

# Prospects and Retrospects of Environmental Impact Assessment Practices in Eastern Hararge, Ethiopia

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**Abstract:** *Integrity of environmental issues and consequent socio-economic sustainability has been and still supreme global, national and local concerns. EIA as a development and planning tool primarily established to meet national and local sustainable development aspiration well in advance. After the 1992 Rio-Earth summit formal EIA instituted in Ethiopia through appropriate environmental legislations, institutional and administrative arrangements. Despite the above encouraging measures, local EIA administrative organs have been barely empowered with the necessary resources to bring environmental concerns at the forefront of local development endeavors due to inadequate political commitments. Consequently, local EIA bodies faced tremendous hurdles to realize sustainable development in the study area.*

**Keywords:** Environmental impact assessment, public involvement, EIA administrative organs, sustainable development, environmental impacts, compliance auditing, environmental standard.

## 1. Introduction

Based on wisdoms of the day, current and future generations' need, wellbeing, prosperity and civilization quite often depend upon sustainability of environmental resources. Ironically, as Miller, 2007; elaborated, environmental concerns failed to feature in the development activities due to project evaluation and investment decisions solely focused on short-term economic gains. Unregulated economic growth posed growing risks of environmental accidents, and threats to life support system looms threatening over our civilization (Bharucha, 2004; and Demellawy, 2010). In order to avert the above, the 1992 Rio-Earth summit negotiated among all members of the UN, and adopted agenda 21, a wide ranging blue print for action to achieve sustainable development worldwide (Krishnamoorthy, 2008). Followed to the 1992 Rio-Earth summit, more than 170 signatory countries including Ethiopia assumed responsibility to undertake Environmental Impact Assessment (EIA) as a national and local environmental management tools to facilitate sustainable development aspirations well in advance (Abeza, Bisset, and Sadler, 2004). As principle 17 of Agenda 21 elaborated, the overall aims of EIA is to anticipate, eliminate and mitigate potential environmental, social and economic impacts from proposals; such as projects, programs and policy early in the planning process (Miller, 2007). In Ethiopia, environmental issue incorporated in article 44 of the Constitution, the EPA established by Proclamation No 9/1995: and the first comprehensive statements of Environmental Policy approved in April 1997 (EPA, 2000). Accordingly, EIA guideline document (May, 2000), and EIA proclamation No.299/2002 enacted to clarify scope, monitoring and EIA enforcement mechanisms. To its effect, especially in the study area, Megelete Oromya proclamation no.147/2009 formally established EIA administrative organs (SEU') at region, zone, and woreda level since 2009: with overall objective to ensure

sustainable socio-economic and environmental development through overseeing compliance with legal and procedural requirements of EIA undertaking. Ever since 2009, EIA administrative organs including land and environmental protection offices have been operating to discharge relevant responsibilities in almost 19 woredas of Eastern Hararge zone. Hence, this study was undertaken to assess and investigate EIA practices, related EIA administrative challenges, and prospects in the study area.

## 2. Research Objectives

This study inspired by policy-practice learning on EIA interfaces in particular setting. And as such, this research was undertaken with general objectives to demonstrate potential and actual challenges on EIA practices, and indicate prospects of EIA: through assessing EIA practices based on globally accepted principles of effective EIA implementation.

## 3. Theoretical Literature and Empirical Evidences

### 3.1 Environmental Impact Assessment

The concept and practice of EIA initiated in USA and part of Europe since 1970. However, EIA has global popularity during the 1992 United Nation led Rio-Earth summit (Abeza, Bisset, and Sadler, 2004). EIA is defined as the methodology of identifying and evaluating in advance any effect, be it positive or negative which results from implementation of proposed projects (UNCTAD, 2009). Krishnamoorthy, 2008 also described that, EIA designed to ensure that the environmental consequences of all development policy, programs or project options are understood and adequately considered during the planning process. Glasson, Therivea, and Chadwick, 2005; UNCTAD, 2009; Blowers, 2006; and Demellawy, 2010

explained that, EIA contributes to Sustainable development through the following stepwise process. First, EIA helps to identify potentially adverse social, environmental and economic impacts of a proposed project proactively. Second, EIA predicts, analyze and mitigate adverse consequences of a proposal hierarchically. Thirdly, it provides remedy or compensation for impacts, which are unavoidable and cannot be reduced further. In doing so, the cost and time of implementation is reduced; the impacts and violation of environmental laws and regulations avoided, and improved sustainability of project performance. Finally, EIA provides an opportunity to public security and participation in decision-making; together with this, it balances environmental as well as development needs of a society.

