

This comprehensive report incorporates five separate reports classified in that order from part I to part V: legal review, stakeholder assessment, Situational analysis, Situational and value chain analysis, and Business Process Analysis.

Comprehensive Report on data collection of diagnostics component of national logistics master plan

Part I, II,III,IV,V

To:DTGlobal

By Dilneshau A., Binyam A. (Addis Ababa University)

@dilsalemrich@gmail.com;+2511911123502

September, 2023



A report presented as part of data collection for diagnostic component of national logistics master plan and this legal review provides description of transport and logistics related legal instruments approved by the Federal Democratic Republic of Ethiopia and its focal institutions

Legal Review Report

Part 1 of comprehensive report on data collection for diagnostics component of national logistics master plan



To:DTGlobal
Dilneshau A., Binyam A. (Addis Ababa University)
@dilsalemrich@gmail.com;+2511911123502
September, 2023

By

Ababa University)

Table of Contents

Overview	3
Proclamations	3
Policy and plans.....	31
Regulation	41
Directives.....	71

Overview

This legal report documents the summary of logistics related proclamations, planning and policy documents, regulations, and directives.

Proclamations

1. The Federal Executive Organs Proclamation No. 1263/2021 Article 30/1 and 2: Duties and Responsibilities Ministry of Transport and Logistic

Proclamation identification:

Name of Proclamation: The Federal Executive Organs Proclamation No. 1263/2021 Article 30/1 and 2: Duties and Responsibilities Ministry of Transport and Logistic

Proclamation number: 1263/2021

Version: English/Amharic

Effective date: 6th day of October, 2021

Description and objectives:

The proclamation is ratified to reorganize the organizational structure and define the powers and duties of the executive organ have not been able to establish sustainable reorganizational structures and designation of institutions and as a result it has become impossible to ensure the continuity of institutions and uniformity of designation. Accordingly, the Federal Executive Organs Proclamation No. 1263/2021 Article 30/1 and 2 gave duties and responsibilities for Ministry of Transport and Logistic.

Strength:

Unlike the previous proclamations, it brought the term logistic explicitly in the ministry name and duty and responsibility.

Weakness

It does not exhaust the safety, accident investigation and the regulation duties of the railway sector

Recommendation:

The national logistics master plan needs to recognize that The Federal Executive Organs Proclamation No. 1263/2021 Article 30/1 and 2 gives duties and responsibilities to Ministry of Transport and Logistic which entitle legal jurisdiction. It also needs to note the needed policy

intervention and regulations in the logistic industry and all transport modes need explicit list out in the ministry duty and responsibility.

2. Proclamation No. 1179/2020 A Proclamation to Provide for The Amendment of Civil Aviation Proclamation

Proclamation identification:

Name of Proclamation: A Proclamation to Provide for The Amendment of Civil Aviation Proclamation

Proclamation number: 1179/2020

Version: English/Amharic

Effective date: 24th day of March, 2020

Description and objectives:

The proclamation amendment was ratified to reorganize the air craft accident and incident investigation bureau which used to be under Ethiopian Civil Aviation Authority has been established as a neutral body through Proclamation 957/2016 in accordance with the standards and recommended practices in Annex 13 of the convention on international civil aviation. Also, it was required to amend Ethiopian Civil Aviation Proclamation No. 616/2008 in view of the dynamic nature of the aviation industry.

Strength:

It updated the organization duty and responsibility in line to what the sector demands.

Weakness

The stated definition for Aircraft means “any machine that can derive support in the atmosphere from the reactions of the air with itself other than the reactions of the air against the earth’s surface.” might be extended to Magnetic Levitation Railway.

Recommendation:

The national logistics master plan needs to recognize that the civil aviation establishment proclamation is amended to incorporate the air craft accident and incident investigation bureau which used to be under Ethiopian Civil Aviation Authority has been established as a neutral body through Proclamation 957/2016 in accordance with the standards and recommended practices in Annex 13 of the convention on international civil aviation. During revision of this proclamation putting the minimum height of levitation can delineate magnetic levitation railway from aviation.

3. Proclamation No.1103/2019 The Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Israel Ratification Proclamation

Proclamation identification:

Name of Proclamation: The Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Israel Ratification Proclamation

Proclamation number: 1103/2019

Version: English/Amharic

Effective date: 4th day of February, 2019

Description and objectives:

This Proclamation ratified the Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the State of Israel was signed in Addis Ababa on the 15th day of September, 2011.

Strength:

It enhanced the air transport service between the two countries.

Weakness

The proclamation was ratified in the House of people representative after 8 years from the day of agreement signature.

Recommendation:

The national logistics master plan needs to recognize that Ethiopia and Israel signed air service agreement between the two countries.

4. Proclamation No.1104/2019 Bilateral Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the French Republic Ratification Proclamation

Proclamation identification:

Name of Proclamation: Bilateral Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the French Republic Ratification Proclamation

Proclamation number: 1104/2019

Version: English/Amharic

Effective date: 1st day of February, 2019

Description and objectives:

This Proclamation ratified the Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of French Republic was signed in Paris on the 30th day of January, 2017 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 2nd day of February, 2019.

Strength:

It enhanced the air transport service between the two countries.

Weakness

Recommendation:

The national logistics master plan needs to recognize that Ethiopia and France has signed air service agreement between the two countries.

5. Proclamation No. 1074/2018 A Proclamation to Provide for Driver's Qualification Certification License

Proclamation identification:

Name of Proclamation: A Proclamation to Provide for Driver's Qualification Certification License

Proclamation number: 1074/2018

Repealed and Inapplicable Laws:

1. The Drivers Qualification Certification License Proclamation No 600/2008 is repealed.
2. Notwithstanding the provision of sub-article (1) of this Article, all regulations issued pursuant to Proclamation No. 600/2008 and are in force shall, in so far as they are not inconsistent with the provisions of this Proclamation, be deemed to have been issued under this Proclamation and shall continue in force.
3. No Proclamation, regulations, directives or practice shall, in so far as they are inconsistent with the provision of this Proclamation, be applicable with respect to matters provided for by this Proclamation

Version: English/Amharic

Effective date: 14th day of February, 2018

Description and objectives:

The proclamation preamble stated that the prevailing causes of traffic accident against human life and property mainly arises due to the deficiency in the procedure of issuance of driving license and it is found necessary to bring about qualified drivers by averting the existing situation. It has also been found necessary to create a uniform, standard and effective system for the issuance of qualification certification of driving license at national level and has been found necessary to amend the requirements to be fulfilled to obtain driver`s qualification license to reduce traffic accident that occur due to lack of experience and competence in driving. To address these problems this proclamation is ratified with the following objectives:

1. To ensure that drivers operate vehicles in appropriate condition by acquiring adequate driving skill to achieve safe transport service;
2. To set nationwide driving qualification standard and establish a system for the issuance of driving license qualification certification free from forgery, corruption and bureaucratic red tape;
3. To ensure bilateral and multilateral agreements relating to qualification of driving and movements of traffic on any Ethiopian roads are observed by drivers.

Strength:

It updated the drivers` requirements and the stakeholders` duties and responsibilities to in line to what the sector demands.

Weakness

In practice it has created variable validity period of the driver`s qualification certification license entitlement between the license certificate awarded before and after this proclamation.

Recommendation:

The national logistics master plan needs to recognize that to Provide for Driver`s Qualification Certification License the proclamation is ratified and practiced.

6. Proclamation No.1048/2017: Railway Transport Administration Proclamation

Proclamation identification:

Name of Proclamation: Railway Transport Administration Proclamation

Proclamation number: 1048/2017

Repealed and Inapplicable Laws:

1. The provisions of Article 2 (33), Article 3 (2), Article 7(4) and the phrase “or operate a train on Ethiopian railways” under Article 23(1) of the Transport Proclamation No. 468/2005 are hereby repealed by this Proclamation.
2. The provisions of Article 24, 25, 26.27, 28 and 29 of the Railway Transport Traffic and Safety Control Council of Ministers’ Regulations No. 348/2015 are hereby repealed by this Proclamation.
3. No law or practice inconsistent with this Proclamation shall have effect with respect to matters provided by this Proclamation.

Version: English/Amharic

Effective date: 26th day of July 2017

Description and objectives:

The Railway Administration proclamation is necessary to create favorable condition for the expansion of railway transport for making it supportive for the country’s social and economic development as a transport sub-sector and to establish a system that determines national standard for the construction of railway infrastructure and conditions under which railway infrastructure is put in service.

Strength:

It has introduced railway administration legal framework.

Weakness

1. “locomotive” is defined and used as any train that moves on a rail using a power generated from a motor mounted on it, which also wrongly referring Multiple Unit trains and other rail vehicles. It also, gave the same alternative definitions for “train” means a vehicle which moves on a rail using its own motor or by being pushed or pulled by another motor vehicle which has a power mounted on it, and classified as either locomotive or wagon;

2. The Scope delineates non-standard gauge railway which makes it inapplicable to the legacy Ethio-Djibouti Railway.
3. It assumed the state-owned railway industry and privatization is not well addressed.
4. It does not refer the importance of an independent accident investigation body.

Recommendation:

The national logistics master plan needs to recognize that the railway transport administration proclamation and revision is needed to rectify syntax errors in the usage technical terminologies and underscoring the importance of an independent accident investigation body for the railway industry.

7. Proclamation No 1014/2017: Bilateral Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Djibouti for the Development, Operation and Management of Standard Gauge Railway Network Ratification

Proclamation identification:

Name of Proclamation: Bilateral Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Djibouti for the Development, Operation and Management of Standard Gauge Railway Network Ratification

Proclamation number: 1014/2017

Repealed proclamation:

Version: English/Amharic

Effective date: 4th day of June, 2017

Description and objectives:

The proclamation ratified the Bilateral Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Djibouti for the Development, Operation and Management of Standard Gauge Railway Network, signed on the 14th day of July, 2012 by the House of People Representative of the Federal Democratic Republic of Ethiopia at its session held on the 25th day of May, 2017

Strength:

8. It enabled the two countries to connect by railway and established the two countries railway operator company.

Weakness:

9. The agreement ratified by the House of People Representative five years after the agreement was signed by both countries and the railway commenced operation.
10. The bilateral agreement is not yet enabled the railway to access the port seamlessly

Recommendation:

The national logistics master plan needs to recognize that Ethiopia and Djibouti signed and put in place bilateral agreement for the Development, Operation and Management of Standard Gauge Railway Network and for accessing port of Djibouti seamlessly by railway requires further economic diplomacy work.

11. Proclamation No 1052/2017 Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Sudan for the Development, Operation and Management of Standard Gauge Railway Network Ratification Proclamation

Proclamation identification:

Name of Proclamation: Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Sudan for the Development, Operation and Management of Standard Gauge Railway Network Ratification Proclamation

Proclamation number: 1052/2017

Repealed proclamation:

Version: English/Amharic

Effective date: 1st day of December 2017

Description and objectives:

The proclamation ratified the Bilateral agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Sudan for the Development, Operation and Management of Standard Gauge Railway Network, signed on December 4, 2013 by the House of People Representative of the Federal Democratic Republic of Ethiopia at its session held on the of 2nd November day of 2017.

Strength:

- Agreeing to build standard gauge railway is helping for having an interoperable railway network to connect the two countries and access the port of Sudan.

Weakness:

- The agreement ratified by the House of People Representative four years after the agreement was signed by both countries.
- Realizing the railway line has been lingered by economic and political instability in the region.

Recommendation:

The national logistics master plan needs to recognize that Ethiopia and Sudan have signed and put in place bilateral agreement for the Development, Operation and Management of Standard Gauge Railway Network and the railway is yet in feasibility study phase.

12. Proclamation No.1057/2017 Bilateral Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of Republic of Kenya on joint boarder controls, procedures, facilities and management at Moyale Border Post Ratification Proclamation.

Proclamation identification:

Name of Proclamation: Bilateral Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of Republic of Kenya on joint border controls, procedures, facilities and management at Moyale Border Post Ratification Proclamation

Proclamation number: 1057/2017

Repealed proclamation:

Version: English/Amharic

Effective date: 12/12/2017

Description and objectives:

The proclamation ratified the bilateral agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of Republic of Kenya on joint border controls, procedures, facilities and management at Moyale Border Post signed in Addis Ababa on 23rd April 2014. The MoTL is delegated to implement it.

