



Photo: Neil Palmer

RWANDA

CHAPTER 20: RWANDA

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20 RWANDA

20.1 Constitutional requirements for environmental protection in Rwanda

Article 22 of the current Constitution of Rwanda (i.e. the amendment gazetted in 2015) states that “*everyone has the right to live in a clean and healthy environment*”, thus making clear provision for an environmental right.

Article 53 commits the Rwandan State and each Rwandan citizen to protect the environment.

20.2 Institutional and administrative structure for EIA in Rwanda

20.2.1 Ministry of Environment

The Ministry of Environment (MoE) has the following responsibilities as outlined in Article 2 of the Prime Minister’s Order No. 130/03 of 23/12/2017 Determining Mission and Functions and Organisational Structure of the Ministry of Environment:

- To develop and disseminate environmental and climate change policies, strategies and programmes through:
 - Developing strategies to promote partnerships and enhance capacity of the private sector to invest in activities concerning the environment and climate change for sustainable economic development
 - Developing laws and regulations to ensure protection of the environment and conservation of natural ecosystems
 - Developing institutional and human resources capacities in environment and climate change management
- To monitor and evaluate the implementation and mainstreaming of environmental and climate change policies, strategies and programmes across all sectors, especially the productive sector
- To oversee and evaluate institutions under its supervision by providing guidance on the implementation of specific programmes to be realised by the institutions under its supervision and local government
- To mobilise the necessary resources for the development, protection and conservation of the environment and for climate change adaptation and mitigation

The MEF consists of two technical directorates: The Environment and Climate Change Directorate General, and the Water Resources Management Directorate General. There are also five semi-autonomous government agencies (see Figure 20.1):

- Rwanda Environment Management Authority (REMA) (see s. 20.2.2 below)

- Rwanda Land Management and Use Authority (RLMUA) established in terms of Law No. 05/2017 of 02/03/2017
- Rwanda Water and Forest Authority (RWFA), established in terms of Law No. 06/2017 of 02/03/2017
- Rwanda Meteorology Agency (RMA)
- Rwanda Fund for Environment and Climate Change (FONERWA)

20.2.2 Rwanda Environment Management Authority

The establishment of the Rwanda Environment Management Authority (REMA) is provided for under Law No. 63/2013. According to this law, the Authority's core functions are among others:

- To implement government environmental policy
- To advise the government on policies, strategies and legislation related to the management of the environment as well as the implementation of environment-related international conventions, whenever deemed necessary
- To conduct inspection of environmental management in order to prepare biennial state of environment reports in Rwanda
- To put in place measures designed to address climate change and cope with its impacts;
- To conduct studies, research, investigations and other relevant activities in the field of environment and publish the findings
- To closely monitor and assess development programmes to ensure compliance with the laws on environment during their preparation and implementation
- To participate in the preparation of activities and strategies designed to prevent risks and other phenomena which may cause environmental degradation and propose remedial measures
- To provide, where necessary, advice and technical support to individuals or entities engaged in natural resources management and environmental conservation
- To prepare, publish and disseminate education materials relating to guidelines and laws on environmental management and protection in order to reduce environmental degradation risks
- To review, monitor and supervise Environmental Impact Assessment (EIA), environmental audit, Strategic Environmental Assessment (SEA) and any other environmental study. REMA may authorise in writing, any other person to analyse and approve these studies

20.2.3 Inspectors

Article 61 of the Law on Environment provides for the appointment of Inspectors, by the Authority. An Inspector may at any reasonable time enter any premises for the purpose of ensuring compliance with the Law on Environment.