### 3.2. Approaches For Making the EIA Process Effective

Abaza, Bisset, and Sadler, 2004; and Krishnamoorthy, 2008; and Glasson, Therivea, and Chadwick, 2005 argued that, the following components including, self-directed assessment by development proponents and agencies; oversight of EIA implementation by a designated body; guidance on conducting EIA in accordance with legal and procedural requirements; and Public involvement including measures related to availability of information and opportunity to comment on the content of EIA reports and documentation. All of them comprise what may be termed the administrative machinery for delivering the principles of EIA process design and implementation that have gained a measure of international acceptance.

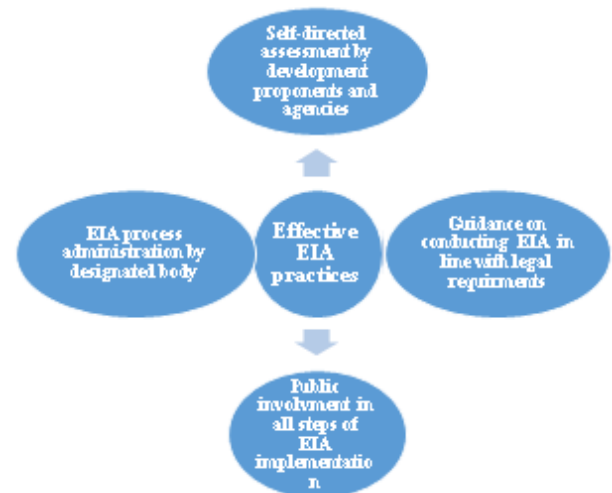
### 3.3 Empirical Evidences on EIA Practice

As ECA, 2005 described, following the Rio-Earth Summit, legal and institutional requirements of EIA accelerated by many countries through, first, introduction of environmental laws including statutory laws – laws developed and passed by national, and regional legislative bodies; and administrative laws- including rules, regulations, executive order and enforcement decisions related to the implementation and interpretation of statutory laws; secondly, institutional arrangement- local and national government offices established to undertake and supervise EIA. Despite the above, practical implementation of EIA is limited or weak in some developing countries, particularly Sub-Saharan countries (Abaza, Bisset, and Sadler, 2004). Major factors led to weak EIA implementation includes, the existence of little awareness on the importance of EIA amongst government sectors and the public; weak enforcement of environmental laws and regulations; poor coordination between agencies between national and local level; and limited public involvement (Bharucha, 2004; and Glasson, Therivea, and Chadwick, 2005). Additionally, implementing agencies often operate under sever human, financial, and related resource constraints; and poor integration on biophysical environmental impacts with social, economic and health impacts (Krishnamoorthy, 2008). More importantly, EIA practices have been weak in developing countries as the result of the perception that EIA may seem politically unrealistic, economic rather than environmental issues are the primary concern of most governments (Blowers, 2006).

As Blower further elaborated, mere day to day survival is the priority over most parts of the world. Owing to the above, global environmental problems, social and economic costs are getting tremendous (ECA, 2005). In fact, as Miller (2007, 651) described, if a nation's environmental foundation are degraded, or depleted, its economy may well decline, its social fabric deteriorate, and its political structure become destabilized as growing number of people seek to sustain themselves from declining resource stocks. Thus, national security is no longer about fighting forces, and weapon only lone. It relates increasingly to watersheds, croplands, forests, genetic resources, climate, and other factors that taken together are as crucial to a nation's security as are military factors.

### 3.4 A Conceptual Framework for Effective EIA Practice

The aim of the research is primarily deals with assessing major factors that affected EIA implementation in Eastern Hararge. Accordingly, the research investigate the inquiry based on the conceptual EIA framework of administrative machinery for delivering the principles of EIA process design and implementation that have gained a measure of international acceptance (Figure.1) as outlined by (Abaza, Bisset, and Sadler, 2004).



**Figure 1:** A conceptual framework for effective EIA practice (Adopted from Agenda 21)

## 4. Research Methodology

This research is done to investigate pertinent gaps of EIA practice and indicate prospects. In order to investigate the inquiry under study qualitative and quantitative approaches utilized. As Creswell, 2003; Gay, Mills and Airasian, 2009, argued this approach is preferred over others due to its merits to substantiate, cross-validate, or confirm findings within a single study as the research under consideration is complex and needs to be examined from various angles. Accordingly, 2 zone, and 8 woreda level EIA experts; and 2 zone and 1 regional EIA administrators; and 4 proponents were selected as sample respondents to focused group discussions and key informants interview. Additionally, pertinent secondary data including international, national and local, environmental policies,

strategies and reports were also vigorously utilized. Finally, both data sources were analyzed, narrated and interpreted thematically. In the due course, entire process of analysis will be shaped up within the blue prints of conceptual framework (Figure.1).

