

**Strengthening the Environmental Legislation Development and Application
System in Lebanon (SELDAS)**

(LIFE 02 TCY/RL/032)



**Interim Report
From 1 March 2003 to 31 August 2004
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Main Report

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Introduction:

This report summarizes the progress of work under the “Strengthening the Environmental Legislation Development and Application System in Lebanon (SELDAS)” since its actual starting date (1 March 2003)¹ till 31 August 2004.

SELDAS is a project by the UNESCO-Cousteau Ecotechnie Chair at the University of Balamand, Lebanon (the Chair), funded primarily by the European Commission Life Third Countries programme (EC) and hosted by the Lebanese Ministry of Environment (Ministry). SELDAS aims at strengthening the capacities of the institutions dealing with environmental legislation development and enactment, as well as those dealing with environmental legislation application. Embedded in this lies the objective of triggering environmental law education.

Section 1 is the technical report which is divided into 5 subsections: subsection 1 presents a summary of activities and results since the start and subsection 2 gives an overview of project management. A detailed description of progress during reporting period is outlined in subsection 3 and an assessment of this progress in subsection 4. Finally, future planning for the next period of time is provided in subsection 5. Section 2 is the financial report; it includes the interim statement of expenditure and income. Supporting documents are enclosed in annexes.

Section 1: Technical Report

1. Summary of Activities and Results since the Start:

1.1 Project Initiation (Task 1):

After official approval of SELDAS project by the EC in September 2002 and contract signature by the Chair in December 2002, the Chair and the Ministry initiated the procedures related to project endorsement by the Council of Ministers. Approval of the Council of Ministers to enact the relevant decree was granted on 3 April 2003. The change in government which took place shortly after delayed the decree signature and publication in the official gazette to June 2003. Annex 1.1A is SELDAS endorsement decree in Arabic (decree # 10254 dated 6 June 2003).

1.1.1 Office Set Up:

Activities at the Ministry started officially on 1 March 2003, after significant progress was made in decree preparation and review stages, as outlined in the Chair’s letter of 24-04-2003 to the EC (enclosed in Annex 1.1B). An office at the first floor of the Ministry was set up, and the necessary equipment (computers, printers, scanner and software) as well as hard and soft collections of Lebanese legislation and consumables (stationary, stamp, etc.) purchased, and where applicable, updated on a regular basis.

1.1.2 Project Management Tools:

Instruments for ensuring a smooth and timely execution of the project were designed including: (1) a detailed project workplan –revised in October/ November 2003 and updated in August 2004 as mentioned in Subsection 5-, (2) budgeting sheets, (3) progress sheets as well as a filing and archiving system. Annex 1.1C is a compilation of these sheets/documents.

¹The Commission, in its letter dated 12-08-2003, took note of the project actual starting date reported in the Beneficiary’s letter of 24-04-2003 but “did not formally accept this change”, thus considering 01-01-2003 to be the start date of activities.

1.1.3 Project Exposure:

Tools for disseminating project related information were also designed and they include: (1) project logo, (2) business cards, (3) letter heads, (4) brochures and (5) webpage² (<http://www.balamand.edu.lb/seldas>); samples are provided in Annex 1.1D.

Introductory letters about the project were prepared – sample enclosed in Annex 1.1E - and sent to the various stakeholders and where possible introductory meetings held (Delegation of the European Commission in Lebanon, Parliamentary Committee for the Environment, Order of Lawyers in Beirut, UNESCO office in Lebanon, etc.). An official launching ceremony was held on 6 June 2003 at Phoenicia Intercontinental, in the context of the World Environment Day. The ceremony was chaired by the main actors (Minister of Environment, Head of the Delegation of the European Commission in Lebanon, Chairman of the Parliamentary Committee for Environment, President of Cousteau Society and President of the University of Balamand) and attended by key stakeholders. Additional details on the ceremony including press echo are provided in Annex 1.1F.

1.2 Diagnosis of the Current Environmental Legislative Setting (Task 2):

Task 2 of SELDAS aims at diagnosing the current environmental legislative setting by:

- outlining the various areas and sub-areas that should be tackled by environmental legislation³ (based on literature review and professional experience); and
- studying whether these various areas and sub-areas have been covered by the existing Lebanese legislation and if so, evaluating the quality of coverage (in both format and content) and analyzing applicability and enforcement related issues.

For this purpose, SELDAS proposal had foreseen the four subtasks addressed below. It is to be noted that assistance in the execution of this task was subcontracted to Arab Resources Development s.a.r.l. (ARD) (presently Earth Link and Advanced Resources Development ELARD – supporting documentation enclosed in the financial report), a private consulting firm, as per the project proposal. Detailed terms of reference were prepared and signed by both the Chair and ARD. Further details are provided in Subsection 2.

1.2.1 Review of Background Literature on Environmental Law:

An extensive literature review of environmental law was carried on two levels:

- international environmental law: review of environmental conventions, protocols and treaties – ratified, and to be ratified, by the Lebanese Government;
- national environmental law: in parallel to the review of Lebanese literature related to environmental legislation (detailed in Subsection 1.2.2), a review of environmental legislation of five organizations/ countries (European Union, France, United Kingdom, United States of America and Tunisia) was also carried, as a benchmark against which Lebanese environmental legislation was compared. In selecting the five organizations/ countries, criteria included, but were not limited to,:
 - similarity in judiciary systems (i.e. between Lebanon and the reference organization/country); and
 - coverage of a balanced spectrum of reference organizations/ countries (i.e. level of advancement in environmental law in the reference organization/ country, state of the environment in the reference organization/ country, etc.).

² In the context of a current Ministry activity aiming at modifying/ upgrading the website of the Ministry, SELDAS has assisted in the design of the webpages of two pertinent divisions of the national coordination department; these are the Legal Affairs division and the Public Relations and External Affairs division.

³ For the purpose of this report, legislation refers to laws – including conventions, protocols and treaties –, decrees and/or ministerial decisions.

This review assisted in identifying areas regulated by environmental legislation, as well as major challenges facing environmental law. Additional details on this review are presented in Annex 1.2A.

Parallel to the literature review described above, a review of the webpages of pertinent international agencies, governments, and universities was carried. Results, in the form of weblinks, have been summarized on SELDAS webpage/ Environmental Law Centers (<http://www.balamand.edu.lb/seldas/elc.html>).

1.2.2 Assembling of Existing Lebanese Environmental Legislation:

As mentioned in subsection 1.2.1, a thorough review of literature on Lebanese environmental law was carried; it included the following references:

- collection of Lebanese legislation (1913 – 2003);
- two books by Lebanese authors on environmental law in Lebanon; and
- a survey carried by the Lebanese Ministry of Environment on the prerogatives of the various public agencies in environmental matters.

Exact books and reports' titles are presented in Annex 1.2A.

Researching and grouping of Lebanese environmental legislation was undertaken based on a rigorous methodology detailed in Subsection 1.2.5 and Annex 1.2A. Lebanese environmental legislation was grouped in three major categories:

- Activity legislation; i.e. legislation that regulates human activities which generate a pressure on the environment (seven subjects: construction, land use, transport, energy, industry, agriculture, and tourism);
- Basic legislation; i.e. legislation that deals with environmental media or sinks of pollution and related issues (six subjects: water and wastewater, air, noise, soil, biodiversity and natural heritage, and solid waste); and
- Horizontal legislation; i.e. legislation that tackles sources and/or sinks of pollution.

Details on the results and analysis of the results are elaborated in Subsection 1.2.5 and Annex 1.2A.

1.2.3 Construction of a Legislation and Functional Matrix for the Environment Sector:

To perform an analytical diagnosis of the current environmental legislative setting, a pilot matrix relating the “regulator” – i.e. legislation type, number and date – to the “regulated” – i.e. areas and issues such as planning, standards, permitting, monitoring, etc. - was designed. This matrix was filled for each of the 14 subjects mentioned above (construction, land use, transport, energy, industry, agriculture, tourism, water and wastewater, air, noise, soil, biodiversity and natural heritage, solid waste, and horizontal legislation).

