development, Conservation and Utilization Proclamation	<p>Ethiopia's Forest Development, Conservation and Utilization Proclamation is relevant to the management of wildlife trade to the extent it:</p> <ul style="list-style-type: none"> <li>• applies to forests and forest biodiversity, which includes 'animals' (Art. 2(1) and (2));</li> <li>• applies to 'forest products, which includes non-timber forest products including forest carbon and other forest ecosystem services (Art. 2(18));</li> <li>• prohibits hunting in state forests (Art. 25(4));</li> </ul> <p>It is not clear from the language of the law whether 'non-timber forest products' includes terrestrial wildlife as well. To the extent wildlife is included, the following penalties may apply:</p> <ul style="list-style-type: none"> <li>• illegal movement of forest products shall be punishable with simple imprisonment not less than six months and not exceeding one year and with a fine of Birr 5,000 up to Birr 10,000; (Art. 26(5))</li> <li>• illegal transport, accumulation and sale of forest products from state, association, community, and private forests is subject to rigorous imprisonment not less than 5 years and not exceeding 8 years and with fine from birr 15,000 up to birr 20,000; (Art. 26(8))</li> </ul>
26	2005	Transport Proclamation	Ethiopia's Transport Proclamation may be generally applicable to wildlife trade, as it applies to the use of any road, or vehicle and driver (Art. 3(1)); any railways, trains and train operators (Art. 3(2); Ethiopian ships and seafarers (Art. 3(3); as well as 'all matters related to land and water transport.' However, wildlife is not mentioned, nor is there any express authority governing the regulation of animal or wildlife transport.
27	2014	Customs Proclamation	Ethiopia's Customs Proclamation has several articles that directly relate to wildlife trade. Intended to cover international trade in all 'goods,' the Proclamation first defines 'goods' as corporeal chattels, including intangible chattels that are treated as corporeal by law, and includes natural resources. (Art. 2(1)). Natural resources are not further defined, and animals are only mentioned briefly in a few

NO.	YEAR	LAW NAME	OVERVIEW
			<p>articles (see for example, Art 7). At least to some extent, wildlife is captured under the category of ‘prohibited goods’, which include any ‘good’ whose trade is prohibited by Ethiopia’s laws (e.g., Development Conservation and Utilization of Wildlife Proclamation, Art. 12) or international agreement ratified by Ethiopia. (e.g., CITES).</p> <p>The penalties for violating the Customs Proclamation are the following:</p> <ul style="list-style-type: none"> <li>• Anyone who knowingly or negligently imports, exports illegally or attempts to do so is subject to ‘rigorous imprisonment not less than five years and not exceeding ten years and with fine not less than Birr 50,000 and not exceeding Birr 200,000.’ (Art. 168(1)).</li> <li>• The penalty for anyone that knowingly or negligently ‘transports, stores, possesses, offers for sale or buys’ such goods is ‘rigorous imprisonment not less than three years and not exceeding five years and with fine not less than Birr 50,000 and not exceeding Birr 1 00,000.’ (Art. 168(2)).</li> <li>• And finally, where the violation is committed in the context of an organized crime group, ‘the rigorous imprisonment shall extend from ten years to fifteen years.’ (Art. 168(3)).</li> </ul>
28	2011	Ethiopian Federal Police Commission Establishment Proclamation	<p>Ethiopia’s Federal Police Commission Establishment Proclamation is directly relevant to wildlife trade, in particular wildlife trade crimes. The Commission has numerous powers and duties, among them and relevant to wildlife trade:</p> <ul style="list-style-type: none"> <li>• preventing and investigating crimes falling under the jurisdiction of federal courts, which by extension includes the country’s wildlife legislation; (Art. 6(4))</li> <li>• investigating crimes relating to information network and computer systems; potentially including online wildlife trade crimes (Art. 6(5)(b))</li> <li>• conducting forensic investigations and submitting findings and expert testimony to the courts or requesting organ; (Art. 6(15))</li> <li>• issuing permits for the possession, use, import, sale and repair of weapons and explosives and control their movement; (Art. 6(26))</li> </ul>
29	2016	Ethiopian Federal Police Commission Establishment (Amendment) Proclamation	<p>Ethiopia’s Ethiopian Federal Police Commission Establishment (Amendment) Proclamation makes no changes that have a direct impact on the responsibilities relevant to wildlife trade. It is limited to making the Commission accountable directly to the Prime Minister. (Art. 2). It is included in this list solely to ensure that the most complete version of the Proclamation and its amendments are available.</p>
30	2013	Prevention and Suppression of Money Laundering and Financing of	<p>Ethiopia’s Prevention and Suppression of Money Laundering and Financing of Terrorism Proclamation applies to wildlife trade crimes that meet its definition of predicate offense. This is defined by Art. 2(4) as ‘any offence capable of generating proceeds of crime and punishable at least with simple imprisonment for one year.’</p>

NO.	YEAR	LAW NAME	OVERVIEW
		Terrorism Proclamation	Pursuant to the Wildlife Development and Conservation Authority Establishment Proclamation, Art. 16(1), at least some wildlife trade related crimes meet this threshold. Under the Anti-Money Laundering law, Individuals may be held liable if they know or should have known that a property is the proceeds of such a crime. (Art 29).
31	2015	Corruption Crimes Proclamation	Ethiopia's Corruption Crimes Proclamation applies to corrupt practices generally, regardless of the resource or transaction involved. Although it does not include a specific reference to wildlife or wildlife trade, it is indirectly related as some of the offences described may apply to in instances of wildlife trade cases; e.g., abuse of power (Art. 9); bribery (Art. 10); acceptance of undue advantages (Art. 11); Maladministration of Government or Public Enterprise work (Art. 13, among others).
32	2004	Criminal Code	Ethiopia's Criminal Code is the primary law regulating criminal offences and has several provisions directly and indirectly related to wildlife trade. The law regulates, <i>inter alia</i> , 'the exploitation of wild animals' (Art. 353(1)(b), or the hunting or killing of such animals; (Art. 353(1)(c)); the violation of hunting and fishing rights (Art. 784(a)); and unlawful entry onto reserved hunting land (Art. 851(c)). Other crimes that may be related to wildlife trade are: receipt of ill-gotten gains (Art. 307); crimes against public office (407-426); Other articles that are indirectly related are those defining concurrent crimes and recidivism (Art. 60); other extenuating or aggravating circumstances (Arts. 82 - 86).
33	2004	Criminal Procedure Code	Ethiopia's Criminal Procedure Code regulates how crimes are investigated and prosecuted generally; e.g., joinder of charges, statutes of limitations, court jurisdiction, etc. Although it does not include a specific reference to wildlife trade crimes, its provisions are to be applied in all investigation and prosecution cases related to this topic.
34	2010	Protection of Witnesses and Whistleblowers of Criminal Offences Proclamation	Ethiopia's Protection of Witnesses and Whistleblowers of Criminal Offences Proclamation applies to the protection of witnesses generally, regardless of the crime committed. Although it does not include a specific reference to wildlife trade crimes, it will have relevance if such crimes, often associated with organized crime groups, are the underlying reason for its application.
35	2020	Firearms Administration and Control Proclamation	Ethiopia's Firearm Administration and Control Proclamation No. 1177/2020 is indirectly related to wildlife trade. Its primary aim is the regulation of firearms manufacture, trade and use (see Art. 4 Prohibitions). Art 12(4) allows the 'Supervising Institution' to issue firearms licenses for hunting pursuant to the requirements of the Wild Animal Development and Protection Authority.

# ANNEX II.

## CITES COMPLIANCE ASSESSMENT

This table organizes the selected recommendations or best practices according to the categories used in the CITES Legislation Checklist, documenting compliance. The first column provides the numbering for the best practice as listed in the CITES Checklist; followed in the next column by the best practice concept. The middle column provides a simple rating on the Legal Atlas assessment for how well the identified best practice has been included in Ethiopia’s legislation. Rating is as follows:

- green = in full compliance;
- yellow = in partial compliance
- red = non-compliance

For all best practices, the final column includes commentary derived from the review.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
<b>GENERAL CONSIDERATIONS</b>			
1	It is essential that any national law contain a general clause empowering the government to control international trade (and also domestic trade, possession and transport) in any species of animal or plant for conservation purposes.	■	Ethiopia’s legislation likely achieves the intent of this provision, although it does not use language as explicit as that recommended.  See Proclamation, Art. 3 – stating the objectives, including:  2/ to create conditions necessary for discharging government obligations assumed under treaties regarding the conservation, development, and utilization of wildlife;

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
<b>FIELD OF APPLICATION</b>			
7	Legislation applies to all animal and plant species, including their parts and derivatives, as listed in all three CITES appendices.	■	<p>Review limited to law applicable to fauna. The main wildlife laws are applicable to all animals, including parts and derivatives, although there is no express mention of the CITES Appendices themselves, or a listing other than the national list provided.</p> <p>Art. 2 Definitions</p> <p>1/ “wildlife” means any live or dead vertebrate or invertebrate animal, other than domestic animal;</p> <p>3/ “wildlife product” means any sample of wild animal or its body part like, egg, embryo, horn, tooth, nail, skin, meat, hair, feather or trophy and includes products made thereof as well as bird nest, wood, grass, bark, flower, honey and the like obtained from the habitat of the wildlife;</p>
8	Legislation includes three schedules containing the species listed in Appendices I, II, and III and that these schedules be amended as soon as amendments to the appendices have come into force (there should be a mechanism in the legislation or regulations to allow this). Other schedules may be used for non-CITES species the country may wish to include specifically within its trade controls.	■	<p>Ethiopia’s Convention on International Trade in Endangered Species of Wild Flora and Fauna Ratification Council of State Decree is a short document whose sole purpose is the ratification of the treaty, leaving the implementation of the treaty’s requirements to other national laws and regulations.</p> <p>None of the other laws reviewed provide reference to CITES Appendices or incorporate them in an annex or other legal instrument. There is, however, at least a reference to ‘CITES’ species that may be legally sufficient, even if not ideal.</p>
9	Legislation uses CITES nomenclature for listing of species.	■	Wildlife Development, Conservation and Utilization Council of Ministers Regulations No. 163/2008, Table X.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
12	The Convention definition of 'specimen' should be used in the legislation, and parts and derivatives must be included.	■	The law does not use the word 'specimen' instead referring to parts in its definition of 'wildlife' and 'products.'  There is potential for these to be different from 'specimens', therefore creating a potential gap. However, without further indication that there is in fact a gap, this is considered a minor issue.
13	Trade controls should apply to any specimens that are parts or derivatives of CITES species.	■	Law and Regulation both have provisions applicable to CITES species; the term 'specimen' is not used. However, without further indication that this in fact creates a gap, this is considered a minor issue.
15	Import may be interpreted several ways and requires clarification, but the introduction of specimens under any Customs procedure other than transit and transshipment should be considered as an import in the sense of the Convention.	■	Regulation states:  28. Importation of Wildlife and Wildlife Products  1/ Wildlife and wildlife products may be imported only through customs port of entry upon presentation of satisfactory evidence to show that they have been lawfully exported from the country of origin and upon presentation of health certificate.  2/ Where the wildlife or wildlife products are of CITES species presentation of CITES export permit obtained from their country of origin and, where they fall under CITES Appendix I, CITES import permit obtained from the Authority shall be required.
16	Definitions of transit and transshipment should be provided in the legislation, and these should follow Resolution Conf. 9.7 (Rev. CoP15).	■	Article 30 of the Regulation uses the term 'transit' but it is not defined either there or in the Proclamation.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
18	The Convention should be applied to the whole of the territory over which the Party has sovereignty.		<p>There are practical divisions in the country, as well as divisions in the structure of the law that make this indicator worth highlighting.</p> <p>Not rated, however, for two reasons:</p> <ol style="list-style-type: none"> <li>1. There is no general statement that the national implementing legislation applies to the country as a whole; although there is similarly no indication that they do not.</li> <li>2. Publication of regulations is limited to the constitution for each regional government, the links to which do not all work, preventing their review.</li> </ol>
19	It is necessary, to avoid all possible doubts, to state that the legislation is applicable to trade in CITES specimens with any country, whether a Party or not.	■	<p>The following are likely sufficient to meet the intent of this best practice. Marked in yellow only given known trade with Somaliland that is not a party to CITES.</p> <p>For CITES imports:</p> <p>Art. 28(2) of the Regulation states:</p> <p>Where the wildlife or wildlife products are of CITES species presentation of CITES export permit obtained from their country of origin and, where they fall under CITES Appendix I, CITES import permit obtained from the Authority shall be required.</p> <p>For transit:</p> <p>Art. 30(2) of the Regulation states:</p> <p>If the wildlife or wildlife product is a CITES species and the country of origin is not signatory to CITES, the wildlife or wildlife product shall not be allowed to transit through Ethiopia.</p>
<b>MANAGEMENT AND SCIENTIFIC AUTHORITIES</b>			