## 5. Results and Discussions

In line with the above-mentioned framework, basic aspects and findings regarding EIA practices, corresponding challenges and prospects presented in the following manner.

### 5.1 Self-Directed EIA

Based on Abaza, Bisset, and Sadler, 2004 self-directed assessment recognized internationally as an important measure that proponents who are responsible for development activities made accountable for their environmental decisions and actions. In accordance with the above, the federal environmental policy dictated that an EIA should be made “by the relevant sectoral ministries or departments, if in the public sector, and by the developer, if in the private sector (Tesfaye, 2012). According to 2014 report of Eastern Hararge zone land and Environmental protection office, ever since 2009 private development proposals including, 2 Horticultures, 1 Mineral water, 1 Bio fuel, and 2 dry coffee processing factories: along with 18 public irrigation projects, and 44 public road construction projects had been proposed. Due to peculiar nature and aspects inherited in those proposed development projects, the national EIA guideline (EPA, 2002) categorized them as sensitive projects that required prior EIA undertaking. In line with Krishnamoorthy, 2008; Tesfaye 2012; and EPA, 2000 for investment endeavor to be sustainable, EIA need to be effectively practiced in advance of project approval. In contrary to the above, based on various data sources, almost all proposals implemented in the study area without EIA undertaking and limited issuance of environmental permit from concerned regional and local environmental protection bodies. A case in point, “The accidental allocations of land for a German bio-fuel investment project inside the Babille Elephant sanctuary” could be seen as one of the spectacular events (Kruger, Aman and Inku, 2012).

The difficulties to proactively assess adverse impacts of development proposals and corresponding hurdles to prohibit activities of industries in environmental sensitive areas have caused significant challenges. The 2007 environmental assessment reports of Oromia regional state revealed that unregulated solid and waste disposals from industries; unmanaged chemical and pesticide application by private agri-business; and execution of extensive public road constructions and irrigation projects without take in to consideration of the eco-system caused tremendous environmental degradation in urban and rural areas. Such counter-productive and unsustainable development activities jeopardized integrity of socio-economic and environmental concerns of various stakeholders in various forms (Economic Commission for Africa, 2005). As outlined by Mulugeta, 2012 the entire efforts of development endeavors have been moving faster than the

means to control and supervise it. Based on an assessment made by this research, the entire efforts of EIA practices have faced tremendous challenges to realize sustainable socio, economic and environmental development due to the following interrelated pertinent factors.

#### 5.1.1 Coordination among Sectoral Environmental Units (SEU)

Mulugeta, 2012 described, EIA administrative organs that is “SEU” came in to exist with the primary responsibilities of coordinating and following up development activities in harmony with environmental laws and regulations. In this regard, as Kruger, Aman and Inku, 2012 investment licensing agencies are required by law to ensure that EIA either is done or is not mandated for private investment projects before approving an investment permit. Interview results revealed that, federal and regional investment licensing offices allowed projects to be operated in the study area without undertaking EIA and corresponding environmental permits. Additionally, 44 public road construction and 18 irrigation projects executed by SEU without adequate consultation with concerned environmental protection offices. The 2007 environmental assessment report of Oromia regional state disclosed poor institutional coordination among local EIA administrative organs including, lack of appropriate and fair awareness on environment in SUE; the existence of minimal efforts to integrate EIA in project cycles; lack of environmental focal persons and insignificant consultations within SUE, all contributed to the prevalent weak EIA practices. In the nutshell, the pursuit of unregulated private short-term economic gains and the desire to satisfy urgent development needs override basic environmental concerns.