Results pertaining to the existence of adequate regulations – including conventions, protocols and treaties ratified by the Lebanese government – and proper distribution of responsibilities (gap/ overlap analysis) and legislation application and enforcement have been compiled in the form of matrices (Annex 1.2C) and chapters of a book titled “State of the Environmental Legislation Development and Application system in Lebanon (SELDAS)” (Annex 1.2E). Further details are presented in Subsection 1.2.5, which also tackles dissemination of information and update related issues.

1.2.4 Diagnosis of the Environmental Problems:

The SELDAS book mentioned above, in its various chapters, attempts to address the relation between the negative environmental impacts (based on the State of the Environment Report 2001/2002 and other references such as media articles and reports, official and unofficial complaints, etc.). It distinguishes, where possible, issues where legislation or update of the existing legislation is needed and issues where a better application of the existing legislation is needed. SELDAS book is detailed in Subsection 1.2.5.

The execution of the four subtasks mentioned above, planned to be completed in a 9-month period as per the project proposal, required a total of, approximately, 14 months. Reasons, as outlined in SELDAS Progress Report 1 – 15 December 2003, include:

- a number of environment related legislation texts much higher than anticipated;
- a methodology for analysis and validation even more challenging than anticipated (Subsection 1.2.5); and
- a circle of editors/reviewers much larger than originally planned to optimize the validation process.

And as mentioned in SELDAS Progress Report 1 – 15 December 2003, the 5-month delay will be absorbed by squeezing the training and seminar related activities over a period of 6-7 months instead of 15. Further details are provided in Subsection 5.

1.2.5 Methodology for Diagnosing the Current Environment Legislative Setting: Description and Results

A rigorous methodology for diagnosing the current environmental legislative setting - and that encompasses the four subtasks mentioned above - has been developed, initially in English (as reported in SELDAS Progress Report 1 – 15 December 2003) and subsequently translated to French and Arabic, for consultation purposes.

Since the date of its initial drafting (September 2003), the methodology has been continuously refined and updated based on:

- feedback from the application of the first step (s) of the methodology;
- consultation among SELDAS team members and the Subcontractor (ELARD);
- discussion of methodology with key stakeholders during the first Steering Committee meeting (February 19, 2004) and subsequent bilateral meetings. Experts consulted included, but were not limited to, the President of the Legislation and Consultation Panel at the Ministry of Justice, the President of the Litigation Panel at the Ministry of Justice and an assistant advisor at the Council of State, representative of the Council at SELDAS steering committee.

The latest version of the methodology (in Arabic) is enclosed in Annex 1.2A. It is composed of 5 steps divided as shown in the box below. In its last section, the methodology addresses some challenges and limitations.

Methodology for Diagnosing the Current Environmental Legislative Setting - in Brief

Step 1: Reading of the Lebanese collection of legislation (1913 – 2003) and selection of environment related texts

Step 2: Categorization of selected texts into:

- *Activity legislation/ legislation that regulates human activities/ sources of pressure on the environment (seven subjects: construction, land use, transport, energy, industry, agriculture and tourism);*
- *Basic legislation/ legislation that deals with environmental media or sinks of pollution and related issues (six subjects: water and wastewater, air, noise, soil, biodiversity and natural heritage, and solid waste); and*
- *Horizontal legislation; i.e. legislation that tackles sources and/or sinks of pollution.*

Step 3: Analysis of selected legislation per subject and reports' writing

The aim of the analysis is to study whether environmental issues that should be regulated have been actually covered by the existing Lebanese legislation and if so, evaluate the quality of coverage (in both format and content). For this purpose a regulator-regulated matrix was designed (Subsection 1.2.3) based on the environmental legislation literature review described in Subsection 1.2.1, and completed based on the findings of the first two steps.

Step 4: Review and editing of reports

Step 5: Publishing of the "State of the Environmental Legislation Development and Application System in Lebanon" book

An attempt to correlate between the methodology briefly described above and SELAS task 2 as detailed in the corresponding Task Form of the proposal shows that:

- Steps 1-3 of the methodology encompass subtasks 2.1 – 2.3 of the proposal.
- Steps 4-5 of the methodology constitute an in-depth analysis of sub-tasks 2.1 –2.3 of the proposal, with subtask 2.4 only a portion of this breadth analysis.

Why Steps 4-5?

After reviewing steps 1-3 results, there was a general consensus among the team members (Chair, Ministry and ELARD) that:

- A tremendous amount of information was collected. To convey the message accurately and reflect the true value of the findings, best ways for optimizing the findings should be explored.
- Taking the analysis a step further and publishing results in a book is recommended.
- Such a book would be critical, crucial and instrumental, bearing in mind the virtual absence of such material in the legislative literature in Lebanon, and the importance of such a quality product for the training and seminar sessions that will be held in the context of SELDAS project.

These findings were briefly exposed to the LIFE mission that visited Lebanon in December 2003; details were further discussed between project participants after and pertinent correspondence exchanged (Annex 1.2D).

Based on the above, a scenario for optimizing resources allocation between the production of the proposed SELDAS book and the organization of SELDAS training sessions and awareness seminars as per the project proposal was prepared by SELDAS project manager (Annex 1.2D) and exposed to the various players (Chair, Ministry and Subcontractor) for their review. As a result, it was agreed to produce and publish the “State of the Environmental Legislation Development and Application System in Lebanon” book. SELDAS is a 15-chapter book divided as follows:

- Part 1: Methodology
- Part 2: Activity Legislation (land use, construction, transport, energy, industry, agriculture and tourism)
- Part 3: Basic Legislation (water and wastewater, air, noise, soil, biodiversity and natural heritage, and solid waste)
- Part 4: Horizontal Legislation
- Annexes: (1) Cost of gaps in the existing environmental legislative setting
(2) SELDAS contribution to the sustained increase in eco-job opportunities (in numbers)
(3) Expected evolution of environmental jurisprudence
(4) Diagram about available means to protect the victims in environmental matters
- Bibliography

SELDAS book should be intended for a wide range of professionals: judges and lawyers, environmental law instructors, environmental specialists, engineers, businessmen, bankers, industrialists, environment and/or law students, etc. SELDAS book should become the reference for environmental legislation in Lebanon and a core foundation for any future work related to environmental legislation.

A first draft of SELDAS book is enclosed in Annex 1.2E. It is intended to use the months of September and October 2004 to make a final review and editing of the book. After final editing and design, it is expected to launch the book in the second half of November 2004 or the first half of December 2004, in an official event. The book will be then translated to French - and English pending budget availability.

Update of the book every 2 or 5 years, based on new legislation at the international and national levels, is essential. The methodology presented in chapter 1 of the book should aid future administrators, writers and editors in undertaking the necessary update.

Ensuring a smooth and successful application of the methodology outlined above required a series of arrangements or provisions, including:

- weekly meetings with the Subcontractor for follow up and schedule tracking purposes;
- progressive and continuous validation of findings and results based on team members' readings, participation to workshops and seminars as well as legal consultation on specific topics;
- consultations for a typical chapter outline;
- lengthy meetings with the various researchers and writers at key milestones - e.g. after drafting a trial chapter - to exchange thoughts and comments and synthesize lessons learned for future chapters;
- memos and notes to the team members on research, analysis and write up modalities (such as level of details, ways for optimizing available information, formatting, layout, cross reference between chapters, etc.); and
- meetings with experts who have worked on similar initiatives (such as one of the authors of the State of the Environment Report 2001-2002, a joint production between the Ministry of Environment, the European Commission Life Program, the United Nations Development Program and Ecodit – Lebanon) to review lessons learned.

Application of the methodology outlined above generated the following outputs:

- A database of the Lebanese environmental legislation, which can be searched by date or subject (construction, land use, transport, energy, industry, agriculture, tourism, water and wastewater, air, noise, soil, biodiversity and natural heritage, solid waste, and horizontal legislation). The database was completed in January 2004. The chronological list of legislation is enclosed in Annex 1.2B; the texts themselves (about 20 folders) are not enclosed, neither the literature review results (3 folders) (Subsection 1.2.1). These documents constituted base references for designing and completing the various matrices; their essence is at the heart of the “State of the Environmental Legislation Development and Application System in Lebanon” book.
 - A 5-volume report titled “Matrix Construction and Reports Summary” (Subsection 1.2.3) that includes for every subject of the 14 subjects mentioned above:
 - o A 2-page summary of the status of legislation covering this subject;
 - o Details of the matrix related to this subject as mentioned in Subsection 1.2.3; and
 - o The list of legislation related to this subject based on the database mentioned above.
- This 5-volume report was completed in June 2004 and is enclosed in Annex 1.2C.
- A draft version of the “State of the State of the Environmental Legislation Development and Application System in Lebanon (SELDAS)” book dated August 2004 (Subsections 1.2.3 and 1.2.4), enclosed in Annex 1.2E.