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
20	The Management Authority should be the body designated to grant the permits and certificates required under the Convention.	■	Several articles in the Wildlife Development, Conservation and Utilization Council of Ministers Regulations No. 163/2008, grant such power to an 'Authority.' This is defined to mean the 'Ethiopian Wildlife Conservation Authority' with no distinction or separate mention of a Management or a Scientific Authority.  Marked in yellow solely for this lack of specificity.
21	The Scientific Authority <i>should be an independent scientific body</i> designated to advise the Management Authority and the tasks of the Scientific Authority stated as outlined in Resolution Conf. 10.3.	■	There is no specific mention of a 'scientific authority' nor any specific rights and duties in either the primary wildlife law, its regulation or other law.
<b>PERMIT REQUIREMENTS</b>			
24	Legislation should state that any specimen to be exported or re-exported, or to be traded, must not have been obtained in contravention of the law.	■	Art. 31(1) states that:  1/ No person may possess, deal in, export or import any unlawfully obtained wildlife or wildlife products.  Further, in Art. 29(1)(a) of the Regulation, export permits are expressly predicated documents demonstrating lawful possession.  A similar prohibition appears in Art. 30(2) which prohibits CITES species in transit if they do not have a CITES permit, which contains a separate 'lawful acquisition' requirement.
26	The Management Authority, for export or re-export, must be satisfied that any living specimen will be prepared and shipped so as to minimize the risk of injury, damage to health or cruel treatment.	■	Not stated.
29	Quotas may be set in legislation, or by the Management Authority or the Scientific Authority if the legislation empowers it to do so. The legislation	■	CITES quotas are not mentioned in the law or the regulation.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
	should provide that no export permits shall be granted after the quota has been reached.		
<b>FORM AND VALIDITY OF PERMITS AND CERTIFICATES</b>			
30	It is recommended that legislation require permits to be in any form prescribed by regulations, or by the Management Authority. A model of the required permit form should be appended to the regulations. The regulations should specify in detail all the information which should be included in the permits and certificates (see Resolution Conf. 12.3 (Rev. CoP16)). The permit form should follow that recommended in Resolution Conf. 12.3 (Rev. CoP16).	■	Permits of course are mentioned in numerous locations for multiple functions, including for CITES.  In Ethiopia's legislation, research did not uncover any prescribed form, model of the required permit, or any provision that specifies the detail to be included.
31	The period of validity of permits should be specified in the legislation (export and re-export permits are valid for import purposes only if presented within six months of issue at the most; the validity of import permits should not exceed twelve months). Note: there may be exceptions made for permits for timber species, provided that Article VI, paragraph 2 is respected.	■	The only time limitation applies to export permits under Regulation, Art. 29.  Import not mentioned.  Re-export not mentioned.
32	The legislation should specify that a separate permit or certificate is required for each consignment of specimens (this is an obligation under Article VI.5).	■	Not stated.
33	The following are useful requirements that may be added to the legislation: a. include procedures for permit applications and application forms. b. empower the Management Authority to require applicants to provide necessary information. c. institute fees for processing applications and issuing permits and certificates.	■	None of these details appear in the Law or the Regulation.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
	<p>d. describe procedural requirements, like surrendering permits to Customs or returning unused permits to the issuing authority etc.</p> <p>e. describe the non-transferability of permits</p> <p>f. make retrospective permits unlawful except in specified circumstances (see Resolution Conf. 12.3 (Rev. CoP16).</p> <p>g. penalize fraudulent permit applications.</p>		
<b>REVOCAATION, MODIFICATION AND SUSPENSION OF PERMITS</b>			
35	The Management Authority must be empowered to amend, suspend or revoke permits or certificates as might be required, and the procedure for revocation, modification or suspension of permits should be laid down in regulations as a guarantee against arbitrary decisions.	■	Powers exist, but there are no procedures.
36	The Management Authority or other competent authority, including the courts, should be empowered to disqualify a person, temporarily or permanently, from obtaining a permit or certificate.	■	The Regulation defines 'license' to include permits of several types, <i>inter alia</i> , 'live export permits.' There is no mention of CITES permits specifically, exports or imports more generally.
<b>EXCEPTIONS TO PERMIT REQUIREMENTS</b>			
38	No derogation other than those allowed for under Article VII of the Convention is allowed. If any of the possible derogations or special provisions in that Article are allowed for in the legislation, their definitions should be included in the legislation, such as for 'pre-Convention' and 'bred in captivity' (the latter should follow that given in Resolution Conf. 10.16 (Rev.)		<p>Article VII deals with exemptions for a variety of purposes including:</p> <ul style="list-style-type: none"> <li>• household items/personal effects</li> <li>• captive bred species for commercial purposes</li> <li>• exchanges between scientists</li> <li>• exchanges between zoos</li> </ul> <p>Not rated, as there are no derogations provided for and therefore no need for further definition.</p>

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
41	Captive breeding for commercial purpose should follow the guidelines laid out in Resolution Conf. 12.10 (Rev. CoP15).	■	There are no guidelines for captive breeding, rescue centers, or other ex-situ care of wildlife in Ethiopia's legislation.
42	Legislation should require export permits for captive-bred Appendix-I specimens of live animals for commercial purposes, and certificates of captive-breeding for all others.	■	Not included.
43	Legislation should provide a licensing procedure for commercial operations, requirements that captive-breeding operations keep records, and provide for the Management Authority or other competent authority to inspect premises and records, ask for information, mark specimens as necessary, and revoke licences or cancel registrations when offences have been committed or when conditions of the licence or registration have not been fulfilled.	■	Not included.
44	The definition of "artificially propagated" in Resolution Conf. 11.11 (Rev. CoP15) should be incorporated into legislation.	■	Not included.
45	Exchange of scientific material should follow Article VII.6 of the Convention and Resolution Conf. 11.15, and legislation should provide for the registration of institutions. The Scientific Authority should be empowered to advise on registration standards.	■	Not included.
47	Legislation should empower the Management Authority to mark any CITES specimen if required. The legislation should state that any person who alters, defaces, erases or removes a mark shall be guilty of an offence.	■	Not included.
<b>BORDER CONTROLS</b>			
48	The requirement that relevant CITES documents be presented at the time of export/import must be in the legislation. Documents should have to conform	■	Regulation Arts 28-31.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
	with the prescriptions of CITES before being accepted. The authority competent to check the documents and consignments should be clearly designated in the legislation. In the case of transit or transshipment, the authority should also require the presentation of the relevant permits or certificates.		
49	Legislation should provide for the Management Authority to refuse to accept permits from exporting countries when they have reasonable grounds to do so, for example if it appears that substantial irregularities have taken place. Legislation could require import permits for Appendix-II and -III species (as a stricter domestic measure), to enable the Management Authority to determine the validity of documents before the specimens enter the country.	■	Legislation is not worded in this manner. It relies principally on the presentation of documents demonstrating 'lawful' origin. It does not explain the basis for refusal or provide for the determination of validity.
<b>CONTROL OF CONSIGNMENTS AND PERMITS</b>			
50	The legislation should prohibit the possession, transport, sale, offering for sale, and purchasing of any specimen of CITES-listed species that has been imported, introduced from the sea or taken from the wild without the required permits. The onus of proof of legality should fall on the owner or trader.	■	Art. 31(1) states that "[n]o person may possess, deal in, export or import any unlawfully obtained wildlife or wildlife products."  Marked yellow as the law does not expressly mention 'transport' or provide the same level of detail concerning 'sale, offering for sale, and purchasing.' Instead, it uses the term 'deal in' which may in fact refer to specialized forms of trade. The term 'deal in' is not defined.
51	Legislation should empower the Management Authority or any other authorized body to proceed with any required investigation and to detain specimens where there are reasonable doubts on their identification, pending the results of other investigations.	■	Art. 31(2) allows for the seizure of 'unlawfully obtained wildlife or wildlife products.' This is legally distinct from authorizing search and seizure based on 'reasonable grounds.' There is also no express investigatory power mentioned, although this may reside in other legislation.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
52	Legislation should specify the ports of exit and ports of entry at which specimens must be presented for clearance.	■	Requires the use of specified ports but these ports are not identified in the legislation or in the primary Customs Proclamation.
53	Legislation should make seizure mandatory whenever there are reasonable grounds to believe a transaction is in violation of CITES.	■	Seizure is provided for, but it is not mandatory and there is no mention of the authority to use based on 'reasonable grounds.'
<b>CONTROL OF TRADERS, POSSESSION, AND DOMESTIC TRADE</b>			
56	Legislation may include a requirement that traders exporting or re-exporting CITES specimens keep a register of all transactions, and that the Management Authority may inspect the register and the premises of the trader at any time.	■	Not included.
<b>ENFORCEMENT AND PENALTIES</b>			
58	The departments and agents responsible for enforcement of CITES and any implementation legislation must be clearly designated in legislation.	■	EWCA is the implementing authority, but the law does not go into any detail concerning what agencies, other than Customs, may be involved in enforcement.
59	The powers of enforcement officers need to be clearly established by the legislation. These powers may include powers to search persons, baggage or other property and vehicles; powers to search premises (may require powers to request a warrant); powers to request information, to inspect documents, and to take samples for identification purposes; powers to seize specimens where illegalities are suspected; and powers of arrest.	■	Clearly established but they do not meet the suggested requirements.
61	If possible, offences committed by corporations relating to trade in CITES specimens should be made punishable by national legislation.	■	Persons includes legally recognized entities but there is some doubt concerning its application and the format of the penalties, which are all directed at individuals.

CITES No.	CITES Best Practice Concept	Ethiopia Status	Ethiopia Compliance Assessment
62	Attempts to commit an offence as well as aiding and abetting the committing of an offence under the legislation should also be punishable offences.	■	Commission is a punishable offense. Aiding and abetting are not mentioned. This may be a function of the Criminal Code and therefore applicable as part of the overarching framework of criminal law.
63	Legislation must provide for the confiscation or return to the State of export of all illegally traded specimens.	■	Confiscation is provided; return to State of export not included but not an absolute requirement.
64	Penalties outlined in the legislation must be high enough to constitute an effective deterrent.	■	A major motivation for the proposed amendments is the lack of adequate penalties.
<b>DISPOSAL OF CONFISCATED SPECIMENS</b>			
65	Refer to Resolution Conf. 10.7 (Rev. CoP15) for details. It is recommended that legislation allow for the costs of returning confiscated live specimens to the country of origin or re-export to be charged to the guilty importer and/or carrier.	■	This recommendation has not been implemented in Ethiopia's legislation
<b>REPORTS</b>			
69	The preparation and submission of annual reports and biennial reports on legislative measures as required by Article VIII.7 should be listed in the legislation as one of the duties of the Management Authority.	■	Not listed.

# ANNEX III.

## ETHIOPIA WILDLIFE OFFENSES

# ANNEX IV.

## WILDLIFE OFFENSES AND PENALTIES ASSESSMENT

# ANNEX V.

## Comments on 2019 WILDLIFE PROCLAMATION BILL

The 2019 Wildlife Proclamation Bill was developed based on two gap analyses; one conducted in 2013, and the other in 2017. The primary motivation for the bill was the low penalty levels for wildlife offenses. Indications are that the Regional Wildlife Proclamations have higher penalties than the national one, although these have not been made available for review at this time.