Strength:

It provided a basis for joint border control with Kenya

Recommendation:

The national logistics master plan needs to recognize that Ethiopia and Kenya put in place joint boarder control procedures, facilities, and management that is mandated to MoTL.

13. Proclamation No.1063/2017 A Proclamation to Ratify the Maritime Labour Convention

Proclamation identification:

Name of Proclamation: A Proclamation to Ratify the Maritime Labour Convention

Proclamation number: 1063/2017

Repealed proclamation:

Version: English/Amharic

Effective date: 11th day of December, 2017

Description and objectives:

The proclamation ratified The Maritime Labour Convention adopted by the International Labour Conference of the International Labour Organization at Geneva; Switzerland on 23rd February 2006 and came in to force as 20 August 2013 by the House of peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 16 day of November 2017. .

Strength:

It helps to ensure the rights and duties of sea fare workers to the accepted world standard

Weakness:

It was ratified by the House of People Representatives after 4 years it came into effect globally.

Recommendation:

The national logistics master plan needs to recognize that Ethiopia he Maritime Labour Convention adopted by the International Labour Conference of the International Labour Organization at Geneva; Switzerland on 23rd February 2006.

14. Proclamation No. 1054/2017 The Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of the Philippines Ratification Proclamation

Proclamation identification:

Name of Proclamation: The Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of the Philippines Ratification Proclamation

Proclamation number: 1054/2017

Version: English/Amharic

Effective date: 24th day of November, 2017

Description and objectives:

This Proclamation is ratified the Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of the Philippines was signed in in Manila on the 8th day of October 2014, 2017 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 2nd day of November, 2017

Strength:

It enhanced the air transport service between the two countries.

Weakness**Recommendation:**

The national logistics master plan needs to recognize that Ethiopia and Philippines have signed air service agreement between the two countries.

15. Proclamation No. 957/2016 Ethiopian Aircraft Accident and Incident Investigation Proclamation**Proclamation identification:**

Name of Proclamation: Ethiopian Aircraft Accident and Incident Investigation Proclamation

Proclamation number: 957/2016

Version: English/Amharic

Effective date: 12th day of July 2016

Description and objectives:

The proclamation is intended to establish strong system that could prevent the aircraft accidents by an independent investigation and analyze the causes and contributing factors, and provide prompt safety recommendations based on its findings so as to sustain the country's ever increasing air transport service in a safe and secure manner. It is also important to the country to fulfill its international commitments particularly to establish aircraft accident and serious incident investigation organ in accordance with Annex 13 of the 1944 Chicago Convention.

This Proclamation is ratified the Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of the Philippines was signed in in Manila on the 8th day of October 2014, 2017 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 2nd day of November, 2017. So that the proclamation is ratified with the following objectives:

- To conduct independent and impartial investigation on aircraft accident and serious incident occurrences;
- Identify safety deficiencies as evidenced by aviation occurrence investigation;
- To investigate aircraft accident or serious incident with the objective to prevent accidents and not apportioning blame or liability; and
- Provide safety recommendations designed to eliminate or reduce any such safety deficiencies.

Strength:

Helps to establish and operate impartial accident investigation body.

Weakness

Recommendation:

The national logistics master plan needs to recognize that Ethiopian Aircraft Accident and Incident Investigation proclamation is ratified and organization body for this task is established.

16. Proclamation No. 811/2013: A Proclamation to Provide for Trucks Demurrage

Proclamation identification:

Name of Proclamation: A Proclamation to Provide for Trucks Demurrage

Proclamation number: 811/2013

Version: English/Amharic

Effective date: 18th day of December, 2013

Description and objectives:

The proclamation is aspired to transport export and import goods with appropriate cost and within short period of time to the port or from port to consumer distribution channels across the country. It is also essential to address the inefficiencies of shippers and consignees, warehouses providing loading and unloading facilities and regulatory bodies conducting inspection are resulting in considerable time loss in truck operations. Furthermore, it has become necessary to enact a legislation on trucks demurrage to avoid such loss of time in truck operations and to increase the frequency of use of trucks and thereby increase freight carrying capacity and shorten the waiting time of goods at ports to minimize unnecessary costs and to avoid related problems.

Strength:

- Helps to increase the trucks performance and efficiencies

Weakness

- The demurrage charge is not updated to the current market price.
- The Working Hours for Loading, Unloading and Inspection time limitation do not distinguish the queuing time and the service time.
- The demurrage charge payment system should be automated

Recommendation:

The national logistics master plan needs to recognize that Trucks Demurrage is introduced and improvements in trucks performance and efficiency are improved. The proclamation needs revision on demurrage charges, to automate the systems and delay time measurements.

17. Proclamation No. 815/2013. A Proclamation to Ratify the Bilateral Air Service Agreement Between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Senegal

Proclamation identification:

Name of Proclamation: A Proclamation to Ratify the Bilateral Air Service Agreement Between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Senegal

Proclamation number: 815/2013.

Version: English/Amharic

Effective date: 6th day of January, 2014

Description and objectives:

This Proclamation is ratified the Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of the Senegal was signed in in Addis Ababa on the 23rd day of January, 2009 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 24th day of December, 2013.

Strength:

It enhanced the air transport service between the two countries.

Weakness

The agreement ratified after four years signed by both countries.

Recommendation:

The national logistics master plan needs to recognize that Ethiopia and Senegal have signed air service agreement between the two countries

18. Proclamation No. 820/2014: Montreal Convention for the Unification of Certain Rules for International Carriage by Air

Proclamation identification:

Name of Proclamation: Montreal Convention for the Unification of Certain Rules for International Carriage by Air

Proclamation number: 820/2014.

Version: English/Amharic

Effective date: 17th of 2014

Description and objectives:

This Proclamation is ratified the convention for the unification of the certain rules for international carriage by air was adopted at Montreal, on 28th May 1999 and entered into force as of the 4th November, 2003 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 21st day of January, 2014.

Strength:

- Faster shipments for businesses that rely on air cargo
- Reduction in administration, cargo litigation and ability to use electronic airway bills for airlines
- A practical, no-cost trade facilitation measure, so good for the economy

Weakness

- It is limited to international commercial flights only.
- It is accepted after ten years came into enforce globally

Recommendation:

The national logistics master plan needs to recognize that Ethiopia has accepted the Montreal Convention for the Unification of Certain Rules for International Carriage by Air for international commercial flights.

19. Proclamation No.743/2012 Revised African Maritime Transport Charter Ratification Proclamation.

Proclamation identification:

Name of Proclamation: Revised African Maritime Transport Charter Ratification Proclamation.

Proclamation number: 743/2012

Version: English/Amharic

Effective date: 8th of June, 2012

Description and objectives:

This Proclamation is ratified the Revised African Maritime Transport Charter was adopted by the summit of Heads of State and Government of the African Union in Kampala, Uganda, on 26 July, 2010 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 17th day of May, 2012. The objectives of the African Maritime Charter are:

- Declare, articulate and implement harmonized maritime transport policies capable of promoting sustained growth and development of African merchant fleets and to foster closer cooperation among the States Parties of the same region and between the regions.
- Facilitate and encourage regular consultations for determining African common positions on issues of international maritime policy and to define, for each given problem, concerted solutions.
- Promote effective implementation of international maritime instruments to which Member States are parties.
- Promote bilateral and multilateral cooperation among the maritime administrations of States Parties, and their respective operational organizations in the field of maritime and inland waterways transport and port activities.
- Promote the funding, undertaking of research studies by national institutions that encourage the promotion and development of cooperation in maritime and inland waterways transport and port operations among States Parties and regions.
- Encourage the establishment and support of maritime and ports administrations.
- Encourage the establishment of shippers' councils and support them in the performance of their functions.
- Promote the establishment of national and regional shipping lines and provide them the assistance necessary for their success.

Strength:

The Charter further seeks to promote cooperation between States parties, regional and international organizations.

Weakness

- It needs instruments to enforce it.
- The Maritime service needs to be backed by an integrated and efficient in land interoperable transport and logistic system.

Recommendation:

The national logistics master plan needs to recognize that Ethiopia has accepted Revised African Maritime Transport Charter which requires enforcing instruments and an integrated and efficient in land interoperable transport and logistic system.

20. Proclamation No. 559/2008 Vehicle Insurance Against Third Party Risks Proclamation

Proclamation identification:

Name of Proclamation: Vehicle Insurance Against Third Party Risks Proclamation.

Proclamation number: 559/2008

Version: English/Amharic

Effective date: 8th of June, 2012

Description and objectives:

The occurrence of accidents caused by vehicles is escalating from time to time and loss of lives, bodily injuries and damages to properties caused by vehicle accidents are creating social problem. So that it is necessary to establish a system for facilitating the provision of emergency medical treatments to victims of vehicle accidents, and to require owners of vehicles to have third party insurance coverage against third party risks. This proclamation intended to institutionalizes the third party vehicle insurance.

Strength:

Institutionalizes the third party vehicle insurance and it is necessary to establish a system for facilitating the provision of emergency medical treatments to victims of vehicle accidents, and to require owners of vehicles to have third party insurance coverage against third party risks;

Weakness

The amount of compensation due to damage caused by an insured vehicle shall not exceed the following values requires revision to the current economic situation

Recommendation:

The national logistics master plan needs to recognize that Vehicle Insurance Against Third Party Risks is institutionalized and practice nationally. However, revision requires to the amount of compensation due to damage caused by an insured vehicle.

21. Proclamation No. 589/2008. A Proclamation to Establish a Revolving Fund for Road Development Projects

Proclamation identification:

Name of Proclamation: A Proclamation to Establish a Revolving Fund for Road Development Projects.

Proclamation number: 589/2008

Version: English/Amharic

Effective date: 14th of July, 2008

Description and objectives:

It has become necessary to establish revolving fund for road development projects to prevent the recurrence of problems that have ensued from delay on the part of donor or lender organizations financing road development projects disbursing sums payable to persons or organizations supplying goods or rendering construction or consultancy services for those projects.

The objectives of the Fund are:

1. To expedite the execution of road development projects;
2. To avert financial loss, the government may sustain as result of interest and compensation claims brought by suppliers, contractors or consultants against Ethiopian Roads Authority for

default in timely payment resulting from disbursement delay on the part of donor or lender organizations financing road development project

Strength:

helps to avoid unnecessary inconveniences and costs due to project finance delays

Weakness

The allocated 75,000,000 birr revolving fund amount needs update to the current market and economic situations

Recommendation:

The national logistics master plan needs to recognize that establish revolving fund for road development projects to prevent the recurrence of problems that have ensued from delay on the part of donor or lender finance. However, revision requires to the amount of the allocated 75,000,000 birr revolving fund to the current market price.

22. Proclamation No. 600/2008 Driver's Qualification Certification License

Proclamation identification:

Name of Proclamation: A Proclamation to Driver's Qualification Certification License.

Proclamation number: 600/2008

Version: English/Amharic

Effective date: 25th day of August, 2008

Description and objectives:

It is Repealed by Proclamation No. 1074/2018: A Proclamation to Provide for Driver's Qualification Certification License

23. Proclamation No. 588/2008. A Proclamation to Define the Liability of the Dry Port to the Consignee

Proclamation identification:

Name of Proclamation: Proclamation to Define the Liability of the Dry Port to the Consignee

Proclamation number: 588/2008

Repealed proclamation:

Version: English/Amharic

Effective date: 14/07/2008

Description and objectives:

In view of reducing sea port congestion, avoiding of damage to cargo and the proper implementation of the multi-modal transport, and conforming to international law regarding the legal liability of the dry port, and article 55(1) of the Constitution, the proclamation outlined on the one hand dry port liability measured by price or 2.5 Standard Disclosure Right (SDR)/k.g and 2.5 times port service charge, and on the other hand granting the right to define and handle abandoned goods and the proceeds thereof in accordance with Re-establishment and Modernization of Customs Authority Proclamation No. 60/1997 (as amended).