1.3 Drafting and Amendment of Environment Related Legislation (Task 3.3):

Task 3.3 of the project proposal (drafting pilot legislation) was expanded, following the Ministry's request formulated at the first internal committee meeting, without however jeopardizing the quality of execution of project core tasks. The revised task consists of:

- Draft new environment related legislation (topic to be selected by the internal committee)
- Review environment related legislation under preparation (by other departments/ projects at the Ministry)
- Defend selected environment legislation under review (prepared by the Ministry)
- Comment on environment related legislation under review (prepared by other institutions)

1.3.1 Draft New Legislation (Core of Task 3.3):

SELDAS task 3.3 aims at drafting a pilot legislation, the topic of which to be selected based on identified priorities.

The internal committee, established by the Minister of Environment (See Subsection 2), was assigned the duty of selecting the topic of the pilot legislation based on a well-justified selection process (See Subsection 2).

The internal committee, which has met twice so far, has selected "clean air" to be the topic of the pilot legislation, a decision approved by the Minister on 23 September 2003. Details of the rationale for this choice and minutes of meetings are enclosed in Annex 2.1C.

A preliminary outline was submitted by the Subcontractor (ELARD) in January 2004. Meetings, consultations and participation to selected workshops and seminars assisted the team in revising the preliminary outline. These meetings/ consultations/ seminars included:

- Seminar on "Air Quality Management and Estimated Health Impact of Pollutants in Urban and Industrial Areas", organized by the Faculty of Engineering and Architecture of the Lebanese American University, with a funding from the United States Agency for International Development, on January 29, 2004;
- Workshop on "Air Quality in Lebanon" organized by the Lebanese Association for the Control of Energy and Environment on February 13, 2004;
- Meeting with an Air Quality Expert, short term consultant for the Management Support Consultant – Investment Planning Programme (MSC-IPP) Environment project⁴ on March 24, 2004; and
- Meeting with two experts in Air Quality Monitoring and Information System, short term consultants for the MSC-IPP project on April 16, 2004.

Based on the above, a first version of the outline was circulated among the project team for their review, in June 2004. This first version included:

- the outline;
- an extended version of the outline; and
- a summary of the gaps and overlaps in air quality related legislation, based on the output of SELDAS task 2 (Subsection 1.2)

This version was discussed during an internal meeting at the Ministry, in the presence of the Director General of the Ministry, on June 21, 2004. The months of July and August were dedicated to draft the first version of the legislation, and in parallel carry out the necessary consultations, as part of the Strategic Environmental Assessment process. The consultations included:

⁴A project managed by the Consortium MVV Energy – GTZ – Carl BRO - Envirotech, funded by the European Commission – MEDA programme, and executed by the Lebanese Ministry of Environment

- A meeting with the Tripoli Environment and Development Observatory (to discuss monitoring and calculation of indicators), on July 2, 2004;
- A meeting with the Director General of the Traffic and Fleet Management Assembly at the Ministry of Interior and Municipalities (to discuss pollution from mobile sources); and
- Consultations with key stakeholders during a workshop/ debate on the proposed amendment of Air Pollution Law (law # 341/ 2001), organized by the Lebanese Assembly for Environment and Development on July 29, 2004.

Minutes of selected meetings as well as the first version of the legislation are enclosed in Annex 1.3A.

1.3.2 Review Environment Related Legislation Under Preparation (By Other Departments/ Projects at the Ministry):

SELDAS feedback was sought on several draft pieces of legislation prepared by other internationally funded projects at the Ministry:

- a draft law about integrated coastal area management (prepared under UNEP/ MAP Coastal Area Management Plan);
- a draft law about the ratification by the Lebanese government of Beijing protocol related to the protection of the Ozone layer (prepared under MLF/UNDP Ozone Office);
- a draft law to amend legislative decree #144/1959 (Income Tax) for the purpose of giving a financial assistance to the classified industries that carry out the necessary rehabilitation for complying with national environmental quality standards (prepared under EC-LIFE/UNDP/ Strengthening the Permitting and Auditing System for Industries Project);
- a draft law to amend article 30 of law #382/1994 (media law) for the purpose of increasing time allocated to environmental spots at peak times (prepared under EC-MEDA MSC-IPP Environment);
- a draft decree about environmental compliance action plan (prepared under EC-MEDA MSC-IPP Environment);
- a draft decree about the classification of environmental technology industries (prepared under EC-MEDA MSC-IPP Environment);
- a draft decree about the prequalification of environmental consultants (prepared under EC-MEDA MSC-IPP Environment);
- draft endorsement decrees for two internationally funded projects at the Ministry (GEF/UNEP – about combating insect infestation in Tannourine; EC-LIFE – Stable Institutional Structure for Protected Areas Management);
- a draft decree about strategic environmental assessment (prepared under EC-LIFE/UNDP/ Strategic Environmental Assessment and Land Use Planning project);
- a draft decree about integrated management of used oil (prepared under EC-MEDA MSC-IPP Environment);
- a draft decree about organizing environmental activities of public interest (prepared under EC-MEDA MSC-IPP Environment) and a related initiative concerning the organization of environmental non government organizations (prepared under the Service of Environmental Guidance and Awareness at the Ministry);
- a draft decree about environmental compliance (prepared under EC-MEDA MSC-IPP Environment);
- five draft ministerial decisions about environmental guidelines for various phases of domestic solid waste management (prepared under EC-MEDA MSC-IPP Environment);
- a draft ministerial decision about environmental guidelines for the establishment and/or operation of small wastewater treatment plants (prepared under EC-MEDA MSC-IPP Environment);
- a draft ministerial decision about environmental guidelines for the establishment and/or operation of asphalt mixing plants (prepared under EC-MEDA MSC-IPP Environment);

- a draft ministerial decision about environmental guidelines for the establishment and/or operation of olive oil pressing facilities (prepared under EC-MEDA MSC-IPP Environment); and
- a draft ministerial decision amending Minister of Environment decision # 15/1 – 2000 about forbidding import and use of cars' and vehicles' extinguishers that use halons (prepared under the Service of Prevention of Technological Impacts and Natural Hazards at the Ministry).

To better delineate responsibilities in environmental management and as such better draft environmental legislation, SELDAS assistance was requested for carrying out a study about prerogatives at different levels of decision-making in the public sector (Minister, Director General, Chief of Service, etc.) (February 2004). SELDAS advice was also sought on assessing the eligibility of protected areas to sign contracts with farmers to exploit agricultural lands in these protected areas; this would assist in achieving a financial sustainable management of the protected areas (June 2004).

1.3.3 Defend Legislation Under Review:

In line with legislation drafting and amendment, SELDAS was asked to defend and follow up on two major draft legislation⁵ of utmost importance to the Ministry:

- Ministry of Environment draft new organizational law, decree and related ministerial decisions (staff terms of reference and national coordinator/ focal points mandates decision⁶); and
- Draft Environmental Impact Assessment decree.

SELDAS has assisted the Ministry in defending its draft new organizational law, under debate at the Parliament since March 2002. The draft has now passed most of the line parliamentary committees, waiting to be enacted by the Finance and Budget Parliamentary Committee and then the General Assembly. Urgent staffing needs in terms of specific expertise absent in the current legislation, but reflected in the proposed organizational law and decree, suggested the need to introduce selected amendments to the existing organizational decree awaiting the enactment of the proposed law and decree. In this respect, a project decree was prepared and defended by SELDAS. The decree was enacted in October 2003 (decree #11112 dated 7-10-2003); a copy is enclosed in Annex 1.3B.