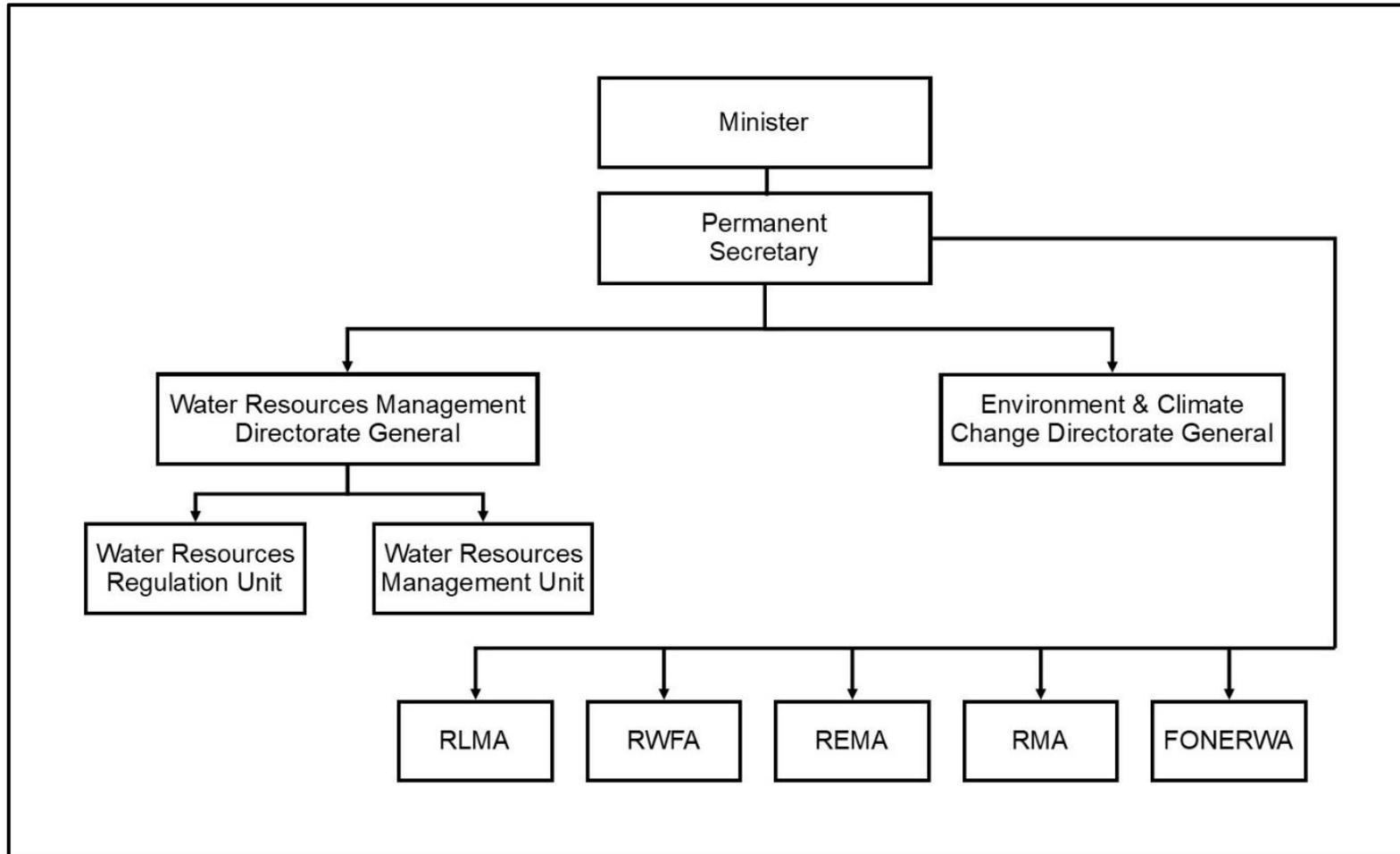


Figure 20.1: Organisational structure of the technical components of the Ministry of Environment

20.3 Policy and legal framework for EIA in Rwanda

20.3.1 National Environment and Climate Change Policy

The National Environment Policy was first published by the MoE in 2003. This policy was the product of wide stakeholder consultation process and laid out the overall aim, specific objectives and guiding principles to improve the sustainability of environmental management in Rwanda. This Policy was renamed – now the National Environment and Climate Change Policy, and updated 16 years later in 2019. The focus of the policy has expanded to include climate change.

The goal of the policy is for “*Rwanda to be a nation that has a clean and healthy environment, resilient to climate variability and change that supports a high quality of life for its society.*”

The policy aims to achieve the following seven objectives:

- Green economic transformation
- Enhance functional natural ecosystems and manage biosafety
- Strengthen meteorological and early warning services
- Promote climate change adaptation, mitigation and response
- Improve environmental well-being for Rwandans
- Strengthen environment and climate change governance
- Promote green foreign and domestic direct investment and other capital inflows

The National Adaptation Programmes of Action to Climate Change was published by the MoE in 2006 and the Policy has an implementation plan, which has some overlap with the actions laid out in the adaptation report.

20.3.2 Law No. 48/2018 of 13/08/2018 on Environment

Law No. 48/2018 of 13/08/2018 on Environment (hereafter the Law on Environment) repeals the Organic Law No 04/2005. Chapter II of the Law on Environment lays out five fundamental principles upon which the Law is based:

- Precautionary principle
- Principle of environmental sustainability
- Polluter pays principle
- Principle of information dissemination and incentives for environmental conservation
- Principle of cooperation

The “environment” is defined as “*a diversity of things made up of [the] natural and built environment, including chemical substances, biodiversity as well as socio-economic activities, cultural, aesthetic and scientific factors likely to have direct or indirect, immediate or long-term effect on the development of*

an area, biodiversity and on human activities". This definition in general terms recognises both social and biophysical elements of the environment.

20.3.3 Ministerial Orders (regulations)

The Law on Environment is implemented by the following Ministerial Orders (see section 20.5 below for a brief overview of each):

- Ministerial Order No. 001/2019 of 15/04/2019: Establishing the List of Projects that must undergo EIA, Instructions, Requirements and Procedures to Conduct EIA (hereafter referred to as the EIA Order). This repeals Ministerial Orders No. 004/2008 and 001/2018 of 25/04/2018.
- Ministerial Order No. 003/16.01: Preventing Activities that Pollute the Atmosphere
- Ministerial Order No. 005/16.01 of 15/07/2010: Determining the List of Prohibited Plains¹ to Construction
- Ministerial Order No. 006/16.01 of 15/07/2010: Establishing Special Regulations Relating to Burying Toxic Waste
- Prime Minister's Order No. 26/03 of 23/10/2008: Determining the List of Chemicals and Other Prohibited Pollutants

The EIA Order, provides a list of projects which require an EIA, describes the legally enforceable EIA process (included public participation requirements), elaborates on the role and responsibilities of the agents provided for in the Law on Environment.