In creating the 2019 Wildlife Proclamation Bill, EWCA went through a review of the classification of offenses and then established penalties, including both fines and prison terms. As a benchmark, drafters reviewed the legislation from Uganda, Botswana, and Zimbabwe.

The bill went through a wide consultation process with many stakeholders during 2019, including the Prime Minister office for final verification of its legality. It arrived to the Parliament in the last quarter of 2019 but Legal Atlas was notified in March that there would be still an opportunity to comment on the bill before approval.

Legal Atlas was asked to comment in its capacity as the legal advisory part of the LICIT project and the result is included below. A total of 16 comments were shared addressing points of the bill that are believed could still be improved. The review was carried out with the following caveats:

**Limited Edits** - As with the comments on the draft Proclamation, these are restricted in length and depth to account for the date received by Legal Atlas, as well as the timing of anticipated approval.

The goal is nonetheless to raise as many issues as can be identified in the short time available to guide future efforts. Comments are intended to act as a basis for the Legal Agenda to be developed by Legal Atlas and other team members in the context LICIT Project.

**Based on English language version** - This review is based entirely on the English language version of the law as provided. Some of the problems identified (as well as some not identified) may be a function of the translation and not the Amharic version of the law.

**Translation Edits** - In some instances, comments could not be made without first checking and correcting the English language translation. Edits to the translation have not been done by a professional translator and will require at least some review and confirmation.

### Comment 01 - Inconsistent Coverage of the Wildlife Trade Chain

A major concern is the law's coverage of the wildlife trade chain. Inconsistent use and incomplete coverage of the terms 'wildlife trade,' 'trade,' and 'wildlife trafficking' make it likely that certain acts related to wildlife trade will not be criminalized, allowing illegal trade to continue. This should be addressed in the definitions section and by ensuring that usage of these terms is consistent throughout the text.

As this is a critical issue, rather than repeat it all here, refer to the comments made in Art. 2, Art. 11, Art. 15 and Art. 21.

### Comment 02 - Need for Regulations

Art. 22 grants the general power to issue regulations for the implementation of the Proclamation. It is not clear, however, whether this is intended to confer a broad discretionary power or whether it can only be exercised where the Proclamation also calls for a specific regulation. There are a few provisions that expressly state that regulations will be adopted, but not in every instance where it would be considered best practice to have them.

The general recommendation is that the law mention this requirement wherever appropriate, and if already mentioned that it be expanded to include critical regulatory needs. With this in mind, the following have been identified:

- **Hunting and Hunting Areas** – Art. 13 calls for the regulation of the hunting permits but does not otherwise call for the full regulation of hunting overall. Numerous areas of management need to be addressed, including some of the ones already listed in Art. 13, including inter alia 1) listing game animals, 2) seasons, 3) permitted and prohibited methods for hunting and trapping; 4) hunting areas; 5) procedures for quota setting, and much more.
- **Protected Areas** – Art. 5 calls for regulations to ‘designate’ protected areas, but there is still no overarching set of management standards and practices common to well-managed protected area systems. Are these standards and practices found elsewhere in Ethiopian law? If not, Art. 5 should call for regulations to “designate *and manage*” protected areas.
- **Revenue Sharing** – already required by Art. 19; similar format could be followed in other provisions where a set of minimum content requirements or standards would be included.
- **Confiscated Live Animal Requirements** – There is no call for regulations and yet this is considered a particularly critical issue when dealing with confiscated cheetah.
- **Rescue Centers (i.e., Sanctuaries)** – not to be confused with the protected area category identified in this law in Art. 2(6) as ‘Wildlife sanctuary.’ In this instance, we are referring to ex-situ installations established to care for animals that have been confiscated or for whatever reason taken out of the wild for care (e.g. the Born Free sanctuary).
- **Evidentiary Protocols** – a key impediment to the adequate prosecution of wildlife trade comes from the lack of evidentiary protocols adapted to the particular needs that identifying and preserving perishable wildlife evidence requires. In the section that outlines the authorities for the Anti-Poaching Officers, mention could be made for the need to establish such and for these to be based on accepted best practices.

### Comment 03 - Reliance on Undefined Permitting Processes

Related to the foregoing but worth special mention is the reliance on undefined, essentially unregulated permitting systems to manage at least 14 different activities related to wildlife management and trade. These include the following:

1. Hunting
2. Breeding
3. Ranching
4. Capture
5. Trading
6. Ownership
7. Possession
8. Live Trade
9. Care of Confiscated Wildlife
10. Import and Export
11. CITES related trade
12. Filming
13. Study and Research

14. Private Protected Areas
15. Other forms of wildlife use

None of the permitting procedures or content requirements are otherwise defined or described in the Proclamation and only a few have mention of the need to develop further regulations. At a minimum, referencing the need to develop regulations would be required. Ideally, these references would include some statement concerning the authorizing entity, objectives, content requirements, and other standards for compliance.

#### Comment 04 - CITES Implementation

Ethiopia is considered a Category 1 country for CITES implementation legislation, meaning it meets the Convention's four minimum requirements. The law, however, still falls short of the many recommendations made by CITES with respect to implementing legislation; in particular with respect to scientific and management authorities, standards and procedures for permitting, non-detriment findings, etc.

Rather than go into details here, perhaps it is enough to again indicate in the text of the law that further regulations shall be developed and that these shall, to the extent possible, conform to the CITES recommendations for implementing legislation.

#### Comment 05 - Federal vs Regional Authority

This is likely a sensitive political issue, but it would be useful if the law could reinforce the authority of EWCA vis-a-vis regional authorities in addressing wildlife trafficking issues, including matters of policy, strategy, and disposition of confiscated wildlife/wildlife products.

#### Comment 06 - Definition of offenses and penalty design

The new law dedicates a single article (Article 21) to define all offenses. The primary targets are 1) hunting; 2) wildlife trade; and 3) CITES trade. There are numerous gaps in the acts identified as crimes, the species protected, as well as the structure and application of the penalties to all individuals and legal entities potentially involved.

Critically, several parts of the trade chain appear to either not be covered; or covered with differing penalties applicable. As this is a critical issue, rather than repeat it all here, refer to the comments made in Art. 2, Art. 11, Art. 15 and Art. 21.

In addition, there do not appear to be any conservation related penalties (e.g., violation of protected area mandates, non-hunting related injuries to wildlife or wildlife habitat, etc.). There is also no express call for the promulgation of regulations that might outline offenses.

#### Comment 07 - Absence of Aggravating and Mitigating Circumstances

For all crimes and penalties, the law makes no mention of any aggravating or mitigating circumstances – facts that increase or decrease the applicable penalties based on culpability or seriousness of the crime. The Criminal Code recognizes them in numerous provisions (see Art. 22, Art. 25, 38, etc.). It would be consistent with Ethiopia's legal system to recognize them here as well.

Consider increasing penalties for:

- Prior record for similar offenses
- Prior record for the same offense
- Operating in the context of an organized crime group
- Violations by government officials (Corruption)
- Violations involving any endangered species
- Violations of more than a defined volume or defined value.

### Comment 08 - Matching the crime to the perpetrator

Art. 21 applies penalties to ‘persons’, which includes legally recognized entities. There are two issues.

The first stems from the definition of ‘person’ in Art. 2. The language used raises the question of whether a legal entity formed in another jurisdiction might be held liable in an Ethiopian court.

Second is that there is no differential penalty for legal entities, no structure for the application of liability in the context of a business, and no mention of how a prison sentence might be applied when a business is involved.

There is no simple recommendation to this. Differing levels and forms of liability must be fully expressed in the law to appropriately account for individuals, legal entities, as well as for government officials. Without specialized forms of liability, it may not be possible to hold organized crime entities accountable for their wildlife crime activities.

### Comment 09 - Identifying all possible actors in the criminal chain

Unlike Ethiopia’s Criminal Code and Anti-Money Laundering law, this draft makes no inclusive mention of the possible actors in the criminal activity. To cover this gap, the recommendation is to consider adding language similar to Ethiopia’s Anti-Money Laundering Statute:

Any person who participates in the commission, conspires to commit, attempts to commit or aids, abets, facilitates or conceals the commission of any of the elements of the offence mentioned in paragraphs (a) to (c) of this sub-article;

### Comment 10 - Limited Powers of Wildlife Anti-Poaching Officer

The powers of the Anti-Poaching Officers are limited to when there is a finding that an offense has been committed. This may be a translation problem, but the question is whether a person must be observed committing the crime or whether there just have to be sufficient evidence for the enforcing officer to believe a crime has been committed?

Regardless, there are several powers/duties not mentioned, among them:

1. Which laws they may enforce
2. Whether, how and when they may use force
3. Carry and use of weapons
4. Power to arrest
5. Power to investigate
6. Power to collect evidence

### Comment 11 - Foreign Crimes

Ethiopia’s Criminal Code, Art. 22, provides for the prosecution of crimes predicated on acts committed in a foreign jurisdiction. There is no limit on the type of crime, but the Code does limit the court’s jurisdiction to instances of dual criminality; i.e., the crime alleged must be a crime in both jurisdictions.

However, the Code does not mention the IGAD Convention on Mutual Legal Assistance recently signed by Ethiopia, which encourages the member states to ‘to render assistance in the absence of dual criminality’ and to adopt such measures allowing it to render such service.<sup>33</sup> This would be an opportune time for Ethiopia to recognize the MLA Convention and to adopt a measure waiving dual criminality for wildlife crimes. Although this is not the same as the Lacey Act which makes it illegal to import illegally sourced

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<sup>33</sup> Art. 33 of the MLA Convention.

natural resources, it would give Ethiopia's courts the discretion to hear cases based on foreign committed crimes.

#### Comment 12 - IGAD, African Union and Other Regional Instruments and Strategies

A major concern in the region is the need to harmonize wildlife trade related legislation to address cross-border trafficking and international trade that threatens certain species, e.g., cheetah. In addition to the IGAD MLA already mentioned, there are several other wildlife trade related instruments and strategies issued by IGAD, the African Union and other Regional Organizations that Ethiopia is committed to support/implement.

This law is an opportunity to identify these at least in the Preamble or Objectives, as guiding the intent of the law. Stating that provisions of the law contrary to signed agreements would be void, would also have significant value in this regard.

#### Comment 13 - Preamble and Objectives do not mention wildlife trade

While the law expressly regulates trade and it is purportedly a driving factor, wildlife trade per se is not mentioned either in the Preamble or the Objectives.

This may seem a minor point but establishing the purpose of the law has an impact on awareness of the law's intent as well as on possible interpretations when the law is applied in a given case.

#### Comment 14 - Terms used but not defined

More than one key term would benefit from being defined

- Domestic animals
- Game animals
- Ranching
- Wildlife Trafficking
- Controlled hunting
- Orphanage Areas

#### Comment 15 - Defined terms not used in the law

Some of the terms in the definitions section are not used in the body of the law. These include:

- Wildlife protected area(?)
- Biosphere Reserve

#### Comment 16 - Terms not used, but should added and defined

At least one term has not been used or defined in the text that is considered key to managing confiscated live animals, as is the case for cheetahs in particular.

- Rescue Center (could be substituted for 'orphanage area')

# ANNEX VI.

## Comments on 2019 WILDLIFE REGULATION BILL

Along with the 2019 Wildlife Proclamation Bill, the government of Ethiopia also worked on a draft of the Regulations for the new bill.

Legal Atlas was notified in March 2020 that there would be an opportunity to comment on the draft before approval and asked to comment in its capacity as the legal advisory part of the LICIT project.

The review resulted in a total of 9 comments shared addressing sections or articles of the draft that are believed could still be improved. The review was carried out with the following caveats:

**Limited Edits** - As with the comments on the draft Proclamation, these are restricted in length and depth to account for the date received by Legal Atlas, as well as the timing of anticipated approval.

The goal is nonetheless to raise as many issues as can be identified in the short time available to guide future efforts. Comments are intended to act as a basis for the Legal Agenda to be developed by Legal Atlas and other team members in the context LICIT Project.

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**Translation Edits** - In some instances, comments could not be made without first checking and correcting the English language translation. Edits to the translation have not been done by a professional translator and will require at least some review and confirmation.