The draft ministerial decisions related to national coordinator/ focal points mandate were amended by SELDAS based on comments by chiefs of services at the Ministry. The decisions were enacted by the Minister in September 2003 (decisions # 34/1 and 35/1 dated 09-09-2003) and updated in August 2004 (decision #28/1 dated 18/8/2004); a copy is enclosed in Annex 1.3C.

SELDAS has also taken a leading role in defending the draft Environmental Impact Assessment decree under review by the pertinent bodies since summer 2001. In this respect, counter arguments to the arguments raised by the Council of State and the Council of Ministers Legal Adviser were provided.

1.3.4 Comment on Legislation Under Review (Prepared by Other Institutions):

The aim of this task is to attempt to green sector legislation prepared by various institutions. In this respect, SELDAS feedback was sought on the following legislation so far:

- a draft law amending the law pertaining to the establishment of the National Council for Scientific Research, which is currently under review at the Parliament. Feedback aimed mainly at ensuring the inclusion of environmental studies in the mandate of the Council;

⁵ prepared under the Mediterranean Environmental Technical Assistance Program Unit of Planning and Programming project at the Ministry of Environment (1999-2002)

⁶ prepared under the EC-MEDA MSC-IPP Environment

- a draft law amending the construction law, which is currently under review at the Parliament. SELDAS suggested the addition of a section on environmental conditions and drafted the corresponding two-page text;
- a draft law on standards, technical regulations and conformity assessment. SELDAS highlighted potential conflict of prerogatives between the Institution in charge and the Ministry and drafted suggested modifications;
- a draft law amending the air pollution law (law # 341/ 2001), which is currently under review at the Parliament. SELDAS reviewed the proposed modifications and attended a couple of debate sessions at the pertinent parliamentary committees (June 2004); and
- a draft law about trade marks and geographical indicators; which is currently under review at the Council of Ministers. SELDAS drafted general remarks.

1.4 Organization of Training Sessions and Awareness Seminars (Portions of Tasks 3-5):

For the purpose of strengthening institutional capacities in environmental legislation development, application and education, SELDAS proposal had foreseen a number of training sessions and awareness seminars (exact sub-tasks number and details are provided in Subsection 3). While Subsection 1.4.1 summarizes the seminars carried by the project team to increase awareness on the importance of promoting environmental legislation activities, Subsection 1.4.2 describes the planned program for carrying training sessions and seminars about environmental legislation drafting, application and education.

1.4.1 Awareness Seminars on the Importance of Promoting Environmental Legislation Activities:

In an effort to enhance awareness about the importance of promoting environmental legislation activities, SELDAS team has organized a series of seminars that presented and discussed:

- the definition of environmental legislation;
- the importance of environmental legislation for sustainable development;
- the contribution of environmental legislation in the creation of eco-job opportunities; and
- an introduction to the objectives of SELDAS project, with emphasis on the methodology adopted for diagnosing the current environmental legislative setting.

The table below gives a brief overview (date, venue, audience and number of attendees) of the five seminars organized so far. Brief reports about each seminar are enclosed in Annex 1.4A

	Date	Venue	Audience	# of Attendees
1	Feb.5, 2004	Ministry of Environment	Staff of the Ministry	~ 35
2	Apr.15, 2004	University of Balamand	Selected members and students from the Faculty of Health Sciences	~ 40
3	Apr. 26, 2004	Saint Joseph University	Selected students from the Faculty of Sciences	~ 25
4	May12, 2004	Lebanese American University	Selected students from the Faculty of Arts and Sciences	~ 25
5	June 1, 2004	Ministry of Environment	Selected graduate students from the Faculty of Architecture, Arts and Design – Notre Dame University	~ 10

1.4.2 Training Sessions and Awareness Seminars on Environmental Legislation Development, Application and Education:

To increase knowledge related to the drafting, application and education of environmental legislation, it is planned to carry a series of training sessions and awareness seminars, with the assistance of Earth Link and Advanced Resources Development (ELARD), selected subcontractor for this activity, as per the project proposal.

To this purpose, several meetings were held between SELDAS team and ELARD, with the resulting detailed scope of work enclosed in Annex 1.4B. In summary, it is proposed to carry the following three 2 or 3-day training sessions⁷:

- How to properly draft environmental legislation and prepare related strategic environmental assessment studies (sub-tasks 3.2.1 and 3.2.2);
- How to properly apply and enforce environmental legislation, including environmental conventions, protocols and treaties (sub-tasks 3.2.4 and 4.2.1); and
- How to deal with environmental litigation (sub-task 4.3).

As mentioned in SELDAS proposal, the training sessions will be delivered by local and European experts; participants will include experts from both the public and the private sectors. Further details about the scope, approximate date, proposed trainers, proposed audience etc. are mentioned in Annex 1.4B. It is to be noted that, for the purpose of optimizing resources and efforts, and as mentioned in Subsection 2.3, contact has been initiated with the World Conservation Union – Environmental Law Center to potentially collaborate in delivering some of the training sessions or seminars, but with no final agreement yet.

In parallel to these training sessions, and as per the project proposal, it is planned to organize a series of 2-hr seminars as per the table below. Details on the timing, lecturers, etc. are enclosed in Annex 1.4B.

Purpose of the Seminar(s)	Intended Audience	# of Seminars	Sub-task #
Disseminate the findings and results of SELDAS task 2 “Diagnosing the Current Environmental Legislative Setting”; i.e. the various chapters of SELDAS book	Line ministries and parliamentary committees	10	4.2.3
Expose municipalities to key issues related to environmental legislation	Municipalities	9 (~ 2 per governorate)	4.2.2
Give a general introduction to environmental law	Law students, trainee lawyers, lawyers, trainee judges and judges	11	5.1.2; 5.1.3; 5.1.4; 5.2
Give a general introduction to environmental liability	Law students, trainee lawyers, lawyers, trainee judges and judges	11	5.1.2; 5.1.3; 5.1.4; 5.2

⁷ SELDAS proposal had originally foreseen a total of six training sessions: two of them (drafting of environmental legislation -sub-task 3.2.1- and preparation of strategic environmental assessment for the proposed legislation - sub-task 3.2.2-) have been combined in one for integration purposes; three others (follow up on environmental conventions, protocols and treaties – sub-task 3.2.4-, follow up on environmental management plans –sub-task 4.2.1.3- and follow up on compliance action plans –sub-task 4.2.1.4- grouped under “application of environmental legislation”; and the last one (training on environmental litigation –sub-task 4.3) unchanged.

It is anticipated to start the above mentioned training sessions and awareness seminars in January 2005 and complete them by June 2005. A draft schedule is enclosed in Annex 1.4B. Outside the scope of the Subcontractor work, it is also expected that the project team carries, between January 2005 and June 2005, few seminars (around 5) to disseminate the outputs of task 2 “diagnosis of the current environmental legislative setting” for interested faculties of environmental sciences and/ or engineering.

1.5 Organization of an Environmental Legislation Study Tour to Germany (Task 3.2.3):

SELDAS task 3.2.3 calls for “exposing Parliament members, Council of State members and other relevant stakeholders to procedures used for developing and assessing environmental legislation in Europe”. A task of similar nature, to be organized in Germany, is part of the scope of work of the MSC-IPP project⁸. To optimize results, SELDAS teamed up with MSC-IPP for the execution of this activity, an initiative pre-approved by the EC in its letter dated 31 March 2004 (enclosed in Annex 1.5A).

Initiated in February/ March 2004, planning for this activity included, but was not limited to:

- drafting of a methodology for the selection of tour participants (enclosed in Annex 1.5B) -a total of 15 participants from the legislative, executive and judicial authorities as well as academia; and
- extensive internal meetings to address technical (tour program), administrative (invitation letters, etc.) financial and logistics issues (visas, tickets, hotels booking, etc.).

Planning by both projects was accompanied by a high level of lobbying by the Director General of the Ministry and the President of the University of Balamand to ensure adequate participation to this tour. This included:

- visits by the Director General of the Ministry and the managers of SELDAS and MSC-IPP projects to two deputies from the Parliamentary Committee for Environment and the Parliamentary Committee for Administration and Justice (June 2004);
- a round-table discussion with the Minister of Environment, in the presence of the tour participants, followed by a lunch organized by the President of the University of Balamand on June 30, 2004. Details are enclosed in Annex 1.5C. This gathering was an occasion to distribute to the various participants a folder containing key information related to the tour (Annex 1.5D)

To monitor execution of the planned activities, a quasi-daily follow up (before and during the trip) was ensured. A debriefing session by some of the tour participants was held at the Ministry on July 12, 2004.

