

**Address Note of the
United Nations Development Programme Resident Representative
At the Regional Conference on
“Environmental Crimes in the Arab States”
March 17-18, 2009; Beirut, Lebanon**

Excellencies,

As we gather here today for the opening of the Regional Conference on “Environmental Crimes in the Arab States”, we cannot but reflect together on the importance of such a meeting in a region where political conflicts and crimes leave little or no room to recognize crimes of a different nature though equally important, such as environmental crimes.

International conventions and declarations, many of which are ratified by several Arab States, have touched on the subject of environmental crimes by including sections and articles that call for the right to environmental justice:

Principle 13 of the Rio Declaration on Environment and Development (1992) stipulates that:

“States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction”.

Later, in 1998, the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, also known as the Aarhus Convention, dedicated a full article (article 9) to “Access to Justice”, stating, among others, that:

“each party shall ensure that...members of the public have access to administrative or judicial procedures to challenge acts and omissions by private persons and public authorities which contravene provisions of its national law relating to the environment”.

What is the status of implementation of these principles in the Arab states? What are the past and current initiatives to promote environmental justice? How are the Arab states considering the environmental impacts of the decision-making process on the different communities, encouraging those who believe they are victims to expose their concerns and improving the quality of life of those who have been disproportionately and unfairly affected?

Unfortunately, countries in this region face a number of constraints when developing, and especially enforcing, environmental legislation. This includes the problem of limited resources (human, technical and financial) in both the public and private sectors for the development and application of environmental legislation. There is also the question of the difficulties in ensuring complementarity between the mandates of the different line ministries, as well as the fact there is often insufficient consultation or participation when developing draft laws. All of this combines to make environmental legislation often unclear and difficult to interpret, which makes its application and enforcement quite difficult.

Triggering dialogue about these issues is at the heart of this regional conference, to which the United Nations Development Programme, as one of the co-organizers, attaches great

importance. This is reflected in the various programs and projects that UNDP manages in Lebanon in collaboration with national agencies such as the current project with the Ministry of Justice and the World Bank on “Supporting the Judiciary System in Enforcing Environmental Legislation” (SEEL) which complements the recent publication of the Ministry of Environment and partners on the “State of Environmental Legislation Development and Application System in Lebanon” (SELDAS).

It is UNDP’s belief that such activities build on past and on-going efforts of the governments of the Arab states to reinvigorate the environmental legislative process

Environmental missions require the engagement of the various stakeholders, particularly when it comes to punishing environmental crimes. The Ministry of Interior and Municipalities has a major role to play, along with the Ministry of Justice and the Ministry of Environment. It is true that enforcement of environmental legislation is more challenging, specifically from a technical point of view. Nevertheless, each of the countries in this region have some key environmental legislation enacted and have at hand important guidelines derived from international agreements that can guide the development of new laws and the improvement of existing ones. Equally, the region, and the international community more broadly speaking, are ready to share experiences that can help shed light on how to improve the development and enforcement of environmental legislation. With these various structural and non-structural tools at hand, it is time for the various stakeholders to sit together to discuss the way forward.

With the hope that this two-day conference initiates this challenging process, I wish you a fruitful discussions and positive outcomes. Thank you.