



Distr.
LIMITED
E/ESCWA/ENR/1999/WG.4/13
7 June 1999
ORIGINAL: ENGLISH

Economic and Social Commission for Western Asia

Expert Group Meeting on the Adequacy
of Environmental Legislation and the
Promotion of Enforcement Mechanisms
Beirut, 7-9 June 1999

UN ECONOMIC AND SOCIAL COMMISSION
FOR WESTERN ASIA
13 AUG 1999
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THE EXPERIENCE OF UNDP IN PROMOTING ENVIRONMENTAL LEGISLATION IN LEBANON

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Expert Group meeting
“Adequacy of Environmental Legislation and Promotion
of Enforcement Mechanism among ESCWA Member Countries”
6-9 June, 1999, UN House, Beirut, Lebanon

The Experience of UNDP in Promoting Environmental Legislation in Lebanon
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Introduction

Since 1992, the UNDP office in Beirut has supported the Lebanese Government and other national groups involved in environmental management in developing and implementing the national environmental agenda, in line with the latest international developments in this field. Various activities related to the development and enforcement of environmental legislation were addressed in this context by UNDP.

**UNDP's first intervention related to environmental legislation-
Capacity 21 Phase I**

UNDP's first intervention in the field of environmental legislation was through the implementation of activities as part of a Capacity 21 funded project which aimed at, among other activities, to support the following objectives:

- To strengthen the institutional basis for the sustainable management of development.
- To develop an effective legal and regulatory framework for sustainable development and to propose options for effective administration and enforcement of this framework, including proposing actions to make effective use of economic instruments and market and other incentives.

The output of this project which was executed by the Ministry of Environment with UNDP's support between 1994 and 1996 were the following:

1. A report including an organizational chart, a list of staff responsibilities and the Ministry of Environment development plan was prepared with the assistance of an international Consultant and based on consultations with different governmental and non-governmental organizations. This report was used as a basis for the Ministry of Environment's suggestions to the Ministry of Administrative Reform review of the Ministry of Environment's organizational plan. This plan was not however submitted to the Council of Ministers and the Parliament for approval and endorsement.
2. A draft code establishing the principles of environment and development for Lebanon, based on the principles of sustainable development was prepared by a National Legal Consultant with the assistance of an International Consultant and

based on consultations with various stakeholders. The draft code was reviewed by several International Organizations (IUCN law center, UNEP and FAO) as well as by the Ministry of Environment. In July 1996, the Minister of Environment submitted the draft code to the Council of Ministers for consideration and endorsement. The Council of Ministers formed a Ministerial Committee for reviewing the code. The review by the Council of Ministers delayed further follow up in terms of finalizing and ratifying the Code.

Sectorial legislation for specific sectors, namely the Conservation of Natural Sites and Monuments as well as the Integrated Pollution Control Bill were drafted to cover the areas which were identified as priority by the assessment of the state of the environment. The draft text for these sectorial legislation were mainly prepared by a national legal consultant with the assistance of an international consultant and based on consultations with concerned groups.

UNDP's second intervention related to environmental legislation- Capacity 21 Phase II

UNDP's first intervention in the field of environmental legislation was followed up through the implementation of activities as part of second phase of the Capacity 21 project. Funding for this second phase was obtained from UNDP and the Ministry of Environment, and the project's objectives at the level of environmental legislation was mainly the development of application decrees in line of national priorities as well as to define how Lebanon will meet its obligations under key international conventions already ratified by the Government of Lebanon.

This second phase of the Capacity 21 programme also aimed at promoting the passage and application of key laws developed as part of the first phase of Capacity 21, mainly the Environmental Code (Code de l' Environment) and advancing necessary laws , regulations and guidelines .

The Code of Environment was finalized by an independent consultant recruited solely by the Ministry of Environment. The finalized Code was submitted to the Council of Ministers and the concerned Parliamentary committees for their approval. While the Code of Environment was awaiting approval by the General Assembly of the Parliament which was expected to put the Code to vote at the first General Assembly in October 1998, the Code was later returned to the Ministry of Environment for further review.

The second phase of the Capacity 21 project, which was launched in 1997 and is still underway, based its activities mainly on the Code of Environment, and has resulted in the following:

- A decree regarding the Ministry of Environment organizational responsibilities was developed by a national legal expert.
- An international legal consultant supported the development of a framework law for Protected Areas. The necessary decree is still underpreparation.

- Application decrees for the laws which were initiated during the first phase of the project, namely the Conservation of Natural Sites and Monuments Law and the Integrated Pollution Control Bill will be developed, once the Code will be ratified by the Parliament.
- Several application decrees are planned and will be presented to the Council of Ministers for approval including those for the establishment of an Environment Fund and the establishment of the National Council of Environment.

Other UNDP interventions related to environmental legislation

In addition to supporting the development of necessary legal framework, UNDP has also continuously aimed at supporting the enforcement of existing or new legal framework through the implementation of concrete activities.

The implementation by UNDP of the GEF/FFEM funded protected areas project has for example supported the ratification of four laws designating sites covered by the project. The enforcement of these laws is secured through the development and implementation of appropriate management plan for each protected area.

In this respect, UNDP will also be soon supporting the enforcement of the classified establishment decree through the development of necessary monitoring and auditing capacity at the concerned national organizations in this field, in a joint effort with the Ministry of Environment and the European Union.

Moreover, UNDP is also supporting the development and implementation of action plans in the various environmental sectors to respond to the Government's commitments to international conventions in line with national priorities. UNDP's support in this area is specifically active at the level of the conventions for Biodiversity Conservation, Climate Change, Desertification and the Montreal Protocol.

The approval by the Parliament of the Code of Environment remains however, as the most essential step for Lebanon to be able to move forward in developing and promulgating the necessary environmental legal framework. Such step will, in its turn, support better enforcement of adequate environmental management policies and actions.

While UNDP is ready to follow up its support to this important basis for environmental management, national commitment for developing and enforcing environmental legislation remains the driving force for any such efforts to succeed.