The Law on Environment makes provision for instructions and procedures for post-EIA environmental auditing requirements to be made by Ministerial order. However, at the time of writing, these have yet to be published in the government gazette.

20.3.4 Permits and licences

No person can commence with an undertaking specified in Annex I of the EIA Order unless an **EIA Clearance** has been issued in accordance with the EIA Order. However, neither the Law on Environment nor the EIA Order specify the validity period of an **Environmental Clearance Certificate**. Some activities will need other permits in addition to the Environmental Permit. For example, a waste management company, which intends to develop a landfill, will require an additional authorisation from the Authority to operate.

20.3.5 Penalties

The Law on Environment clearly specifies what is considered an offence and penalties are specified for each offence. These are summarised in Table 20.1.

¹ 'prohibited plains' includes protected areas and other designated sensitive areas.

Table 20.1: Offences and penalties in terms of the Law on Environment

Article of the Law	Offence	Penalty
46	Failing to carry out an EIA for a listed project	Suspension of project and a fine of 2% of the total cost of the project
47	Unauthorised pollution or alteration of wetlands or rivers	A fine of FRW 3,000,000 and is ordered to rehabilitate damages
48	Alteration of a wetland	A fine of FRW 5,000,000 and is ordered to rehabilitate damages
49	Violation of minimum distances with respect to wetlands	A fine of FRW 500,000 and is ordered to remove substances or rehabilitate damages caused
50	Unauthorised disposal of waste	A fine of FRW 50,000 and demolition of his/her installations For a person authorised to treat waste, a fine of FRW 5,000,000 and the authorisation is also suspended or withdrawn
54	Hindering inspection.	A fine of FRW 500,000
56	Management of waste in such a way that it becomes harmful to humans or the environment	Imprisonment for a term of not less than 7 years and not more than 10 years and a fine not less than FRW 100,000,000 and not more than FRW 200,000,000

20.3.6 Fees

The EIA Guidelines, make reference to Article 69 of the repealed Organic Law, which requires developers to pay a levy based on the project operating cost into the National Fund for the Environment (now the Rwanda Green Fund see 20.2.1 above). This is however no longer required.

The Law on Environment makes provision for the Minister of Environment to determine fees for the issuing of an Environmental Clearance Certificate by ministerial order. At the time of writing no such Ministerial Order has been published in the government gazette. As such no fees are currently required for the review and processing of applications for an Environmental Clearance Certificate.

20.3.7 Guidelines

Articles 2(9), 6 and 9 require EIAs to be conducted in accordance with guidelines published by the Authority. In 2006 the “*General Guidelines and Procedure for EIA*” (hereafter referred to as the EIA Guidelines) were published by the Authority. In addition to the EIA Guidelines, the Authority has published a series of sector-specific EIA guidelines as well as environmental audit guidelines, which are available in digital form from the Authority’s website². These sector-specific EIA guidelines are available for the following:

- Petrol and Oil Stations
- Housing Construction
- Hydropower Construction
- Wetland Management
- Mining in Rwanda
- Agro-Processing Industries

² <https://rema.gov.rw>

- Road Construction
- Waste Management
- Water Resources Management
- Tannery Projects
- Slaughterhouses
-

In addition to the general environmental audit guideline, audit guidelines are also available for the following sectors: mining, agriculture and industry.

20.3.8 Environmental standards

According to Article 3 of Ministerial Order No. 02/2018 of 17/09/2018 on Air Pollutant Emissions, Rwanda endorsed standards for air quality established by the organ of state in charge of standards (i.e. Rwanda Standards Board). The Rwanda Standards Board has in turn adopted the East African Standards for air quality. Table 20.2 below displays ambient air quality tolerance limits.

Table 20.2: Ambient Air Quality Tolerance Limits

Pollutant	Time weighted Average	Industrial area	Residential, Rural & Other area	Controlled areas***
Sulphur oxides (SO _x)	Annual average*	80 g/m ³	60 g/m ³	15 g/m ³
	24 hours**	125 g/m ³	80 g/m ³	30 g/m ³
	Annual average	-	0.019 ppm/ 50g/m ³	-
	Month average	-	-	-
	24 hours	-	0.048ppm /125g/m ³	-
	One hour	-	-	-
	Instant peak	-	500 g/m ³	-
	Instant Peak (10 min)	-	0.191 ppm	-
Oxides of Nitrogen (NO _x)	Annual average*	80 g/m ³	60 g/m ³	15 g/m ³
	24 hours**	150 g/m ³	80 g/m ³	30 g/m ³
	8 hours	-	-	-
	Annual average	-	0.2 ppm	-
	Month average	-	0.3 ppm	-
	24 hours	-	0.4 ppm	-
	One hour	-	0.8 ppm	-
	Instant peak	-	1.4 ppm	-
Nitrogen Dioxide	Annual average	150 g/m ³	0.05 ppm	-
	Month average	-	0.08 ppm	-
	24 hours	100 g/m ³	0.1 ppm	-
	One hour	-	0.2 ppm	-
	Instant peak	-	0.5 ppm	-
Suspended Particulate matter (SPM)	Annual average*	360 g/m ³	140 g/m ³	70 g/m ³
	24 hours**	500 g/m ³	200 g/m ³	100 g/m ³
	Annual average***		100 g/m ³	