[Comment 01 - Missing Powers and Duties to consider adding based on benchmark with wildlife agencies of other countries.](#)

Because this Regulation is the initial regulatory instrument for Ethiopia's primary wildlife management and enforcement authority, it is worth comparing the level of detail other countries include in listing the powers and duties. This level of detail is particularly important in instances where lines of authority remain unclear and there are tensions between government agencies or levels of government.

The following is a short list of topics not covered in the draft regulation, drawn from countries with established best practices:

### Hunting Related

- Establishing hunting areas
- Establishing hunting quotas by species
- Establishing hunting bans
- Defining approved hunting methods.
- Establish registers of hunters, hunting licenses, wildlife offenders, etc.

## Wildlife Conservation Related

- Maintaining, reviewing and revising the national list of protected species.
- Conducting educational and awareness campaigns to enhance consciousness among citizens on the value of wildlife
- Wildlife Trade Related
- Promoting citizen engagement in the fight against IWT through the establishment of mechanisms such as hot lines to tip off on crimes, rewards for informants, etc.
- Managing confiscation of wildlife animals, hunting weapons, vehicles, etc.
- Supervising facilities holding wildlife including zoos, sanctuaries, rescue centers, etc.
- Issuing and collecting administrative fines for wildlife offenses established in the Proclamation
- Issuing CITES import/export certificates, maintaining records and reporting

If deemed useful, a fuller list can be developed that also includes additional duties and powers related to:

- Protected area management
- Enforcement for agencies responsible for natural resources
- Animal Protection

If these recommendations are considered too ambitious at this stage, they can be incorporated into the Legal Agenda report for Ethiopia to be developed by Legal Atlas as part of the LICIT project.

### Comment 02 - CITES Authority

The regulation gives EWCA the power to issue CITES permits, but it would be better to state that EWCA acts as the CITES scientific and management authority for Ethiopia, including issuance of permits, etc.

### Comment 03 - Enforcement Officer Powers and Duties section is missing.

Art. 6(3) addresses only the equipment of wildlife enforcement officers. The Regulation should also enumerate the powers and duties of wildlife officers, including at a minimum, the following:

1. Which laws they may enforce
2. Whether, how, and when they may use force
3. Carry and use of weapons
4. Power to arrest
5. Power to investigate
6. Power to collect evidence
7. Power to seize documents, weapons, etc.

As an example, in Ethiopia's Animal Disease Prevention Proclamation the power the officers are defined more fully as follows:

#### Art. 8. Powers of Animals Health Officer

In order to prevent and control animal diseases, an animal health officer shall have the power to:

- 1) inspect animals and apply prophylactic, therapeutic treatments or necessary quarantine measures as required;
- 2) inspect animals prior to transport, during transport and after transport, limit or prohibit their movement if so required;
- 3) enter and inspect any premise or area where animals, animal products, animal by-products or animal feed are kept;

- 4) take samples from any animal, animal products or by-products for the purpose of identifying animal disease;
- 5) require at any time, animals to be examined, vaccinated, treated, sprayed with anti pest or undergo a period of quarantine if he considers it necessary;
- 6) order isolation, slaughter or disposal of animals;
- 7) carry out appropriate inspection at entrance and exit posts.
- 8) supervise the safe disposal of dead animals, parts thereof, contaminated animal products, wastes obtained at slaughter, dung, manure and litter;
- 9) take all other necessary veterinary measures as required, without being restricted to the above mentioned.

The problem with the foregoing is its limitation to the prevention of disease. Animal health officers in this instance would have no authority solely to handle confiscated animals or inspect when disease is not an issue.

As a general drafting practice, when powers or other relevant legal content are defined elsewhere in Ethiopian law or regulation, this should be noted by reference to such other laws/regulations. Otherwise, it is considered best practice to establish the authorities of wildlife enforcement officers directly, to ensure clarity and that there are standards and oversight to prevent misuse and abuse.

#### Comment 04 - Reconcile Language on Budget and Fees

The text Article 6(27) gives EWCA the authority to charge fees and Article 6(12) states that EWCA has the authority to determine the use of revenues from wildlife, which, without further clarification, could theoretically include proceeds from selling confiscated animals. This is a potential area for laundering that bears further consideration. However, Art. 13 states that EWCA's budget is allocated by the government. This should be clarified – does EWCA retain wildlife fees and revenues for its own use separately from the budget provided by the government? Also, the text does not mention the disposition of funds generated by fines for violations of wildlife laws.

#### Comment 05 - Undefined Permitting Processes

The regulation refers to permitting requirements, including new ones not mentioned in the Proclamation, but does not provide any regulatory guidance for requirements, issuance, oversight, etc. Activities with permitting systems mentioned at this level include:

16. Art. 6(9) - activities to be carried out in wild animals and their habitats by foreigners
17. Art. 6(10) - establishment of tourist service centers
18. Art. 6(10) – establishment of other utilization forms in protected areas
19. Art. 6(11) – CITES related trade

At a minimum, there should be some statement authorizing EWCA to create a comprehensive permitting system that addresses the types of permits mentioned in the Proclamation and this Regulation.

#### Comment 06 - Statement of Regulatory Authority

This is a repeated theme at this point, but it cannot be stressed enough how the lack of a clear regulatory framework is a primary issue in many countries and often cited as an obstacle to effective implementation of laws.

The Regulation (Art. 6(1)) grants EWCA the power to draft and submit proposals for “policies and laws,” to its oversight body, the Environment Forest and Climate Change Commission. This implies that the Commission, and not EWCA, is the body with actual regulatory authority over wildlife matters, but the exact division of authority between the Commission and EWCA is not stated. If this relationship is not specified elsewhere in Ethiopian law, it should be clarified here, particularly the extent to which EWCA, as the primary authority for wildlife management, has the power to approve regulations. It also is not clear, whether the power granted to EWCA is intended as a discretionary power that may be exercised for any area of the law where EWCA deems it necessary; or whether proposals can only be drafted for subjects the Proclamation or this Regulation have specifically identified.

In addition, the grant of power to EWCA in Article 6(1) should specifically include regulations as well as policies and laws (i.e. “policies, laws, and regulations”).

Areas mentioned by the Regulation where further legislative/regulatory development would be especially useful include:

- Art. 6(4) – administration of protected areas and control of criminal activities within them;
- Art. 6(8) – to define the scope and standards for ‘corrective measures’ when there is a threat of extinction is posed to any wild animal and its habitat;
- Art. 6(13) - Control wildlife trafficking and their products by establishing coordinated mechanisms with stakeholders
- Art. 6(14) – Wildlife related private investments
- Art. 6(15) – Transboundary protected areas
- Art. 6(24) – Disease prevention programs

These are in addition to the regulatory needs already identified in the Proclamation

#### Comment 07 - Formally establishing the management of the IWT Inter-Agency Task Force

Recently, the government created an inter-agency task force to combat IWT (i.e., the Wildlife Crime Unit being established under the GEF project), involving numerous government entities including defense and intelligence agencies, financial, transportation, and others. EWCA is the Secretariat of that structure.

It is advisable that this Task Force have its own regulatory basis/terms of reference, but given EWCA’s role as Secretariat, it is important that the list of EWCA’s powers and duties in this regulation includes its role in facilitating and coordinating the Task Force and other inter-agency efforts.

#### Comment 08 -Objectives do not mention wildlife trade

Art 5 states the objective of the Authority as “protecting against illegal trade.” For purposes of clarity it might be better to say “protecting against illegal trade in wildlife and wildlife products” or other language consistent with the definitions used in the Proclamation.

This may seem a minor point but establishing the purpose of the Regulation has an impact on awareness of the law’s intent, as well as on possible interpretations when the law is applied in a given case.

#### Comment 09 - Terms used but not defined

The following key terms used in the regulation should be defined, consistent with their definitions in the Proclamation

- Wildlife trafficking – see Art. 6(13); this term is used in the Proclamation, but it is not fully and consistently defined there. In the Regulation, it is used but not defined at all.
- Wildlife utilization packages – see Art. 6(14)

## Global Taxonomy of Wildlife Offenses

## Ethiopia Offenses Legal Basis

### 01-00-000-000 OFFENCES RELATED TO THE CONSERVATION OF WILDLIFE AND WILDLIFE HABITATS

Offense Code	Partial	Prohibited activities inside protected areas (e.g. national parks, game reserves)	Wildlife Regulation. Art. 5.1.d
01-01-000-000	Yes	Chasing, disturbing, or harassing wildlife inside protected areas	Wildlife Regulation. Art. 5.1.d
01-01-001-000	Yes	Causing harm or injury to wildlife inside protected areas	Wildlife Regulation. Art. 5.1.d
01-01-002-000	No	Prevent breeding of wildlife inside protected areas	
01-01-003-000	Yes	Trespassing in a protected area to hunt wildlife	Wildlife Regulation. Art. 5.1.b
01-01-004-000	Yes	Entering into a protected area with hunting weapons, vehicles, equipment	Wildlife Regulation. Art. 5.1.a
01-01-005-000	No	Feeding or watering wildlife inside protected areas	
01-01-006-000	Yes	Illegally accessing genetic wildlife resources	Wildlife Regulation. Art. 5.1.d
01-01-007-000	Yes	Introducing invasive species inside protected areas	Forest Proclamation, 2018(Art. 26(7)). Criminal Code, 2004 (Art. 353.1). Wildlife Regulation. Art. 5f
01-01-008-000	Yes	Allowing livestock to enter into a protected area	Forest Proclamation, 2018(Art. 25.4(c) and 26(7)). Criminal Code, 2004 (Art. 353.1). Wildlife Regulation. Art. 5f
01-01-009-000	Yes	Discharging pollutants into wildlife habitats	
01-01-010-000	Yes	Discharging hazardous substances into the soil or water bodies that are part of wildlife habitats and ecosystems	Environmental Pollution Control Proclamation. Art. 4 and 15.1
01-01-010-001	Yes	Discharging into the atmosphere gases, fumes, dust or contaminants that cause damage to wildlife	Environmental Pollution Control Proclamation. Art. 3 and 16
01-01-010-002	Yes	Discharging emissions of noise, vibrations, thermal energy or light that cause damage to wildlife	Environmental Pollution Control Proclamation. Art. 3, 6 and 16
01-01-010-003	Yes	Destroying wildlife critical habitat elements	
01-01-011-000	No	Destroying wildlife nests	
01-01-011-001	No	Destroying wildlife breeding sites	
01-01-011-002	No	Destroying wildlife refuges and shelters	
01-01-011-003	No	Causing arson in wildlife habitats	Forest Proclamation, 2018 (Art. 26(3)). Wildlife Regulation, 2008. (Art. 5j)

01-01-013-000	No	Conducting military maneuvers	
01-01-014-000	No	Conducting live shooting training	Wildlife Regulation. Art. 5.1.a
01-02-000-000	Yes	Conducting activities inside protected areas without authorization (i.e. ecotourism, scientific research, photography, etc)	Wildlife Regulation. Art. 5.2
01-03-000-000	No	Conducting activities inside protected areas in breach of legal requirements	
01-03-001-000	No	Conducting activities in breach of approved management plans	
01-99-000-000	Yes	Other acts in violation of the law related to wildlife and wildlife habitats conservation	Wildlife Proclamation (2019 Bill). Articles 18.1
<b>OFFENCES RELATED TO THE HUNTING OF WILDLIFE (e.g. Tapping, taking, collect</b>			
02-01-000-000	Partial	Hunting wildlife	Wildlife Regulation, 2008 (Art. 24)
02-01-001-000	No	Hunting for recreational purposes (sports hunting)	
02-01-002-000	No	Hunting for subsistence purposes	
02-01-003-000	No	Hunting for commercial purposes (professional hunting)	
02-01-004-000	Yes	Hunting wildlife subjected to temporary bans	Wildlife Proclamation (2019 Bill). Articles 13.3, 21.1
02-01-005-000	No	Hunting migratory wildlife species	
02-02-000-000	Yes	Hunting without authorization	Wildlife Proclamation (2019 Bill). Articles 13.1, 21.1
02-02-001-000	Yes	Hunting for scientific purposes without authorization	Wildlife Regulation, 2008 (Art. 8 and 22)
02-02-002-000	N.A.	Hunting for control purposes without authorization (e.g. population, pest or disease, danger animal control)	
02-02-003-000	Yes	Hunting for commercial purposes without authorization	Wildlife Regulation, 2008 (Art. 8 and 22)
02-03-004-000	Yes	Hunting for recreational purposes without authorization	Wildlife Regulation, 2008 (Art. 8 and 22)
02-03-000-000	Partial	Hunting wildlife in prohibited areas	
02-03-001-000	No	Hunting wildlife in captivity	
02-03-001-001	No	Hunting in zoos	
02-03-001-002	No	Hunting in captive breeding facilities	
02-03-001-003	No	Hunting in wildlife rescue centers	
02-03-001-004	No	Hunting around captive holding facilities of released wildlife	
02-03-002-000	No	Hunting where wildlife is especially vulnerable	
02-03-002-001	No	Hunting in drinking areas	
02-03-002-002	No	Hunting in bird roosting sites (e.g. night refuges)	
02-03-002-003	No	Hunting in flooded land	