Strength:

It clarified legal issues arising from performance failures in dry ports

It does not define abandoned goods with specific period of delay, providing room for flexibility for authorities

Weaknesses:

It does not clarify how delay by dry port is defined and determine

Does not provide non legal dispute resolution mechanisms

Recommendation:

- Revised proclamation needs to objectively define delay of dry port service and provide adequate focus on dispute resolution mechanism
- The national logistics master plan needs to recognize that delay related disputes on dry port service has legal remedy with no explicit focus on dispute resolution

24. Proclamation No. 549/2007 Maritime Sector Administration Proclamation

Proclamation identification:

Name of Proclamation: Maritime Sector Administration Proclamation

Proclamation number: 549/2007

Repealed proclamation:

Version: English/Amharic

Effective date: 04/09/2007

Description and objectives:

The In view of modernizing the maritime sector, expanding its regulatory role to dry port, multimodal operation, modern marine administration and use of inland waterways, the proclamation established the Maritime Affairs Authority (EMA) under MoTL with the mandate to ensure planned, coordinated, and economical movement of import and export goods, reduced transit time for import and export goods, to promote multimodal, marine and in land water transport as well as sustainable supply of skilled manpower in maritime, and to implement international maritime conventions.

Strength:

It offered EMA timely mandate in promotion of multimodal and in land water transport.

Weakness:

The first mandate concerning movement of import and export goods is rather overlapping given in the presence of air cargo services.

The mandates do not include EMA's role in drafting national logistics laws and strategies, issuing directives, engaging in research, certifying maritime trainers, and enforcing national maritime capacity building associated with physical facilities.

Recommendation:

- The proclamation needs to incorporate EMA's role in drafting national logistics laws, issuing directives, conducting research, certifying maritime trainers, and enforcing national maritime capacity.
- The national logistics master plan needs to recognize that Ethiopia and Kenya put in place joint boarder control procedures, facilities, and management that is mandated to MoTL.

25. Proclamation No. 453/2005. A Proclamation to Ratify the Ethio- Turkey Maritime Trade Agreement

Proclamation identification:

Name of Proclamation: A Proclamation to Ratify the Ethio- Turkey Maritime Trade Agreement

Proclamation number: 453/2005.

Repealed proclamation:

Version: English/Amharic

Effective date: 24th day of June, 2005

Description and objectives:

This Proclamation is ratified the bilateral agreement on Maritime Trade between the Government of the federal Democratic Republic of Ethiopia and the Government of Republic of Turkey was signed in Addis Ababa on the 13th day of January, 2005 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 26th day of May, 2005.

Strength:

It facilitates the trade interactions between the two countries.

Weakness:

Recommendation:

The national logistics master plan needs to recognize that the signed bilateral agreement will facilitate the cargo transport between the two countries.

26. Transport Proclamation No.468/2005: A Proclamation to Provide for The Regulation of Transport

Proclamation identification:

Name of Proclamation: A Proclamation to Provide for The Regulation of Transport

Proclamation number: 468/2005

Repealed proclamation:

Version: English/Amharic

Effective date: 6th of August, 2005.

Description and objectives:

The economic and social development of the country requires that transport service needs to be regulated to make it more competitive, safe and efficient. So that the transport sector has to be restructured in a manner to create favorable conditions for the smooth and effective implementation of the government

transport policy. This transport regulation proclamation established the Transport Authority and gives the required regulation legal grounds.

Strength:

It is a good instrument to regulate the transport sector.

Weakness:

It requires updating as Railway and Maritime have already got separate regulators

Recommendation:

The national logistics master plan needs to recognize that the ratification of the Transport Regulation proclamation and the needed revision to acknowledge Railway and Maritime have already got separate regulators.

27. Proclamation No. 392/2004: The Republic of Yemen Bilateral Air Services Agreement Ratification Proclamation.

Proclamation identification:

Name of Proclamation: The Republic of Yemen Bilateral Air Services Agreement Ratification Proclamation.

Proclamation number: 392/2004

Version: English/Amharic

Effective date: 5th day of February, 2004

Description and objectives:

This Proclamation is ratified the Air Service Agreement between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of the Philippines was signed in in Addis Ababa on was signed in Addis Ababa, on the 6th day of September, 2000 by the House of the Peoples' Representatives of the Federal Democratic Republic of Ethiopia at its session held on the 5th February, 2004.

Strength:

It enhanced the air transport service between the two countries.

Weakness

The agreement ratified after four years signed by both countries and the current Yemen security lingers the enforcement of the agreement.

Recommendation:

The national logistics master plan needs to recognize that Ethiopia and Yemen have signed air service agreement between the two countries.

28. Proclamation No. 372/2003: The Proclamation to Provide for a Warehouse Receipts System

Proclamation identification:

Name of Proclamation: The Proclamation to Provide for a Warehouse Receipts System

Proclamation number: 372/2003

Version: English/Amharic

Effective date: 14th of October, 2003.

Description and objectives:

It has been necessary to introduce a system that enables the farmer whenever supply exceed demand to deliver his products to the warehouseman upon receipt of document of title to the products and to reclaim his products. The producer benefits from such a system, that constitutes a valid contract between the bailee and the bailor, which entitles the latter to transfer his rights over the stored products to any buyer by simple delivery of the receipt. The system enables the bailor to borrow money from banks or similar lending institutions upon offering warehouse receipt as collateral. The system insulates the producer from price shocks; promotes efficient marketing of standardized agricultural products and financial activities.

This Proclamation shall have the following objectives:

- To enable any person store his goods and in particular standardized agricultural products in warehouses and borrow money upon delivery of the warehouse receipt as collateral:

- To establish a valid contract between the bailee and the bailor and to properly direct and administer the system: and
- To create organized and efficient marketing system for agricultural products.

Strength:

- Introduces a system of bailing of agricultural goods that enables a farmer whenever supply exceed demand to deliver his or her products to the warehouse upon receipt of document of title to the products and to reclaim his or her products.
- Enables all actors to discharge their responsibility in accordance of the terms and condition

Weakness

- Considering the losses during security problems and updating requirements to changed economic and marketing situations

Recommendation:

The national logistics master plan needs to recognize that to a proclamation is ratified to provide for a warehouse receipts system and revisions need considering the losses during security problems and updating requirements to changed economic and marketing situations.

29. Proclamation number 284/2002: Ethio-Djibouti Utilization of Port of Djibouti and Services to Cargo in Transit Agreement Ratification Proclamation

Proclamation identification:

Name of Proclamation: Ethio-Djibouti Utilization of Port of Djibouti and Services to Cargo in Transit Agreement Ratification Proclamation

Proclamation number: 284/2002

Repealed proclamation: none

Version: English/Amharic

Effective date: 4th day of July, 2002

Description and objectives:

The proclamation ratified on July 4, 2002 the agreement signed on April 13, 2002 between the Government of the Federal Democratic Republic of Ethiopia and the Government of the Republic of Djibouti, on the Utilization of the Port of Djibouti and Services to Cargo in Transit.

Strength:

It offered the bilateral agreement legal basis.

Recommendation:

The content of the bilateral agreement needs to be considered in devising sea port service strategy for the national logistics master plan.

Proclamation identification:

Name of Proclamation: Proclamation to Amend Carriage of Goods by Land

Proclamation number: 547/2007

Repealed proclamation:

- The Provisions of Title I of Book III of the Commercial Code of Ethiopia related to carriage by land excluding carriage by person
- All inconsistent regulations, laws, practices

Version: English/Amharic

Effective date: 06/09/2007

Description and objectives:

The proclamation acknowledged the developmental role of freight logistics as well as harmonized and interlinked logistics, and the need to amend the 1960 Commercial Code of Ethiopia pertinent to the law governing carriage of goods compatible with today's multimodal transport.

The proclamation is applicable for paid carriage of goods by land or internal waters except for postal services and transport of household items. The proclamation provided a basis for carriage contract, documentation, carrier and sender obligations.

Strength:

It specifically addressed carriage of goods in the context of freight and multimodal logistics

Recommendation:

- In devising the national logistics master plan, utmost care needs to be exercised to avoid inconsistency with proclamation no. 547/2007.

30. Proclamation No. 145/1998 The National Fertilizer Industry Agency Establishment (Amendment) Proclamation

Proclamation identification:

Name of Proclamation: The National Fertilizer Industry Agency Establishment (Amendment) Proclamation

Proclamation number: 145/1998

Repealed proclamation: The National Fertilizer Industry Agency establishment Proclamation number 106/1994 is amended

Version: English/Amharic

Effective date: 15/12/98

Description and objectives:

The proclamation amended the National Fertilizer Industry Agency establishment proclamation no. 106/94 by structuring it under the prime minister and linking salary scheme to civil service law, and excluding some other articles.

Strength:

It offered significant place for fertilizer operations

Recommendation:

- The national logistics master plan needs to address fertilizer logistics

Proclamation identification:

Name of Proclamation: Multimodal Transport of Goods Proclamation

Proclamation number: 548/2007

Repealed proclamation: None

Version: English/Amharic

Effective date: 04/09/2007

Description and objectives:

Recognizing transport as the backbone of international trade and regional integration and multimodal system as a requisite for cost efficient logistics, the proclamation included six parts mainly focusing on documentation requirement, responsibility and liabilities multimodal operator and shipper.

Strength:

It promotes and guides multimodal transport in the country

Recommendation:

- The national logistics master plan needs to address multimodal operation

Policy and plans

1. FDRE National Logistics Strategy (2018-2028)

Policy/plan identification:

Name of policy/ plan: FDRE National Logistics Strategy (2018-2028)

Document number: None

Version: English

Issue date: September 2019

Description and objectives:

The National Logistics Strategy is devised as transformative rather than sustaining document through extensive appraisal of Ethiopia's logistics performance as that characterized by multifaceted challenges and limited improvement. The NLS serves as a roadmap for structural reforms, effective coordination, development of logistics infrastructures, and delivery of quality services.

The main objective is to promote national logistics development, control avoidable logistics costs, provide systematic logistics of NLS solutions, and provide direction and leadership through proper alignment with other national policies and strategies such as national plan (Growth and Transformation Plan II), industrial, agricultural, urban, and foreign policy schemes. NLS intends to transform Ethiopia's logistics system in the coming ten years by improving logistics services related to trade and finance system, placing integrated transit and customs system, improving logistics service providers' efficiency, reducing monopolistic practices, developing infrastructure, and building institutional capacity. The NLS identifies 9 specific strategic goals related to logistics time, port anchorage time, container utilization, truck utilization, and demurrage cost. It outlined 6 clear strategies (logistics service, legal framework, transit and customs system, logistics trade facilitation, infrastructure, and institutional capacity) with well populated sub strategies and 98 interventions.

Strength:

The NLS is based on addressing key bottlenecks and measured performance gaps

The NLS provided clear framework and road map for transformation by holistically addressing key logistics issues and presenting structural, institutional, legal, and infrastructural solutions.

NLS helped place logistics the top of national agenda through holistic perspective

It sets specific and measurable goals to achieve

Weakness:

- It lends more emphasis to freight logistics through sea ports and less on air shipments and passenger transport
- The strategic goals tend to focus on time efficiency than cost efficiency, while the later is presented as key problem
- It is based on previous GTP II plan and missed out on the current national prospective plan devised by today's government
- Interventions are neither time bounded nor prioritized

Recommendation:

- To devise revised NLS or master plan considering the new developments associated with national plan, inclusion cost reduction goals, and incorporation trade logistics through air cargo.
- NLS serves as a base document for national logistics master plan that needs to incorporate cost reduction goals, the new national prospective plans, air cargo freight logistics.

2. FDRE Transport Sector Master Plan (2020-2030)

Policy/plan identification:

Name of policy/ plan: FDRE Transport Sector Master Plan (2020-2030)

Document number: None

Version: Amharic

Issue date: July 2020

Description and objectives:

The master plan is devised to enable the transport sector capable of supporting the expected rapidly growing mobility due to the fast economic and population growths in the country. For this expected mobility demands the master plan stipulates the necessity of construction of adequate infrastructure and the provision of integrated and fairly accessible transport service packaged with transformation of the logistic sector performance.

The master plan has identified the sectoral ten years targets which align the middle income countries development indicators and broke down the targets into two five years for management purpose.

The master plan is aimed to promote the sector organization capabilities, private and public involvements in sector, transport infrastructure expansion and capacity improvement, integrated public transport access, modernizing and transforming the logistic sector performance, improving traffic safety and management,

and ensuring environment resilient sector with collaboration of the Ministry supervisee and regional institutions.

Strength:

- The master plan is based on assessing and addressing key bottlenecks and measured performance gaps.
- The master plan provided clear framework and road map for transformation of the transport sector
- The master plan underscored the inevitability the transport sector development for shouldering the anticipated economic and population growth.
- It sets specific and measurable targets to achieve over the ten years.

Weakness:

- It overlooked the transport sector can be planned as one of the national economic growth stimulating sector by its manufacturing and service provision nature.
- The base line data is often taken from secondary sources which varies from one report to another may affect the stated targets.
- Contingency plans were not provided for unaccounted degrading events like the infrastructure damages in last two years' due to security problems in some parts of the county.

Recommendation:

- On course of devising this Master Plan in these years, incorporating the unseen conditions, and changed contexts in the master plan revision time by considering the new developments associated with national priorities, economic reforms and security conditions.

3. Ethiopian Transport Master Plan Policy and Strategy 2022-2052

Policy/plan identification:

Name of policy/ plan: Ethiopian Transport Master Plan Policy and Strategy 2022-2052

Document number: None

Version: English

Issue date: -

Description and objectives:

Ethiopian Transport Master Plan Policy and Strategy is developed to align the global overarching sustainable development goals, the continental agenda, and the national vision by Ministry of Transport

and Logistic. This National Transport Strategy updates and enhances guideline documents previously issued, taking into account the main findings of the assessment carried out for all subsectors and the results of the transport model in terms of future demand and investments necessary to cope with it.

Beyond the macroeconomic variables, which were used for the definition of the scenarios and for the forecasts of the transport model, the main exogenous conditions at international level are the UN Agenda for Sustainable Development Goals and the scenario outlined by the AU in the Africa Agenda 2063 have been used as the two pillars for the definition of the National Transport Strategy.

A significant gap highlighted by the analysis concerns the lack of physical infrastructures and the vehicle fleet. Besides, the lack of ability of the sector to collecting back the enormous public investments made in road and railway networks is related with a low increase in the productivity of the national economy and this, in turn, is much more linked to financial, technological and managerial skills rather than a simple scarcity of transport capacity (infrastructures and vehicles).

The document focuses analyzing on the transport sector four specific sub-sectoral issues: (1) The role of private operators in the transport sector; (2) The role of the transport sector as a growth factor as it is not only as a logistics tool, but can take part in manufacture sector as well as service sector by being an opportunity to satisfy the growth of the domestic demand. (3) Ethiopia should have a strong international projection due to its nature and ambition in the African continent. To this end, the transport sector will be the test bench of the future integration processes which will take place in the future decades. (4) One of the findings of the assessment is that there is a risk of a serious divide between the two levels of governance, Federal and local, in the ability to implement general or sectoral objectives.

This strategy and policy document stipulates PPP can be workable transport business model in some specific proposed sub-sectors. It also formulates the Balance sheet of transport planning by equating Family, Companies, Public Sectors and Foreign Trade. It is suggested that based on the consistency of the planning process, the main implementation actions of the ETMP concerns physical infrastructures, the policy measures and the improvement of the human capital.

Strength:

- Ethiopian Transport Master Plan Policy and Strategy is started by assessing and validating the national transport sector legal, policy and strategy frame works
- It puts efforts on addressing key gaps and proposed solutions for coming 30 years

Weakness:

- It assumes other sectors like import substitution and export trade balance will score huge change and all the proposed strategies will work out for transport sector. The effectiveness of the proposed approaches and interventions compatibility with other sectors needs further reconciliations.
- The effectiveness of the proposed transport planning balance sheet needs to further reconsideration for in country trade and other social and economic activities.
- Less emphasis was given to the mobility demand other than import and export trade, like local economic activities.
- The local and regional political and security conditions are optimistically assumed as if it is given to works out for the proposed strategies and policies.
- The proposed interventions are not prioritized

Recommendation:

- To devise the Ethiopian Transport Master Plan Policy and Strategy considering the new developments after local security problems and reconstruction works, new economic sectoral developments (like mass production of wheat) associated with national plan, incorporation of the in- country economic and social activities in planning process and reconciling with other sectoral developments pragmatically are essential.
- The effectiveness of the proposed interventions needs further holistic analysis beyond the proposed transport planning balance sheet

4. Maritime and Logistic Sub-Sector Ten Years Master plan 2013-2022 (E.C) / 2020-2030 G.C

Policy/plan identification:

Name of plan: Maritime and Logistic Sector Ten Years Master plan 2013-2022 E.C/ 2020-2030 G.C

Document number: None

Version: Amharic

Issue date: May 2021

Description and objectives:

The Ethiopian Maritime Affairs Authority has developed the Maritime and Logistic Sector Ten Years Master plan 2013-2022 (E.C) / 2020-2030 G.C/ on the basis of and in alignment with of the Ministry of Transport Ten Years' Transport Sector Development Master Plan, transport and logistics policies, National Logistics Strategy, and Blue Economy Strategy. It also considered Maritime and Logistics Sector past two

terms Growth and Transformation Plans performances as a starting point for the next ten years to transform national logistics sector and to increase the national blue economy benefit gain, this maritime and logistics sector ten-year development master plan (2013-2022 E.C), has been prepared.

The plan set the sector vision as, “to see Ethiopia the first in Africa in terms of logistics performance and in the rank of the leading five countries in the world on the provision of the seafarers to the market by 2030.” The plan draws the following strategic objectives to realize this vision:

1. Transforming the logistics system,
2. Increasing the Ethiopia's Blue Economy benefits gain,
3. Leading the sector in a legal framework and implementing a strong regulatory system and
4. Institutional capacity building,

Accordingly, the plan targets to improve the cargo stay time at sea port from 37 days to 3 days; anchorage time from 11 days to 0 days; the import lead time from 120 days to 40 days; logistic cost percentage of GDP from 25% to 15%; aggregate logistic performance index from 2.36 to 3.2; logistic performance ranking from 126 to 41; number of registered vessels from 11 to 200 and number seafarers from 7300 to 40,000.

Strength:

- It was started by assessing the previous two terms GTPs performance and the existing sector contexts.
- It puts efforts on addressing key gaps and proposed solutions for coming 10 years

Weakness:

- The base line data is often taken from secondary sources which varies from one report to another may affect the stated targets.
- Contingency plans were not provided for unaccounted degrading events like the infrastructure and fleets damaged in last two years' due to security problems in some parts of the county.

Recommendation:

- On the course of devising this Master Plan in the planned periods, incorporating the unseen conditions, and changed contexts in the master plan revision time by considering the new developments associated with national priorities, economic reforms and security conditions is necessary.
- The national logistic master plan needs to recognize this master plan and the needed continual improvement in the pan.

5. Aviation Transport Sub-Sector Ten Years Master plan 2013-2022 (E.C) / 2020-2030 G.C

Policy/plan identification:

Name of plan: Maritime and Logistic Sector Ten Years Master plan 2013-2022 E.C/ 2020-2030 G.C

Document number: None

Version: Amharic

Issue date: Dec 2019

Description and objectives:

Ethiopian Civil Aviation Authority and Ethiopian Airlines Group, which are under the aviation sub-sector, are interdependent and the achievement of one enterprise is dependent on the achievement of the other enterprise performance. So they should integrate their long-term goals, harmonize each other's plan and operate in the integrated manner. Due to this, both institutions of the aviation sector have planned a coordinated ten years' aviation sub-sector development master plan.

The aviation sub sector development master plan identified the following strategic issues to address in the stated plan period.

- Construction and improvement of air transport infrastructures and facilities
- Making air transport services integrated, fair and accessible.
- Making air transport services safe.
- Making air transport infrastructure and services resilient to climate change
- Increasing the effectiveness of the sub-sector by building the implementation and execution capacities

Accordingly, the plan targets transform aeronautical communication system from (VDL: Voice Data Link) to (VHF Data Link; airports and flight controlling stations with CNS from 23 to 32; building five new airports in the country; Available Seat Kilometer from 60.1 Billion to 254.6 Billion; Freight Tone Kilometer (FTK) from 2.4 Billion to 5.25 Billion; International destinations from 123 to 187; Local destinations from 22 to 30; Modern airplanes number from 116 to 251; number of international flight passengers from 10.2 Million to 48.4 Million; Number local flights passengers from 2 million to 11.8 million and cargo transport from 432 thousands ton to 1.157 Million ton.

Strength:

- It was started by assessing the previous two terms GTPs performance and the existing sub-sector contexts.
- It puts efforts on addressing key gaps and proposed solutions for coming 10 years

Weakness:

- Contingency plans were not provided for unaccounted degrading events like the infrastructure damages in last two years' due to security problems in some parts of the county.

Recommendation:

- On the course of devising this Master Plan in these years, incorporating the unseen conditions, and changed contexts in the master plan revision time by considering the new developments associated with national priorities, economic reforms and security conditions is necessary.
- The national logistic master plan needs to recognize this master plan and the needed continual improvement in the plan.

6. The 5 and 10 Years Federal Road Master Plan (2020-2030)

Policy/plan identification:

Name of plan: Ethiopia: The 5 and 10 Years Federal Road Master Plan (2020-2030)

Document number: None

Version: English

Issue date: August 2020

Description and objectives:

This 10 years Federal Road Network Master Plan which has been initiated by the Ethiopian Roads Authority is undertaken by SEYOUNG Engineering Co. Ltd and KYONGDONG Engineering Co. Ltd from South Korea and their local associates of Afri Geo Information Engineering Plc. and ALERT Engineering Plc. In doing so, the Consultants assessed and analyzed the overall socio-economic profile of the country, previous performance of road programs, existing mobility and accessibility condition, extent of regional integration and international experience.

The plan has identified about 16,022.5 km of missing links, 9043 km of Expressways, 392 km of outer rings on selected towns. 10,458 km of external Rings connecting the proposed expressways and major towns are also identified. In addition, a number of external ring networks are proposed to provide detour for selected major towns of high population and high network connectivity. This helps vehicles to maintain design speed and avoid congestion which will be created from traffic entering to the towns from different directions.

Strength:

- It sets a clear course for the future so that infrastructure providers (ERA, RRAs and Woredas) have a common understanding of national level expectations and policy settings.
- The master plan has identified a number of roads to be upgraded, rehabilitated, and constructed, which are essential and desirable to improve mobility, efficiency, connectivity, and accessibility.

Weakness:

- It does not indicate priority of what to build, when and why
- It is not well aligned with the National Transport Sector Master Plan (2020-2030)

Recommendation:

- This master plans gives indication what the country can invest on the road sector in the plan period and beyond. The investment priorities is not worked out and does not align with the National Transport Sector Master plan. It is not indicated whether it is accepted and approved by the Government of Ethiopia.
- The national logistic master plan needs to recognize the existence of this master plan and the needed validation and continual improvement of the plan.

7. The Ethiopian Railway Sub Sector Strategic Direction

Policy/plan identification:

Name of plan: Ethiopia: The Ethiopian Railway Sub Sector Strategic Direction

Document number: None

Version: Amharic

Issue date: February 2019

Description and objectives:

The Ethiopian Railway Corporation has been attempting to build and operate the 5006 km railway national network approved by the government in the first and second Growth and Transformation Plans (2470 km in the GTP I and 2801 km in the GTP II). So far 656 km is completed and operational, and 610 km is under construction. The 34 km light rail transit network has been also constructed and is providing service for Addis Ababa City commuters.

In the effort of the Corporation to achieve the above mentioned plan, unaccounted and unseen challenges during the planning period like low repayment capacity, lack of sustainable finance sources; lack of skilled

local manpower and technological capacity are the identified bottle necks for inability to deliver the planned railway networks.