Pollutant	Time weighted Average	Industrial area	Residential, Rural & Other area	Controlled areas***
	24 hours***	-	180 g/m ³	-
Respirable Particulate Matter (<10m) (RPM)	Annual average*	70 g/m ³	50 g/m ³	50 g/m ³
	24 hours**	150 g/Nm ³	100 g/Nm ³	75 g/Nm ³
PM _{2.5}	Annual average	35 g/m ³	-	-
	24 hours	75 g/m ³	-	-
Lead (Pb)	Annual average*	1.0 g/Nm ³	0.75 g/Nm ³	0.50 g/m ³
	24 hours**	1.5 g/m ³	1.00 g/m ³	0.75 g/m ³
	Month average	-	2.5	-
Carbon monoxide (CO)/ carbon dioxide (CO ₂)	8 hours**	5.0 mg/m ³	2.0 mg/m ³	1.0 mg/m ³
	1 hour	10.0 mg/m ³	4.0 mg/m ³	2.0 mg/m ³
	24 hours**	-	-	-
Non-methane hydrocarbons	Instant Peak	700 ppb	-	-
Total VOC	24 hours**	600 g/m ³	-	-
Ozone	1-hour	200 g/m ³	-	-
	8-hour (instant Peak)	120 g/m ³	1.25 ppm	-

Values at Standard Temperature and Pressure (STP)

* Annual Arithmetic mean of minimum 104 measurements in a year taken twice a week 24 hourly at uniform interval

** 24 hourly/8 hourly values should be met 98% of the time in a year. However, 2% of the time, it may be exceeded, but not on two consecutive days. Whenever and wherever two consecutive values exceed the limit specified above for the respective category, it would be considered adequate reason to institute regular/continuous monitoring and further investigations. The 24-hour limit may not be exceeded more than three times in one year

*** Not to be exceeded more than once per year average concentration

Articles 17 and 43 of the Law on Environment require wastewater discharge and noise emissions respectively, to comply with the applicable regulations. However, at the time of writing there are no regulated standards for either wastewater or noise.

20.3.9 Certification of environmental consultants

According to Article 2(9) and 6 of the EIA Order only EIA experts registered on a list published by the Authority may conduct EIAs (including Project Briefs). The process of registration as an EIA expert is specified in Law No. 36/2016 of 08/09/2016: Establishing [the] Rwanda Association of Professional Environmental Practitioners and Determining its Organisation and Functioning. In terms of this law, the Rwanda Association of Professional Environmental Practitioners (RAPEP) is a statutory registration body for the registration of those practitioners who want to conduct EIAs and environmental audits in Rwanda. Applicants must submit a written application to the Chairperson of RAPEP, with proof of the following:

- At least a Bachelor's degree in environmental science or environmental studies from an institution approved by the Regulatory Council of RAPEP
- Training in EIA
- The applicant has not been imprisoned for more than 6 months

- The applicant has not been previously removed from the RAPEP Register
- Payment of the required registration fees

On receipt of the application, the Chairperson of RAPEP has 90 days to respond to the registration request. The Registration Certificate is valid for one year and is renewable upon request.

RAPEP is obliged to publish a list of registered professional environmental practitioners not later than 31st July each year and to send a copy of the register to the Minister (Art. 39 of the RAPEP Act).

Article 6 of the EIA Order requires EIA experts to be independent of the applicant in either financial terms (excluding normal remunerations for consultancy services) or corporately.

20.4 EIA procedural framework in Rwanda

The steps required to conduct an EIA are outlined in the following subsections and shown schematically in Figure 20.2. It should be noted that there are several discrepancies between the requirements set out in the EIA Order and the EIA Guidelines. Although the EIA Order is the statutory instrument and the guidelines are not, it is recommended that the reader consults with REMA whenever there is any doubt as to which steps are required in the EIA process.

20.4.1 Project Brief (screening)

A developer should determine if the intended project is included in the list of projects requiring submission of a full EIA (see Appendix 20-1) or partial EIA (Project Brief) (see Appendix 20-2). If the project is a listed project the developer should compile and submit a Project Brief. The preparation of a Project Brief may only be undertaken by an EIA Expert registered in accordance with the Law on Environment and the EIA Order (see section 20.3.9 above). Article 6 of the EIA Order refers to the EIA guidelines with respect to specific content requirements for a Project Brief:³

- Name, title and address of developer
- Name, purpose, objectives and nature of project, including attributes such as size of project, design, activities that shall be undertaken during and after the establishment of the project, products and inputs, sources of inputs, etc.
- Description of the proposed project site and its surroundings and alternative sites, if any, where the project is to be located
- Description of how the proposed project and its location conform to existing laws, regulations and policies governing such project and the use of the site/area proposed for its location
- Any likely environmental impacts that may arise due to implementing various phases/stages of the project and proposed mitigation measures thereto
- Description of any other alternatives, which are being considered (e.g. siting, technology, construction and operation procedures, sources of raw materials, handling of wastes etc., decommissioning/closure and site restoration)

³ Rwanda Environment Management Authority (REMA), 2006. General Guidelines and Procedure for Environmental Impact Assessment, page 8.

- Any other information that may be useful in determining the level of EIA required

Article 1 of the EIA Order defines ‘stakeholder’ as “*individuals, communities, government agencies, private organisations, non-governmental organisations having an interest or stake in both the Environmental Impact Assessment process and outcomes of the project.*” Neither the Law on Environment, nor the EIA Order explicitly stipulate public participation as part of the preparation of a Project Brief. However, the EIA Guidelines (see section 20.3.7 above) require a period of public consultation after submission of a Project Brief.

After receiving a Project Brief, the Authority publishes the Project Brief in a public notice along with an invitation for stakeholders to submit comments on the project to the Authority. **No timeframe** is provided in the EIA Guidelines for this public consultation period.

The developer is required to submit the Project Brief to the Authority. Within **14 days** of receipt of a Project Brief the Authority should review it, take a decision and inform the developer of the decision. After being reviewed according to screening criteria laid out in Appendix 2 to the EIA Guidelines, there are two possible decisions that can be taken by the REMA:

- No further studies are required, and the project is granted an Environmental Clearance Certificate
- The project requires a full EIA and the developer is instructed to proceed with scoping and produce terms of reference (ToR) (included in scoping report) for the EIA (Figure 20.2)

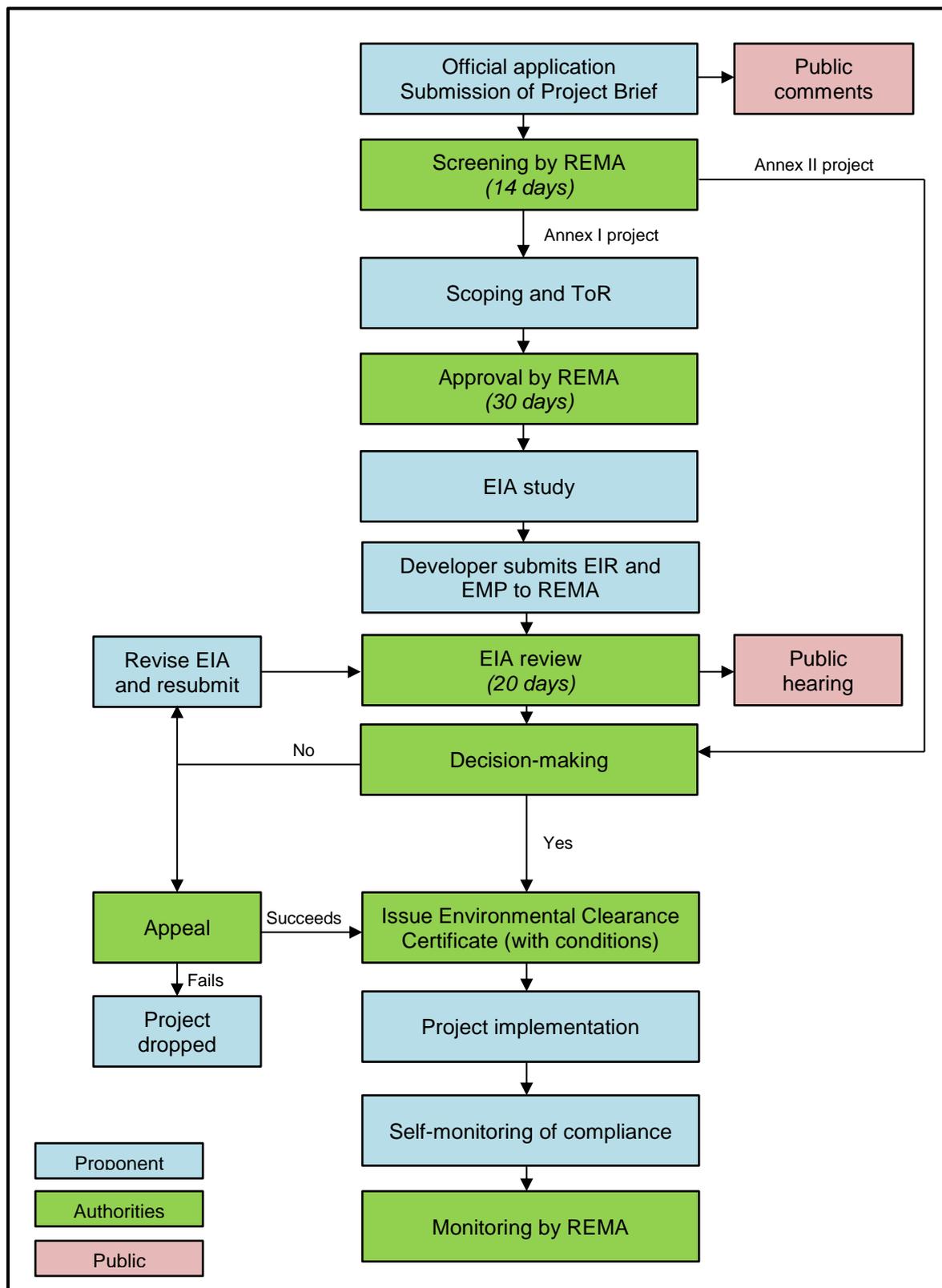


Figure 20.2: Flow diagram of the Rwandan EIA procedure

Source: REMA, 2006. General Guidelines and Procedure for Environmental Impact Assessment

20.4.2 Scoping

According to the EIA Guidelines, after being instructed to undertake a full EIA, the developer should proceed with scoping, during which the key impacts for detailed investigation should be identified and ToR for the EIA study produced. The EIA Guidelines specify that the following should be included in the ToR⁴:

- Issues to be assessed during the impact study, as identified during scoping
- Sufficient description of the specific work tasks for the EIA Experts
- Stakeholders to be consulted
- Description of the experts required for the impact study

The ToR should be submitted to the Authority for approval. The EIA Guidelines specify **30 working days** for the consideration of the ToR (see Figure 20.2 above). According to the EIA Guidelines, *after* the Authority approves the ToR for the EIA study, the developer is required to select EIA experts from a list of those registered with the Authority (which contradicts the requirement (item 4 on the list above) for experts to be listed as part of the ToR).

The EIA Order does not stipulate public participation requirements during the process of drafting ToR (i.e. scoping).

20.4.3 Environmental Impact Assessment

After receiving approval of the ToR for the EIA, the developer should commence with the assessment. Apart from the approved ToR and consideration of the opinions of all the relevant stakeholders, the EIA Order does not prescribe any specific matters to be considered or report content requirements, but the EIA Guidelines describe the process to be followed in more detail. The steps to be followed in the preparation of an EIA study are:

1. Identification of potential project impacts and determination of their magnitude
2. Compilation of assessment findings in an Environmental Impact Report (EIR), including an Environmental Management Plan (EMP)
3. Presentation of EIR and EMP at a public hearing – the public hearing should be presided over by an officer from the Authority, who is required to also compile public hearing report. The Authority is required to base their decision on the EIR (including EMP) and the public hearing report

The EIA Guidelines prescribe the following EIR content requirements⁵:

1. Executive summary
2. Objectives of the project
3. Description of the proposal and its alternatives
4. Discussion on the proposal and its relation to relevant policies, laws and programmes

⁴ REMA, 2006. General Guidelines and Procedure for Environmental Impact Assessment, page 10.

⁵ REMA, 2006. General Guidelines and Procedure for Environmental Impact Assessment, Appendix 3.

5. Description of present (baseline) environmental state (analysis of initial state)
6. Impact assessment
7. Evaluation and comparison of alternatives
8. Impact management and EMP

The EIA Order provides for the review of an EIR by stakeholders but does not specify how this should take place. Likewise, the EIA Guidelines require EIA Experts to seek the views of persons who may be affected by a project during the assessment process, but do not prescribe how this should take place.

20.4.4 EIA Review

According to Article 8 of the EIA Order, the developer should upon completion of the EIA submit a copy of the EIR, in hard and electronic forms, to the Authority. Within **20 working days** of receipt of the EIR, the Authority should accept and approve the report or request additional information. The Authority may request more time for review within the 20 working days' review period.

There is a major discrepancy between the EIA Order and the EIA Guidelines regarding the need for a public hearing. Article 9 of the EIA Order requires a public hearing to be held, if the Authority decides that it is necessary to hold one as part of the EIA review process. Article 10 of the EIA Order requires the Authority, or an organ of state authorised by the Authority, to cover the costs associated with a public hearing process. The Authority or authorised organ of state should notify the public of the public hearing (to include the date, time and venue of the hearing) utilising at least one of the following means:

- Publish a notice twice in any local newspapers
- Run four radio announcements
- Put up posters at the site of the proposed project

The EIA Guidelines on the other hand state that a public hearing is required for *all* projects which require a full EIA as part of the EIA review process. The EIA Guidelines require the Authority, as part of the public hearing process, to notify the public of an impending public hearing utilising the following means⁶:

- Posting public posters in strategic places around the proposed site
- Publishing a notice about the project for one week in a nationwide newspaper
- Announcements of the notice in Kinyarwanda, English and French on national radio at least once a week for two consecutive weeks
- Hold at least three public meetings with the affected parties and communities to explain the project and its effects in order to receive their comments
- Send appropriate notices at least once per week prior to the meetings concerning venue and time of the meeting in order to ensure that the specified time is acceptable to the affected stakeholders.

⁶ REMA, 2006. General Guidelines and Procedure for Environmental Impact Assessment, page 29.

Although the EIA Order has more legal standing the EIA Guidelines, readers should consult with the Authorities to determine the process required.

20.4.5 Appeals

Neither the Law on Environment nor the EIA Order make provision for an appeal against decisions taken under these legal instruments for persons aggrieved by such decisions.

The EIA Guidelines, however, do make provision for an appeal process. If the Authority rejects a project after reviewing an EIR, the developer can abandon the project, improve and resubmit a revised EIR or appeal to the Minister of the MoE as follows⁷:

1. *“The developer shall appeal in writing, stating all facts and grounds of the appeal*
2. *All relevant documents or their copies, which are certified by a Commissioner of Oaths as true documents, must accompany the appeal*
3. *The Minister shall, after considering all relevant facts and supporting documents, uphold the original decision outright, with modification or reverse the decision”*

If the developer successfully appeals against the Authority’s decision, the Authority is obliged to issue a revised decision to the developer.

20.4.6 Inspections and monitoring

Article 32 of the Law on Environment requires all projects that may have a significant impact on the environment to undergo an environmental audit during and after implementation. The Law on Environment provides for the publication of a Ministerial Order, a list of projects that must undergo an environmental audit as well as instructions and procedures for conducting environmental audits. At the time of writing, this Ministerial Order has been compiled and is currently being considered by the Rwandan Cabinet but is yet to be gazetted.

As stated in section 20.2.3 above, an Inspector may at any reasonable time enter any premises for the purpose of ensuring compliance with the Law on Environment.

20.4.7 Strategic Environmental Assessment

Article 31 of the Law on Environment provides for Strategic Environmental Assessment (SEA) of all policies, strategies, plans and programmes. Provision is made for the minister of the MoE to publish a Ministerial Order for SEA procedures. At the time of writing, this Ministerial Order has been compiled and is currently being considered by the Rwandan Cabinet but is yet to be gazetted.

20.4.8 Trans-boundary impacts

Rwanda is a land-locked country in east Africa, surrounded by Uganda to the north, Tanzania to the east, Burundi to the south and Lake Kivu and the Democratic Republic of Congo to the west. The need to address trans-boundary impacts in an EIA *per se* are not explicitly required in either the EIA Order or the EIA Guidelines, but Article 26(3) of the Law on Environment commits the Rwandan State “to

⁷ REMA, 2006. General Guidelines and Procedure for Environmental Impact Assessment, page 15.

[take] necessary measures to protect and respect the obligations stipulated in international agreements which it signed". The only international agreement to which Rwanda is a signatory which addresses some form of shared management of natural resources, is the International Conference on the Great Lakes Region.⁸

20.5 Other relevant environmental legislation

A number of sector laws in Rwanda are relevant to EIA. Table 20.3 provides a summary of the relevant sector legislation.

Table 20.3: Other potentially applicable sectoral requirements

Sector	Primary agency	Title and date of document	Purpose
Water resources	Ministry of Environment (MoE) Rwanda Water and Forest Authority	Law No. 49/2018 of 13/08/2018 determining the use and management of water resources in Rwanda	Determines the use, conservation, protection and management of water resources in Rwanda. Includes the ownership and control of water
Waste	MoE	Law No. 48/2018 of 13/08/2018 on Environment	Defines rules for the management of waste in general and for the management of liquid waste, solid waste and hazardous waste among other waste
		Ministerial Order No. 006/16.01 of 15/07/2010 Establishing Special Regulations Relating to Burying Toxic Waste	Defines rules for the burying of toxic waste
		Prime Minister's Order No. 26/03 of 23/10/2008 Determining the list of chemicals and other prohibited pollutants	Determines the list of chemicals and other pollutants that are prohibited to purchase, sell, import, export, transit, store and stockpile
Air	MoE	Ministerial Order No. 02/2018 of 17/09/2018 Relating to Air Pollutants Emission	Determines: 1) requirements relating to air pollutants emission; and 2) administrative sanctions for violations of provisions of the law governing the preservation of air quality and prevention of air pollution in Rwanda
		Law No. 18/2016 of 18/05/2016 Governing the Preservation of Air Quality and Prevention of Air Pollution in Rwanda	Determines modalities for preservation of air quality and prevention of air pollution in Rwanda
Forestry	MoE Rwanda Water and Forest Authority	Law No. 47/2013 of 28/06/2013 Determining the Management and Utilisation of Forests in Rwanda	Determines the management and utilisation of forests in Rwanda

⁸ <http://www.icglr.org/index.php/en/natural-resources>

RWANDA – DRAFT FOR CONSULTATION

Sector	Primary agency	Title and date of document	Purpose
Conservation and wildlife	MoE Rwanda Natural Resources Authority	Ministerial Order No. 005/16.01 of 15/07/2010 Determining the List of Prohibited Plains ⁹ to Construction	Defines plains (sensitive areas) on which no development/construction may take place
Planning and land	MoE Rwanda Land Management and Use Authority	Law No. 43/2013 of 16/06/2013 Governing Land in Rwanda	Determines modalities of allocation, acquisition, transfer, use and management of land in Rwanda
	Ministry of Infrastructure	Law No. 24/2012 of 15/06/2012 Relating to the Planning of Land Use and Development in Rwanda	Governs the planning of land use and development in Rwanda
Mining and mineral resources	Ministry of Petroleum and Mining	Law No. 58/2018 of 13/08/2018 on Mining and Quarry Operations	Governs mining and quarry operations in Rwanda
	Rwanda Mines, Petroleum and Gas Board	Law No. 07/2017 of 03/02/2017	Establishes the organisation, roles and functions of the Rwanda Mines, Petroleum and Gas Board
Energy	Ministry of Infrastructure Rwanda Energy Group	Law No. 21/2011 of 23/06/2011 Governing Electricity in Rwanda	Governs all activities of electric power production, transmission, distribution and trading within or outside the national territory of the Republic of Rwanda
Archaeological, historical and cultural	Ministry of Sports and Culture	Law No. 28/2016 of 22/7/2016 on the Preservation of Cultural Heritage and Traditional Knowledge	Determines the preservation of cultural heritage and traditional knowledge
Labour employment and occupational health	Ministry of Public Service and Labour National Council for Occupational Safety and Health	Law No. 13/2009 of 27/06/2009 Regulating Labour in Rwanda	Governs labour relations between workers and employers as well as between the latter and the apprentices or the trainees under their authority as per contract
		Ministerial Order No. 02 of 17/05/2012 Determining Conditions for Occupational Health and Safety	Determines the general and specific rules and regulations relating to health and safety at workplace in order to secure the safety, health and welfare of persons at work and protect them against risks to safety and health arising from work

⁹ prohibited plains' includes protected areas and other designated sensitive areas.

Appendix 20-1: List of works, activities and projects that must undergo a full Environmental Impact Assessment (Annex I)

1. All buildings classified as residential, commercial, administrative or institutional sports facilities, social, cultural, and assembly and religious buildings, hotels, health facilities, educational buildings, or other publicly accessible facilities fulfilling at least two of the following conditions:
 - Having capacity to host more than 500 people
 - Having a total floor area exceeding 1,500 m²
 - Built on plot size exceeding 1,000 m²
2. Industries
3. Buildings with activities which can cause hazards
4. Warehouses for storage of hazardous materials and perishables
5. Warehouses and storage facilities of perishable agricultural commodities occupying an area of a 0.5 hectare and above
6. Places where people are detained for punitive or corrective reasons or because of their mental condition
7. Places of non-industrial commercial activities, where such activities or commercial products may cause fire, cause combustion with extreme rapidity, give rise to poisonous fumes or cause explosions
8. Garages for vehicle repair and maintenance
9. Warehouse with total floor area exceeding 1,500 m² and plot size exceeding 1,000 m²
10. Hotels
11. Construction and repair of international, national, district roads and repair of large bridges
12. Construction of hydro-dams, hydropower plants and electrical lines of high and medium voltage
13. Construction of petroleum products and gas pipelines and their storage tanks
14. Construction of terminal ports, airports and railways
15. Agricultural and breeding activities which use chemical fertilisers and pesticides in wetlands
16. Large scale investment projects in agricultural areas and breeding activities which use chemical fertilisers and pesticides on hill sides
17. Works and activities that involve genetic modification of seeds and animals
18. Works in areas designated as national parks and in their buffer zones
19. All works related to mining
20. Commercial small- and large-scale quarrying
21. Construction of artificial lakes
22. Construction of water storage dams
23. Works or activities for marshlands reclamation
24. Construction of slaughterhouses

Appendix 20-2: List of works, activities and projects that must undergo a partial Environmental Impact Assessment (Annex II)

1. Towers and antennas
2. All types of buildings, except those qualified for full EIA fulfilling at least two of the following conditions:
 - With a capacity to host more than 200 people but not exceeding 500 people
 - With a total floor area exceeding 1,500 m²
 - Built on a plot size exceeding 1,000 m²
3. Micro hydroelectric power plants

Acronyms

EA	Environmental Assessment
EIA	Environmental Impact Assessment
EIR	Environmental Impact Report
EMP	Environmental Management Plan
FONERWA	Rwanda Green Fund
FRW	Rwandan Franc
MoE	Ministry of Environment
RAPEP	Rwandan Association of Professional Environmental Practitioners
REMA	Rwanda Environment Management Authority
RLMUA	Rwanda Land Management and Use Authority
RMA	Rwanda Meteorology Agency
RWFA	Rwanda Water and Forest Authority
SEA	Strategic Environmental Assessment
ToR	Terms of Reference

List of useful contacts in EIA Ministry/ Agency/ Department

Institution	Telephone	Email	Website
Ministry of Environment	+250 788 30 52 91	fmukarubibi@minirena.gov.rw (Permanent Secretary)	www.environment.gov.rw
Rwanda Environment Management Authority (REMA)	+250788775456	info@rema.gov.rw	www.rema.gov.rw