The tour in Germany included visits and meetings with professionals from both the public and the private sectors in Berlin, Heidelberg area (Heidelberg, Stuttgart and Karlsruhe) and Bonn. Participants highly appreciated the study tour. Evaluation results, along with other tour details (participants, program, lessons learned, etc.) are included in the enclosed mission report (Annex 1.5E). A special commendation letter was issued by the Director General of the Ministry of Justice (Annex 1.5F). It is to be noted that this activity was reported by the press; echos are enclosed in Annex 1.5G.

⁸A project managed by the Consortium MVV Energy – GTZ – Carl BRO - Envirotech , funded by the European Commission – MEDA programme, and executed by the Lebanese Ministry of Environment

It is believed that this tour has succeeded in achieving the following:

- exposing legislative, executive and judiciary authorities as well as academia to environmental legislation development, application and education procedures in one of the most developed European countries, that is the objective of the tour as per the project proposal;
- enhancing the various institutions' knowledge of the policy of the Ministry of Environment and challenges facing it, and discussing ways for optimizing resources to address these challenges; and
- networking with local public and private institutions, involved in environmental legislation, and expanding cooperation for the benefit of the environment field at large.

In the future, efforts will need to be spent to maintain this collaboration spirit and enhance it even more.

1.6 Promotion of Graduate Studies in Environmental Law in Europe for Lebanese Students (Task 5.1.1):

SELDAS sub-task 5.1.1 calls for “establishing a mechanism at MoE Legislation Department for mobilizing resources, on yearly basis, to provide financial assistance to two lawyers for pursuing graduate studies in environmental law in Europe”.

In this respect, and based on sub-task 5.1.1.1, major European schools that offer graduate studies in environmental law in French and/or English were identified; a list is enclosed in Annex 1.6A. Letters of interest were exchanged with these universities in February 2004; a sample is enclosed in Annex 1.6B.

Delays incurred in the exchange of letters by respective institutions' officials made it difficult to abide by the deadline of March-April 2004 for application to October 2004 entry. As such, the first year of execution of the intended program above had to be postponed till October 2005. Moreover, and during an internal meeting at the Ministry in June 2004 (Agenda enclosed in Annex 2.4A), it was judged more appropriate to give the Ministry the role of the facilitator, i.e. leave it out of the selection process. The mechanism of applying for graduate studies and getting financial assistance would then be a regular “free” mechanism, and the facilitation role of the Ministry would consist of:

- Identifying potential funding agencies and informing them about the importance of promoting graduate studies in environmental legislation; this was executed in August 2004. Letters were sent to the British Council and the French Cultural Center with a list of selected French and British schools enclosed. Details are available in Annex 1.6C.
- Informing local schools of law of the available opportunities in environmental legislation education in Europe and the activities carried by the Ministry so far; this will be done in October 2004, at the beginning of the academic year.

It is expected that local schools of law will post the info on the bulletin boards. Interested students will apply to one of the identified schools and attempt to get the necessary funding from one of the agencies contacted by the Ministry or any other agency. This kind of correspondence will be repeated on a yearly basis by the Legal Department of the Ministry, which will remain at the disposal of the schools and students for any clarification.

It is to be noted that three local schools of law have added to their curriculum a course on environmental law, partly thanks to SELDAS project. Supporting letters are enclosed in Annex 1.6D.

2. Project Management:

2.1 Personnel Recruitment, Committees Establishment and Subcontractor Hiring:

The Chair, represented by its holder and project coordinator, and the Ministry, represented by the national coordination department, appointed a project manager who started her duties at the Ministry on 1 March 2003. Administrative delays were incurred in the hiring of the project officer for legal matters who started work on 1 September 2003. Curriculum vitas of the project members are enclosed in Annex 2.1A.

At the suggestion of the Minister of Environment, an internal committee, headed by the Director General of the Ministry and composed of key staff from the national coordination department and advisors to the Minister for legal issues along with the project manager, was established. Annex 2.1B is the corresponding Minister's decision # 19/1 dated 31 July 2003. The main role of the internal committee is to select the topic of the pilot legislation to be prepared by the project team as per task 3.3 of the project proposal as well as review and approve the legislation once completed. The internal committee has met twice so far, as previously stated. Minutes of both meetings are enclosed in Annex 2.1C. The internal committee was also invited to the first Steering Committee meeting in February 2004, as mentioned below.

A steering committee, composed of the Ministry of Justice (Council of State, Legislation and Consultation Panel and Litigation Panel), the Order of Lawyers in Beirut (Bar Association) and the Directorate General of Higher Education, along with the Chair and the Ministry, was established, after exchange of pertinent letters between the various institutions throughout August-September 2003 period. Annex 2.1D is a list of the steering committee members. Delay was incurred in organizing a first meeting, awaiting substantial material for discussion. As such a first meeting was held on February 19, 2004, where the various objectives of SELDAS project were briefly exposed and the methodology for diagnosing the current environmental legislative setting outlined. Invitation letters, agenda and minutes are enclosed in Annex 2.1E. Given time availability constraints of steering committee members, additional communication/ networking means have been explored and adopted such as:

- bilateral meetings to further discuss the methodology adopted for diagnosing the current environmental legislative setting – e.g. meeting with the President of the Legislation and Consultation Panel in March 2004 as mentioned in Subsection 1.2.5 -;
- bilateral exchange of correspondence for feedback on the methodology adopted for diagnosing the current environmental legislative setting – e.g. letter to the President of the Litigation Panel – March 2004– as mentioned in Subsection 1.2.5; and
- discussion about SELDAS progress and the field of environmental legislation at large during the Environmental Legislation Study Tour to Germany in July 2004 to which most of the Steering Committee members participated, as mentioned in Subsection 1.5.

A Memorandum of Understanding (MoU) was drafted and signed (June 24, 2003) between the Chair and Arab Resources Development (ARD) (presently Earth Link and Advanced Resources Development ELARD - supporting documentation enclosed in the financial report), the subcontractor selected to assist in the execution of a series of activities in tasks 2-5, as per the project proposal. A first module under this MoU, covering detailed terms of reference (TOR) related to the diagnosis of the current legislative setting (task 2) and drafting of pilot legislation (task 3.3), was drafted, discussed and agreed upon between both parties as mentioned in subsection 1.2. A second module under this MoU related to the production, design and editing of the “State of the Environmental Legislation Development and Application System in Lebanon” book (continuation of task 2) and a third module related to the organization of training sessions and awareness seminars (selected portions of tasks 3-5) were also drafted and signed. A copy of the MoU and Modules 1,2 and 3 are enclosed in Annex 2.1E. Bi-monthly meetings have been held with the Subcontractor to ensure a coordinated approach and a smooth execution.

Names and coordinates of the main actors of SELDAS project (excluding committees' members) are enclosed in Annex 2.1G.