To address the above bottle necks and achieve the stated planned targets of the railway sub sector, the document has identified the following strategic issues:

1. Integrated Infrastructure Management
2. Efficient Rail-Transport Service
3. Strengthened Sectoral Capacity Building
4. Reliable Railway Safety & Security
5. Improved Network Coverage

Strength:

- It assesses the challenge of the railway sub-sector and proposes solution to address the bottlenecks

Weakness:

- It does not indicate priority within the proposed strategic improvement areas.
- There is no mile stone to call the document road map and no tools to name it rail sub sector strategy.

Recommendation:

- This document gives picture why the railway sub sector could not achieve the planned targets and provides the generalized solutions to address the challenges.
- It is not well aligned with the Transport Sector Master plan targets.
- It is not indicated whether it is accepted and approved by the Government of Ethiopia though it is approved by the ERC's Board of Directors.
- The national logistic master plan needs to recognize the existence of this document and the needed validation and continual improvement of the document.

Regulations

1. Regulation No.454 / 2019: Council of Ministers Regulation to Provide for Fees Payable for Services Provided by The Maritime Affairs Authority

Regulation identification:

Name of Regulation: Fee Rates Payable for Services provided by the Maritime Affairs Authority

Regulation No. 454 /2019

Repealed regulation: Service Fees payable to the Maritime Affairs Authority Council of Ministers
Regulation No. 274/2012

Version: English/Amharic

Effective date: 26/09/2019

Description and objectives:

The regulation is issued by the Council of Ministers pursuant to Article 6(18) of the Maritime Sector Administration Proclamation No.549/2007 to determine new rates for Maritime Affairs Authority Services.

Strength:

Weakness:

Revision of service rate through regulation and after seven years appear to be less responsive and long overdue

Recommendation:

The national logistics master plan needs to recognize that service rate for Maritime services is revised by council of Ministers regulation in 2019 after seven years.

2. Regulation No. 462/2020 Ethiopian Mineral, Petroleum and Bio-fuel Corporation Re-Establishment Council of Ministers Regulation

Regulation identification:

Name of Regulation: Ethiopian Mineral, Petroleum and Bio-fuel Corporation Re-Establishment Council of Ministers Regulation

Regulation No. 462/2020

Repealed regulation: The Ethiopian Mineral, Petroleum and Bio-fuel Corporation Establishment Council of Ministers Regulation No. 367/2015 (as amended)

Version: English/Amharic

Effective date: 11/02/2020

Description and objectives:

Pursuant to article 47 (1) (a) and (d) of the Public Enterprises Proclamation No.25/1992, the regulation reestablished the Ethiopian Mineral, Petroleum and Biofuel Corporation under the unspecified Ministry transferring the rights and liabilities of the previous corporation and Adola Gold Mining Enterprise.

Strength:

Weakness:

It has not specifically mentioned the name of supervising Ministry

Recommendation:

- The regulation needs to specify the supervising organ

The national logistics master plan needs to recognize that a newly reestablished public enterprise handles mineral, petroleum, and biofuel operations

3. Council of Ministers Regulation No.395/2017 Road Transport Traffic Control Council of Ministers (Amendment) Regulation

Regulation identification:

Name of Regulation: Council of Ministers Regulation No.395/2017 Road Transport Traffic Control Council of Ministers (Amendment) Regulation

Version: English/Amharic

Effective date: 3rd day of January, 2017

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No.916/2015 and Article 28 of the Transport Proclamation No.468/2005. The Road Transport Traffic Control Council of Ministers Regulation No.208/2011 is amended in this Regulation.

Strength:

It has updated the regulation to the changed context and service demand

Weakness:

The cross referred penalty fares seems less underscored due to inflation.

Recommendation:

The national logistics master plan needs to recognize that The Road Transport Traffic Control is revised by Council of Ministers Regulation No.208/2011 after six years. The fare directives issued following this Regulation requires in response of the changed monetarily values.

**4. Regulation No. 389/2016 Ethiopian Airlines Enterprise Establishment (Amendment)
Council of Ministers Regulation****Regulation identification:**

Name of Regulation: Regulation No. 389/2016 Ethiopian Airlines Enterprise Establishment (Amendment) Council of Ministers Regulation

Version: English/Amharic

Effective date: 13th day of June, 2016

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 916/2015 and Article 21 and 47 (1)(b) of the Public Enterprise Proclamation No. 25/1992. Article 7 of the Ethiopian Airlines Enterprise Establishment Council of Ministers Regulation No. 216/1995 (as amended) is deleted and replaced as “The authorized capital of the Enterprise is Birr 60,000,000,000 (Sixty Billion Birr) of which Birr 18,822,606,303 (Eighteen Billion Eight Hundred Twenty-two Million Six Hundred Six Thousand Three Hundred Three Birr) is paid up in cash and in kind.

Strength:

It has updated the regulation to the changed context and service demand

Weakness:

It took more than twenty-one years to update the regulation in the response of the rapidly growing this public enterprise capital increments.

Recommendation:

The national logistics master plan needs to recognize that The Ethiopian Airlines Enterprise capital has been grown in accordance of Council of Ministers Regulation No. 389/2016 Ethiopian Airlines Enterprise Establishment (Amendment) after twenty-one years.

5. Council of Ministers Regulations No.367/ 2015 Council of Ministers Regulation to Establish the Ethiopian Mineral, Petroleum and Bio-Fuel Corporation

Regulation identification:

Name of Regulation: Ethiopian Mineral, Petroleum and Bio-fuel Corporation Re-Establishment Council of Ministers Regulation

Regulation No. 462/2020

Repealed regulation: The Ethiopian Mineral, Petroleum and Bio-fuel Corporation Establishment Council of Ministers Regulation No. 367/2015 (as amended)

Version: English/Amharic

Effective date: 11/02/2020

Description and objectives:

Pursuant to article 47 (1) (a) and (d) of the Public Enterprises Proclamation No.25/1992, the regulation reestablished the Ethiopian Mineral, Petroleum and Biofuel Corporation under the unspecified Ministry transferring the rights and liabilities of the previous corporation and Adola Gold Mining Enterprise.

Strength:

Weakness:

It has not specifically mentioned the name of supervising Ministry

Recommendation:

- The regulation needs to specify the supervising organ

The national logistics master plan needs to recognize that a newly reestablished public enterprise handles mineral, petroleum, and biofuel operations.

6. Council of Ministers Regulation No. 331/2014 Council of Ministers Regulation to Provide for the Establishment of the Ethiopian Agricultural Commodities Warehousing Service Enterprise

Regulation identification:

Name of Regulation: Council of Ministers Regulation No. 331/2014 Council of Ministers Regulation to Provide for the Establishment of the Ethiopian Agricultural Commodities Warehousing Service Enterprise.

Version: English/Amharic

Effective date: 14th day of January, 2015

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691/2010 and Article 47(1)(a) of the Public Enterprises Proclamation No.25/1992.

Strength:

It has enabled vertical segregation of the Ethiopian Commodity Exchange Authority and the Agricultural warehousing which may improve the organizational efficiencies.

Weakness:

It does not clearly state the supervising government body in the Regulation,

It limits the private warehouse sector involvement in agriculture goods commodity exchange market platforms.

Recommendation:

The national logistics master plan needs to recognize that The Establishment of the Ethiopian Agricultural Commodities Warehousing Service Enterprise is established and operated accordingly. Stating the supervising government body and responding to government logistic privatization and liberalization initiatives needs to be addressed in the Regulation revision.

7. Regulation No.340/2015 Axle Load Based Annual Vehicle License Renewal Fee Council of Ministers' Regulation**Regulation identification:**

Name of Regulation: Regulation No.340/2015 Axle Load Based Annual Vehicle License Renewal Fee Council of Ministers' Regulation

Version: English/Amharic

Effective date: 23rd day of February, 2015

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No.691/2010 and Article 6 (1) (c) of the Road Fund Establishment Proclamation No.66/199.

Strength:

It increases the road fund sources and helps on sustaining the road revolving fund.

Weakness:

The punitive measures for non-renewed vehicle possessor is not serious.

Recommendation:

The national logistics master plan needs to recognize that The Axel Load Based Annual Vehicle License Renewal Fee is introduced as part of vehicle property registration license renewal process. Clearly stating the punitive measures for those violating the regulation needs to be addressed in the Regulation revision.

8. Regulation No.274 /2012: Council of Ministers Regulation to Provide for Fees Payable for Services Provided by The Maritime Affairs Authority

Regulation identification:

Name of Regulation: Regulation No.274 /2012- Council of Ministers Regulation to Provide for Fees Payable for Services Provided by The Maritime Affairs Authority

Version: English/Amharic

Effective date: 23rd day of February, 2015

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No.691/2010 and Article 18 of the Maritime Sector Administration Proclamation No. 549/2007.

Strength:

The service fees enable EMA to generate its income.

Weakness:

The attached service fees do not reflect the current monitorial value.

Recommendation:

The national logistics master plan needs to recognize that The Council of Ministers Regulation to Provide for Fees Payable for Services Provided by The Maritime Affairs Authority is introduced. Revising the service fees to the current Montreal values.

9. Regulation No. 292/2013 Ethiopian Airlines Enterprise Establishment (Amendment) Council of Minister Regulation**Regulation identification:**

Name of Regulation: Regulation No. 292/2013 Ethiopian Airlines Enterprise Establishment (Amendment) Council of Minister Regulation.

Version: English/Amharic

Effective date: 17th day of July, 2013

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691.2010 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992. The authorized capital of the Enterprise is Birr 20,000,000,000 (Twenty Billion Birr) or which Birr 7,890,596,767 (Seven Billion Eight Hundred Ninety Million Five Hundred Ninety-Six Thousand Seven Hundred Sixty-Seven Birr) is paid up in cash and in kind.

Strength:

It helped to increase the capital of Ethiopian Airlines Enterprise.

Weakness:**Recommendation:**

The national logistics master plan needs to recognize that the capital of Ethiopian Airlines Enterprise was increased in 2013.

**10. Regulation No. 266/2012 Ethiopian Railway Corporation Establishment (Amendment)
Council of Ministers Regulation.**

Regulation identification:

Name of Regulation: Regulation No. 266/2012 Ethiopian Railway Corporation Establishment (Amendment) Council of Ministers Regulation.

Version: English/Amharic

Effective date: 26th day of July, 2012

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 69112010 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992.

The authorized capital of the Enterprise is Birr 39,780,000,000 (Thirty-Nine Billion Seven Hundred Eighty Million Birr) or which Birr 9,945,000,000 (Nine Billion Nine Hundred Forty Five Million) is paid up in cash and in kind.

Strength:

It enabled Ethiopia Railways Corporation to implement huge railway projects.

Weakness:

Raising the unpaid capital was practically challenging

Recommendation:

The national logistics master plan needs to recognize that The Council of Ministers Regulation to Ethiopian Railway Corporation Establishment (Amendment) was introduced.

**11. Regulation No. 292/2013 Ethiopian Airlines Enterprise Establishment (Amendment)
Council of Minister Regulation**

Regulation identification:

Name of Regulation: Regulation No. 292/2013 Ethiopian Airlines Enterprise Establishment (Amendment) Council of Minister Regulation

Version: English/Amharic

Effective date: 17th day of July, 2013

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691/2010 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992. It was amended as the authorized capital of the Enterprise is Birr 20,000,000,000 (Twenty Billion Birr) or which Birr 7,890,596,767 (Seven Billion Eight Hundred Ninety Million Five Hundred Ninety-Six Thousand Seven Hundred Sixty-Seven Birr) is paid up in cash and in kind.

Strength:

It formalized the Ethiopia Airlines investment.

Weakness:

Recommendation:

The national logistics master plan needs to recognize that Ethiopian Airlines Enterprise Establishment (Amendment) Council of Minister Regulation was a mile stone on the sector road map.

12. Regulation No. 262/2012 Driver's Qualification Certification License Fee Council of Ministers Regulation

Regulation identification:

Name of Regulation: Regulation No. 262/2012 Driver's Qualification Certification License Fee Council of Ministers Regulation

Version: English/Amharic

Effective date: 17th day of July, 2013

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691/2010 and Article 26 of the Driver's Qualification Certification License Proclamation No. 600/2008.