02-03-003-000	Partial	Hunting wildlife in special zones		
02-03-003-001		Yes	Hunting outside designated hunting areas	Wildlife Regulation, 2008 (Art. 6)
02-03-003-002		Yes	Hunting inside protected areas	Forest Proclamation, 2018(Art. 25(4))
02-03-003-003		No	Hunting in migratory species' ecosystems	
02-03-003-004		No	Hunting in public parks and gardens	
02-03-003-005		No	Hunting in climatic areas	
02-03-003-006		No	Hunting in and around dams of public domain	
02-03-003-007		No	Hunting in urban areas	
02-03-003-008		No	Hunting in suburban areas	
02-03-003-009		No	Trespassing on private property to hunt wildlife	
02-04-000-000	Partial	Hunting using illegal means or methods		
02-04-001-000	Partial	Hunting using prohibited weapons or traps		
02-04-001-001		No	Hunting using automatic weapon	
02-04-001-002		No	Hunting using prohibited weapon	
02-04-001-003		No	Hunting using prohibited ammunition	
02-04-001-004		Yes	Hunting using weapon with calibre exceeding the limits of the law	Wildlife Regulation, 2008 (Art. 25.g,h,i,j,k)
02-04-001-005		No	Hunting using bow and arrow	
02-04-001-006		No	Hunting using darts	
02-04-001-007		Yes	Hunting using traps	Wildlife Regulation, 2008 (Art. 25.f)
02-04-001-008		Yes	Hunting using a weapon as part of a trap	Wildlife Regulation, 2008 (Art. 25.f)
02-04-002-000	Yes	Hunting using prohibited substances		
02-04-002-001		Yes	Hunting using explosives (i.e. grenade, bomb)	Wildlife Regulation, 2008 (Art. 25.l)
02-04-002-002		Yes	Hunting using chemicals	Wildlife Regulation, 2008 (Art. 25.m)
02-04-002-003		Yes	Hunting using poison or dangerous substances	Wildlife Regulation, 2008 (Art. 25.f)
02-04-002-004		Yes	Hunting using tranquilizing, narcotic, immobilizing or similar agent	Wildlife Regulation, 2008 (Art. 25.m)
02-04-003-000	Partial	Hunting using prohibited baits or control mechanisms		
02-04-003-001		No	Hunting using electrical devices	
02-04-003-002		Yes	Hunting using fire	Wildlife Regulation, 2008 (Art. 25.b)
02-04-003-003		No	Hunting using fencing to retain or attract wildlife	

02-04-003-004	Yes	Hunting using live animals as baits	Wildlife Regulation, 2008 (Art. 23)
02-04-003-005	No	Hunting using salt as baits	
02-04-003-006	No	Hunting using feed as baits	
02-04-003-007	No	Hunting using artificial or recorded voices	
02-04-004-000	Partial	Hunting using vehicles	
02-04-004-001	Yes	Hunting from aerial vehicles	Wildlife Regulation, 2008 (Art. 25.a)
02-04-004-002	Yes	Hunting from terrestrial motorized vehicles	Wildlife Regulation, 2008 (Art. 25.a)
02-04-004-003	No	Hunting on horseback	
02-04-005-000	No	Hunting from especially advantageous locations	
02-04-005-001	No	Hunting from roadways	
02-04-005-002	No	Hunting around railways and roadways	
02-04-005-003	No	Hunting from a stand	
02-04-005-004	No	Hunting by ambush (e.g. from a blind)	
02-04-006-000	No	Hunting using prohibited tracking methods	
02-04-006-001	No	Hunting using tracking wildlife	
02-04-006-002	No	Hunting using drones	
02-04-006-003	No	Hunting using camera traps	
02-04-006-004	No	Hunting using electronic image amplifiers (e.g. night vision, infrared, cameras, etc.)	
02-04-006-005	No	Hunting using lights, nightlights or spotlighting	
02-04-006-006	No	Hunting using night-vision devices	
02-04-007-000	Partial	Hunting using trained animals	
02-04-007-001	Yes	Hunting using dogs	Wildlife Regulation, 2008 (Art. 25.d)
02-04-007-002	No	Hunting using bird of prey (falconry)	
02-04-008-000	Yes	Hunting at night	Wildlife Regulation, 2008 (Art. 25.c)
02-05-000-000	Partial	Hunting wildlife in breach of sustainability requirements	
02-05-001-000	Yes	Hunting wildlife above authorized quotas	Wildlife Proclamation (2019 Bill). Articles 13.2, 21.1
02-05-002-000	No	Hunting wildlife outside authorized seasons	
02-05-003-000	No	Hunting wildlife during its reproductive cycle	
02-05-003-001	No	Hunting female wildlife specimens of reproductive age	
02-05-003-002	No	Hunting pregnant female specimens of wildlife	

02-05-003-003	No	Hunting female specimens when accompanied by offspring	
02-05-004-000	Partial	Hunting wildlife under the minimum age allowed	
02-05-004-001	No	Hunting wildlife eggs	
02-05-004-002	No	Hunting wildlife offspring (e.g. newborn)	
02-05-004-003	Yes	Hunting juvenile or sub-adult wildlife	Wildlife Regulation, 2008 (Art. 15)
02-05-005-000	No	Hunting wildlife under the minimum permitted weight	
02-05-006-000	Yes	Hunting female specimen	Wildlife Regulation, 2008 (Art. 15)
02-06-000-000	No	Hunting in breach of safety requirements	
02-06-001-000	No	Hunting under the influence	
02-06-002-000	No	Hunting without the proper safety equipment	
02-07-000-000	No	Hunting in breach of ethical requirements	
02-07-001-000	No	Failing to inspect traps or other devices at regular intervals	
02-07-002-000	No	Abandoning injured wildlife in the act of hunting	
02-07-003-000	No	Interfering with other people's hunting	
02-08-000-000	Yes	Violation of reporting and documentation requirements	
02-08-000-001	Yes	Underreporting or misreporting hunting activities or quotas	Wildlife Regulation, 2008 (Art. 14)
02-08-000-002	Yes	Failing to properly tag hunted wildlife	Wildlife Regulation, 2008 (Art. 14)
02-99-000-000	Yes	Other acts in violation of the law related to hunting	Wildlife Proclamation (2019 Bill). Articles 21.1
03-00-000-000	OFFENCES RELATED TO HUNTING WEAPONS AND AMMUNITION		
03-01-000-000	No	Prohibited actions related to hunting weapons and ammunition	
03-01-001-000	No	Carrying prohibited weapons as hunting weapons	Firearms Proclamation, 2020
03-01-002-000	No	Carrying a hunting weapon for personal safety	
03-01-003-000	No	Using authorized hunting weapons for non-hunting purposes	
03-01-004-000	No	Losing a hunting weapon or ammunition	
03-02-000-000	Partial	Handling hunting weapons or ammunition without authorization	
03-02-001-000	Yes	Selling, purchasing or importing hunting weapons or ammunition	Firearms Proclamation, 2020 (Art. 22.2)
03-02-002-000	Yes	Possessing hunting weapons or ammunition without authorization	Firearms Proclamation, 2020 (Art. 22.2)
03-02-003-000	Yes	Carrying a hunting weapon without authorization	Firearms Proclamation, 2020 (Art. 22.2)
03-02-004-000	No	Carrying a hunting weapon with an expired authorization	
03-02-005-000	No	Failing to establish the lawful origin of a hunting weapon	
03-03-000-000	Partial	Use of hunting weapons and ammunition in breach of legal requirements and procedures	

03-03-001-000	No	Using a hunting weapon that shows signs of deterioration	
03-03-002-000	No	Using a hunting weapon that fails to comply with safety standards	
03-03-003-000	Yes	Possessing a hunting weapon with the weapon's marking altered	Firearms Proclamation, 2020 (Art. 27)
03-03-004-000	No	Possessing ammunition in quantities greater than those permitted	
03-03-005-000	Yes	Failing to submit hunting weapon records when requested by the	Firearms Proclamation, 2020 (Art. 22-10)
03-99-000-000	No	Other acts in violation of the law related to hunting weapons	
<b>OFFENCES RELATED TO THE TRANSPORTATION OF WILDLIFE</b>			
04-01-000-000	No	Transporting wildlife	
04-02-000-000	Yes	Transporting wildlife without due authorization	Wildlife Proclamation (2019 Bill)
04-02-001-000	Yes	Transporting wildlife without the mandatory business registration	
04-02-002-000	Yes	Transporting wildlife without mandatory documentation	
04-02-002-001	Yes	Transporting wildlife without shipping documents	
04-02-002-002	Yes	Transporting wildlife without transit documents	
04-02-002-003	Yes	Transporting wildlife without a health certificate	Yes
04-02-002-004	Yes	Transporting imported wildlife without a CITES permit	
04-03-000-000	Partial	Transporting wildlife of illegal origin	No
04-03-001-000	Yes	Transporting wildlife illegally hunted in the country	Forest Proclamation, 2018(Art. 26(8))
04-03-002-000	No	Transporting wildlife illegally hunted in a foreign country	
04-03-003-000	Yes	Transporting wildlife illegally imported	Customs Proclamation, 2014 ((Art. 168(2)).
04-03-004-000	No	Transporting Appendix I wildlife imported without CITES certificate	
04-03-005-000	No	Transporting wildlife sourced from unauthorized breeding site	
04-03-006-000	No	Transporting wildlife illegally sold	
04-03-007-000	No	Transporting wildlife illegally purchased	
04-03-008-000	No	Transporting stolen wildlife	
04-04-000-000	N.A.	Transporting wildlife in breach of legal requirements and procedures	
04-04-001-000	N.A.	Transporting wildlife in improper receptacles	
04-04-002-000	N.A.	Transporting wildlife in overcrowded conditions	
04-04-003-000	N.A.	Transporting wildlife in amounts that exceed what is necessary for	
04-04-004-000	N.A.	Transporting wildlife that is unfit to be transported	
04-04-004-001	N.A.	Transporting wildlife injured or sick	
04-04-004-002	N.A.	Transporting wildlife that is likely to give birth during conveyance	

04-99-000-000	N.A.	Other acts in violation of the law related to the breach of legal provisions	
OFFENCES RELATED TO THE STORAGE OF WILDLIFE			
05-01-000-000	No	Storing wildlife	
05-02-000-000	Yes	Storing wildlife without authorization	Wildlife Proclamation (2019 Bill). Art. 11.1
05-03-000-000	Partial	Storing wildlife of illegal origin	
05-03-001-000	Yes	Storing wildlife illegally hunted in the country	Forest Proclamation, 2018(Art. 26(8))
05-03-002-000	No	Storing wildlife illegally hunted in a foreign country	
05-03-003-000	Yes	Storing wildlife illegally imported	Customs Proclamation, 2014 ((Art. 168(2)).
05-03-004-000	No	Storing Appendix I wildlife imported without a CITES certificate	
05-03-005-000	No	Storing wildlife sourced from unauthorized breeding site	
05-03-006-000	No	Storing wildlife illegally sold	
05-03-007-000	No	Storing wildlife illegally purchased	
05-03-008-000	No	Storing wildlife illegally transported	
05-03-009-000	No	Storing stolen wildlife	
05-99-000-000	No	Other acts in violation of the law related to the storage of wildlife	
OFFENCES RELATED TO THE PROCESSING OF WILDLIFE			
06-01-000-000	No	Processing of wildlife	
06-01-001-000	No	Processing prohibited goods from wildlife	
06-01-002-000	No	Processing wildlife for the food industry	
06-02-000-000	N/A	Processing wildlife without authorization	
06-02-001-000	N/A	Operating as a wildlife trophy dealer without authorization	
06-02-002-000	N/A	Operating processing facilities for wildlife without authorization	
06-02-003-000	N/A	Processing items from wildlife trophies without authorization	
06-02-004-000	N/A	Processing wildlife skins without authorization	
06-03-000-000	Partial	Processing wildlife of illegal origin	
06-03-001-000	Yes	Processing wildlife illegally hunted in the country	Forest Proclamation, 2018(Art. 26(1))
06-03-002-000	No	Processing wildlife illegally hunted in a foreign country	
06-03-003-000	No	Processing wildlife illegally imported	
06-03-004-000	No	Processing Appendix I wildlife imported without CITES certificate	
06-03-005-000	No	Processing wildlife sourced from unauthorized breeding site	
06-03-006-000	No	Processing wildlife illegally sold	
06-03-007-000	No	Processing wildlife illegally purchased	

06-03-008-000	No	Processing wildlife illegally transported
06-03-009-000	No	Processing stolen wildlife
06-04-000-000	N/A	Processing wildlife in breach of legal requirements and procedures
06-04-001-000	N/A	Processing wildlife without possessing a control book (e.g. stud
06-99-000-000	No	Other acts in violation of the law related to wildlife processing
OFFENCES RELATED TO THE DOMESTIC TRADE IN WILDLIFE		
07-01-000-000	No	Trading wildlife
07-01-001-000	No	Advertising wildlife
07-01-001-001	No	Advertising wildlife online
07-01-001-002	No	Advertising wildlife in other media
07-01-002-000	No	Selling wildlife
07-01-002-001	No	Selling wildlife under protection of temporary bans
07-01-002-002	No	Selling wildlife hit on a road
07-01-002-003	No	Selling wildlife as pets
07-01-002-004	No	Selling wildlife sourced under non-commercial authorization (e.g. sourced from subsistence, recreational or scientific hunting)
07-01-003-000	No	Purchasing wildlife
07-01-003-001	No	Purchasing banned wildlife
07-01-003-002	No	Purchasing wildlife hit on a road
07-01-003-003	No	Purchasing wildlife sourced under non-commercial authorization (e.g. sourced from subsistence, recreational or scientific hunting)
07-01-004-000	No	Renting wildlife
07-01-005-000	No	Donating or gifting wildlife
07-01-006-000	No	Exchanging wildlife without authorization
07-01-007-000	No	Facilitating online wildlife trafficking
07-02-000-000	Yes	Trading wildlife without authorization
07-02-001-000	Yes	Selling wildlife without authorization
07-02-001-001	Yes	Selling wildlife without sales authorization
		Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1A and 1B, and 21.2., Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1A and 1B, and 21.2.,

07-02-001-002	Yes	Selling wildlife after having the sales authorization revoked	Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1A and 1B, and 21.2..
07-02-001-003	Yes	Selling wildlife using a sales authorization from a third party	Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1A and 1B, and 21.2..
07-02-001-004	N.A.	Selling wildlife without registering with competent environmental authorities	
07-02-002-000	Yes	Purchasing wildlife without authorization	Wildlife Proclamation (2019 Bill). Art. 11.1A, 21.2.A
07-02-003-000	Yes	Renting wildlife without authorization	Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1A, 21.2A
07-02-004-000	Yes	Donating or gifting wildlife without authorization	Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1A, 21.2A
07-02-005-000	Yes	Exchanging wildlife without authorization	Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1A, 21.2A
07-03-000-000	Partial	Trading wildlife of illegal origin	
07-03-001-000	No	Advertising for sale wildlife of illegal origin	
07-03-001-001	No	Advertising wildlife illegally hunted in the country	
07-03-001-002	No	Advertising wildlife illegally hunted in a foreign country	
07-03-001-003	No	Advertising wildlife illegally imported	
07-03-001-004	No	Advertising wildlife sourced from an unauthorized breeding site	
07-03-001-005	No	Advertising illegally transported wildlife	
07-03-001-006	No	Advertising stolen wildlife	
07-03-001-007	No	Advertising wildlife without proof of its legal origin	
07-03-002-000	Partial	Selling wildlife of illegal origin	
07-03-002-001	Yes	Selling wildlife illegally hunted in the country	Forest Proclamation, 2018(Art. 26(8))
07-03-002-002	No	Selling wildlife illegally hunted in a foreign country	
07-03-002-003	Yes	Selling wildlife illegally imported	Customs Proclamation, 2014 ((Art. 168(2)).
07-03-002-004	No	Selling wildlife sourced from an unauthorized breeding site	
07-03-002-005	No	Selling illegally transported wildlife	
07-03-002-006	No	Selling stolen wildlife	
07-03-002-007	No	Selling wildlife without proof of its legal origin	
07-03-003-000	Partial	Purchasing wildlife of illegal origin	
07-03-003-001	No	Purchasing wildlife illegally hunted in the country	

07-03-003-002	No	Purchasing wildlife illegally hunted in a foreign country	Customs Proclamation, 2014 ((Art. 168(2)).
07-03-003-003	Yes	Purchasing wildlife illegally imported	
07-03-003-004	No	Purchasing wildlife sourced from an unauthorized breeding site	
07-03-003-005	No	Purchasing illegally sold wildlife	
07-03-003-006	No	Purchasing illegally transported wildlife	
07-03-003-007	No	Purchasing stolen wildlife	
07-04-000-000	N.A.	Trading wildlife in breach of legal requirements and procedures	
07-04-001-000	N.A.	Selling wildlife in breach of legal requirements and procedures	
07-04-001-001	No	Selling wildlife with contagious diseases	
07-04-001-002	N.A.	Selling legally bred wildlife in breach of legal procedures	
07-04-001-003	N.A.	Selling wildlife using a false product description	
07-04-001-004	N.A.	Selling wildlife in breach of reporting requirements (e.g. stocks, monetary values, inventory, etc.)	
07-04-001-005	N.A.	Transferring the rights to sell wildlife	
07-99-000-000	Yes	Other acts in violation of the law related to the domestic trade in wildlife	Wildlife Proclamation (2019 Bill). Articles 21.2.A
<b>08-00-000-000 OFFENCES RELATED TO THE FOREIGN TRADE IN WILDLIFE</b>			
08-01-000-000	Partial	Importing, exporting or re-exporting wildlife	
08-01-001-000	Yes	Importing, exporting or re-exporting wildlife subject to a national ban (e.g. rhino, pangolin, etc)	Customs Proclamation, 2014 ((Art. 168(1)). Criminal Code, 2004 (Art. 353.1)
08-01-002-000	No	Importing invasive wildlife	
08-01-003-000	No	Importing genetically modified wildlife	
08-01-004-000	No	Importing poisonous wildlife	
08-01-005-000	No	Importing wildlife pets	
08-02-000-000	Yes	Importing, exporting or re-exporting wildlife without authorization	Wildlife Proclamation (2019 Bill). Article 14.2, 15.1B, 21.2.A.
08-02-001-000	Yes	Importing, exporting or re-exporting protected wildlife without CITES permit	Customs Proclamation, 2014 (Art. 168(1)).
08-02-001-001	Yes	Importing, exporting or re-exporting wildlife without CITES permit	Customs Proclamation, 2014 (Art. 156)
08-02-001-002	Yes	Importing, exporting or re-exporting wildlife using a false, forged or altered CITES permit	

08-02-001-003	Yes	Importing, exporting or re-exporting wildlife in violation of an approved CITES permit	
08-02-002-000		Importing, exporting or re-exporting protected wildlife without	
08-02-003-000	Yes	Importing, exporting or re-exporting wildlife without health certificate	Animal Diseases Prevention and Control Proclamation, 2002 (Art. 12.2 and 13.2)
08-02-004-000	Yes	Importing potentially invasive wildlife without authorization	
08-02-005-000	Yes	Importing genetically modified wildlife without authorization	
08-03-000-000	No	Importing, exporting or re-exporting wildlife of illegal origin	
08-03-001-000	No	Exporting wildlife illegally hunted in the country	
08-03-002-000	No	Importing or re-exporting wildlife illegally hunted in a foreign jurisdiction	
08-03-003-000	No	Exporting wildlife sourced from unauthorized breeding site	
08-03-004-000	No	Exporting illegally sold wildlife	
08-03-005-000	No	Exporting illegally purchased wildlife	
08-03-006-000	No	Exporting illegally transported wildlife	
08-03-007-000	No	Exporting stolen wildlife	
08-04-000-000	Partial	Importing, exporting or re-exporting wildlife in breach of customs procedures	
08-04-001-000	N.A.	Importing wildlife without business registration as importer	
08-04-002-000	Yes	Importing, exporting or re-exporting wildlife avoiding customs control (smuggling)	
08-04-002-001	Yes	Importing, exporting or re-exporting hidden or concealed wildlife	Customs Proclamation, 2014 (Art. 169.2)
08-04-002-002	Yes	Importing, exporting or re-exporting wildlife packaged to deceive customs officers	Customs Proclamation, 2014 (Art. 169.1)
08-04-003-000		Importing, exporting or re-exporting wildlife without following a point different from the designated port of entry	Customs Proclamation, 2014 (Art. 162)
08-04-003-001		Importing, exporting or re-exporting wildlife through a point different from the designated port of entry	
08-04-003-002	Yes	Importing, exporting or re-exporting wildlife by evading a point of animal health inspection	Animal Diseases Prevention and Control Proclamation, 2002 (Art. 12.2 and 13.2)
08-04-003-003	Yes	Importing, exporting or re-exporting wildlife carrying contagious diseases without reporting to quarantine authorities	Animal Diseases Prevention and Control Proclamation, 2002 (Art. 12.2)
08-04-003-004		Importing, exporting or re-exporting wildlife without shipping documentation	

08-04-003-005	Importing, exporting or re-exporting wildlife without due customs declaration			
08-04-003-006	Importing wildlife evading totally or partially the payment of customs duties			
08-04-003-007	Exporting wildlife breaking mandatory quarantine requirements	Yes		Animal Diseases Prevention and Control Proclamation, 2002 (Art. 12.2)
08-04-003-008	Loading or unloading wildlife in a customs area before the approval of customs office			
08-04-003-009	Unloading imported wildlife in a customs area outside of the authorized place	Yes		Customs Proclamation, 2014 (Art. 171)
08-04-003-010	Breaking or removing seals, marks or stamps affixed by customs officers without permission	Yes		Customs Proclamation, 2014 (Art. 1710)
08-99-000-000	Other acts in violation of the law related to importing, exporting or re-exporting wildlife			
09-00-000-000	<b>OFFENCES RELATED TO THE POSSESSION OF WILDLIFE</b>			
09-01-000-000	Possessing wildlife	No		
09-02-000-000	Possessing wildlife without authorization	Yes		Wildlife Proclamation (2019 Bill). Art. 11.1, 15.1B, 21.2.C
09-02-001-000	Possessing collections of wildlife without registration	Yes		
09-02-002-000	Possessing wildlife trophies without authorization	Yes		
09-03-000-000	Possessing wildlife of illegal origin	Partial		
09-03-001-000	Possessing wildlife illegally hunted in the country	No		
09-03-002-000	Possessing wildlife illegally hunted in a foreign country	No		
09-03-003-000	Possessing wildlife illegally imported	Yes		Customs Proclamation, 2014 ((Art. 168(2))).
09-03-004-000	Possessing Appendix I imported wildlife unaccompanied of the	No		
09-03-005-000	Possessing wildlife sourced from unauthorized breeding site	No		
09-03-006-000	Possessing wildlife illegally sold	No		
09-03-007-000	Possessing wildlife illegally purchased	No		
09-03-008-000	Possessing wildlife transported illegally	No		
09-03-009-000	Possessing stolen wildlife	No		
09-04-000-000	Possessing wildlife in breach of hunting limitations	N.A.		
09-04-001-000	Possessing wildlife below the minimum ages allowed (e.g.	N.A.		
09-04-002-000	Possessing wildlife weighing below the minimum required animal weight	N.A.		

09-04-003-000	N.A.	Possessing wildlife that is undersized	
09-04-004-000	N.A.	Possessing wildlife out of harvest season	
09-99-000-000		Other acts in violation of the law related to wildlife possession	
<b>OFFENCES RELATED TO THE BREEDING OF WILDLIFE</b>			
10-01-000-000	No	Breeding wildlife	
11-01-001-000	No	Breeding or training wildlife for fights	Wildlife Proclamation (2019 Bill). Article 14.1
10-02-000-000	Yes	Breeding wildlife without authorization	Wildlife Proclamation (2019 Bill). Article 14.1
10-02-001-000	Yes	Breeding wildlife without registration	Wildlife Proclamation (2019 Bill). Article 14.1
10-02-002-000	Yes	Breeding wildlife specimen without documentation to proof their illegal origin	Wildlife Proclamation (2019 Bill). Article 14.1
10-03-000-000	No	Breeding wildlife using breeding stock of illegal origin	
10-03-001-000	No	Breeding wildlife using breeding stock illegally hunted in the country	
10-03-002-000	No	Breeding wildlife using breeding stock illegally hunted in a foreign country	
10-03-003-000	No	Breeding wildlife using breeding stock illegally imported	
10-03-004-000	No	Breeding Appendix I wildlife using imported breeding stock	
10-03-005-000	No	Breeding wildlife using breeding stock from unauthorized breeding site	
10-03-006-000	No	Breeding wildlife using breeding stock illegally sold	
10-03-007-000	No	Breeding wildlife using breeding stock illegally purchased	
10-03-008-000	No	Breeding wildlife using breeding stock transported illegally	
10-03-009-000	No	Breeding wildlife using stolen breeding stock	
10-04-000-000	N.A.	Breeding wildlife in breach of legal requirements and procedures	
10-04-001-000	N.A.	Breeding wildlife without conducting a feasibility study	
10-04-002-000	N.A.	Breeding wildlife without maintaining a control book (e.g. stud book)	
10-04-003-000	N.A.	Breeding wildlife without submitting reports to authorities	
10-04-004-000	N.A.	Breeding wildlife without proper marking system or certification	
10-04-005-000	N.A.	Not maintaining the purity of wildlife up to the first generation by	
10-99-000-000		Other acts in violation of the law related to wildlife breeding	
<b>OFFENCES RELATED TO EXHIBITING WILDLIFE</b>			
11-01-000-000	Yes	Exhibiting wildlife	Wildlife Proclamation (2019 Bill)
11-01-001-000	Yes	Organizing fights involving wildlife	Wildlife Proclamation (2019 Bill)
11-02-000-000	N.A.	Exhibiting wildlife without authorization	
11-03-000-000	No	Exhibiting wildlife of illegal origin	
11-03-001-000	No	Exhibiting wildlife illegally hunted in the country	

11-03-002-000	No	Exhibiting wildlife illegally hunted in a foreign country
11-03-003-000	No	Exhibiting wildlife illegally imported
11-03-004-000	No	Exhibiting Appendix I imported wildlife unaccompanied of the CITES certificate
11-03-005-000	No	Exhibiting wildlife sourced from unauthorized breeding site
11-03-006-000	No	Exhibiting illegally sold wildlife
11-03-007-000	No	Exhibiting wildlife illegally purchased
11-03-008-000	No	Exhibiting illegally transported wildlife
11-03-009-000	No	Exhibiting stolen wildlife
11-04-000-000	N.A.	Exhibiting wildlife in breach of legal requirements and procedures
11-04-001-000	N.A.	Exhibiting wildlife in performances requiring skill using untrained wildlife
11-04-002-000	N.A.	Exhibiting wildlife in performances involving cruelty
11-04-003-000	N.A.	Exhibiting wildlife in performances under the influence of stimulants
11-04-004-000	N.A.	Exhibiting wildlife in iron cages
11-04-005-000	N.A.	Exhibiting wildlife in unsuitable places
11-99-000-000		Other acts in violation of the law related to wildlife exhibition
<b>OFFENCES RELATED TO SCIENTIFIC RESEARCH USING WILDLIFE</b>		
12-01-000-000	No	Conducting scientific research using wildlife
12-02-000-000	Yes	Conducting scientific research on wildlife without due authorization <b>Wildlife Proclamation (2019 Bill), Article 16.1.A</b>
12-02-001-000		Conducting scientific research on wildlife without accreditation of
12-02-002-000		Conducting scientific research on wildlife without proper
12-02-003-000		Conducting scientific research on wildlife for biotechnology
12-02-004-000		Conducting scientific research on wildlife to study pain and
12-03-000-000	No	Conducting scientific research with wildlife of illegal origin
12-03-001-000	No	Conducting scientific research with wildlife illegally hunted in the country
12-03-002-000	No	Conducting scientific research with wildlife hunted illegally in a foreign country
12-03-003-000	No	Conducting scientific research with illegally imported wildlife
12-03-004-000	No	Conducting scientific research with Appendix I imported wildlife
12-03-005-000	No	Conducting scientific research with wildlife sourced from
12-03-006-000	No	Conducting scientific research using wildlife illegally sold
12-03-007-000	No	Conducting scientific research with wildlife illegally purchased
12-03-008-000	No	Conducting scientific research with illegally transported wildlife
12-03-009-000	No	Conducting scientific research with stolen wildlife

12-04-000-000	No	Conducting scientific research compromising the welfare of wildlife
12-04-001-000	No	Conducting scientific research with wildlife while not providing
12-04-002-000	No	Conducting scientific research with wildlife and causing painful or
12-04-003-000	No	Conducting scientific research with wildlife and not using
12-04-004-000	No	Conducting scientific research with wildlife and not following
12-04-005-000	No	Conducting scientific research with wildlife by reusing the same
12-05-000-000	N.A.	Conducting scientific research in breach of legal requirements and procedures
12-05-001-000	N.A.	Conducting scientific research with biological materials without
12-05-002-000	N.A.	Conducting scientific research with wildlife without sharing results
12-99-00-000		Other acts in violation of the law related to the use of wildlife for scientific research
13-00-000-000 OFFENCES RELATED TO OTHER USES OF WILDLIFE		
13-01-000-000	No	Using wildlife
13-01-001-000	No	Using wildlife in audiovisual productions
13-02-000-000	N.A.	Using wildlife without authorization
13-02-001-000	N.A.	Using wildlife without permit
13-02-002-000	N.A.	Using Appendix I imported wildlife in breach of the CITES permit
13-02-003-000	N.A.	Using wildlife in breach of authorized purposes
13-02-003-001		N.A. Using wildlife for other purposes when it was sourced for scientific purposes
13-02-003-002		N.A. Using wildlife for other purposes when it was sourced for control purposes
13-02-003-003		N.A. Using wildlife for other purposes when it was sourced for subsistence purposes
13-03-000-000	Partial	Using wildlife of illegal origin
13-03-001-000	Yes	Using wildlife illegally hunted in the country
13-03-002-000	No	Using wildlife illegally hunted in a foreign country
13-03-003-000	No	Using wildlife illegally imported
13-03-004-000	No	Using Appendix I imported wildlife unaccompanied by the CITES permit
13-03-005-000	No	Using wildlife sourced from unauthorized breeding site
13-03-006-000	No	Using wildlife illegally sold
13-03-007-000	No	Using wildlife illegally purchased
Forest Development, Conservation and Utilization Proclamation, 2018(Art. 26(1))		

13-03-008-000	No	Using illegally transported wildlife
13-03-009-000	No	Using stolen wildlife
13-99-000-000		Other acts in violation of the law related to other uses of wildlife
14-00-000-000 OFFENCES RELATED TO ANIMAL HEALTH AND WELFARE		
14-01-000-000 Treating wildlife with cruelty		
14-01-001-000		Injuring wildlife in captivity
14-01-002-000		Mutilating wildlife
14-01-003-000		Vivisectioning wildlife for purposes other than research
14-01-004-000		Slaughtering wildlife in breach of humanitarian rules
14-01-005-000		Performing sexual acts with wildlife
14-01-006-000		Using devices causing unnecessary suffering to wildlife
14-01-007-000		Releasing captive wildlife under dangerous conditions
14-02-000-000		Failing to comply with animal welfare legal standards
14-02-001-000		Failing to provide appropriate nutrition for captive wildlife
14-02-002-000		Failing to provide appropriate veterinary care for captive wildlife
14-02-003-000		Failing to meet safety standards for captive wildlife
14-02-004-000		Failing to provide appropriate living conditions for captive wildlife
14-03-000-000 Violation of quarantine procedures		
14-03-001-000		Failure to quarantine wildlife specimens carrying or suspected to carry pest or diseases
14-03-002-000		Failure to quarantine people carrying or suspected of carrying pest or wildlife diseases
14-03-003-000		Failure to quarantine equipment carrying or suspected of carrying pest or wildlife diseases
14-03-004-000		Failure to quarantine water carrying or suspected of carrying pest or wildlife diseases
14-03-005-000		Failure to quarantine packing material carrying or suspected of carrying pest or wildlife diseases
14-03-006-000	Yes	Failure to report infected wildlife to nearest authorities
14-99-000-000		Other acts in violation of the law related to animal health and welfare
15-00-000-000 OFFENCES RELATED TO FORGERY OF WILDLIFE DOCUMENTS		

Animal Diseases Prevention and Control Proclamation, 2002 (Art. 3.1 and 3.2)

15-01-000-000	Falsifying elements on wildlife-related public and private transactions		
15-01-001-000	Yes Falsifying public documents (e.g. hunting permit, breeding permit	Customs Proclamation, 2014 (Art. 167.1). Criminal Code (Art. 364)	
15-01-002-000	Yes Falsifying private documents (e.g. invoices, breeding log, etc.)	Customs Proclamation, 2014 (Art. 167.1). Criminal Code (Art. 364)	
15-01-003-000	Falsifying signatures		
15-01-004-000	Falsifying official identification elements		
15-01-004-001	Yes Falsification of official uniforms, insignia or badges	Customs Proclamation, 2014 (Art. 167.1).	
15-01-004-002	Yes Falsification of official marks, seals and stamps	Customs Proclamation, 2014 (Art. 167.1). Criminal Code (Art. 365)	
15-02-000-000	Using forged elements on wildlife-related public and private transactions		
15-02-001-000	Yes Using forged public documents	Customs Proclamation, 2014 (Art. 167.1)	
15-02-002-000	Yes Using forged private documents	Customs Proclamation, 2014 (Art. 167.1)	
15-02-003-000	Using forged signatures		
15-02-004-000	Yes Using forged official identification elements		
15-02-004-001	Yes Using of forged official uniforms, insignia or badges	Customs Proclamation, 2014 (Art. 167.1)	
15-02-004-002	Yes Using of forged official marks, seals and stamps	Customs Proclamation, 2014 (Art. 167.1). Criminal Code (Art. 365)	
15-02-005-000	Using false identities		
15-99-000-000	Other acts in violation of the law related to forgery of wildlife documents		
16-00-000-000	OFFENCES RELATED TO THE OBSTRUCTION OF JUSTICE IN WILDLIFE CRIMES		
16-01-000-000	Breaching reporting and enforcement requirements		
16-01-001-000	Failing to present declaration of wildlife inventories		
16-01-002-000	Failing to report wildlife abuse		
16-01-003-000	Failing to submit wildlife-related reports		
16-01-004-000	Failing to keep wildlife records or books when obliged by law		
16-01-005-000	Failing to stop or report wildlife offences by enforcement officers		
16-02-000-000	Obstructing wildlife enforcement and investigative actions		
16-02-001-000	Yes Refusing to answer a question of an enforcement officer	Criminal Code (2004), Art. 440	
16-02-002-000	Yes Refusing to provide documentation at the request of an inspector	Criminal Code (2004), Art. 440	
16-02-003-000	Providing false information to governmental officials		
16-02-003-001	Providing false information to a wildlife officer		
16-02-003-002	Yes Providing false information to a customs officer	Customs Proclamation, 2014 (Art. 166)	
16-02-003-003	Providing false information in a wildlife damage claim		
16-02-004-000	Refusing to allow lawful search of an inspector or enforcement officer	Criminal Code (2004), Art. 440	

	Yes	Refusing to allow search within customs area by enforcement officer	Customs Proclamation, 2014 (Art. 166)
16-02-004-001		Refusing to allow search in road controls by enforcement officer	
16-02-004-002		Refusing to follow an order by an inspector or enforcement officer	
16-02-005-000		Assaulting verbally, morally or physically an officer or inspection	Criminal Code (2004), Art. 440
16-02-006-000	Yes	Assaulting a wildlife enforcement officers during the exercise of his or her functions	
16-02-006-001		Assaulting a park ranger in the exercise of their functions	
16-02-006-002		Assaulting a customs officer in the exercise of their functions	
16-02-006-003		Refusal by a hunter to unload a weapon during an inspection	
16-02-006-004		Obstructing the prosecution of a wildlife crime	
16-03-000-000		Obstructing performance of judicial authorities in wildlife crimes	
16-03-001-000		Obstructing witness testimonies in wildlife crime cases	
16-03-002-000		Other acts in violation of the law related to obstruction of justice in wildlife crimes	
16-99-000-000			



01-01-010-001	Yes	Discharging hazardous substances into the soil or water bodies that are part of wildlife habitats and ecosystems	20,000-50,000 Birr (50,000-100,000 Birr if legal entity) (5,000 - 10,000 K for company officer)	5-10Y for company officers only or fine							Yes	Yes
01-01-010-002	Yes	Discharging into the atmosphere gases, fumes, dust or contaminants that cause damage to wildlife	1,000 - 5,000 Birr (5,000 - 25,000 K for legal entities), (5,000 - 10,000 for company officers)	1-10Y (5-10Y for company officers)							Yes	Yes
01-01-010-003	Yes	Discharging emissions of noise, vibrations, thermal energy or light that cause damage to wildlife									Yes	Yes
01-02-000-000	Yes	Conducting activities inside protected areas without	Wildlife Proclamation, 2007 (5,000 to 30,000 Birr).	Wildlife Proclamation, 2007							Yes	
01-99-000-000	Yes	Other acts in violation of the law related to wildlife and wildlife	Wildlife Proclamation, 2019	(1-5Y) Wildlife							Yes	
02-00-000-000 OFFENCES RELATED TO THE HUNTING OF WILDLIFE (e.g. Tapping, taking, collecting, poaching, catching, etc.)												
02-01-000-000	Partial	Hunting wildlife	5,000 to 30,000 Birr	1-5Y								
02-01-004-000	Yes	Hunting wildlife subjected to temporary bans	Between 50,000 and 150,000 Birr (USD 1,500 to 4,500). If protected species, fine is between 200K-300K Birrs (USD 6,000 to 9,000)	Between 3 and 10 Years. If protected species, between 5 and 15 Years	Yes	Yes					Yes	





02-05-001-000	Yes	Hunting wildlife above authorized quotas	Yes	Between 50,000 and 150,000 Birr (USD 1,500 to 4,500). If protected species, fine is between 200K-300K Birrs (USD 6,000 to 9,000)	Between 3 and 10 Years. If protected species, between 5 and 15 Years	Yes				
02-05-004-000	Partial	Hunting wildlife under the minimum age allowed								
02-05-004-003		Hunting juvenile or sub-adult wildlife	Yes	5,000 to 30,000 Birr - Price of the wildlife x 2	1-5Y	Yes	Yes			
02-05-006-000	Yes	Hunting female specimen		5,000 to 30,000 Birr - Price of the male specimen x 2	1-5Y	Yes	Yes			
02-08-000-000	Yes	Violation of reporting and documentation requirements								
02-08-000-001	Yes	Underreporting or misreporting hunting activities or quotas		5,000 to 30,000 Birr - Price of the male specimen x 2	1-5Y	Yes	Yes			
02-08-000-002	Yes	Failing to properly tag hunted wildlife		5,000 to 30,000 Birr - Price of the male specimen x 2	1-5Y	Yes	Yes			
02-99-000-000	Yes	Other acts in violation of the law related to hunting	Yes	Between 50,000 and 150,000 Birr (USD 1,500 to 4,500). If protected species, fine is between 200K-300K Birrs (USD 6,000 to 9,000)	Between 3 and 10 Years. If protected species, between 5 and 15 Years	Yes	Yes			
03-00-000-000 OFFENCES RELATED TO HUNTING WEAPONS AND AMMUNITION										
03-02-001-000	Yes	Selling, purchasing or importing hunting weapons or ammunition without authorization		5,000 - 10,000 Birr	1-3 Y		Yes			
03-02-002-000	Yes	Possessing hunting weapons or ammunition without authorization		5,000 - 10,000 Birr	1-3 Y		Yes			
03-02-003-000	Yes	Carrying a hunting weapon without authorization		5,000 - 10,000 Birr	1-3 Y		Yes			



04-03-003-000	Yes	Transporting wildlife illegally imported	50,000 to 100,000 Birr	3-5 Years (10-15Y if using force or organized crime)	Yes					Yes	
05-00-000-000 OFFENCES RELATED TO THE STORAGE OF WILDLIFE											
05-02-000-000	Yes	Storing wildlife without authorization	Up to 10,000 Birr (USD 300)	Between 3 and 12 months	Yes					Yes	
05-03-000-000	Partial	Storing wildlife of illegal origin									
05-03-001-000	Yes	Storing wildlife illegally hunted in the country	15,000-20,000 Birr (USD 450-700)	Between 5-8Y							
05-03-003-000	Yes	Storing wildlife illegally imported	50,000 to 100,000 Birr (Customs Code) - Up to 10,000 (Criminal Code)	3-5 Years (10-15Y if using force or organized crime) Customs Law - Up to 10Y if with force or fraude	Yes	Yes	Yes	Yes	Yes	Yes	
06-00-000-000 OFFENCES RELATED TO THE PROCESSING OF WILDLIFE											
06-03-001-000	Yes	Processing wildlife illegally hunted in the country	10,000-20,000 Birr (USD 300-700)	Up to 12 months	Yes					Yes	
07-00-000-000 OFFENCES RELATED TO THE DOMESTIC TRADE IN WILDLIFE											
07-02-000-000	Yes	Trading wildlife without authorization									
07-02-001-000	Yes	Selling wildlife without authorization	Between 10,000 and 100,000 Birr (USD 300 to 3,000). If protected species, fine is between 200K-300K Birrs (USD 6,000 to 9,000)	Between 3 and 5 Years. If protected species, between 5 and 15 Years	Yes				Yes	Yes	
07-02-001-001		Selling wildlife without sales authorization	Between 10,000 and 100,000 Birr (USD 300 to 3,000). If protected species, fine is between 200K-300K Birrs (USD 6,000 to 9,000)	Between 3 and 5 Years. If protected species, between 5 and 15 Years	Yes				Yes	Yes	
07-02-001-002	Yes	Selling wildlife after having the sales authorization revoked	Between 10,000 and 100,000 Birr (USD 300 to 3,000). If protected species, fine is between 200K-300K Birrs (USD 6,000 to 9,000)	Between 3 and 5 Years. If protected species, between 5 and 15 Years	Yes				Yes	Yes	







08-04-003-003	Yes	Importing, exporting or re-exporting wildlife carrying contagious diseases without reporting to quarantine authorities	Yes						Yes				
08-04-003-007	Yes	Exporting wildlife breaking mandatory quarantine requirements	Yes						Yes				
08-04-003-009	Yes	Unloading imported wildlife in a customs area outside of the authorized place	Yes	5-10 Years (10-15Y if using force or organized crime)	50,000 to 200,000 Birr				Yes				
08-04-003-010	Yes	Breaking or removing seals, marks or stamps affixed by customs officers without permission	Yes		7,000 to 15,000 Birr				Yes				
09-00-000-000 OFFENCES RELATED TO THE POSSESSION OF WILDLIFE													
09-02-000-000	Yes	Possessing wildlife without authorization	Yes	Between 3 and 5 Years. If protected species, between 5 and 15 Years	Between 10,000 and 100,000 Birr (USD 300 to 3,000). If protected species, fine is between 200K-300K Birrs (USD 6,000 to 9,000)				Yes				Yes
09-03-003-000	Yes	Possessing wildlife illegally imported	Yes	3-5 Years (10-15Y if using force or organized crime)	50,000 to 100,000 Birr				Yes				Yes

10-00-000-000 OFFENCES RELATED TO THE BREEDING OF WILDLIFE									
10-02-000-000	Yes	Breeding wildlife without authorization	Yes	Up to 10,000 Birr (USD 300)	Between 3 and 12 months	Yes	Yes	Yes	
10-02-001-000	Yes	Breeding wildlife without registration	Yes	Up to 10,000 Birr (USD 300)	Between 3 and 12 months	Yes	Yes	Yes	
10-02-002-000	Yes	Breeding wildlife specimen without documentation to proof their legal origin	Yes	Up to 10,000 Birr (USD 300)	Between 3 and 12 months	Yes	Yes	Yes	
11-00-000-000 OFFENCES RELATED TO EXHIBITING WILDLIFE									
11-01-000-000	Yes	Exhibiting wildlife	Yes	Up to 10,000 Birr (USD 300)	Between 3 and 12 months	Yes	Yes	Yes	
11-01-001-000	Yes	Organizing fights involin	Yes	Up to 10,000 Birr (USD 300)	Between 3 and 12 months	Yes	Yes	Yes	
12-00-000-000 OFFENCES RELATED TO SCIENTIFIC RESEARCH USING WILDLIFE									
12-02-000-000	Yes	Conducting scientific research on	Yes	Up to 10,000 Birr (USD 300)	Between 3 and 12 months	Yes	Yes	Yes	
13-00-000-000 OFFENCES RELATED TO OTHER USES OF WILDLIFE									
13-03-000-000	Partial	Using wildlife of illegal origin							
13-03-001-000	Yes	Using wildlife illegally hunted in the country		10,000-20,000 Birr (USD 300-700)	Up to 12 months	Yes	Yes	Yes	
14-00-000-000 OFFENCES RELATED TO ANIMAL HEALTH AND WELFARE									
14-03-006-000	Yes	Failure to report infected							
15-00-000-000 OFFENCES RELATED TO FORGERY OF WILDLIFE DOCUMENTS									
15-01-000-000		Falsifying elements on wildlife-related public and private transactions							
15-01-001-000	Yes	Falsifying public documents (e.g. hunting permit, breeding permit, etc)		5,000 -10,000 Birr (Custom Code)	5-10Y (Custom Code) - Up to 5Y (3-10 if grave harm) (Criminal Code)	Yes	Yes	Yes	



16-02-002-000	Yes	Refusing to provide documentation at the request of an inspector or enforcement officer	Up to 1,000 Birr	Up to 1 Y	Yes	Yes	Yes	Yes				
16-02-003-002	Yes	Providing false information to a customs officer	5,000 -10,000 Birr	6-12 months (up to 5 Years if using force or organized group)	Yes		Yes					
16-02-004-000	Partial	Refusing to allow lawful search of an inspector or enforcement officer	Up to 1,000 Birr	Up to 1 Y	Yes		Yes					
16-02-004-001	Yes	Refusing to allow search within customs area by enforcement officer	5,000 -10,000 Birr	6-12 months (up to 5 Years if using force or organized group)	Yes		Yes					
16-02-006-000	Yes	Assaulting verbally, morally or physically an officer or inspection authority in the exercise of their functions	Up to 1,000 Birr	Up to 1 Y	Yes		Yes					