#### 5.1.2 Public Involvement in the EIA Process

Abaza, Bisset, and Sadler, 2004 argued that public involvement make information available to the concerned public and seek their views and comments in an open, transparent and accountable manner. In order to prepare robust and defensible EIA studies that brings acceptable social and environmental outcomes. Public involvement instituted in EIA as a defining component after the right to development (principle3), the right to participation (principle 10), and the right to be safe (principle 22) which ratified by signatory countries in the 1992 UN Rio-Earth summit (Krishnamurthy, 2008). Accordingly, article 92 and article 44 of the 1995 FDRE (Federal Democratic Republic Ethiopian) Constitution recognizes the right of the people to be consulted and express their views on the planning and implementation of policies and projects; the right of citizens to live in a clean environment; and the rights to get commensurate monetary or alternative compensation. In line with the above, Environmental policy of the country (EPA, 1997) provided explicit principle to empower communities to make their own decisions on matters affecting their lives and environment. As to Mulugeta, (2012) this presumed to increase consideration of local environmental conditions and the opinions of local people who often bear the highest environmental cost of development decisions.

The EIA guideline document (EPA, 2002) argued that proponents along with affected communities are required



to conduct an independent, free, transparent and credible EIA. To its effect, the guideline empowered local EIA administrative bodies' to guide and enforce public involvement provision in the EIA process. In spite of the above, Tesfaye, 2012; and Mulugeta, 2012 described that in Ethiopia, there is no functional mechanisms for ensuring public involvement. In other words national environmental law does not clearly indicated the procedures including how, when and where to implement public involvement. In spite of the above, focused group discussion results revealed, local environmental protection offices relatively promoted communities' environmental awareness through establishing environmental clubs in the study area. Nevertheless, the entire local development endeavors did not feature public involvement as per EIA guideline. In other words, local communities and relevant stakeholders' basic interests have not been appropriately considered by executed and on-going private and public projects. As to an assessment made by this research, lack of functional mechanisms to public involvement, limited community understanding on environmental rights; lack of technical skills to participate in EIA; inadequate cooperation among communities, local NGO's and local EIA administrative organs, all contributed public involvements to be barely synchronised in development endeavours of the study area.

### **5.1.3 Compliance on Environmental Monitoring and Auditing**

Abaza, Bisset, and Sadler, 2004 compliance on environmental monitoring, and auditing require evaluating factories as to whether they respect laws and environmental standards: the way of handling production instruments, chemical disposals, efficient use of resources and their environmental impacts. As outlined by Kruger, Aman, and Inku, 2012 compliance on environmental monitoring and auditing practices have been expensive and difficult to exercise in large parts of the country including the study area. The following aspects identified as major challenges on compliance on EIA monitoring and auditing.

#### **5.1.3.1. Preconditions for Project Approval and Implementation**

National EIA guideline of the country (EPA, 2002) and Megelete Oromya proclamation no. 147/2009 clearly empowered local EIA administrative bodies to undertake periodic monitoring to check as to whether prior agreed up on preconditions of project approval including mitigation measures and monitoring plans are implemented or not. For the above to happen, the entire process of project approval and implementation decision need to be made based on prior EIA undertaking (Kruger, Aman, and Inku, 2012; and Krishnamoorthy, 2008). Based on an interview result, one of the most pertinent problems in the study area with regard to monitoring has been lack of EIA undertaking. In fact, specific consensual preconditions for project approval and implementation including, contractual agreements, mitigation measures and environmental management plan that should have been served as environmental monitoring lost from the scene of EIA process. Such scant environmental monitoring performances in the study area in turn reposition the entire efforts of environmental management from proactive to reactive approach.

#### **5.1.3.2 Environmental Pollution Standards**

Compliance on environmental auditing requires well-established context specific environmental standards including, ambient air and water quality, emission and discharge limits that industries need to comply with during operation and decommission of projects (Abaza, Bisset, and Sadler, 2004). To its effect, obligations of industries must be defined in EIA guideline and be enforceable without cost to the community such as by the inclusion of predefined sanctions in case of non-compliance (Vhugen, 2012). Nonetheless, as Kruger, Aman, and Inku, 2012 described that long time experiences of lacking binding standards at national level imposed tremendous challenges to undertake EIA auditing. In fact, as various data sources including the 2007 environmental assessment report of Oromia regional state clearly indicated that, unregulated effluents and wastes that have been discharging from both private industries and public owned projects have caused devastating environmental degradations in the region including the study areas.

#### **5.1.3.3 Institutional Capacity of Local EIA Administrative Organs**

In order to strengthen local level compliance auditing, the same proclamation on pollution control no.300/2002 allowed regional and local environmental protection bodies to adopt stricter area specific environmental standards than the federal standards regarding establish maximum allowable concentration of environmental pollutants, regulation and deterrent punishments to those who endanger human environmental safety and health. In spite of all legal empowerments, area specific standards and consequent compliance auditing barely executed in the study area. Mulugeta, 2012; Krishnamoorthy, 2008; and Kruger, Aman, and Inku, 2012 all agreed that establishment of environmental standards and corresponding regulation, and follow up of environmental auditing require sufficient human and physical resources. Nevertheless, as the focus group discussion results revealed, EIA administrative machineries have been suffering from shortage of skillful personals both in qualitative and quantitative terms. Local environmental protection offices have been also working with physical and finance resource constraints. Most importantly, Zone and woreda level EIA administrative heads have been assigned to the position based on their political affiliation rather than merit requirements of EIA. Due to inadequate institutional means and limited implementation capacities, imperative issues including undertaking of biophysical, social and economic base line study, establishments of permissible environmental standards, analysis and evaluation of project specific impacts and mitigation measures became tremendously difficult. Consequently, industries emission levels and related impacts have not proactively investigated. Additionally, due to lack of pre-set environmental standard and related loopholes, local EIA administrators did not make corrective measures through initiating legal proceeding against defaulters in the court of law. Most importantly, as Kruger, Aman, and Inku, 2012 argued local development officials do not have the political standing to challenge wealthy businesspersons who may have better political connection at a higher level in the government. In the nutshell, local communities'

rights to be safe from development led hazards and related basic socio-economic and environmental concerns barely addressed in the study area.

#### 5.1.4 Citizen Suits Enforcement Against Environmental Pollution

"The polluter or user pays" international environmental principle hold that polluter and users of natural resources should bear the full environmental and social costs of their activities (Mulugeta, 2012). The proclamation on pollution control no.300/2002 empowered citizens to appeal directly to court to enforce environmental standards against polluting industries without having a "vested interest" (Kruger, Aman, and Inku, 2012). On top of the above, in the absence of prescribed environmental standards, communities' norms and values towards pollution incidence could serve to initiate environmental litigations against defaulters (proclamation on pollution control no.300/2002). In fact, though citizen suit rights could not avoid adverse impacts in advance of happening; it empowered affected communities' to claim compensations from polluting industries by themselves. As key informants interview results revealed, even if, there were occurrences that affected local communities' appealed pollution cases in court of law, citizen suit rights challenged to promote interests of affected local communities. Despite Tesfaye, 2012 argued that citizen enforcement is considerably less expensive than enforcement by regulatory agencies; the actual practice on the ground dictated otherwise.

The constitution, environmental legislations and corresponding environmental act of the country described communities need to be safe from development led hazards, and if any, compensation needs to be given to affected community. Nonetheless, development activities, which adversely affected local communities, have not been accountable. As interview results revealed, local communities' minimal scientific understanding on pollution limit and impacts, inadequate EIA guidance from local environmental protection offices, absence of corporate social responsibilities, and delayed decisions by court of law weaken enforcements of citizen suits against pollution.

#### 5.1.5 Corporate Social Responsibility

Investors today are prudent to consider the principles of socially responsible investment, which attempts to create positive social changes, minimize environmental change and incorporate religious or ethical beliefs in to the investment process (Vhugen, 2012; and Tesfaye, 2012). Hence, socially responsible investors must look in to environmental issues and risks on a short-term and long-term basis. Proponents' interview results revealed that, given limited capital, inadequate managerial and technical skills, and inadequate exposures to international environmental best practices; the issue of social responsibility barely implemented by industries in the study area. On top of that, absence of incentive mechanisms to promote good environmental performances, and the prevalent scarce EIA enforcement mechanisms among others led proponents not to comply with pertinent environmental regulations. Most importantly, as various data sources indicated, relevant issues like undertaking

EIA considered by proponents as wastage of time and money.

## 6. Summary

EIA formally instituted in Ethiopia: with primary objectives to realize sustainable socio-economic and environmental development. To this end, building blocks of EIA including environmental legislations, institutional arrangements and administrative mechanism established in accordance with international environmental principles. In spite of the above encouraging measures, local EIA administrative machineries faced a range of difficulties to discharge EIA relevant responsibilities in the study area. Among which, insufficient coordination among SEU'; limited implementation capacity; inadequate public involvement; unsatisfactory EIA auditing; lack of standards and agreed preconditions for project approval; weak enforcements against environmental pollution; and absence of good corporate social responsibility contributed to the prevailing scant EIA practices. Owing to the above, public and private investment projects showed little interests to environmental integrity and long term socio-economic concerns. Rather the entire local development efforts quite often pursued short-term economic gains and urgent social development needs. Such unregulated economic growth endeavors in turn potentially indorsed unjust resource sharing, and intergenerational environmental injustice in the study area.

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