Fees to be charged for the issuance of driver's qualification certification license pursuant to the Driver's Qualification Certification License Proclamation No. 600/2008 and related services as prescribed in this Regulation.

Strength:

The service fees enable to generate income and covers some administrative costs of the respective government organ.

Weakness:

The attached service fees do not reflect the current monitorial value.

Recommendation:

The national logistics master plan needs to recognize that The Council of Ministers Regulation to Driver's Qualification Certification License Fee is introduced. Revising the service fees to the current Montreal values.

13. Council of Ministers Regulation No. 206/2011: To provide for Vehicles Identification, Inspection and Registration Fees

Regulation identification:

Name of Regulation: Regulation No. 206/2011: To provide for Vehicles Identification, Inspection and Registration Fees

Version: English/Amharic

Effective date: 14th day of April, 20 11

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691/2010 and Article 47(1) of the Vehicles Identification, Inspection and Registration Proclamation No. 681/2010. Fees to be charged for identification, inspection and registration of vehicles and related services are prescribed in the regulation.

Strength:

The service fees enable to generate income and covers some administrative costs of the respective government organ.

Weakness:

The attached service fees do not reflect the current monitorial value.

Recommendation:

The national logistics master plan needs to recognize that The Council of Ministers Regulation to provide for Vehicles Identification, Inspection and Registration Fees is introduced. Revising the service fees to the current Montreal values.

**14. Regulation No. 259/2011 Ethiopian Railways Corporation Establishment (Amendment)
Council of Minister Regulation****Regulation identification:**

Name of Regulation: Regulation No. 259/2011 Ethiopian Railways Corporation Establishment (Amendment) Council of Minister Regulation.

Version: English/Amharic

Effective date: 3rd day of January, 2012

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691/2010 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992.

The authorized capital of the Enterprise is Birr 39,780,000,000 (Thirty-Nine Billion Seven Hundred Eighty Million Birr) or which Birr 9,945,000,000 (Nine Billion Nine Hundred Forty Five Million) is paid up in cash and in kind.

Strength:

It enabled Ethiopia Railways Corporation to implement huge railway projects.

Weakness:

Raising the unpaid capital was practically challenging

Recommendation:

The national logistics master plan needs to recognize that The Council of Ministers Regulation to Ethiopian Railway Corporation Establishment (Amendment) was introduced.

15. Regulation No. 255/2011 Ethiopian Shipping and Logistic Services Enterprise Establishment Council of Ministers Regulation

Regulation identification:

Name of Regulation: 255/2011 Ethiopian Shipping and Logistic Services Enterprise Establishment Council of Ministers Regulation.

Repealed regulation: The Maritime and Transit Service Enterprise Establishment Council of Ministers Regulation NO.19011994 and the Dry Port Service Enterprise Establishment Council of Ministers

Regulation No. 255/2011

Version: English/Amharic

Effective date: 21st day of November 2011

Description and objectives:

The regulation is issued by the Council of Ministers pursuant to Article 6(18) of the Maritime Sector Administration Proclamation No.549/2007 to determine new rates for Maritime Affairs Authority Services. The Ethiopian Shipping and Logistics Services Enterprise is established by this regulation.

Strength:

It created end to end logistic operator enterprise.

Weakness:

The supervising organ is not designated in this regulation.

It is not yet updated for the last twelve despite of there is on going economic reform in privatizations and liberalizations in the country.

Recommendation:

The national logistics master plan needs to recognize that The Ethiopian Shipping and Logistics Services Enterprise is established and operated in accordance of this by council of Ministers regulation. The regulation revision should address the liberalization and privatization reforms, the supervising government body is stated in the regulation, and being timely updated to the changing economic contexts.

16. Regulation No. 205/2011: National Road Traffic Safety Council Establishment Council of Ministers Regulation

Regulation identification:

Name of Regulation: National Road Traffic Safety Council Establishment Council of Ministers Regulation.

Regulation No. 205/2011

Version: English/Amharic

Effective date: 30th day of March, 2011

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 691/2010 and Article 28 of the Transport Proclamation No. 468/2005. This regulation established National Road Traffic Safety Council. The objective of the Council is to devise road traffic safety strategy and coordinate the concerned organs for its implementations.

Strength:

It created the National Road Traffic Safety Council which is responsible for coordinating stakeholders and implementing road safety strategy

Weakness:

It is not yet updated for the last twelve years' despites of the road safety issues are increasingly worrisome.

Recommendation:

The national logistics master plan needs to recognize that The National Road Traffic Safety Council is established and operated in accordance of this by council of Ministers regulation. The regulation revision should address the increasing road safety concerns reforms.

17. Regulation No. 141/2007 Ethiopian Railway Corporation Establishment Council of Ministers Regulation**Regulation identification:**

Name of Regulation: Ethiopian Railway Corporation Establishment Council of Ministers Regulation.

Regulation No. 141/2007

Version: English/Amharic

Effective date: 29th day of November, 2007

Description and objectives:

The Regulation is issued by the Council of Ministers Pursuant to Article '5 of the Definition of Powers and Duties. of the Executive Organs' of the Federal Democratic Republic of Ethiopia Proclamation No. 471/2005 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992. The Ethiopian Railway Corporation is established as a public enterprise by this regulation. The purposes for which the Corporation is established are:

1. To build railway infrastructure;
2. To operate cargo railway transport services;
3. To operate passenger railway transport services;
4. To engage in other related activities necessary for the attainment of its purpose.

Strength:

It established a new standard gauge railway which is keen to connect the Eastern African railway network.

Weakness:

It overlooked the fate of the legacy narrow gauge Ethio Djibouti Railway

The private sector involvement in the sector is not clearly stipulated.

Recommendation:

The national logistics master plan needs to recognize that The Ethiopian Railway Corporation is established and operated in accordance of this council of Ministers regulation. The regulation revision should address the liberalization and privatization reforms, the fate of Ethio Djibouti Railway is worked out in the regulation, and consideration of the emerging urban and intercity train operators in the country after this regulation.

18. Council of Ministers Regulations No. 136/2007 Dry Port Administration Enterprise Establishment Council of Ministers Regulations.

Regulation identification:

Name of Regulation: Dry Port Administration Enterprise Establishment Council of Ministers Regulations.

Regulation No. 136/2007

Version: English/Amharic

Effective date: 5th day of July 2007

Description and objectives:

These Regulations are issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 471/2006 and Article 47(1) (a) of the Public Enterprise Proclamation No. 25/1992. The Dry Port Administration Enterprise is established as a public enterprise by this regulation. The purposes for which the Enterprise is established are:

1. To provide the services of loading and unloading and storage of imported and export goods
2. To provide the services of stowing and unpacking of containerized export and imported goods.
3. To provide container depot services;
4. To engage in other related activities conducive to the achievements of its purposes.

Strength:

It established a dry port operating company which is helpful on making the country logistic system efficient.

Weakness:

The private sector involvement in the sector is not clearly stipulated.

Recommendation:

The national logistics master plan needs to recognize that The Dry Port Administration Enterprise is established and **operated in accordance** of this council of Ministers regulation. The regulation revision should address the liberalization and privatization reforms.

19. Council of Ministers Regulation No. 153/2008: Council of Ministers Regulation to Amend Customs Tariffs Regulation

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Amend Customs Tariffs Regulation

Regulation No. 153/2008

Version: English/Amharic

Effective date: 28 this day of December 2007

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 471/2005

and Article 4 of the International Convention on the Harmonized Descriptions and Coding System Ratification Proclamation No. 67/1993. The Customs Tariffs Classification System of Goods and Rates Schedule attached to the Customs Tariffs Council of Ministers Regulation No. 122/1993 (as amended) is further amended by the Schedule attached to this Regulation.

Strength:

It helped to continual update of custom tariffs.

Weakness:

Recommendation:

The national logistics master plan needs to recognize that The Customs Tariffs has been continually updated since then in accordance of this council of Ministers regulation.

20. Council of Ministers Regulation No. 92/2003 Ethiopian Airlines Enterprise Establishment (Amendment) Regulation

Regulation identification:

Name of Regulation: Ethiopian Airlines Enterprise Establishment (Amendment) Regulation

Regulation No. 92/2003

Version: English/Amharic

Effective date: 31st day of October 2003

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 471/2005 Article 47 (4) (a) of the Public Enterprises Proclamation No. 25/1992. Ethiopian Airlines Enterprise Establishment Council of Ministers Regulation No. 216/1995 is amended Article 6 (7) becomes 6 (8) and a new sub Article 6 (7) is added which says "6 (7). issue, sell and pledge bonds;".

Strength:

It helped to continual update in the support of the Ethiopian Airlines Enterprise organizational growth.

Weakness:

Recommendation:

The national logistics master plan needs to recognize that continual update of the Ethiopian Airlines Enterprise establishment Regulation has been supportive for the enterprise organizational growth.

21. Council of Ministers Regulation No.108/2004: Customs Clearing Agents Council of Ministers Regulation

Regulation identification:

Name of Regulation: Customs Clearing Agents Council of Ministers Regulation

Regulation No. 108/2004

Repealed Regulation: Customs Clearing Agency License Issuance Council of Ministers Regulation No. 155/1994 is hereby repealed

Version: English/Amharic

Effective date: 16th day of July 2004

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to article 5 of the Definition of powers and duties of the executive organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 90(1) of establishment and modernization of customs Authority Proclamation No. 60/1997 as amended.

Strength:

It helps to institutionalize Customs Clearing Agents professionals and professionalism

Weakness:

The Custom Authority is a licensing body and client of the Custom Clearing Agents which may create role mix up and conflict of interest.

The Regulation is not yet updated for the last 18 years to the changed contexts.

Recommendation:

The national logistics master plan needs to recognize that Customs Clearing Agents are being certified as a profession and there are ethical requirements to remain licensed. However, the regulation needs a continual update to address the stakeholders' feedbacks and to make the licensing body independent of the custom operation.

22. Council of Ministers Regulations No. 81/2003 Ethiopian Airlines Enterprise Establishment (Amendment) Regulations

Regulation identification:

Name of Regulation: Ethiopian Airlines Enterprise Establishment (Amendment) Regulations

Regulation No.: 81/2003

Version: English/Amharic

Effective date: 17th day of January, 2003

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 47(l)(a) of the Public Enterprises Proclamation No. 25/1992. It was amended as the authorized capital of the Enterprise is Birr 2,500,000,000 (Two Billion Five Hundreds Million Birr) of which Birr 1,401,121,825 (One Billion Four Hundred One Million One Hundred Twenty-One Thousand Eight Hundred Twenty Five Birr) is paid up in cash and in kind.

Strength:

It formalized the Ethiopia Airlines increased investment.

Weakness:

Recommendation:

The national logistics master plan needs to recognize that Ethiopian Airlines Enterprise Establishment (Amendment) Council of Minister Regulation was a remarkable mile stone on the sector road map.

23. Council of Ministers Regulations No. 80/2002 Council of Ministers Regulations to Amend the Customs Tariffs Regulations

Name of Regulation: Council of Ministers Regulation to Amend Customs Tariffs Regulation

Regulation No. 80/2002

Version: English/Amharic

Effective date: 17th of the day January 2003

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 4 of the International Convention on the Harmonized Descriptions and Coding System Ratification Proclamation No. 67/1993. The Customs Tariffs Classification System of Goods and Rates Schedule attached to the Customs Tariffs Council of Ministers Regulation No. 122/1993 (as amended) is further amended by the Schedule attached to this Regulation.

Strength:

It helped to continual update of custom tariffs.

Weakness:

The amended custom tariff and goods classification are not attached with the Regulation document.

Recommendation:

The national logistics master plan needs to recognize that The Customs Tariffs has been continually updated since then in accordance of this council of Ministers regulation.

24. Council of Ministers Regulations No. 82/2003 Regulations to Provide for the Establishment of the Ethiopian Airports Enterprise

Regulation identification:

Name of Regulation: Regulations to Provide for the Establishment of the Ethiopian Airports Enterprise

Regulation No.: 82/2003

Version: English/Amharic

Effective date: 24th day of January 2003.

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992. The Ethiopian Airport Enterprise (hereinafter the "Enterprise") was established by this regulation. The Objectives of the Enterprise were:

- To construct maintain and administer aerodromes in Ethiopia;
- To provide safe, reliable and efficient airport service for aircraft; passengers and other users;
- To coordinate and develop in the aerodrome non aeronautical services. (Subject to the performing of the security activities by the relevant body in accordance with the National Aviation Security Programmed to ensure a reliable aviation security service in the aerodrome, to issue directives regarding airport facilitation, coordinate and control same.
- To engage in other related activities necessary for the attainment of its objectives

Strength:

It formally established the Ethiopia Airports Enterprise.

Weakness

The supervising government body is not stated in the regulation

Recommendation:

The national logistics master plan needs to recognize that Ethiopian Airport Enterprise was Established as independent entity by Council of Minister Regulation.

25. Council Ofminis1ers Regulations No. 85/ 2003 Council of Ministers Regulations to Amend the Establishment of Emergency Relief Transport Enterprise

Regulation identification:

Name of Regulation: Regulations to Amend the Establishment of Emergency Relief Transport Enterprise

Regulation No.: 85/2003

Version: English/Amharic

Effective date: 21st day of March 2003.

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992. It is amended as the authorized capital of the enterprise is Birr 58,318,755.83 (Fifty eight million and three hundred eighteen thousands and seven hundred fifty five birr and eighty three cents) which is fully paid up in cash and in kind.

Strength:

It formally increases the capital of the enterprise which is helpful for increasing its investment.

Weakness

The government was obliged to own and invest such type of companies.

Recommendation:

The national logistics master plan needs to recognize that Emergency Relief Transport Enterprise capital was increased and the Government had interest to own such type of transport companies which needs to be redirected in the ongoing economic reform.

26. Council of Minister Regulation No.89/2003 The Customs Tariffs council of ministers Amendment Regulation

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Amend Customs Tariffs Regulation

Regulation No. 89/2003

Version: English/Amharic

Effective date: 8th day of July, 2003.

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 4 of the International Convention on the Harmonized Descriptions and Coding System Ratification Proclamation No. 67/1993. The Customs Tariffs Classification System of Goods and Rates Schedule attached to the Customs Tariffs Council of Ministers Regulation No. 122/1993 (as amended) is further amended by the Schedule attached to this Regulation.

The Second Schedule of the Customs Tariffs Classification System of goods and Rates attached to the Customs Tariffs Council of Ministers Regulation No. 122/1993 is amended as Goods Imported by Agencies of the Ethiopian Government and Non-Governmental Aid Organizations duty free entrance shall be permitted by Ministry of Revenues.

Strength:

It helped to continual update of custom tariffs.

Weakness:

Ministry of Revenues is better if it is enforcing the duty free entrance permit is given by other governmental body for check and balance.

Recommendation:

The national logistics master plan needs to recognize that The Customs Tariffs has been continually updated since then in accordance of this council of Ministers regulation.

27. Council of Ministers Regulations No. 74/2001 Motor Vehicles and Trailers Identification, Inspection and Registration (Amendment) Regulations

Regulation identification:

Name of Regulation: Motor Vehicles and Trailers Identification, Inspection and Registration (Amendment) Regulations

Regulation No. 74/2001

Version: English/Amharic

Effective date: 29th day of June, 2001.

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and The Motor Vehicles and Trailers Identification, Inspection Registration Regulations No. 360/1969 is hereby further amended by this Regulation.

Strength:

It helped to continual update of the Motor Vehicles and Trailers Identification, Inspection and Registration.

Weakness:

The pictorial representation of plate did not show the trailers plate representation.

Recommendation:

The national logistics master plan needs to recognize that The Motor Vehicles and Trailers Identification, Inspection and Registration has been continually updated since then in accordance of this council of Ministers regulation.

28. Council of Ministers Regulations No. 48/1998 Council of Ministers Regulations to Amend the Customs Tariffs Regulations

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Amend Customs Tariffs Regulation

Regulation No. 48/1998

Repealed Regulation: Transaction Tax and Customs Tariff Applicable to the Preferential Trade Area for Eastern and Southern Africa States Council of Ministers Regulations No 1/1989 are hereby repealed and replaced by a Schedule attached to this Regulation.

Version: English/Amharic

Effective date: 25th day of December, 1998

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 4 of the International Convention on the Harmonized Descriptions and Coding System Ratification Proclamation No. 67/1993. The Customs Tariffs Classification System of Goods and Rates Schedule attached to the Customs Tariffs Council of Ministers Regulation No. 122/1993 (as amended) is further amended by the Schedule attached to this Regulation.

The Customs Tariffs Classification System of Goods and Rates attached to the Customs Tariffs Regulations No. 122/1993 were hereby further amended by the Schedule attached with this Regulation.

Strength:

It helped to continual update of custom tariffs.

Weakness:

Tariffs Classification System of Goods and Rates were not attached.

Recommendation:

The national logistics master plan needs to recognize that The Customs Tariffs has been continually updated since then in accordance of this council of Ministers regulation.

29. Council of Ministers Regulations No.51/1999 Council of Ministers Regulations to Amend Road Transport Tariffs Regulations

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Amend Road Transport Tariffs Regulations

Regulation No. 51/1999

Repealed Regulation: Without prejudice to the provisions of Sub-Articles 2,3,4,5,7,8 of Article 7 and Article 9, all provisions of Road Transport Tariffs Council of Ministers Regulations No. 2/1992; and Directives in force pertaining to road transport tariffs were repealed.

Version: English/Amharic

Effective date: 23rd day of July, 1999

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995.

Strength:

It helped to continual update the Regulation.

Weakness:

Recommendation:

The national logistics master plan needs to recognize that The Road Transport Regulations has been continually amended since then in accordance of this council of Ministers regulation

30. Council of Ministers Regulations No. 56/1999 Council of Ministers Regulations to Determine the Fees Payable on Pre-Shipment Inspection Services

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Determine the Fees Payable on Pre-Shipment Inspection Services

Regulation No. 56/1999

Version: English/Amharic

Effective date: 4th day of October, 1999.

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 14 of the Pre-Shipment Inspection Scheme Establishment Proclamation No.173/1999.

Strength:

It helps increase the government income and covers the administrative costs.

Weakness:

It does not show the Pre-Shipment Inspection completion time to reduce demurrage time.

Recommendation:

The national logistics master plan needs to recognize that Regulation to Determine the Fees Payable on Pre-Shipment Inspection Services has been in effect in accordance of this council of Ministers regulation.

31. Council of Ministers Regulations No. 24/1997 Council of Ministers Regulations to Provide for the Issuance of Customs Warehouse License

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Provide for the Issuance of Customs Warehouse License

Regulation No. 24/1997

Version: English/Amharic

Effective date: 20th day of December, 1997

Repealed and inapplicable laws: 1) Customs (warehouse) Regulations No. 47/44 and 2) Any regulations, directives or practices shall have no effect on matters covered in these Regulations

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Articles 40 (4) and 84 of the Re-Establishment and Modernization of Customs Authority Proclamation No. 60/1997.

Strength:

It helps to introduce and formalize private and government bodies warehouses.

Weakness:

- The warehouse technical requirements, capabilities for handling multi-trucks at a time and the need for 24 hours/ 7 days working requirements are not stipulated and creating inconveniences in the warehouse service practically.
- Atomization of the service is not practiced

Recommendation:

The national logistics master plan needs to recognize that Regulation to to Provide for the Issuance of Customs Warehouse License has been in effect in accordance of this council of Ministers regulation and modernizing the service yet requires further works.

32. Council of Ministers Regulations No. 25/1997 Customs Tariffs Council of Ministers (Amendment) Regulation

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Amend Customs Tariffs Regulation

Regulation No. 25/1997

Version: English/Amharic

Effective date: 26th day of December, 1997

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 4 of the International Convention on the Harmonized Descriptions and Coding System Ratification Proclamation No. 67/1993.

The Customs Tariffs Classification System of Goods and Rates attached to the Customs Tariffs Regulations No. 122/1993 were hereby further amended by the Schedule attached with this Regulation.

Strength:

It helped to continual update of custom tariffs.

Weakness:

Tariffs Classification System of Goods and Rates were not attached.

Recommendation:

The national logistics master plan needs to recognize that The Customs Tariffs has been continually updated since then in accordance of this council of Ministers Regulation.

33. Council of Ministers Regulations No. 37/1998 Freight Forwarding and Ship Agency License Issuance Council of Ministers Regulations

Regulation identification:

Name of Regulation: Freight Forwarding and Ship Agency License Issuance Council of Ministers regulation

Regulation number: 37/1998

Repealed regulation:

Version: English/Amharic

Effective date: 19/06/1998

Description and objectives:

The regulation clarified licensing requirement and responsible of parties in issuance and suspension of license for freight forwarders and shipping agents. Customs Commission is given the authority to provide certification.

Strength:

Freight forwarders are given extended mandate such as warehousing, cargo handling, packing, fumigation, consulting apart from the traditional tasks.

Weakness:

The freight forwarders extended mandates on warehousing and packing has not been affected, reflecting inconsistency with other laws such as investment law and lack of enforcement mechanism.

Recommendation:

- The regulation needs to address inconsistency with other laws and practice
- The national logistics master plan needs to recognize that there is inconsistency between extended value adding regulatory mandate such as warehousing and packing given to freight forwarders and the practice on ground.

34. Council of Ministers Regulations No. 21/1997 Emergency Relief Transport Enterprise Establishment Council of Ministers Regulations**Regulation identification:**

Name of Regulation: Regulations to Emergency Relief Transport Enterprise Establishment

Regulation No.: 21/1997

Version: English/Amharic

Effective date: 21st day of March 2003.

Description and objectives:

The Regulation was issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 47(1)(a) of the Public Enterprises Proclamation No. 25/1992. The Emergency Relief Transport Enterprise is established.

The purposes for which the Enterprise is established are:

1. To render relief freight road transport services for consideration;
2. To render any development and commercial freight road services for consideration when relief freight is not available;
3. Without prejudice to the purpose stated in sub article (1) of the article, to engage in any other transport services;
4. To engage in other related activities necessary for the attainment of its purpose.

Strength:

It formally established the Enterprise to meet the service in need.

Weakness

- The government was obliged to own and invest such type of companies.
- The supervising government body was not stated in the Regulation

Recommendation:

The national logistics master plan needs to recognize that Emergency Relief Transport Enterprise was established and operated as the Government had interest to own such type of transport companies which needs to be redirected in the ongoing economic reform.

35. Council of Ministers Regulations No.6/1996 Council of Ministers Regulations to Amend the Customs Tariffs Regulations

Regulation identification:

Name of Regulation: Council of Ministers Regulation to Amend Customs Tariffs Regulation

Regulation No. 6/1996

Version: English/Amharic

Effective date: 8th day of July, 1996

Description and objectives:

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definition of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No. 4/1995 and Article 4 of the International Convention on the Harmonized Descriptions and Coding System Ratification Proclamation No. 67/1993.

The Customs Tariffs Classification System of Goods and Rates attached to the Customs Tariffs Regulations No. 122/1993 were hereby further amended with aim of duty free entry permit for Goods Imported by Ethiopians in the Expat and Agencies of the Ethiopian Government and Non-Governmental Aid Organizations.

Strength:

It helped to continual update of custom tariffs.

Weakness:

Tariffs Classification System of Goods and Rates were not attached.

Recommendation:

The national logistics master plan needs to recognize that The Customs Tariffs has been continually updated since then in accordance of this council of Ministers Regulation.

Directives

1. የወጭ ደረቅ እቃዎች የትራንዚት ትራንስፖርት ሥርዓት መመሪያ (Export Goods Transient Transport Administration Directive) 2005 E.C

Directive identification:

Name of Directive: Export goods transit transport administration directive

Directive number: None

Version: Amharic

Issue date: 2005

Description and objectives:

This directive is issued by Ministry of Transport and focuses improving Export goods transit services specifically for maritime transport.

the main objective is to ensuring efficient transit for export goods that translates into economical viable, reduced time, and safe export business in coordinated and organized manner.

The main actors of this directive are the Ministry of Transport and Logistics (MoTL) as warehouse developer, Ministry of Trade as export trade regulator and interfacing with the Exporters, Ethiopian Maritime Authority as standard setter, certifier, performance monitor, and problem solver, Transport Authority as monitor of transport operators, ESLSE, transistors, and agents as main operators, National Bank of Ethiopia (NBE) and Commercial banks as permitting, prohibiting, and informing organs.

Strength:

The directive recognized the need to improve the export transit efficiency and effectiveness to reduce cost, time, capacity and ensuring safe export goods endeavor.

It outlined the responsibilities of most of key players

Weakness:

- It overlooked the stake of Ethiopian Commodity Exchange Authority and Agricultural Product Warehouse Provider companies.
- It does not take in to account the lately introduced railway transport and logistic actors.
- Responsibilities to the parties are too generic to shape behaviors towards the main objectives of the directive.

- Does not specifically address the penalty or consequences associated with unacceptable performance

Recommendation:

- Incorporate all key actors along the logistic and the trade chains with specific responsibility assignment.
- Reconsider the exporting process using railway and update the directive accordingly
- Specify consequences associated with unacceptable performance of parties

The implication of export transit efficiency on logistics master plan is high that the general direction should be to address the following: end to end key actors' identification with specific responsibility assignment, target capacity, tolerable delay limit, and penalties for unacceptable performance.

2. የገቢ እቃዎች ደረቅ እቃዎች የትራንዚት ትራንስፖርት ሥርዓት መመሪያ (Import Cargo Transient Transport Directive) 2005 E.C

Directive identification:

Name of Directive: Import goods transit transport administration directive

Directive number: None

Version: Amharic

Issue date: 2005

Description and objectives:

This directive is issued by Ministry of Transport and focuses improving import goods transit services specifically for maritime transport.

the main objective is to ensuring efficient transit for import goods that translates into reduced time, cost, storage, port congestion.

The main actors of this directive are the Ministry of Transport and Logistics (MoTL) as warehouse developer, Ethiopian Maritime Authority as standard setter, certifier, performance monitor, and problem solver, Transport Authority as monitor of transport operators, ESLSE, transistors, and agents as main operators, National Bank of Ethiopia (NBE) and Commercial banks as permitting, prohibiting, and informing organs.

While the directive allows for incorporation of detailed directives based on periods of shipment stay at sea port for 30 days, 30 to 60 days, and beyond 60 days, no clarification is offered the main stake for such classification.

Strength:

The directive recognized the need to improve transit efficiency to reduce cost, time, storage, and congestion.

It outlined the responsibilities of key players

Weakness:

- It offers warehouse development task to the Ministry of Transport and Logistics (MoTL), a task beyond the Ministries mandate and suggesting such task has no standing owner at the moment.
- Responsibilities to the parties are too generic to shape behaviors towards the main objectives of the directive.
- Does not specifically address the penalty or consequences associated with unacceptable performance

Recommendation:

- Identify appropriate warehouse development and administration organization at the national level
- Provide specific time-based targets to responsible organs where appropriate
- Specify consequences associated with unacceptable performance of parties
- The implication of transit efficiency on logistics master plan is high that the general direction should be to address the following: specific transit time target, target maximum storage level, and tolerable delay limit.

3. የዕቃ ስለማስተላለፍና ተዛማጅ የባህር ወደብ ችግሮች ክፍያን ለማስፈጸም የወጣ መመሪያ (Cargo Transit and related port service Charges) 2006 E.C/ 2014 G.C

Directive identification:

Name of Directive: FDRE MoT Directive on enforcement of transit and sea port service payment modality

Directive number: None

Version: English

Issue date: 17/08/2015

Description and objectives:

This directive is issued by Ministry of Transport and focuses on enforcement of transistors payment for transit and sea port services based on bilateral agreement between Ethiopian and Djibouti governments on

sea port utilization signed on 13/04/2002. The agreement state that payment shall be expected within 15 days of receipt of transit service invoice. However, actual practice extends credit period to 90 days, resulting in Djibouti's complaint through letter dated..... to enforce timely payment based on bilateral agreement.

the main objective is to put in place a system in which Djiboutian transistors can be paid by Ethiopian counterparts with in the original agreed time period contrary to the current practice of length credit scheme.

The main actors of this directive are the Ethiopian Maritime Authority as standard setter, National Bank of Ethiopia, Commercial banks, and transistors.

While the directive provided specific payment request modalities and documentation requirements, it put specific dates from invoice receipt date for key actions: 3 days for checking appropriateness and completion of documentations, 5 days for reporting to NBE if payment is not made, 7 days to transfer payment to Djiboutian counterpart by Ethiopian Commercial bank.

Strength:

The directive recognized the need to provide better service to Djiboutian counterparts and honor its bilateral agreement

It provided specific dates and reporting mechanisms to follow up on timely payment

It provides guidance for banks to allot reserve hard currency for such payments

Weakness:

- Provision of three days just to check appropriateness and completion of documentation appear to be long.

Recommendation:

- To put in place automated system with automatic built-in verification and validation capability over documentations.

As timely payment to transistors and honoring the 8 points bilateral agreements with Djibouti are vital in building trust as a stepping stone for stronger partnership, the upcoming logistics master plan needs to address effective implementation of bilateral agreements with Djibouti and neighboring coastal countries.

- በደረቅ ወደብ ተርሚናል ውስጥ እቃ የሚቀመጥበት እና የሚቆይበትን ሁኔታ ለመወስን የወጣ መመሪያ 2007 E.C

Directive identification:

Name of Directive: Directive to fix the maximum day of shipment stay at dry port and

Directive number: 07/2007

Version: Amharic

Issue date: 1/04/2007

Description and objectives:

This directive is issued by Ministry of Transport and pertains to setting allowable time of stay for shipments at dry ports based on proclamations no.548/199 (multimodal proclamation), 549/199 (Ethiopian Maritime Authority Establishment proclamation), 622/2001 (Customs proclamation), 97/1990 (Bank collateral proclamation), and 588/2002 (Owner's responsibility for dry port shipment proclamation).

The main objective of the directive is to ensure fast clearance of multimodal shipments from dry ports, thereby avoiding unnecessary congestions at dry port terminals.

The main actors of this directive are Ethiopian Maritime Authority and Ethiopian Customs Commission. While the customs commission identifies goods that are not cleared within 60 days, returns to store, and provide such information to EMA, National Bank of Ethiopia (NBE), and respective actors. Whereas, EMA set operating standards, monitors tariffs, aggregate information on status of goods including confiscated ones, and monitors legal gaps as well as performance gaps of main actors.

While the directive set specific dates of stay for free (7 days) with added charge (up to 60 days), with potential goods transfer from containers (on day 30 and 45), and with confiscation (on day 60). However, little is provided on the penalty rate and indication on whether such charges should be deterrent of undesirable importer behaviors such as clearance delay or abandonment of shipment.

Strength:

The directive recognized the need to improve shipment clearance performance to match the ever-increasing shipment volume

It sets objective/standardized dates to allow for easy implementation

It provides key decision time points for:

Day 7: maximum free stay and reason for reminder

Day 30: maximum stay to free container and transfer goods elsewhere in case of shortage

Day 45: Maximum stay to free container

Day 60: Maximum stay for confiscation

Weakness:

- It does not offer clarity on tariff that may affect owner's choice to leave or clear shipments considering the storage costs, customs costs, and penalty cost
- Does not provide direct incentives for early information by owners in case of decision to forgo shipments
- Does not include dry port under the section for main responsible party
- Some key dates are not reconciled. For example, for goods stayed for 30 days, transfer warning must be given 20 days before. However, goods carried over 45 days are expected to be transferred.

Recommendation:

- Include well thought pricing and penalty schemes that discourage owners from clearance delay or abandoning shipments for good
- Encourage early information by the owner in case they opt to forgo shipments for any reasons
- Include dry port responsibility in the appropriate section
- Reconcile key dates of actions
- The implication of day of stay on logistics master plan is enormous and the general direction should be to address the following: reduce the maximum allowable stay, set plan to reduce storage cost for easy clearance and tackle main hinderances of early clearance.

4. The Federal Democratic Republic of Ethiopia Ministry of Transport Directive on Training and Certification of Seafarers No. 2/2015, as amended in 2016

Name of Directive: FDRE MoT Directive on training and certification of seafarers, as amended in 2016

Directive number: 02/2015

Repealed Directive: FDRE MoT Directive on training and certification of seafarers of 2015

Version: English

Issue date: 19/10/2016

Description and objectives:

This directive is issued by Ministry of Transport and focuses on providing standards for training, certification, documentation, and assessment procedure to provide certification to seafarers and issue penalty for non-compliance based on STCW convention and ratifying national proclamation 349/2003, 549/2009, and International Convention on standards of training, certification, and watch keepers for seafarers, 1978.

The main objective of this directive is to establish a regulatory scheme of Maritime training in Ethiopia for conducting pre-sea, preparatory and ancillary training courses for merchant ship officers and for rating and monitoring as per STCW and international standard.

The main actors of this directive are the Ethiopian Maritime Authority as standard setter, certifier, auditor, and performance monitor, Training centers as implementors, and seafarers as trainees.

While this directive grants EMA the authority to monitor certification programs, it documents specific requirements, guides, and checklists to allow for easy implementation.

Strength:

The directive recognized the need to improve maritime education to seafarers to international level, setting mandatory certification for eligibility

It outlined detailed procedures, documentations, and checklists

EMA establish assessment board and document processing unit

Weakness:

- It does not clarify the organization of EMA offices to effectively discharge its monitory role
- Organization of monitory office including team composition and qualification is missing
- By lending utmost focus on quality of maritime education as per international standard, promotion of access to maritime education was neglected.
- While EMA is tasked to involve in technical matters and audit, the technical capacity required from the side of EMA was not clarified.

Recommendation:

- To specify the required level of technical competency by EMA or to allow EMA to use outside experts for technical assessment and audit.

- To include organization of effective standing monitoring office under EMA

The implication of internally qualified seafarers on logistics master plan is key that the general direction should be to address the following: observe SWTE convention and other international stands as well as domestic needs, to promote access to seafarer education, and to offer options for hierarchical certification rather than single level seafarer certification

5. The Federal Democratic Republic of Ethiopia Ministry of Transport on Approval and Monitoring of Maritime Training Centers No. MAA 1/2015

Directive identification:

Name of Directive: FDRE MoT Directive on approval and monitoring of Maritime Training Centers

Directive number: none

Version: English

Issue date: 17/08/2015

Description and objectives:

This directive is issued by Ministry of Transport and focuses on providing standards for training, certification, and audit of all maritime related education in Ethiopia based on STCW convention and ratifying national proclamation 349/2009, 549/2009, and International Convention on standards of training, certification, and watch keepers for seafarers, 1978.

the main objective of the directive is to ensure that Maritime education is designed properly, delivered by qualified trainers, and offered in accordance with SWTE conventions as well as national and international regulations.

The main actors of this directive are the Ethiopian Maritime Authority as standard setter, certifier, auditor, and performance monitor, Training centers as implementers.

While the directive grants EMA the authority to certify training centers, it appears to miss out details on objective minimum requirement to establish qualification level.

Strength:

The directive recognized the need to improve maritime education to international level

It outlined the generic responsibilities of key players

Weakness:

- It offers little objectivity regarding minimum requirement to grant certification.
- By lending utmost focus on quality of maritime education as per international standard, promotion of access to maritime education was neglected.
- As EMA is tasked to determine the unspecified passing mark, it seems too involved on operational matters.
- While EMA is tasked to involve in technical matters and audit, the technical capacity required from the side of EMA was not clarified.

Recommendation:

- To specify key minimum requirement in a more objective manner
- To fix passing mark based on international or national practice in directives
- To specify the required level of technical competency by EMA or to allow EMA to use outside experts for technical assessment and audit.

The implication of high-quality maritime education on logistics master plan is high that the general direction should be to address the following: observe SWTE convention and other international stands as well as domestic needs, to promote access to maritime education, and to offer options for hierarchical development for centers.