2.2 Roles and Responsibilities of the Various Players:

The table below outlines the role and responsibilities of the various players along with their respective contribution to project progress so far:

Player	Role and Responsibility	Contribution to Date
Project Coordinator	Beneficiary representative, responsible for project execution towards the EC and overall project supervision (administratively, financially and technically)	Overall supervision (administratively, financially and technically)
Project Manager	Main beneficiary delegate to the Ministry, responsible for daily project management (administratively, financially and technically)	Project initiation (task 1); development of methodology of work and supervision of its execution including the production of SELDAS book (task 2); participation to the review of the outline and first draft of the pilot legislation, and related consultation meetings (task 3.3); drafting/ review of legislation from a <u>technical (engineering/ science) point of view</u> ; contribution to the preparation of the training and awareness program (tasks 3-5); delivery of some awareness seminars (tasks 3-5); organization of study tour to Germany (task 3.2.3); as well as daily management (monitor progress, review budget, liaise with related projects/ initiatives, coordinate with focal points, organize committees' meetings, supervise subcontractor work, etc.)
Project Officer – Legal Matters	Secondary beneficiary delegate to the Ministry, responsible for legal issues, backstopping to project manager	Identification of international environmental law centers and validation of subcontractor work +participation to the production of SELDAS book (task 2); review of legislation from a <u>legal point of view</u> ; delivery of some awareness seminars (tasks 3-5); organization of study tour to Germany (task 3.2.3); identification of environmental law programs in Europe and drafting of pertinent correspondence (task 5.1.1); response to legislation related queries; assistance in daily management
National Coordination Department/ Focal Point	Partner representative, responsible for project integration in Ministry structure, synergy with various departments and complementarity of activities	Daily coordination, follow up and advice (administratively, technically and financially)
Internal Committee	Selection of pilot legislation topic and review of pilot legislation once drafted	Two meetings to select pilot legislation topic; participation to the first steering committee meeting

Player	Role and Responsibility	Contribution to Date
Steering Committee	Inter-agency coordination, exchange of thoughts, opinions and expertise as well as optimization of efforts	General meeting and bilateral meetings to discuss SELDAS objectives and adopted methodology (task 2) and explore ways for expanding cooperation
Subcontractor	Assistance in the execution of selected tasks	Execution of the adopted methodology for diagnosing the current environmental legislative setting: completion of matrix construction and first draft of the SELDAS book (task 2); preparation of the outline and first draft of the pilot legislation as well as organization of consultation meetings (task 3.3); preparation of a detailed proposal for conducting training sessions and awareness seminars (portions of tasks 3-5)

2.3 Liaise with Related Projects/ Initiatives:

Close coordination with related projects/ initiatives has been secured at three levels: local (inside the Ministry), national and international.

At the Ministry level, SELDAS has closely collaborated with the various departments and projects either through review of selected draft legislation prepared by them or through responding to various legislation related queries. More particularly, SELDAS has coordinated with the EC-MEDA MSC-IPP Environment on their legislation related tasks, by exchanging areas of intervention, reviewing draft legislation once drafted and benefiting from the knowledge and experience of international short terms legal consultants to the MSC-IPP project (especially in the field of air quality) as well as organizing the environmental legislation study tour to Germany (Subsection 1.5). SELDAS has also been involved in the following activities of the Ministry:

- drafting the legal section of the Annual Report of the Directorate General of the Ministry (December 2003 - January 2004);
- assisting the Ministry in outsourcing a study about Lebanese environmental jurisprudence and similar jurisprudence in 10 different countries as well as background research on the existence and structure of environmental courts in selected countries. The contract and associated terms of reference were signed in July 2004. Should the study finish on time (6 months), part of it could be of added value to the Annex on “Expected Evolution of Environmental Jurisprudence” of the SELDAS book (Subsection 1.2.5);
- representing the Ministry at the UNEP-GEF Biosafety Sub-Regional Workshop for Anglophone Africa on the Development of a Regulatory Regime and Administrative Systems for National Biosafety Frameworks, Dar Es-Salam, 9-12 March 2004 (mission report enclosed in Annex 2.3B);
- drafting an environmental compliance action plan for the Lebanese industries, as part of the “Compliance Strategy/ Legislation” subcommittee of the joint Ministry of Environment/ Association of Lebanese Industrialists committee (February – March 2004);
- participating to the Project Managers (PM) Club of the Ministry that groups the managers of the various international projects working at the Ministry to discuss ways to strengthen the Ministry’s work in strategizing, mobilizing resources, marketing and ensuring international projects’ sustainability; and
- responding to the queries of various stakeholders, form both the public and the private sectors, including students, on environmental legislation issues.

At the national level, SELDAS has initiated contact with a United Nations Development Programme project at the Parliament aiming at initiating and/ or strengthening policy dialogue on hot spot issues. SELDAS has also followed up on some stakeholders' initiatives in selected environmental legislation topics (American University of Beirut's work on biodiversity related legislation and the Mediterranean Environmental Technical Assistance Program work on solid waste legislation in Lebanon) either through individual meetings or seminars. In particular, SELDAS has coordinated with a team from Saint Joseph University/School of Law working on a EU funded study titled "*Rapport sur l'Etat Législatif des Pays MED*" (Report on the State of Legislation in MED Countries) – environment section (2003). SELDAS has also collaborated with the Rural Council for the Development of Tannourine, a local Non Governmental Organization, for the execution of a small grant the Council received from the Ministry in 2002/ 2003 to assemble selected environmental legislation.

At the international level, SELDAS objectives and activities were exposed to the World Conservation Union IUCN Environmental Law Commission, the Regional Vice Chair for West Asia of which is a member of the National Coordination department at the Ministry. Ideas for collaboration were exchanged but with no final commitment yet. On another note, SELDAS project manager had the chance to participate to Salzburg seminar on "Environmental Policy and Public Dialogue" between November 16 and 23, 2003. This seminar was an occasion to learn and discuss with other participants the role of civil society in environmental policy and more particularly in environmental legislation drafting and enforcement. A brief mission report is enclosed in Annex 2.3A.

2.4 Overall Project Management and Dissemination of Information:

In line with tasks 6 and 7, actions have been taken to ensure a proper management and execution of the SELDAS project, as well as an appropriate dissemination of objectives, findings and results. In this respect, the following activities were carried:

- daily communication with the team members (from the Chair, the Ministry and the Subcontractor ELARD) and organization of bi-monthly meetings;
- weekly communication and organization of monthly meetings with the Project Coordinator;
- Organization of periodical meetings (6-monthly) with the team of the Ministry at large (i.e. the Director General, the National Coordination Department Head and the staff of the Legal Department);
- Monitoring of project's schedule on a weekly basis;
- Updating of budget on a monthly basis and communication with the University of Balamand Comptroller Office and the Division of Accounting, Personnel and Purchasing of the Ministry to track invoices and follow up on VAT rules and regulations;
- Maintaining good liaison with Lebanese officials directly or indirectly involved in the project, including but not limited to the steering Committee members, as mentioned in Subsection 2.1; and
- Reporting to the EC (first progress report – December 15, 2004) and exposing work progress to the EC during the EC Life mission to Lebanon in December 2004.

Other activities, important for the smooth execution of the SELDAS project, included:

- Update of the hard and soft collection of Lebanese legislation (and French environmental legislation) on a regular basis (Subsection 1.1.1);
- Update of SELDAS webpage (and pertinent sections of the webpage of the Ministry) on a regular basis;
- Completion, with the assistance of the Network Unit at the University of Balamand, of the necessary steps to easily access SELDAS webpage when carrying Lebanese environmental legislation related search on the Web;
- Dissemination of SELDAS brochures to key institutions from both the public and the private sectors at the national, regional and international levels. Some institutions included selected ministries, selected parliamentary committees, selected municipalities, Bar Association, selected faculties/ schools, selected regional and international institutions represented at workshops and seminars attended by SELDAS or the Legislation Department of the Ministry inside or outside Lebanon;
- Informing the media of key SELDAS activities, such as the launching ceremony in June 2003 (Subsection 1.1.3) and the environmental legislation study tour to Germany in July 2004 (Subsection 1.5); and
- Acknowledging the EC support in all events, outputs, press releases, etc.

3. Progress of the Project during the Reporting Period:

The table below describes the progress of work in the various tasks of SELDAS project, although some of them were not scheduled to start during the time period covered by this report.

Ref.	Activities	Status of Implementation
1.1	Set up the project office	
1.1.1	Purchase the necessary equipment	Completed (Subsection 1.1)
1.1.2	Purchase the necessary consumables	Completed (Subsection 1.1)
1.1.3	Design the filing and archiving system	Completed (Subsection 1.1)
1.2	Prepare the project inception report (<i>not prepared since it is not required as per Life Standard Administrative Provisions-2002</i>)	
1.2.1	Check for change in the baseline situation	Completed
1.2.2	Develop a detailed project workplan	Completed (Annex 1.1C & Subsection 5)
1.2.3	Prepare the project workplan schedule	Completed (Annex 1.1C & Subsection 5)
1.2.4	Assign the exact mandates	Completed (Subsection 2)
1.2.5	Develop a progress sheet for monitoring progress schedule	Completed (Annex 1.1C)
1.2.6	Design a budgeting system	Completed (Annex 1.1C)
1.3	Expose the project	
1.3.1	Prepare project briefs and website	Completed (Annex 1.1D)
1.3.2	Introduce the project in a national event	Completed (Annex 1.1F)
1.4	Establish the project advisory committee	
1.4.1	Identify the stakeholders	Completed (Annex 2.1D)
1.4.2	Develop the terms of reference of the advisory committee	<i>No specific TOR (Subsections 2.1 - 4)</i>
1.4.3	Request from the stakeholders to nominate representatives	Completed (Annex 2.1D)
1.4.4	Conduct an introductory meeting	Completed (Subsection 2.1 & Annex 2.1E)

Ref.	Activities	Status of Implementation
2.1	Review background literature on environmental law ⁹	
2.1.1	Review international agencies' publications on environmental law	Completed (Subsection 1.2.1)
2.1.2	Identify networks of environmental law centers, schools and experts	Completed (Subsection 1.2.1 & Subsection 2.2)
2.1.3	Review international and regional environmental conventions, protocols and treaties	Completed (Subsection 1.2.1)
2.1.4	Identify major areas of intervention of environmental law	Completed (Subsection 1.2.1)
2.1.5	Identify major challenges facing environmental law	Completed (Subsection 1.2.1)
2.2 Assemble existing Lebanese environmental legislation¹⁰		
2.2.1	Review existing literature on Lebanese environmental law	Completed (Subsection 1.2.2)
2.2.2	Prepare an environmental legislation research plan	Completed (Subsection 1.2.2 & Annex 1.2A)
2.2.3	Undertake the research	Completed (Subsection 1.2.2)
2.2.4	Gather the environmental legislation texts	Completed (Subsection 1.2.2)
2.3 Construct a legislation and functional responsibility matrix for the environment sector		
2.3.1	Design the matrix	Completed (Subsection 1.2.3)
2.3.2	Fill the matrix with respect to existence of adequate regulations, proper distribution of responsibilities, existence of conventions, protocols and treaties and absence of proper application	Completed (Subsection 1.2.3 & Annex 1.2C)
2.3.3	Identify the best mechanism for updating the matrix and disseminate the information related to it	Completed (Subsection 1.2.5)
2.4 Diagnose the environmental problems		
2.4.1	Review areas of environmental stress	Completed (Subsection 1.2.4)
2.4.2	Relate areas of environmental stress to the legislation and functional responsibility matrix in terms of identifying areas where legislation or update of legislation is needed and areas where a better application of existing legislation is needed	Completed (Subsection 1.2.4)
2.5 Produce, design, edit and publish the "State of Environmental Legislation Development and Application System in Lebanon" book/ report		
		<i>In progress (Subsection 1.2.5 & Annex 1.2E)</i>

⁹ Reports on the findings of this activity are available, however they have not been enclosed since they are not considered as project's outputs but rather background material necessary to construct the matrix mentioned in task 2.3

¹⁰ Reports on the findings of this activity are available, however they have not been enclosed since they consist of about 20 folders (between 50 and 250 pages each) of legislation texts (in Arabic), as explained in Subsection 1.2

Ref.	Activities	Status of Implementation
3.1	Strengthen the collaboration between the various institutions dealing with environmental law development	
3.1.1	Identify all institutions involved in environmental law development	In progress partially (as part of the Steering Committee initiative – Subsection 2.1)
3.1.2	Identify a mechanism for grouping these institutions	
3.1.3	Define the role of the group (setting priorities in terms of needed environmental legislation based on international obligations, local needs as well as human and economic capacities; and tasks assignment to the various groups' members)	
3.2	Build the capacities of the institutions dealing with environmental law development	
3.2.1	Organize a training on how to properly draft environmental legislation and mainstream environment in proposed legislation	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
3.2.2	Organize a training on how to conduct strategic environmental assessment for proposed legislation	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
3.2.3	Expose Parliament members, Council of State members and other relevant stakeholders to procedures used for developing and assessing environmental legislation in Europe	Completed (Subsection 1.5 & Annex 1.5E)
3.2.4	Organize a training on how to study proposed conventions, protocols and treaties	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
3.3	Develop a pilot environmental law	
3.3.1	Identify the topic	Completed (Subsection 1.3.1)
3.3.2	Draft the law (including the liabilities, penalties, mechanism of handling the penalties money, etc.) and in parallel conduct the corresponding SEA	In progress (Subsection 1.3.1 & Annex 1.3A)
3.3.3	Review, promote and pass the law	Awaiting completion of Task 3.3.2
3.3*	<i>Review environmental law under preparation (by other departments/ projects)</i>	<i>Selected texts reviewed (Subsection 1.3.2)</i>
3.3*	<i>Defend legislation under review (prepared by the Ministry)</i>	<i>Selected texts defended (Subsection 1.3.3)</i>
3.3*	<i>Comment on draft legislation under review (prepared by other institutions)</i>	<i>Selected texts commented on (Subsection 1.3.4)</i>

Ref.	Activities	Status of Implementation
4.1	Strengthen the collaboration between the institutions directly involved in environmental law application	
4.1.1	Identify the best mechanism for collaboration between MoE and the municipalities for local environmental monitoring and management	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.1.2	Strengthen the collaboration between MoE and line public agencies for better enforcement of environmental legislation	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2		
Build the capacities of the various institutions in environmental law application		
4.2.1	Strengthen MoE's technical and institutional capacities for environmental law application	
4.2.1.1	Expose MoE staff to their responsibilities in terms of environmental law application	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2.1.2	Introduce to MoE staff ways of following up on ratified conventions, protocols and treaties	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2.1.3	Train MoE staff on how to follow up on environmental management plans	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2.1.4	Train MoE staff on how to follow up on environmental compliance action plans	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2.2	Strengthen municipalities' institutional and technical capacities in environmental law application	
4.2.2.1	Expose municipalities to existing environmental legislation and to their responsibilities in preserving a safe environment	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2.2.2	Introduce to municipalities approaches for local environmental management	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2.3	Strengthen public agencies' capacities in environmental law application	
4.2.3.1	Expose line public agencies to environmental legislation related to their specific sectors of interest and to their respective responsibilities	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.2.3.2	Share ways of mainstreaming environment in public agencies' respective plans and projects	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.3		
Train stakeholders in environmental litigation		
4.3.1	Identify the stakeholders	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.3.2	Prepare the training modules, logistics, speakers, etc.	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
4.3.3	Conduct the training	

Ref.	Activities	Status of Implementation
5.1	Encourage graduate studies in environmental law	
5.1.1	Establish a mechanism at MoE Legislation Department for mobilizing resources on a yearly basis to provide financial assistance to two lawyers for pursuing graduate studies in environmental law in Europe	
5.1.1.1	Identify environmental law graduate studies programs	Completed (Subsection 1.6 & Annex 1.6A)
5.1.1.2	Identify potential funding agencies	Completed (Subsection 1.6 & Annex 1.6C)
5.1.1.3	Establish a database of law firms and schools	Completed (Subsection 1.6 & Annex 1.6A)
5.1.1.4	Set the selection criteria	Modified (Subsection 1.6)
5.1.1.5	Promote the initiative	In progress (Subsection 1.6)
5.1.1.6	Launch the first year of execution	In progress (Subsection 1.6)
5.1.2	Introduce environmental law lectures at local schools of law	
5.1.2.1	Investigate potential European lecturers	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
5.1.2.2	Select the recipient school (s)	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
5.1.2.3	Set the lecture (s) logistics (time, place, etc.)	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
5.1.3	Expose local schools of law to international environmental law programs, schools, publications, etc.	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
5.1.4	Include topics related to environmental law in the seminars' program offered to trainees in law at the Syndicate of Lawyers	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
5.2	Encourage training and work in environmental law	
5.2.1	Expose law firms to existing environmental legislation	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
5.2.2	Expose law firms to networks of environmental law centers and experts	Planning in progress (Subsection 1.4.2 & Annex 1.4B)
5.2.3	Organize seminars for law firms on environmental law, its practices, challenges and related case studies	Planning in progress (Subsection 1.4.2 & Annex 1.4B)

Ref.	Activities	Status of Implementation
6.1	Strengthen MoE's capacities in disseminating information	
6.1.1	Strengthen MoE website	
6.1.1.1	Construct a webpage for SELDAS	Completed (Annex 1.1D)
6.1.1.2	Construct a webpage for MoE Legislation Department	Content developed but not posted yet (Annex 1.1D)
6.1.1.3	Construct a webpage for MoE Public Relations and External Affairs Department	Content developed but not posted yet (Annex 1.1D)
6.1.1.4	Post on the above referenced webpages the legislation and functional responsibility matrix, references to the existing environmental legislation including conventions, protocols and treaties that Lebanon has ratified and needs to ratify	Content developed but not posted yet (Annex 1.1D)
6.1.1.5	Post on the above referenced webpages the pilot project law	Content developed but not posted yet (Annex 1.1D)
6.1.2	Build the capacities of MoE staff for continuously updating the above referenced information	In progress (Subsection 2.4)
6.1.3	Reserve dedicated sections at the MoE library for environmental legislation related documentation and provide copies of the project training materials	To be undertaken in due time
6.1.4	Identify the best mechanism to directly inform various stakeholders of new legislation related to environmental issues	In progress partially (Subsection 2.1.5)
6.2	Disseminate environmental law related information through other institutions	
6.2.1	Provide copies of the project training materials at the libraries of the Parliament, Syndicate of Lawyers and the various schools of law	To be undertaken in due time
6.2.2	Provide links to environmental law centers and experts form the websites of the local schools of law, if available	In progress partially (Subsection 1.4)
6.2.3	Identify the best mechanism for collaborating with the NGOs and the media on raising awareness on environmental legislation issues	In progress partially (Subsection 2.3)
7.1	Ensure proper management of the project	
7.1.1	Assign general tasks and responsibilities to the project team members at the inception phases	Completed (Subsection 2.4)
7.1.2	Organize weekly meetings for the project team members	In progress (Subsection 2.4)
7.1.3	Organize periodical meetings for the project advisory committee	In progress (Subsection 2.1)
7.1.4	Monitor project's finances and schedule	In progress (Subsection 2.4)
7.1.5	Maintain good liaison with Lebanese officials directly or indirectly affected by the project	In progress (Subsection 2.4)
7.2	Ensure close monitoring of the project	
7.2.1	Develop and submit first progress report	Completed (15 December 2003)
7.2.2	Develop and submit interim report	

4. Assessment of Progress:

The project has been progressing rather smoothly despite delays incurred in the execution of selected activities. A noticeable delay was incurred in hiring the project officer for legal matters mainly because:

- i- The identification of the appropriate profile for this position is not easy since environmental law specialists are quasi absent in Lebanon; and
- ii- The change in government that took place in April 2003 was also among the challenges faced in selecting the project officer for legal matters.

Another major challenge faced was the establishment of a steering committee for the project. Reasons include:

- i- Difficulties in defining a specific role for this committee, other than the usual coordination, dissemination of information, synergy etc. purposes. Need for a specific role stems from the necessity of mobilizing the various institutions/stakeholders; and
- ii- Transitional period which the country in general and the Ministry in particular went through due to the change in government mentioned above.

A third major challenge was the identification of the best way to synthesize the results of the diagnosis of the current environmental legislative setting activity (task 2) and publish the findings; that is the production of the “State of the Environmental Legislation Development and Application System in Lebanon” (SELDAS) book/ report mentioned in Subsection 1.2.5.

Reasons include:

- i- Difficulties in grouping the information and developing a typical chapter outline;
- ii- Necessity of achieving a trade off between completeness of issues and level of details on one side and reasonable chapter length on the other side;
- iii- Limited availability of professionals in the environmental legislation field that could assist in drafting and editing the various chapters; and
- iv- A level of time and effort needed to search for the information, analyze it and synthesize it in the form of a book much higher than expected, i.e. an initial phase of the learning curve much longer than anticipated.

A final challenge was faced in the promotion of graduate studies in environmental law in Europe (task 5.1.1). Reasons include:

- i- Delay in feedback from the identified universities;
- ii- Difficulties in identifying potential funding agencies, funding being normally granted on a case by case basis; and
- iii- Necessity of striking a balance between succeeding in sending good candidates to Europe and yet not interfering in the selection process nor providing a direct incentive.

The challenges mentioned above, along with the 2-month delay incurred in the start of the project in January – March 2003, make it rather difficult to close the project by the official date of 30 June 2005. It is planned to request a 2-month extension; this is further discussed in subsection 5.

5. Future Planning for the Next Period of Time:

As mentioned in Subsection 1.2, the execution of task 2 (diagnosis of the current environmental legislative setting) will require a total of 14 to 15 -month period, instead of 9; i.e. it is expected to complete the book on the “State of Environmental Legislation Development and Application System in Lebanon” in October 2004 instead of March 2004 and launch it in an official event in November/December 2004.

Training and awareness activities on environmental legislation development, application and education, for which the completion of task 2 is a pre-requisite as per the project proposal, will therefore be launched in January 2005. Accordingly the second progress report (planned for December 15, 2004 according to Beneficiary’s reply of August 28, 2003 to the Commission letter dated 12-08-2003) will be submitted on March 15, 2005; the EC granted its approval in its letter dated 6 January 2004 (enclosed in Annex 5A). The Gantt chart, enclosed in Annex 1.1C, reflects these changes.

Accordingly, in the period extending from September 1, 2004 to March 15, 2005, it is expected to carry out the following activities:

Ref.	Activities	Comments
2.5	<i>Produce, design, edit and publish the “State of Environmental Legislation Development and Application System in Lebanon” book</i>	<i>Launching in December 2004</i>
3.3	Develop a pilot environmental law	
3.3.3	Review, promote and pass the law	Starting September 2004
3.3*	<i>Review environmental law under preparation (by other departments/ projects)</i>	<i>If needed</i>
3.3*	<i>Defend legislation under review (prepared by the Ministry)</i>	<i>Including but not limited to EIA and MoE organizational law and decree</i>
3.3*	<i>Comment on draft legislation under review (prepared by other institutions)</i>	<i>If needed</i>
3-5	Conduct three training sessions and around 45 awareness seminars	Around 30% of these activities will be carried before March 2005
5.1.1	Promote graduate studies in environmental law	Exchange of letters with line institutions will be continued

It is expected that this period will also be used to discuss and agree on:

- The final details (time, venue, speakers, modules, etc.) of the proposed training and awareness activities (tasks 3-5); and
- The exact modalities of the potential project extension mentioned in Subsection 4; an official request will be sent to the EC in December 2004.

Section 2: Financial Report

PROJECT CONSOLIDATED STATEMENT OF EXPENDITURE

TO BE COMPLETED BY THE BENEFICIARY IN THE CASE OF PARTNERSHIP

Project n°: LIFE02 TCY/RL/032

Title: Strengthening the Environmental Legislation Development and Application System in Lebanon (SELDAS)

Full Name of Beneficiary: UNESCO-Cousteau Ecotechnie Chair at the University of Balamand

Reference period: from 01/03/2003 to 31/08/2004

Categories of expenditure	Total amount without VAT (Euros)		Total amount with non-recoverable VAT (Euros)	
1. Personnel	125,757.20		125,757.20	
2. Travel	31,381.3		31,381.3	
3. External Assistance	87,272.49		87,280.83	
4. Durable Goods	<i>Real Cost</i>	<i>Eligible Cost</i>	<i>Real Cost</i>	<i>Eligible Cost</i>
Infrastructure	-	-	-	-
Equipment	7,231.54	3,615.77	7,415.29	3,707.62
Prototype	-		-	
<i>Sub-total</i>	7,231.54	3,615.77	7,415.29	3,707.62
5. Consumables	10,121.35		10,892.75	
6. Other Costs	17,363.64		19,000	
7. Overheads	27,612		27,612	
TOTAL	<i>Real Cost</i>	<i>Eligible Cost</i>	<i>Real Cost</i>	<i>Eligible Cost</i>
	306,739.52	303,123.75	309,339.37	305,631.7

Name of project manager: Manal Moussallem

Function: Project Manager

Address: Ministry of Environment
PO Box: 70-1091 Antelias, Lebanon

Date: September 8, 2004

Signature: