

Towards Environmental Advocacy

Greener Cities...
for Tomorrow's Generations



MEPI
Lebanon Alumni Association



PERMANENT PEACE MOVEMENT
حركة السلام الدائم



MAKHOUMI FOUNDATION



YOUTH FOR DEVELOPMENT



Towards Environmental Advocacy

Building Capacities of Civil Society

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- Association for the Protection of Jabal Moussa (APJM)
- Beitokom
- Committee of Employee Women in the North
- Development for People and Nature Association (DPNA)
- Feker El Hayat
- Lebanese Support Of Human Rights (LSHR)
- Makhzoumi Foundation
- Mer Terre Liban
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- Voice of the Lebanese Women
- Youth For Development

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Brothers and sisters,

Between the city and the countryside, pollution and purity, calmness and noise, positive and negative influences on the environment, we need to pause for a while, compare and think. Cities do not occupy the largest surface area on the planet yet most humans live within them thus accounting for the bulk of pollution: sound and visual pollution, gas emissions, production of the largest quantities of solid wastes and waste water, etc...

A quick examination of key statistics reveals that cities do not cover more than 2% of the Earth's surface but they channel around 75% of the World's resources to fuel their economy and progress. With all these resources being drained in urban areas, it is not surprising that cities emit two thirds of greenhouse gases, namely CO₂.

Cities around the world are facing mounting pressures and challenges pushed by the urge to foster sustainable development for healthier, greener and ultimately more enjoyable cities for all city dwellers.

Cities suffer from lack or poor planning which creates difficulties and daily challenges such as air pollution, traffic, decaying infrastructure, high population densities, high cost of living, higher energy consumption, fierce competition in the job market which exerts psychological pressures, and an overall decrease in the quality of life.

The main point to consider is: how can we maintain the integrity and quality of life in cities and balance between development needs and environmental concerns.

It is impossible to go back in time and re-examine urban planning of cities; building a new Brasilia is equally impossible. However, several challenges can be tackled to reduce the stress on our cities. Pollution, noise, traffic and loss of green spaces are problems that can be addressed to ease up stress and economic pressures ultimately enhancing the quality of life.

Increasing green spaces in cities is an important aspect to secure comfort and an escape from the stress of the urban lifestyle. In addition, green spaces enhance air quality, preserve biodiversity, reduce noise pollution and replace visual pollution elements with aesthetic and natural ones. The greener the city, the more enjoyable it becomes.

The campaign to increase green spaces in urban areas implemented by MEPI – LAA along with fourteen local NGOs is a pioneer initiative that will hopefully start the change process towards the development of environmental policies for sustainable, modern, vibrant and green cities. The legal study prepared as part of this initiative is the first of its kind; it was supported by examples from cities around the world which offer some insight on ways to challenge the lack of green spaces in urban areas.

The Ministry of Environment welcomes this initiative and will provide any help to realize the country we all dream of, a Lebanon that is green, healthy and prosperous; a land our children will be proud to call their own.

Minister of the Environment
Nazem El Khoury



Cities exert a paramount influence in our everyday life as they are home to millions of Lebanese who live and thrive within them. Cities agglomerate activities and essential infrastructure that people rely upon such as economic, commercial, industrial and construction activities in addition to having better services and being home to most public and government offices.

Urban sprawl in most cities was severely detrimental to green spaces. Cities often developed without considering the need for specific resources and infrastructure essential to insure humans prosper in healthy environments and socially as well as economically sustainable societies.

Lebanon's nature is its prime treasure; however, environmental problems burden the country. Rapid urbanization is depleting our green cover and is one of the most difficult challenges we face especially with the lack of urban planning and the general chaos permeating the development sector.

Despite the tremendous challenges that government institutions face, it is imperative to take political, legal and practical measures that will be effective on the short and long term.

In the closing document of the United Nations' Rio + 20 "The Future We Want" conference on sustainable development held in Rio De Janeiro, Brazil, 2012 world leaders renewed their commitment

to achieve sustainable development. In the "Sustainable Cities and Human Settlements" section and in article 135 the leaders committed to "to promote an integrated approach to planning and building sustainable cities and urban settlements, including by supporting local authorities, increasing public awareness and enhancing participation of urban residents...the promotion, protection and restoration of safe and green urban spaces"

Increasing green spaces in Lebanese cities demands lots of efforts deployed on different fronts. The protection, improvement and maintenance of existing green spaces efficiently and sustainably is a priority. In addition, new green spaces should be added and developed. These spaces are beneficial to society at large and we are all concerned in this high priority issue.

This project, which aims to increase green spaces in urban areas was launched by fourteen NGOs through the pioneer work of MEPI LAA, was able to produce this book that we can consider as a starting point for more in depth work. The book is rich with recommendations and suggestions which we will make sure they receive the proper leverage to reach decision circles and be translated into detailed policies, strategies and plans to secure a sustainable and healthy living environment for future generations.

We hope that along with civil society groups, the private sector, government institutions and decisions makers, we will build the sustainable and enjoyable cities of tomorrow.

**Chairman of the Parliament's
Environment Committee**

MP Akram Chehayeb



Lebanon is well known for its natural resources and unique biodiversity where different ecosystems occur and interact on its land.

The process of development without considering the adverse impact on nature and environment has increased significantly. Moreover, the development without care for environment has posed threats to the very existence of life itself.

Conservation and protection of environment and love for nature have always been part and parcel of Lebanon's ethos and culture.

Nowadays, time has shown that economic development by itself cannot solve all our problems. Thus, development and environment should go hand in hand. Environmental Sustainable development is the new paradigm.

We, at MEPI LAA with the collaboration of 14 local NGOs worked hard in order to render gratefulness to mother nature, to solve these problems and to preserve our cities from being only «Cement National Parks».

It gives me great pleasure to share with you the results of the joint effort of fourteen local NGOs in their quest

towards increasing green spaces in urban areas.

The document includes a legal study, supporting case study, Beirut case study, a roundtable of experts and mostly an environmental declaration and recommendation focusing our thoughts and energies to make collective efforts towards protecting the environment and towards advocating for a better future.

This campaign will form a support for our legislators as we move forward into the future.

I would like to thank and congratulate all the team who worked hard to publish this booklet, in MEPI LAA and with our partners.

Before I conclude, I would like to appeal to everyone for committing to follow the path of sustainable development in right earnest.

Ramzi Hage,
MEPI LAA President



MEPI LAA

MEPI LAA – Lebanon Alumni Association is a registered Lebanese local organization of 120 members and a network of positive thinkers and advocates of change that was established in 2010. We aim to create public value for the Lebanese society within four pillars: Democracy, Education, Economics and Women empowerment.

We implement activities that include drafting policy recommendations, contributing to human development, enhancing citizenship and promoting the rule of law. Our diverse backgrounds, openness to dialogue, outreach, and inherent synergy are the landmarks of our success. Our vision of success is an empowered MEPI Alumni, a network that has become a hub for Lebanese civil society, as well as a think tank that influences policy and improves the lives of individuals.

TEA PROJECT Background Objective

Project Objective

MEPI LAA (Lebanon Alumni Association) aims through this one year project at empowering civil society organizations with the skills to advocate for positive environmental change in Lebanon.

Project Activities

1. Select 10 Civil society organizations working on environmental issues in Lebanon (2 staff from each organization will be participating in the project, one should be a full-time staff in the organization and the second should be in a managerial position).
2. Build the capacities of the participants through training on the following topics:
 - a) Advocacy.
 - b) Budget Advocacy.
 - c) Fund-raising.
 - d) Social Media in Advocacy.
3. Plan an Advocacy campaign as a network
4. Advocate towards passing an environmental law in the government and potentially in the parliament.



Training Proceedings

I. Training Topic : Theories about the environment

Trainer: Karine Zoghby

Training Objective:

Familiarize the participants with international environmental conventions as well as local Lebanese environmental laws so that they can have a better understanding about the topic they will chose and advocate for towards the implementation of a specific environmental law or strategy. Moreover the training also included a briefing about major environmental concepts and the environment throughout history.

Training Brief:

The training included the following themes and topics:

- Basic environmental concepts
- Basic environmental theories to environmental degradation
- Environment throughout history
- Major International environmental conventions
- Lebanon's Environment
Despite the fact that cities offer

II. Training Topic: Advocacy

Trainer: Lina Alameddine

Training One Objective:

Provide the training participants with the basic needed knowledge about advocacy, strategies in advocacy and campaign management.

Training Brief:

The training included the following themes and topics:

- Introduction to advocacy & the evolution of advocacy throughout time
- Main definitions and terminologies related to advocacy
- Strategic thinking and planning in advocacy
- Elements of Campaign management (Problem – Goal, research, planning, implementation , monitoring & Evaluation)

Training Two Objective:

Provide the training participants with the skills to plan an advocacy campaign.

Training Brief:

The training included the following themes and topics

- How to define the problem
- Campaign Goals, Mission & Indicators
- Stakeholders Mapping (Categorizing Stakeholder and Message Development)

III. Training Topic: Budget Advocacy

Trainer: Dima Wehbe

(Middle East Advocacy and Research Center – MARC)

Training Objective:

Acquire basic knowledge about budgets and the government budget cycle in Lebanon and increase participants' capacity in budget analysis and its use in advocacy.

Training Brief:

The training included the following themes and topics:

- a) Introduction to budgets and the importance of budgets in advocacy
- b) A brief about budget work and its six main categories
- c) Significance of budget advocacy and its two main elements: budget analysis and strategic advocacy
- d) Civil society budget work: Objectives and factors of success and case studies
- e) The Lebanese budget cycle principles and the principles that guide its development as well as the stakeholders involved throughout the process.

**IV. Topic:
Fund Raising for Advocacy**

Trainer: Ramzi Hage

Training Objective:

Acquire basic knowledge about how to raise fund for your project or cause and how to present proposals to donors.

Training Brief:

The training included the following themes and topics:

- a) Basic Rules of Fundraising
- b) Fundraising Strategy
- c) Steps of fundraising
- d) What a donor wants
- e) Communication Strategy: how you should communicate with the donor, what should be said and what shouldn't
- f) Fund raising Team management: who should be on your team, what strategy to be used
- g) Tips for effective writing: the quality of writing, Good writing is clear, convincing, accurate, and simple.

**V. Topic:
Social Media for Advocacy**

Trainer: Nada Hamzeh

Training Objective:

Acquire basic knowledge about how use social media, how to advocate for your cause using social media and how to target specific groups.

Training Brief:

The training included the following themes and topics:

- a) Introduction to social media
- b) Strategic planning in social media
- c) How to create your network
- d) Definition of SMART – Specific, Measurable, Achievable, realistic and time bound.
- e) Definition of a Blog
- f) Communication Strategies



VI. Topic: Public Speaking for the increasing urban green spaces campaign

Trainer: Ramzi Hage

Training Objective:

Acquire knowledge and skills on public speaking and how to address the public on the advocacy campaign on increasing urban green spaces in Lebanon.

Training Brief:

The training included the following themes and topics:

f) Overview of the increasing urban public green spaces campaign and the important questions that might be raised by the public and the media

g) Introduction to public speaking and the five basic elements as well, Skills in oratory and the Technology role

h) How to conquer public speaking fear and Body language

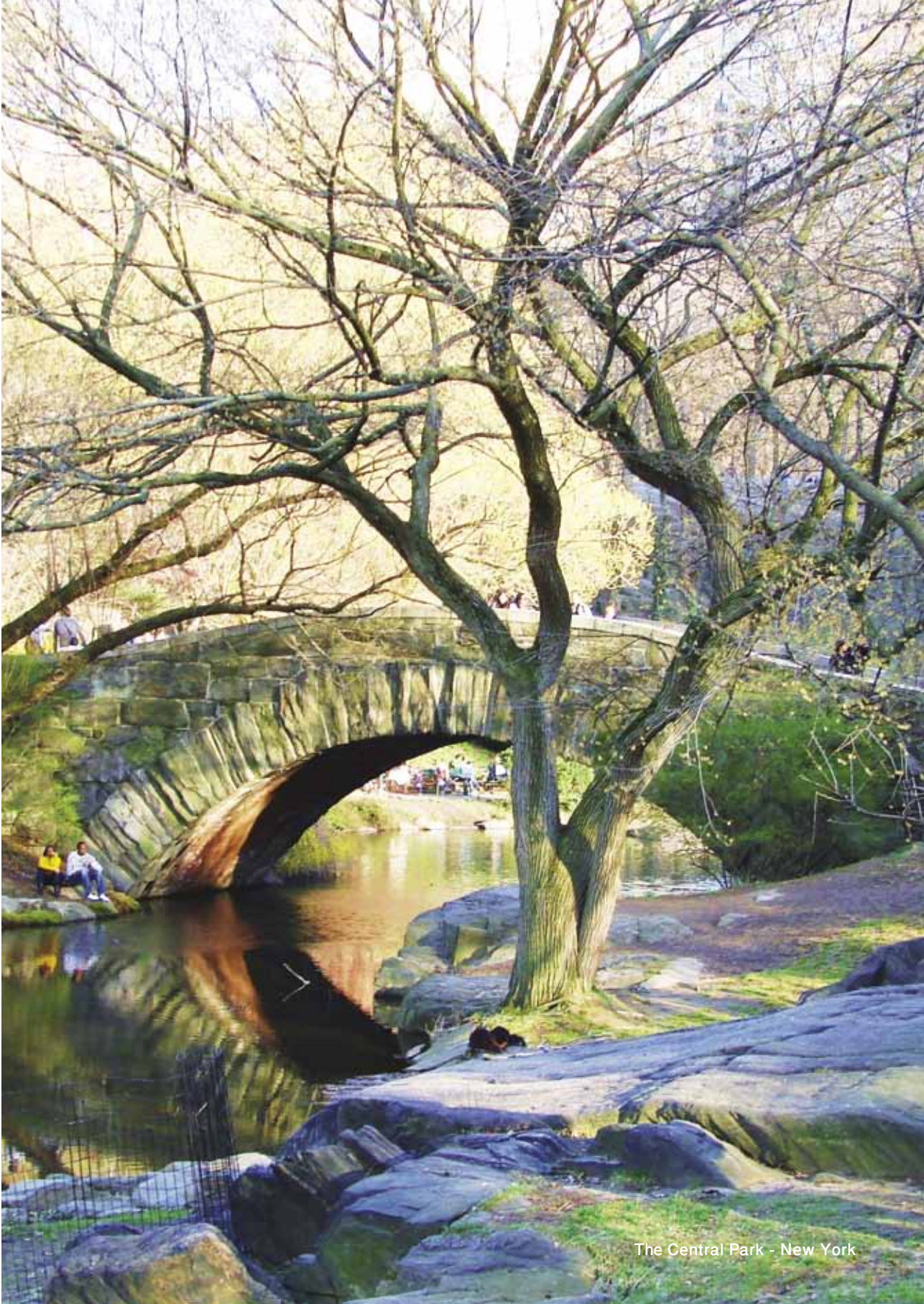
i) Performance Techniques to increase the capacity in public speaking

j) Importance of personal appearance and what is important to consider



List of participants

Association for Forests, Development and Conservation (AFDC)	Siham Salman
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The Central Park - New York



The Legal Status of Green Spaces in Urban Areas

A legal study

Introduction

According to recent studies, approximately 80% of the world population lives in the cities, knowing that cities constitute 2% of the world surface. Cities are considered hubs of medical care, educational institutions from schools to universities, business companies and commercial markets, and they are the main destination for job seekers, and the pillars of the national economy. However, cities have become synonymous with air pollution, an incubator for diseases and epidemics, coupled with environmental degradation and social alienation.

From this perspective, improving the quality of life in cities has become the main objective of decision-makers in developed countries. Therefore, they have set forth long-term policies that include roads infrastructure and transportation, waste treatment, pollution rate, green spaces and parks, urban planning, construction standards, etc.

Green areas play a major role in these policies, for the lack of green areas

has negative effects on public health (pulmonary and heart diseases¹), psychic status (stress², depression, and discomfort) and social integration (lack of public places for interaction, social engagement, and family entertainment).³

We recognize that this development of regulatory policies in some cities of developed countries is the result of a long lasting implementation of environmental and health-related principles and concepts, and the result of their integration in the laws, regulations, and the various public sectors.

However, the population density in Lebanon reaches 400 people/Km² (including the Palestinian refugees). Approximately 80% of the Lebanese population lives in urban areas.⁴ (Until 2005 the urban population growth was 2.2%⁵ Some studies⁶ have predicted that the annual urban growth rate may be up to 5 Km²; while the overall plan predicted that the urban construction might destroy a 10 Km² additional area of natural spaces yearly.



A study⁷ published in 2004 has divided the urban areas into four large categories: urban areas (including roads, seaports, airports, etc.), unbuilt areas (including waste disposals, landfills and vacant spots), and unnatural green spaces (including sports centers and public parks). According to this study, until 1998 the urban areas in Lebanon were divided as follows: urban areas (74.4%), infrastructure areas (7.2%), unbuilt areas (17.9%) and unnatural green areas (0.5%).

In this context, we may ask what are the specialized entities or administrations responsible for the green areas in cities, can improvement be made and what are the related issues that should be tackled?

The main focus of this legal study is to answer these questions by shedding the light on the legislative texts that have addressed the issue of green spaces in cities and suburbs. This study will also clarify the roles and responsibilities of public administrations and civil society in order to increase and preserve this green cover.

1) Source Lancet 2009/Marmot 2010

2) Wells NM, Evans GW (2003) "Nearby Nature; A Buffer Of Life Stress Among Rural Children". Environment and Behaviour 35 (3) 311-330

3) Green Space Scotland (2008) Transforming Urban Spaces: The Links Between Green Spaces And Health – A Critical Literature Review <http://www.greenspacescotland.org.uk/upload/File/greenspace%20and%20quality%20of%20life%20literature%20review%20aug2008.pdf>

4) World Bank Database 2010

5) At a glance Lebanon, UNICEF 2007

6) Reference: The Environment in Lebanon: Facts and Trends 2010, p.217

7) CDR-NLUMP Council for Development and Reconstruction – National Land Use Master Plan



First of all, we will start with a brief overview of the institutional framework responsible for the topic of green spaces in cities and suburbs through the enumeration of the specialized public administrations. Afterwards, we will tackle the following topics from a legal perspective:

- Urban planning
- Legislative and administrative framework for the establishment of public parks and green spaces.
- Urban sprawl and landscaping
- International legislations
- Case study
- Recommendations & suggestions

1. The institutional framework:

There are several administrations concerned with green spaces in cities and the suburbs, green cover, reforestation, and public parks. However, the environmental responsibilities are divided on the relevant administrations with overlapping roles, leading to a negative conflict of authorities that harms both environment and biodiversity.

We state hereafter the main entities responsible for the urban planning and related planning of green spaces

and public parks, in addition to the environmental regulatory requirements for construction and afforestation.

A- Ministry of Environment

The Ministry of Environment was established under the law 216/1993, which was amended under the law 667/1997; the mandate of the Ministry of Environment was then modified under the law 690/2005. Four years later, the decree no. 2275/2009 was issued and stipulating the restructure of the Ministry.

The provision of the law 216/1993 (Article 2, paragraphs 15, 16 and 17) identifies the role of the Ministry of Environment in defining the required environmental conditions to authorize the establishment and operation in all the categories of the classified institutions, to set the directional plans and detailed designs for the regional classification in collaboration with the Ministry of Public Works and Transportation, in addition to setting the environmental guidelines for the establishment and operation of public gardens, parks, swimming pools, and cemeteries.

The decisions of the Minister of the Environment regarding the licensing conditions for several types of institutions, mentioned the requirement of tree protection and planting of 10% of the real estate area (decision 29/1-2001¹, decision 60/1-2001², decision

1) The Minister of Environment's decision No. 29/1-2001 (Setting environmental guidelines to authorize the establishment and/or operation of dairy plants)

2) The Minister of Environment's decision No. 60/1-2001 (Setting environmental guidelines to authorize the establishment and/or operation of construction stones' plants)

61/1-2001¹, decision 15/1-2002², decision 16/1-2002³, etc.).

Furthermore, in accordance the law 690 /2005 (article 2, paragraph 20), which stipulates that the tasks of the Ministry of Environment include setting the environmental conditions to protect sea shores, rivers, streams, springs and lakes; the Minister of Environment issued the decision no. 90/1-2000 regarding the licensing requirements for residential buildings located within river areas that fall under the protection of the Ministry of Environment, hence, this decision clearly points out the prohibition of tree logging within the property and instead, planting trees in the remaining spaces of it.

It is worth noting that the Lebanese parliament approved on Law 326/2001 mandating the MOE to design and implement a National Reforestation Plan (NRP) using native forest species and private sector contractors. As part of this law the government allocated 25 Billion LBP to implement the plan, moreover the law allocated one billion Lebanese pounds in contributions to municipalities and environmental associations & institutions. The government may contract and implement these projects directly prior to obtaining payment appropriations

1) The Minister of Environment's decision No. 61/1-2001 (Setting environmental guidelines to authorize the establishment and/or operation of plastic plants)

2) The Minister of Environment's decision No. 15/1-2002 (Setting environmental guidelines to authorize the establishment and/or operation of glass plants)

3) The Minister of Environment's decision No. 16/1-2002 (Setting environmental conditions to authorize the establishment and/or exploitation of rubber plants)

from the budget.



B- Ministry of Agriculture

The Forest Code issued on 01/07/1949 gave the Ministry of Agriculture (MOA) the authority to take full measures to protect forests and woodlands, and manage the reforestation operations in Lebanon. The Forest Code has also entrusted the Ministry of Agriculture to issue the appropriate legal authorizations for pruning, thinning and cutting of fruit and non fruit forest trees for the purpose of authorized construction and public works projects to maintain public safety.

A relatively recent warrant issued by the Minister of Agriculture in 05/02/2010 under the no. 10/1-2010 set the specific conditions regarding the authorizations of tree cutting or pruning for the purpose of construction. Under this warrant, it is only allowed to cut or prune the trees that hinder the construction works or that pose a threat to public safety, and which are specified in the permit granted by the Ministry. The cutting or pruning operations shall be implemented in the presence of a representative of the Ministry of Agriculture. Moreover, the applicant shall re-plant the equivalent

number or the double number of the trees they were authorized to cut provided that the trees length is no less than two meters, while the types and dates of the planting procedure shall be set by the relevant department at the Ministry of Agriculture.

According to the 1949 Forest Law, the Ministry of Agriculture is responsible first for setting up a national program of forest management and reforestation. Similarly, a 1951 law on soil conservation and forest protection from grazing also addressed the reforestation issue. In 1963, Lebanon has undertaken the “Green Plan” under the authority of the Minister of Agriculture, which led to planting and seeding trees in various areas of the country for many years. However, the scope and objective of the Green Plan was transformed from reforestation to land rehabilitation¹.

C- Council for Development and Reconstruction

The Council for Development and Reconstruction (CDR) was established under Decree-law No. 5 dated 31/01/1977. The responsibilities of the CDR were specified through the following three main tasks: setting a plan and a time schedule for the resumption of reconstruction and of development, guaranteeing the funding of projects presented, supervising their execution and utilization by contributing to the process of rehabilitation of public institutions, thus enabling it to assume responsibility for the execution of a number of projects under the supervision of the Council of Ministers.

1) Book: The Environment in Lebanon: Facts and Trends 2010, p.144

Contrary to other authorities, the CDR is an autonomous institution endowed with extended jurisdiction and is directly accountable to the Council of Ministers through the Prime Minister.

The aforementioned decree-law (paragraph 5 of Article 5) stipulated that the CDR tasks consist of the implementation of all the projects assigned by the Cabinet, therefore, the CDR shall develop or modify all the studies related to directional plans and detailed designs. The CDR may also organize or reorganize, developing an area entirely or partially, selling the organized lands or establishing building on these lands and selling them, and distributing the net value resulting from sales to the eligible people.

In 2002, the Council of Ministers requested the preparation of a National Land Use Master Plan for Lebanon from the CDR. The final analysis was published in 2004, including a Final Report, maps, and a geodatabase (a spatial database that includes shape files of different themes such as water, administration, land cover, etc.) Five years later, the council of ministers approved the Master Plan under the Decree no. 2366 dated 20/06/2009.

D- Directorate General of Urban Planning (DGUP)

The Directorate General for Urban Planning was established in 1962 (decree-law 69 dated 24/09/1962), and its administrative personnel was designed in 1964 and reorganized in 1997. The Directorate General for Urban Planning falls under the authority of the Ministry of Public Works and Transport.

The DGUP undertakes many tasks

through its several departments¹, consisting of developing the directional plans and designs for urban and rural planning, as well as defining the land use patterns in cities, towns and villages. The DGUP also identifies the needed lands for public buildings consecrated for administrative or cultural facilities, or for public schools, hospitals, playgrounds and green spaces. Moreover, the DGUP may conduct a traffic study and enlarge the public squares; it may also conduct and elaborate detailed designs for the ratified urban plans, in addition to drafting, modifying, adjusting and enlarging the sub-plans, indicating the squares and parking places.

When applied, the legal texts have resulted in competences overlapping between the DGUP and several government agencies such as the Council for Development and Reconstruction, the Ministry of Environment, the Ministry of Industry, the Ministry of Energy and Water and the Ministry of Interior and Municipalities.

For a required positive coordination between the relevant administrations, the decree-law no. 69-1983 (urban planning law – article 1) stipulates the formation of the 12-member Higher Council for Urban Planning: the director-general of urban planning and representatives of the Ministry of Justice, the Ministry of Interior and

1) The department of urban planning designs selects the required lands for public gardens, playgrounds and green spaces. The department of roads and buildings, in the service of municipal projects at the DGUP, conducts the special studies for public gardens, playgrounds, cemeteries, etc.

Municipalities, the Ministry of Public Works and Transport, the Ministry of Housing, the Ministry of Environment, as well as the program manager of the DGUP, and the respective presidents of the orders of engineers and architects in Beirut and Tripoli, and three professionals (social sciences, urban planning and environment and architecture)

E- The municipalities:

There are 994 municipalities in Lebanon that are subject to the provisions of the decree-law no. 118 dated 30/06/1977. The municipalities and local government agencies manage the relevant public works on a daily basis, along with other various responsibilities, such as planning of green areas, beautification works, creation of sanitary drainage networks, street lighting, waste disposal, and the construction of internal roads and welfare facilities, in addition to the urban planning in coordination with the Directorate General of Urban Planning. The municipality may also:

- Exchange a real estate property for another: the property owner abdicates the ownership of his/her property to the municipality for the purpose of establishing a public garden while he/she obtains another real property of equal value;
- Contracting private property owners in order to establish public gardens and parks;
- Issuing building permits (through the Municipal President only);
- Following-up on all the issues related to the protection of the environment, natural landscapes and historic ruins, maintenance

- of trees and afforested areas and pollution prevention (responsibility of the municipal president);
- When funding is sufficient, developing detailed designs and directional plans at the expense of the municipality and in coordination with the DGUP;
- Establishing markets, parks, playgrounds, restrooms, museums, hospitals, medical dispensaries, shelters, libraries, popular residencies, washrooms, sewers, waste disposals, etc.
- Managing the public programs of works, beautification, hygiene, health issues, water and lighting projects.

2. The Urban Planning:

The (Urban Planning plays a major role in fighting the diseases, conserving public safety, reducing poverty, saving the natural wealth, protecting the environment, biodiversity and natural sites, and conserving the beauty of the country.

The success of the plans related to urban planning depends essentially on the global studies that take into consideration the total population number, the population growth rate, the means of transportation, the main roads and bypaths, the infrastructures, the average area of residential units, the total number of factories and commercial institutions, the economic feasibility of the plan, the environmental criteria, etc.

The division of urban planning studies at the DGUP shall execute the tasks related to region planning and land management throughout its various

departments. Its main tasks include: traffic study, modification of the general road plan, identification of the needed lands for public gardens, playgrounds and green areas, identification and designation of the lands intended for expropriation, suggestion of green areas or spaces with natural landscapes that should be protected, study the demands of land division and re-allocation, etc.

Due to the significance of the DGUP role, which scope is extended to many government agencies, the legislator had established the Higher Council for Urban Planning (HCUP) that comprises all the relevant administrations. The main competences of the HCUP include the consideration of the decisions issued on building permits and land designation, and the consideration of the modifications suggested for the urban planning and construction.

In conformity with the provisions¹ of the 1983 urban planning law in Lebanon, the DGUP established directional plans and detailed designs through its specialized departments. After elaborating these plans and consulting the relevant municipality, the HCUP approves on the plans and submits them to the Minister of Public Works and Transport. Afterwards, the Minister presents the plans to the Council of Ministers, which should approve on them before submitting them to the Republic Presidency. Finally, these plans are issued by decrees published in the gazette.

In Jurisprudence, the Council of State has abrogated through the decision²

1) Decree-law no. 69-1983

2) Reference: environment situation in the

no. 124 dated 29/12/1999 a decree for not fulfilling the provisions of the articles 49 and 51 of the municipal law and the articles 3 and 11 of the urban planning law, which require the approval of the municipality on the town directional plans and detailed designs.

Besides, the decision no. 8 dated 13/10/1999 issued by the Council of State stipulates that in accordance with the provisions of the articles 40 and 51 of the municipal law juxtaposed to the article 11 of the urban planning law, it is mandatory before issuing any decree that requires the ratification on general directional plans and detailed designs within the municipal scope, to submit the decree to the relevant municipalities for consideration and approval. The approval and cooperation between the municipalities and the DGUP is mandatory; and in case of disagreement among the municipalities and the DGUP, it is mandatory to submit the issue to the Council of Ministers for resolution. Hence, this is part of the fundamental procedures which violation implies the abrogation of the defected decree¹.

The article 4 of the urban planning law stipulates that the administrative centers of Kazas and Mohafazats shall elaborate designs and plans for their cities and villages, for the zoning or the areas classified as summer or winter residences, for the archeological sites and for the places identified by a decree based on a proposal submitted by the Minister of Public Works after the consideration of Higher Council for Urban Planning.

Lebanese courts – 2010 p. 49

1) Reference: environment situation in the Lebanese courts – 2010 p. 50



In this matter, tens of decrees that ratify the directional plan and detailed design were issued for various Lebanese regions, which show the efficiency and positive role of the DGUP. These decrees include: decree no. 2810-2000², decree no. 4313-2000³, decree no. 921-2007⁴, decree no. 1165-2008⁵, decree 6526-2011⁶, which will be

2) Decree on ratification of the directional plan and detailed design of the land area of Kfarchima

3) Decree on ratification of the directional plan and detailed design of the land area of Hadath

4) Decree on ratification of the directional plan and detailed design of the land area of Ain Jdeideh

5) Decree on ratification of the directional plan and detailed design of the land area of Damour

6) Decree on ratification of the directional plan & detailed design of the land area of Jounieh city

further explained in the following parts. These organizational decrees may be amended or abrogated at any time and their permanence does not grant any vested interest for anyone without fixed maturity. They may be amended or abrogated in conformity with the circumstantial and needed requirements, especially a long period after being issued.

These directional plans and detailed designs contain general and specific requirements¹. The general requirements tackle the issues of building, retraction from private roads, surface investment components, general investment components, division and re-allocation, etc.

Whereas the specific requirements comprise the execution of land zoning, identification of land use purpose through detailed maps that accurately illustrate the line demarcation of the zoned areas, such as the residential, agricultural, natural, industrial areas, free roads and spaces, etc.

Despite the fact that the DGUP – while elaborating the plans and designs – takes into consideration the relation between the residential gatherings and the neighboring areas, the needed balance between the development requirements and environment protection as well as the public interest; these designs do not appropriately treat the issues related to sustainability and environment, neither do they tackle the issues of easy access, public transportation, renewable energy sources, water

pipes and green welfare areas. Therefore, in conformity with the legal provisions, the relevant departments shall include the Environmental Impact Assessment and the Initial Environmental Examination studies in the elaboration process of these plans and designs.

Besides, the environmental protection law had stipulated that it is mandatory to submit the projects to the environmental impact assessment, initial environmental examination and environmental strategic assessment². It had also defined the meanings of the word “project”, which includes any program, study, investment or organization proposal that covers an entire Lebanese region or an entire activity sector and which applies on regional planning and land use. However, this law is currently applied to a limited extent due to the lack of application decrees.

In summary, the Initial Environmental Examination (IEE) is a primary study that aims at identifying the potential environmental effects of a certain project in order to determine how mandatory the environmental impact assessment is. As for the Environmental Impact Assessment (EIA), it consists of identifying, estimating and evaluating the impacts of a certain project on the environment as well as choosing the needed measures to decrease the negative impacts and increase the positive ones on the environment and natural resources, before issuing any decree that approves or rejects the relevant project.

1) Reference: Strengthening the Environmental Legislation Development and Application System in Lebanon (SELDAS) – 2004 p.26

2) Law no. 444/2002 section 4 articles 21 & 22

In fact, a decree of Strategic Environmental Assessment (SEA) was issued lately for the policy projects, plans and programs in the public sector, decree no. 8213 dated 25/04/2012, article 3 with explicitly stipulates: "Subject to the provisions of this decree are the project of policies, programs, studies or investments shown in the first article suggested by the official administrations, related for example but without limitation to the administration of water, wastewater, energy, transportation, public waste management and directional plans for land use organization [...] as well as any modification, addition, renewal or annulment of an existing project with significant potential environmental effects.

It is worth noting that the State bears the expense of developing the plans and designs. However, if the municipalities have the appropriate funding, they may undertake this process at their own expense in coordination with the DGUP¹.

The Council of Ministers issued the decree no. 2366 in 20/06/2009 which stipulates a global plan to arrange the Lebanese territories, where the zoning of the Lebanese areas was executed according to the enclosed maps available at the Council for Development and Reconstruction. This global plan of territorial zoning constitutes the general directional frame for urban planning and land use in Lebanon. It particularly suggests a unified range of land use classification to cover all types of lands, and it identifies the various regions that enjoy an environment or heritage-related sites to be protected.

1) Decree-law no. 69/1983 article 10

The decree also stipulates that ministries, public administrations and institutions, municipalities and municipal unions shall all respect the guidelines in conformity with this plan in any work related to land use and planning.

All the decrees and designs issued before this decree to identify the land use and all the urban and rural directional plans and detailed designs, shall remain in force as long as they have not been amended.

The relevant administration shall respect the provisions of this decree while considering other decrees and designs and submitting proposals related to territorial arrangement. However, if this was revealed impossible, the relevant administration shall submit the issue to the minister and the Council of Ministers according to the law.

3. The legislative and administrative frame for the establishment of public gardens and green areas:

The legal texts obviously stipulate that the DGUP shall principally coordinate with the relevant municipalities to execute the organization and planning of public parks, gardens, playgrounds, free spaces, and wooded areas that must be conserved, modified or created. Hence, the DGUP coordinates with the municipalities to set up the directional plans and detailed designs, and to establish the land use requirements within the relevant area, including the possibility of prohibition to build.



According to the provisions of the article 12 of this decree-law, the ratified designs have the effect of planning and announcing the public interest provided that the designs are illustrated on maps with dimensions that show parcels division. In this case, to the design shall be enclosed a list of the entirely or partially affected real estate properties, or the entirely or partially conserved properties for buildings, public departments and other services of public purpose. A copy of this list and the ratification decree is immediately delivered to the land registry secretariat to insert the appropriate marks in the page of the land register.

No right to indemnity is granted for the charges on real estate that are imposed to protect the public health and safety, to conserve the nature or environment beauty, or for the charges related to land use, building heights, forms, colors and floor numbers, or for the charges related to the retraction from the borders, the average of surface investment, the component of general investment, the temporary prohibition to build for a 2-year maximum period and other charges on real estate; excluding the charges that are subject to special laws. However, the right

to indemnity is mandatory when the prohibition to build has a final aspect that makes it impossible to build on the land.

While executing the provisions of this decree-law, the administrations were given the right to expropriate the built areas established to serve the public interest of a design, such as public streets, roads, squares, gardens, buildings, etc. The administration also has the right to partially or entirely expropriate the design areas of a design.

According to these legal provisions, many decrees were issued stipulating the expropriation of private lands in the purpose of establishing public gardens. These decrees include for example:

- Decree no. 894 – issued on 07/02/2008, legislated the expropriation of the entire real property no. 4455 in Al-Basateen area in Tripoli (Kaza of Trablos) for the purpose of establishing a public garden or playground. This decree also stipulated the payment of indemnities for the expropriation of this land from the open credits made for this purpose in the budget of the municipality of Tripoli.

- Decree no. 540 – issued on 28/12/2007, legislated the expropriation of the entire real property no. 10 in Al-Khartoum area – Kaza of Saida for the purpose of creating a model garden with the establishment of the headquarters of Al-Khartoum municipality on its periphery. The expropriation indemnities of this project were paid from the open credits made for this purpose in the budget of the municipality of Al-Khartoum.

- Decree no. 693 – issued on 15/11/2008. The expropriation of the entire land no. 3575 in the Mousaytbeh area (Mohafazat of Beirut) in order to create a public garden with an underground parking for cars and public municipal services. The expropriation indemnities of this project were paid from the open credits made for this purpose in the budget of the municipality of Beirut.

- Decree no. 3525 – issued on 06/03/2010. The expropriation of the two lands no. 6206 and 6207 in the Mazraa area (Mohafazat of Beirut) for the purpose of creating a public garden. The expropriation indemnities of this project were paid from the open credits made for this purpose in the municipal budget of Beirut.

- The decree no. 17054 – issued on 29/05/2006. The expropriation of the entire land no. 235 in the Saifi (municipality of Beirut) area for the purpose of creating a public garden with an underground parking and public municipal services. The expropriation indemnities of this project are paid from the open credits made for this purpose in the budget of the municipality of Beirut.

In this context, apart from the provisions of expropriation, the article 23 of the urban planning law dated 1983 stipulated that for the purpose of protecting the forests, and generally the natural sites and spaces located within or next to the residential gatherings, the State and municipalities may propose swapping a land to build for an entire or partial land classified as a forest (woodland) or natural site. The owner



may be allowed to build on a part of this classified land and in the site that least affects the natural wealth, after obtaining the approval of the Higher Council for Urban Planning. When the entire investment in a land or group of lands is executed, the construction will be definitively prohibited in the remaining parts of the land and this will be registered accordingly in the land registry.

Moreover, according to the provisions of the urban planning law, the municipalities may contract owners of forests or natural lands for the purpose of making these areas open to the public by establishing parks; in exchange with entrance fees paid by the municipality, which cover at least the respective expenses of maintenance and lookout.

Finally, we will explore the law of 1939 related to the protection of natural landscapes and sites, which provided special provisions for some natural sites.

- Law on the protection of natural views and sites in Lebanon, 1939

Under this law, the natural landscapes and sites may be classified according to decree issued by the President of the Republic, upon a proposal

submitted by the Minister of National Economy. May be classified as a natural landscape or site any land that requires this zoning for the purpose of isolating and cleaning the peripheries of a natural landscape or site. Legal charges on real estate may be imposed on any real-estate or land that is close to or in front of another natural site or landscape for the public interest, in order to conserve its artistic or touristic characteristic, and these charges do not require the payment of any indemnities.

This law is valuable because it prohibits all works of demarcation, restoration, construction, irrigation, column fixation for power cables, establishment of cemeteries or repositories of debris and waste, seeds plantation, holes creation and tree cutting or removal; moreover, it is generally not allowed to make any changes to the natural landscape or site except with a permit issued by the Ministry of Environment (amended after belonging to the authority of the Minister of National Economy). It is worth noting that the decree no. 22-1943 has transferred all the authorities from the Ministry of National Economy to the Ministry of Interior and Municipalities. Later on, the article 8 of the law 216-1993 (which has established the Ministry of Environment) has abrogated all the legislative texts that infringe or that are not consistent with the provisions of the law 216-1993; subsequently, according to the article 2 of law 216-1993, the Ministry of Environment and the relevant government agencies hold the responsibility for the zoning of natural sites and views.

However, this law has not clearly and directly defined a mandatory coordination or coordination with the DGUP. Consequently, this lack remains as a defect in the legislation and shall be addressed by indicating clearly and explicitly the mandatory coordination with the DGUP and by clarifying the procedures that should be followed during the coordination regarding the studies on natural sites.

Over the years, the Ministry of Environment issued many decisions and decrees for the zoning of many sites such as the valley of Nahr el-Mawt¹, the river flow of Nahr el-Kalb², the river flow of the Damour valley³, and the flow of the Beirut River⁴.

In summary, the establishment of public gardens and green spaces in cities and suburbs may be executed in some specific cases:

- Establishing a public garden on a land that belongs to State or Municipal properties;
- Zoning a forest land or natural site area and definitive prohibition to build under a directional plan. In this case, an indemnity shall be paid to the land owner;
- Swapping a property for another between the State or the municipality and the land owner, where the eligible person offers the ownership of his property to the State or municipality for the purpose of establishing a public

1) The Minister of Environment's decision No. 22/1-1988

2) Decree no. 97/1-1998

3) The Minister of Environment's decision No. 129/1-1998

4) The Minister of Environment's decision No. 130/1-1988

- garden, and in return he/she obtains another real property of equivalent value;
- Expropriating a private real property in exchange with a fair indemnity, and the establishment of a public garden or conservation of a green space;
- The municipality may contract private property owners to establish public gardens and parks;
- Considering the real-estate as part of the natural landscapes and sites according to a decree issued by the Minister of Environment or according to other governmental decrees.

Following this, the legislative texts have clearly recognized the importance of parks, public gardens and green spaces in cities and suburbs. In addition, the legal texts have clearly stated – while introducing the relevant administrations and their tasks – the mandatory aspect of planning for public gardens and territorial zoning and of creating the appropriate legal mechanism to implement the directional plans general designs. Nevertheless, we may mention the following observations:

- Lack of Environmental Impact Assessment and Strategic Environmental Assessment within the studies that have been conducted by the DGUP in the framework of the organizational projects;
- Overlapping authorities and conflict of responsibilities between several official administrations in some fields of territorial zoning and land;
- Apart from its participation in the Higher Council for Urban Planning, the Ministry of Environment does not play a role in urban planning, and there is a weak coordination between the Ministry of Environment and the DGUP, knowing that some projects of detailed designs and directional plans shall be transferred to the Ministry of Environment for consideration;
- The law does not mandate the establishment of public gardens or green areas, and does not define a specific percentage of green spaces of the total city surface;
- Lack of participation of the civil society in the Lebanese legislations, especially in the development process of regional planning and land use and zoning. Consequently, it was easy to accept these designs, which contributed to the elaboration of the same methodology the augmentation of the same ideas.

4. The creation of green spaces and urban sprawl

The directional plans and detailed designs established for cities and suburbs stipulated some special provisions regarding afforestation and green spaces, which shall be executed during the construction phase. Moreover, the law on urban planning stipulated that the urban and rural planning designs and schemes shall be identified for the respective areas corresponding to different building rules extracted from the Lebanese building law. In this case, the building permit is

not granted unless the intended works match with the building rules specified in the plans and designs of urban and rural planning.

We put forth the following samples of detailed designs:

In Zgharta¹ for example, when the applicant submits a request for building permit or land division for a property that contains olive trees, he/she shall show the olive tree sites in the application; provided that two trees are planted instead of a cut tree during the building process. As for the lands that do not contain olive trees, it is mandatory to plant a tree that matches with the tree type in the surrounding area with the percentage of 1 tree per 200 m² of the land. The sites of tree planting shall be specified and their existence is considered as a basic condition to grant the housing permit. It is also mandatory to plant trees in the entire remaining unbuilt area with a percentage of no less than 1 tree per 50 m² of land, and the place and type of these trees are specified on the maps of the building permit file.

In Hadath², the planted areas shall not be less than 20% of the total real estate surface, and all the unused areas in the land shall be built. The maps of green spaces shall be enclosed to the application file, showing the areas of tree plantation, specifying their types according to the list of the allowed tree types complementing the design no. 7, provided that the number of trees is not less than 1 tree per 50 m² of land in the cultivated areas. The execution

1) Decree no. 7307 – issued on 26/01/2002

2) Decree no. 4313 – issued on 25/11/2000

of tree plantation in conformity with the maps and specifications is considered a basic condition to grant the housing or works permit.

In Ghazeer³, it is mandatory to plant a hedge of 1 m width on the side of the land and along the required lay, provided that the shrub height and density are sufficient to hide the fence on the road side. The allowed shrub types are specified in an enclosed list. The plantation of these shrubs remains mandatory even in the absence of fencing.

Behind the fence, a line of 3.50 m. width shall remain empty and be planted by a line of trees. The required distance between two trees is 8 m. maximum. Moreover, the cultivated areas shall not be less than 20% of the total real estate surface, and all the unused areas in the land shall be built. The maps of green spaces shall be enclosed to the application file, showing the areas of tree plantation, specifying their types according to the list of the allowed tree types complementing the design no. 7, provided that the number of trees is not less than 1 tree per 50 m² of land in the cultivated areas. The execution of tree plantation in conformity with the maps and specifications is considered a basic condition to grant the housing or works permit.

In Tripoli⁴, the planning of the unbuilt areas of a land represents a fundamental part of the investment or building permit application. It covers the pedestrian entrances, vehicular gates

3) Decree no. 10 282 – issued on 20/05/1997

4) Decree no. 2282 – issued on 15/06/2009

and internal circulation, cultivated areas, paved surfaces and wooded spaces. The required cultivated areas shall be established within the land as a garden for the residents in the property units, provided that the tree planting includes the traditional type of regional trees with an approval from the municipality. Therefore, the municipality may list the required trees in every area. The maps enclosed to the permit shall indicate the specified sites for tree types and plantation.

The housing permit shall only be granted when this clause is fulfilled, provided that the tree length is not less than 1.5 m. on the street side. When the permit is granted, and the relevant person shall maintain them; if the latter does not do that, the municipality shall accomplish these works at the expense of the relevant person and shall register the costs in the page of the land register.

In Damour¹, in the area classified as a touristic zone, the car parking should be surrounded by high trees from all the sides, with a density of 1 tree every 3 meters. Shading trees shall be planted inside the parking, between the cars, with the density of 1 tree for every 4 cars at least. The unoccupied areas of the land shall be organized as green spaces or so, provided the percentage of unoccupied areas is not less than 25% of the land area and that they are afforested with an average of 1 tree per 25 m². The implementation of the tree planting according to the maps and specifications is considered a basic requirement to grant the permit of housing or works.

1) Decree no. 1165 – issued on 18/03/2008



As for the areas classified as agricultural and forest zones, the land designed for a touristic or environmental project shall be surrounded by trees from at least three sides, and the planted area of the project shall not be less than 70% of the total land surface.

In Jounieh², according to the 2002 directional design, the easement areas (C2, G, D, D1 and F1) shall be surrounded by a green belt of at least 2.5 m. after the legal retraction along the land front. It is also mandatory to plant trees in 50% of the unbuilt area that remains after the construction in the easement areas (C2, G, D, D1, E1, E2 and I) or with the density of 1 tree per m². The obtainment of a housing

2) Decree no. 8575 – issued on 30/08/2002

permit is conditioned by this clause, provided that the tree height is not less than 1.5 m. when the permit is granted, and that the tree type matches with the other trees of the same area, for instance: pine, oak, fruit trees that do not need irrigation, cypress trees, etc. The areas specified for tree planting shall be demarcated on the permit maps, and it is prohibited to cut out the existing trees outside the horizontal borders of the building and the gate, provided that the building design is also indicated on the permit maps. To the permit application is enclosed a map signed by the project engineer or the sworn land surveyor, indicating all the places and types of the existing trees, provided that at least two trees are planted instead if every cut tree of the same type.

As for the 2011¹ directional design, the easement areas (F, D1, D, C2 and F1) shall be surrounded by a green belt of at least 2.5 m. width within the legal retraction along the land front. It is also mandatory to plant trees in 20% of the total land area that remains after the construction in the easement areas (C2, D, D1, and I). The obtainment of a housing permit is conditioned by this clause, provided that the tree height is not less than 1.5 m. when the permit is granted, and that the tree type matches with the other trees of the same area, for instance: pine, oak, fruit trees that do not need irrigation, cypress trees, etc. The areas specified for tree planting shall be demarcated on the permit maps, and it is prohibited to cut out the existing trees outside the horizontal borders of the building and the gate, provided that the building

1) Decree no. 6526 – issued on 12/10/2011

design is also indicated on the permit maps. To the permit application is enclosed a map signed by the project engineer or the sworn land surveyor, indicating all the places and types of the existing trees, provided that at least two trees are planted instead of every cut tree of the same type.

In Saida², it is mandatory to plant trees within the obligatory retraction and along the frontage of the land leading to the street, provided that these trees are planted on two parallel lines adjacent to the streets, at the depth of 3 m. and with a distance of 2 m. minimum between every two trunks. The sites of tree planting shall be indicated on the maps of the building permit, these maps are considered as an integral part of the permit application, and the works (housing) permit is not granted unless after ensuring the tree plantation, provided that the municipality of Saida agrees on the tree types.

In Deir al-Kamar³, all the unused areas of a land shall be planted. Moreover, the planted areas shall not be less than 10% of the total land surface. To the permit application are enclosed the maps of green spaces showing the planting areas and tree types, provided that the number of trees is not less than 1 tree per 50m² of the planted areas. The implementation of the planting according to the maps and specifications is considered a basic requirement to grant the permit of housing or works.

2) Decree no. 6552 – issued on 21/03/1995

3) Decree no. 7747 – issued on 09/04/2002

The detailed design and directional plan of Deir al-Kamar requires some special conditions:

40% of the areas shall be planted within the retractions.

In the retractions from the street, 25% of these retractions shall be established as a flower garden.

The site of the intended building on any land shall take into consideration the place of the existing trees and avoid any contact with them.

In the lands that are adjacent to public roads or private roads, and the public and private roads that are part of a land: the planting shall be implemented on at least 1 m. width after the legal retraction limits along the land frontage, excluding the car entrance, provided that the distance between a tree and another is 2.5 m. minimum and 4.5 m. maximum.

In the southern suburb of Beirut¹, if there are existing trees or cultivated areas within the intended land to build, the place of the new building shall be studied, and it shall be redesigned in a way that conserves these trees or cultivated areas as much as possible. The existing planted areas of a land shall be protected during the process of construction and set up of public installations and infrastructure links. If the existing trees are damaged, they shall be replaced by other similar or different trees after consulting the relevant references.

1) Decree no. 10231 – issued on 09/05/1997

In the free spaces located within a land, the areas planted with trees or plants shall be conserved according to the following conditions:

- a. The planted areas shall not be less than 50% (fifty percent) of the total surface of the free unbuilt spaces within the real estate;
 - b. These spaces shall include a number of trees that matches with the surface, as to guarantee the existence of minimum 1 tree per 50 m² (fifty square meters).
 - c. The soil thickness in the planted areas shall not be less than 1 meter.
- On another level, the decision no. 67 dated 1961 mandated the planting of all the public and private cemeteries of Lebanon, especially the areas that surround them.

In the region of Aitat in the Kaza of Aley², only for the two easement areas V and V1 : Villa residence: the areas cultivated with trees shall not be less than 10% of the total real estate surface and all the unused areas of the land shall be planted with lawn or a similar type or grass. The maps of green areas showing the place of tree plantation shall be enclosed to the permit application, provided that the number of trees is not less than 1 tree per 40 m² of land, and the implementation of the planting according to the maps and specifications is considered an a basic requirement to grant the housing and works permit.

2) Decree no. 8452 – issued on 04/07/2012



5. The international legislations:

The international legislations indicate a strong relation between the regional planning on the first hand and the environmental safety and protection on the other hand. In particular, the international legislations stipulate the necessity of conducting an environment impact assessment during the phase of regional planning and land use and zoning identifications¹.

Many international policies and legislations stipulate the environmental conditions during the development of directional plans and detailed designs, for instance, the guidelines for the planning policies 12: development plans – England²:

- Green belts, policies aiming at the reservation of undeveloped land surfaces near the cities;
- Reservation of nature and biodiversity
- Followed and planned methods and modes of waste management (solid and liquid waste)

1) European decision 2001/42/EC (known as «Strategic Environmental Assessment» – SEA Directive)

2) Source: Strengthening the Environmental Legislation Development and Application System in Lebanon (SELDAS) – 2004 p.51

- Reduce air pollution (industrial zones and road planning...)
- Reduce noise pollution
- Reservation the coast line characteristics
- Effects on the natural landscape
- Improvement of the environment by pointing out the green surfaces and planting possibility
- Coherence between the construction and the respective environment and nature
- Water and rain flows and flood prevention
- Availability of water resources in respect to land use
- Protection of water resources from pollution resulting from land use
- Reservation of soil quality and prevention from soil erosion and degradation

Whereas in France, the law on urban planning of 1995 was amended by the Law of Solidarity and Urban renewal (SUR) of 2000 and was re-amended in 2010. Five main studies are conducted in France for every urban planning, including:

- Territorial Coherence Scheme (SCOT): is a study that defines a specified regional project between a group of municipalities or a municipal union, and that aims at unifying all the local policies, especially those related to urban planning, housing and public roads...
- Local Housing Program (PLH): aims at gathering all types of housing.
- Urban Mobility Plan (PDU): aims at developing the transportation means and finding solutions for traffic jams.

- Local Urbanism Plan (PLU): includes territorial zoning and building requirements.
- Planning and Sustainable Development Plan (PADD): it is one of the most significant amendments of the urban planning law in France in 2010, it is a study that tackles the sustainable development issue and treat it through the aforementioned studies.

The Urban Environmental Accords were proclaimed in San Francisco in 2005 on the occasion of the UN World Environment Day. The nonbinding accords gathered municipal presidents of 53 cities around the world and elaborated an environmental plan comprising 21 action items centered around 7 major topic areas, implemented on several phases and set a zoning mechanism for cities according to their applied action plans. These accords are characterized by the comprehensiveness of their action plans and the definition of the required steps to build the green cities that treat energy, waste, transportation, territorial planning, green spaces, water and health issues. These accords include many action items, the action no. 10 states the necessity of ensuring that there is an accessible park or recreational open space within half-a-kilometer of every city resident. The action no. 11 stipulates the necessity of establishing a goal based on ecological and community considerations to plant and maintain canopy coverage in not less than fifty per cent of all available sidewalk plating sites.

Among the international treaties, the European Landscape Convention –



also known as the Florence convention – came into action in 2004 and has been ratified by 40 European States until now. The Florence convention is an international convention, the first of its kind, which was only consecrated to save the natural landscapes with the purpose of protecting human rights to live a safe and healthy environmental life through the protection, management and planning of natural landscapes and areas and by raising awareness about the value of these natural landscapes.

The convention defined the natural landscapes as areas of interaction between the nature and the human being. The article no. 2 of this convention denotes its territorial and functional scope as it covers natural, rural, urban and peri-urban areas. The convention also invites the Member States to:

Set up strategies and policies that aim at protecting the natural landscapes and defining the appropriate management methods.

Consider the natural landscapes while developing any economic, environmental, agricultural, urban planning and social policies.

Raise social awareness on the effect of natural landscapes on the health, environment and social life.

Train and teach the methods of establishing policies and planning natural landscapes.

The international conventions, including mainly the United Nations Convention on Biological Diversity (CBD) signed in Rio de Janeiro in 1992, have all underlined the importance of green spaces in conserving and protecting the biological diversity.

6. Recommendations and suggestions:

- Implementing the provisions of the decree no. 8213/2012, which stipulates the integration of the Environmental Impact Assessment and Strategic Environmental Assessment conducted by the DGUP in the frame of its organizational projects.
- Implementing the provisions of the decree no. 8213/2012, which stipulates the consideration of the environmental criteria and conditions during the elaboration of directional plans and detailed designs, in addition to the participation of the civil society and its innovative capacities and ideas in the planning process.
- Reconsidering the detailed designs and directional plans for some cities in the matter of territorial zoning and relative planting in the built lands, as well as ensuring the implementation of the legal provisions.
- Amending the law no. 665/1995 regarding the election of municipal councils, as to allow all the

residents of the city or electoral district (municipality) to vote instead of the voters registered at the Directorate of Civil Status, because the city residents are more affected – positively or negatively – by the municipal decisions, they are the ones who pay the municipal taxes, and they are more able to hold their elected council accountable in the polls. Consequently, we suggest the amendment of this law in order to enhance the representative aspect of municipal council and to lobby the municipal council for the purpose of improving the municipal services enabling the residents to hold the candidates accountable in ballot boxes.

- Financial incentives:

Amendment of the municipal fees law no. 60/88 to include the financial incentives that encourage owners, tenants and investors of buildings in cities to plant trees on their rooftops, and in the surrounding area or even on the external wall of their buildings. In return, they shall obtain a certain reduction on the fees they pay to the municipality such as the tax on the rental value, the permit fees, investment fees...

- Dedicating a percentage of the fees:

The article 72 of the municipal fees law no. 60/88 stipulates the addition to the building permit a charge of 10% of its value, dedicated to the expenses paid the following purposes:

In the city of Beirut: 5% for the Museum of Beirut (Museum of Nicolas Ibrahim Sursock. 5% of it to the public restrooms, gardens and parks.

- In other municipalities: paid for the implementation of works and projects related to schools, popular housing, public restrooms, health facilities, public libraries and gardens, and other projects and works.

We suggest the amendment of this article by dedicating a greater percentage of the municipal rates and charges to the green spaces (public gardens, planting the street sides, etc.)

- Green strategy

Amending the urban planning law by adding a clause that stipulates the realization of green strategy study while setting up directional plans and detailed designs for cities. These provisions and the definition of this strategy are specified according to an application decree issued by the Council of Ministers.

The proposed decree specifies the competent authority for the strategy implementation, which is a commission comprising members of the DGUP, the Ministry of Environment, the relevant municipality, and professional engineers.

The objective of this strategy:

- Protecting the future of green spaces
- Improving the quality of cities and suburbs
- Making the urban areas more attractive and consequently attracting more resources
- Enhancing the welfare of local residents and tourists

The proposed decree stipulates that when this strategy is established, the following factors shall be taken into

consideration:

The city-related factors:

- The demographic factors of the city (population rate, age distribution, social classes...)
- Cultural, historic and environmental features of the city
- The city surface and urban development rate
- The adopted budget to implement this strategy and the possibility of finding additional funding sources when needed
- The percentage of the existing green spaces and their distribution in the city
- The average of m² of the green spaces availability for every resident in the city

Ecological and environmental factors:

- Biological diversity and ecological values
- Climate in urban areas
- Pollution degree
- The overall environmental factors affecting the safety and health of residents

The economic factors:

- The costs of establishing and implementing this study, and the costs of the maintenance of green spaces
- Auditing the adopted budgets and funding sources

The proposed decree defines the criteria that shall be respected while setting up this strategy, including:

The quantity criteria: specifying the number and types of green spaces that shall be available in cities.

The quality criteria: specifying the process of green spaces distribution by establishing a general rule that determines the maximum and farther distance between the green space and any housing unit. For example, the distance between any housing unit and the nearest green space shall not exceed 500 m.

The importance of this study is that it takes into consideration all the environmental principles, the Ministry of Environment plays a larger role in setting the designs and the civil society participates in this process.

Conclusion:

The following is the conclusion of the existing legal conflicts or gaps and the suggested solutions for each one:

Legal conflict of gap	Suggested solution
<p>The law does not mandate the establishment of public gardens</p>	<ul style="list-style-type: none"> <li data-bbox="458 451 1125 638">• Amendment of the urban planning law, decree-law no. 69/1983, article 8, paragraph 8, by adding an expression that binds – while setting up the detailed designs and plans for the regions – the dedication of a specified area (determining its surface explicitly) to establish green spaces. <p data-bbox="458 678 486 702">or</p> <li data-bbox="458 742 1125 930">• Amendment of the municipal law, decree-law no. 118/1977, article 49, by explicitly including the establishment of public gardens in the municipal tasks, and defining their relative percentage, their surface or the maximum distance between the green space and any housing unit. <p data-bbox="458 970 486 993">or</p> <li data-bbox="458 1033 1125 1312">• Amendment of the municipal fees law no. 88/60, article 72, which stipulates the addition to the building permit fees a charge of 10% of its value, dedicated to the expenses paid for the purpose of implementing works and projects related to schools, popular housing, public restrooms, health facilities, museums, libraries and gardens, etc. We suggest dedicating a specific and explicit percentage of this 10% to increase these green spaces. <p data-bbox="458 1352 486 1375">or</p> <li data-bbox="458 1415 1125 1630">• Amendment of the urban planning law, decree-law no.69/1983, by adding a clause stipulating the realization of a green strategy study while setting up the detailed designs and directional plans for cities. These provisions and the type of this strategy shall be defined under an application decree issued by the council of ministers.

<ul style="list-style-type: none"> The lack of an environmental impact assessment and environment strategic assessment 	<ul style="list-style-type: none"> Application of decree no. 8213/2012 by integrating both environmental impact assessment and environment strategic assessment in the studies conducted by the DGUP in the frame of its organizational projects. <p>or</p> <ul style="list-style-type: none"> Amendment of the law on urban planning, decree-law no. 69/1983, by adding a clause for conducting a green strategy study while setting up the detailed designs and directional plans for cities. These provisions and the type of this strategy shall be defined under an application decree issued by the council of ministers.
<ul style="list-style-type: none"> Limited role of the ministry of environment 	<ul style="list-style-type: none"> Amendment of article 11 of the urban planning law, decree-law no. 69/1983, by giving the ministry of environment a fundamental role that consists of studying and advising on the detailed designs and directional plans.
<ul style="list-style-type: none"> Disregarding the environmental criteria and requirements while developing the directional plans and detailed designs 	<ul style="list-style-type: none"> Amendment of the urban planning law, decree-law no 69/1983, by adding a clause for conducting a green strategy study while setting up the detailed designs and directional plans for cities. These provisions and the type of this strategy shall be defined under an application decree issued by the council of ministers. <p>or</p> <ul style="list-style-type: none"> Applying the decree no. 8213/2012 by considering the environmental criteria and requirement while developing the directional plans and detailed designs.
<ul style="list-style-type: none"> Lack of civil society participation in the development of detailed designs and directional plans 	<ul style="list-style-type: none"> Amendment of the urban planning law, decree-law no 69/1983, by adding a clause for conducting a green strategy study while setting up the detailed designs and directional plans for cities. These provisions and the type of this strategy shall be defined under an application decree issued by the council of ministers.

<ul style="list-style-type: none"> Urban development spread to the detriment of green spaces 	<ul style="list-style-type: none"> Reconsidering the directional plans and detailed designs for some cities in the matter of zoning and relative percentage of planting in the built areas, as well as ensuring the implementation of the relevant provisions.
<ul style="list-style-type: none"> Old buildings that do not fall under the provisions of the modern directional plans 	<ul style="list-style-type: none"> Amendment of the municipal fees law 88/60 to include the financial incentives that encourage the owners, tenants and investors in city buildings to plant trees on their rooftops, and in the surroundings of their buildings or even on the external wall for example. In return, they may obtain a specific reduction on the fees they pay for the municipality such as the tax on rental value, the tax on permits, the tax on investment etc.
<ul style="list-style-type: none"> Municipal council does not represent the city residents 	<ul style="list-style-type: none"> Amendment of law 665/1997 regarding the election of municipal councils as to allow the city or electoral district (municipality) residents to vote for the municipal council instead of the voters registered in the directorate of civil status.
<ul style="list-style-type: none"> The directional plans and detailed designs in Lebanon are a mere physical planning of the region and are not based on a strategic study 	<ul style="list-style-type: none"> Including the environmental impact assessment and strategic environmental assessment in the urban planning studies. <p>or</p> <ul style="list-style-type: none"> Amendment of the urban planning law, decree-law no 69/1983, by adding a clause for conducting a green strategy study while setting up the detailed designs and directional plans for cities. These provisions and the type of this strategy shall be defined under an application decree issued by the council of ministers.



MEPI – LAA Supporting Case Study

Green spaces in urban areas were seen as an additional or luxury addition to cities in the past, but more evidence points to their vitality in urban settings. Cities around the world strive to offer their citizens with an enhanced quality of life and this simply cannot be achieved in cities without open and green spaces that offer a relief from the stress brought by the fast tempo of urban life (UN ESCAP, 2011).

Major European and Western cities have invested a lot in upgrading and maintaining their green spaces to keep up with the WHO standards of a min 9m² of green cover per person, even surpassing that threshold in many instances (Kuchelmeister, 1998).

Applying what worked in a city like New York or Melbourne might not necessarily work in Beirut, but several lessons can be learnt from the experiences of these and similar cities. Presented below are detailed examples of how some cities are working hard to increase and maintain their green cover.

The 10-Year Project for Green Tokyo:

Tokyo, Japan's capital and one of the biggest metropolises in the world is a modern vibrant city that boasts the latest technologies and trends. However, compared to many cities in the developed world, Tokyo has one of the lowest rates of green spaces per person with 3m² available per person.

To address this issue and offer its citizens a more pleasant life the Tokyo Metropolitan Government (TMG) took on a 10 years plan to increase the greenery of Tokyo. The plan was finalized by 2006 and placed priority on regenerating Tokyo into a beautiful city surrounded by water and greenery. (The paragraphs below represent a summary of the TMG's report on the plan).

The main goals or aims of the strategy are to:

- Creation of a green road network. On top of adding green spaces, these spaces will be connected with roadside trees to be planted all over Tokyo's streets
- Greening an area equal to 1000 ha of lands (10 km², or the size of 1500 football fields)
- Engage in a "Green Movement" that will be felt throughout Tokyo to gather momentum for the campaign and encourage actions and donations
- Double the number of roadside trees in Tokyo city to one million

The basic concepts that governed the work of this master plan are as follows:



- Creating a participatory approach in which the leading players in restoring a green Tokyo are its citizens. Every citizen must be helped to take a positive interest in, cultivate and protect greenery.
- Introducing a variety of guidelines and regulations to create and maintain greenery. In this regard the TMG implemented appropriate guidance and regulations that aim to increase green spaces. Encourage the effective use of financial tools such as donations and private funding from residents and companies to increase green spaces. In order to put all of these concepts and aims into work, the plan adopted a four policies approach to restore Tokyo's greenery.

Policy I: Stage a green movement led by the residents of Tokyo and businesses

The residents of Tokyo and the businesses that operate within it must feel the need to be active in the campaign for a greener city.

Campaigns will target residents in order to:



- Familiarize them with green spaces in urban areas and encourage them to grow their own greenery whenever possible
- Link planting of trees to special events or memories in the lives of residents, for example promote the planting of trees to celebrate the birth of a child, marriage, or anything other occasion that seems suitable
- Encourage residents to plant trees during community events such as festivals

Establishment of new green fund-raising schemes that would foster a “donation culture” in Tokyo

- A green fund was established by the TMG to stimulate the green movement within residents and companies in Tokyo
- Whoever participates to the fund will receive tax incentives or will be given appropriate publicity.

Promoting the voluntary greening activities by private businesses and organizations

- Use of model and pioneering greening activities implemented by private businesses and organizations to gather momentum for the transformation of the cityscape

- In collaboration with non-profit organizations, the TMG will encourage the expansion of pioneering greening efforts and will propose maintenance and management models even after the completion of the master plan

Policy II: Enhance green networks

Isolated city parks are not sufficient to create organically linked green networks. Roadside trees offer the possibility of creating a diffuse link scattered around the city creating a green living web.

Reach a target of one million trees on Tokyo streets by 2015

- To reach this target new trees will be planted in newly constructed roads, in roads being renovated and by removing utility poles from roads and replacing them with trees.
- TMG will be committed to plant and maintain abundant and diverse species of roadside trees that integrate well within the region’s character and ecosystem.

Add hundreds of hectares the city and seaside parks and promote waterfront greening projects

- New parks will be developed within the city and act as green hubs. By 2015, around 300 ha of parklands should be established
- Developing new parks at the waterfront of the city Promoting riverbank greening and the creation of riparian green ecosystems

Policy III: Establish community green hubs by intensive use of the school ground grassing project

The TMG decided to bring green spaces as close as possible to children; therefore it set on to create around 300 ha of green areas in public elementary and junior high schools, in kindergartens, nursery schools and private schools. The idea is to cover the grounds of these schools with green turf to create more appealing spaces for children and add the total green area of the city.

Schools that already took part of the program have noticed a reduction in dust content and an improvement in the heat environment. Interestingly, the greening of schools contributed to the children's willingness to exercise and overall stability and happiness.

Policy IV: Use ingenuity to create and conserve greenery

In crowded cities where space is often lacking, one needs to think in alternatives methods to add green spaces to the cityscape. However, even in the most crowded of cities, there are possibilities to add spaces without necessarily opening new parks.

Create a total of 400 ha of green space by planting rooftops, wall surfaces, railroad areas, parking lots and all other possible urban spaces

- Reinforce greening of buildings being constructed or renovated.
- Issuing guidelines for the creation of green spaces in unused public lands.
- The TMG will encourage



businesses and private enterprises to adopt innovative solutions and will provide them with needed publicity

Reinforce guidance and regulations for greening

Greening cities should not stop at certain projects and initiatives. Laws, guidelines and regulations can guarantee that further development will have positive impacts on the city's green cover.

- Introduction of distinctive evaluation methods that would reward greening efforts by the private sector. This aims to encourage development projects to innovate and integrate the green spaces within the design and create integrated living spaces
- Reinforce requirements for greening in construction, expansion and renovations of buildings
- Use a system of evaluation for rooftop greening and promote green rooftops and other green projects through tax incentives especially for outstanding green achievements

What has been achieved so far?

This green master plan will be completely implemented by 2016. After its implementation, one can examine its successes and shortcomings, but for now data gathered in 2010-2011 offer some insight on the progress of the plan.

- Green rooftops proved to be a success among many private businesses, public administration and residential buildings. Around 130 ha of green rooftops were established until 2011. Public buildings exceeding an area of 250 m² and private one exceeding 1000 m² being constructed, renovated or extended are now obliged to green their roofs, walls or premises. Due to limitations in rooftops planting, specific guidelines for planting of buildings' walls were developed and are pushed as a means to increase green spaces and reduce urban heat. (TMG, 2011)
- In four years, from 2007 till 2010, tree roadside planting took off really well with 190,000 trees planted across the city's streets. (TMG, 2011)
- The creation of new parks, the planting of roadsides and the addition of green spaces in schools added 427.3 ha of green spaces to the city of Tokyo. (TMG, 2011)
- Conserving green areas from development has lead to the labeling of 48 areas (about 751 ha) as ones where restricted actions are implemented and that are effectively utilized. Collaboration with NGOs and volunteer residents was deemed essential to effectively utilize these areas for future generations. (TMG, 2011)
- A participatory approach was

adopted in order to encourage residents to learn how to plant and plant within their premises. In addition, donations were solicited from residents and private sector. The targeted sums were collected. (TMG, 2011 ; Tetsuo et al., 2012).

The problematic of green spaces in select Arab cities

The Arab World is located geographically in an arid environment which further complicates the situation of green spaces in urban centers. The situation differs between countries, especially between the oil-rich Gulf countries and the rest of the Arab countries.

Presented below is a brief description of the situation in some select Arab cities.

Amman: The capital of Jordan, home to some 3 million inhabitants and situated in one of the poorest countries in the world in terms of water resources, is constantly working on increasing its green spaces for the benefit of its inhabitants and citizens alike.

As a central city in its country, and to the neighboring West Bank of Palestine, Amman grew exponentially at the expense of its green spaces. The city lost much of its lush agricultural lands to housing and development projects. Nowadays, the rate of green spaces available per person in Amman is estimated at 2.2 m² per capita (Strategic plan 2011-2013); clearly below international standards, but more than Beirut's anemic 0.8 m².

The Greater Amman Municipality (GAM), in its strategic plan devised

in 2011-2013 targeted environmental issues and the problematic of increasing green spaces specifically. Combating desertification, increasing green spaces and encouraging urban agriculture were key components in the municipality's environmental aims.

The main components in increasing green spaces as detailed in the GAM strategic plan of 2011-2013 include:

- Plant gardens, parks, sidewalks and squares at a rate of 200,000 trees and shrubs per year
- Plant 30,000 trees and shrubs in two abandoned landfills
- Plant the King Abdullah the Second gardens. The first phase, the be completed in 2012-2013 will consist of planting 40,000 trees and shrubs
- Rehabilitate sidewalks and determine planting standards suitable in the whole of Amman
- Corrective maintenance and rehabilitation of 10 parks annually and plant them at a rate of 15,000 trees and shrubs
- Compost the biomass generated in the thinning and cleaning activities
- Use of plants that are tolerant to the dry conditions of the city
- Create 5 new parks yearly
- Expand the capacity of seedlings production to keep up with the demand

In addition the World Bank is supporting initiatives to plant roof gardens in Amman since 2010. Moreover, the Amman municipality plans to encourage urban agriculture to enhance environmental conditions and to support impoverished families secure additional sources of income.

Cairo: The capital of Egypt, the

largest Arab and African city, is home to not less than 10 million people. The city is overpopulated, situated in a large desert; life is made possible through the passing Nile River, which constitutes the green lung of Egypt. As it grew, much of the fertile lands on the banks of the river were lost (Tarbuch, 2012).

Modern day Cairo lacks green spaces even by local standards set by Egyptian authorities. According to Egyptian standards, newly constructed cities or large urban compounds should offer their inhabitants around 11-13 m² of green space per individual (Zafarany, 2003).

The most pessimistic estimates indicate that Cairo has around 0.3 m² of green spaces per person while the most optimistic ones, and favored by officials, place the figure around 2.5 m² per person. Both figures indicate the need for more green spaces in this megalopolis (Zafarany, 2003).

Green spaces are poorly distributed in the cityscape, with poorer areas suffering the most from lack of public parks and gardens, while more affluent areas are blessed with more public and private gardens. The same uneven distribution applies to the old and newer parts of Cairo (IUNRA; Zafarany, 2003).

There are several efforts to increase green spaces in Cairo and solve its dilemma guided by general rules and most prominent of which are:

- Due to its specific situation and its high population density, Egyptian officials and experts envision plans to increase green spaces within Cairo to reach a level of 5

to 7 m² per person, which is below international standards. However, applying international standards on such a crowded and dry city might not be feasible (Zafarany, 2003).

- Determine binding standards that should be followed by public authorities that specifically determine the rate of green space per person throughout Cairo and work on achieving this standard within a timely manner (Tarbuch 2012).
- Investigate innovative means of achieving higher rates of green spaces given Cairo high population density and lack of available spaces. Green roofs present an opportunity in several public and private buildings
- Work on planting not less than 200 ha of green spaces yearly, until the rate of green space within the city reaches acceptable values (Zafarany, 2003).

Ironically, within the Arab World, Gulf countries have the highest rates of green spaces per person, although being situated in some of the world driest deserts. The oil boom that fuels the economies of most of these countries also gives them the resources to better plan, execute and maintain the creation of green spaces on both the public and private level.

Dubai: A cosmopolitan metropolis at the edge of the Arabian Desert, Dubai acquired a reputation for excess and opulence. However, Dubai is also one of the leading modern cities in the world with a strong tradition of urban planning. Although it lies in a parched desert, Dubai's has more green spaces per capita than most Arab and

Middle Eastern cities. The city and its metropolitan area are home to some 3.8 million people.

At approximately 14 m² per person, Dubai is comfortably above international thresholds in terms of green space availability for urban residents. However, the city plans to expand its green cover and reach the 25 m² green cover per person target (Arabian Business Journal, 2010).

The strategy to increase Dubai's green cover will focus on the following (Al Bayan, 2012):

- Dedicate 8 % of the city's space to be used for greening projects
- Plant 12200 hectares of lands by 2020
- Establish a maintenance and protection system for the newly planted areas
- Use of recycled treated water to meet the irrigation needs of these planted areas
- Work on laws and regulations to protect and increase green spaces
- Engage in awareness campaigns to educate people on the need to protect and increase green spaces

Stipulate laws specific for private companies wanting to invest in Dubai to govern and supervise their work making sure they meet up with the emirate's environmental needs and requirements In 2011, Dubai had 44 projects to increase green spaces. The total area of green spaces was raised from 2,494,880 hectares in 2010 to 2,621,807 hectares in 2011 through the addition of 126.92 hectares or 5.1% increase of green spaces (Al Bayan, 2012).

Analysis:

Determine the target green space:

Since many cities were built before urban planning really took off, integrating large extents of green spaces in existing cities is not always feasible.

International standards indicate that cities must have 9 to 12 m² threshold of green spaces per person for healthier living. However, not all cities can achieve that target in a timely manner. Experts suggest that Cairo should aim to have 5-7 m² of green spaces per person, higher rates would simply not be possible within Cairo's densely populated neighborhoods.

Lebanese cities suffer from chronic lack of urban planning, most are devoid of significant green spaces. Meeting international standards concerning green spaces will be difficult to reach in most cases unless drastic measures are taken. Therefore, it is of utmost importance that each Lebanese city includes within its strategic planning a green axis that assesses its situation carefully and comes up with a minimum target of green space availability per person while working on achieving it in a timely manner.

Laws and incentives

All cities agree that to have effective and sustainable increase of green spaces, there should be some serious work on the rules and regulations that govern the issue.

In the Tokyo green master plan, laws and regulations were devised to reinforce certain standards during



construction for the inclusion of green spaces within the newly developed or renovated building. In addition, tax incentives were used to encourage donations for the green master plan fund. Tax incentives were also given to innovative green projects to encourage others to adopt similar actions.

In Egypt, laws are also used to encourage the addition of green spaces in cities. A prominent example is the fact that newly constructed cities or large urban compounds are requested to have a rate of 13 m² of green spaces per person.

Dubai on the other hand is issuing laws and decrees that impose on investors to comply with the city's environmental requirements that meet the city's vision of its future.

Similarly, Lebanese cities, most

notably Beirut, could benefit from enforcing more rigorous environmental standards, especially in the matter of green spaces. Issuing a law similar to that of Egypt is not impossible and using tax incentives like in Tokyo should well investigated in order to determine their suitability within the Lebanese specific context.

Centralized actions vs. a participatory approach:

The plan suggested by the Tokyo Municipal Government while originating from a united public vision to increase green spaces it was encompassing in its practical approach. Residents and private companies were solicited to take part of the Tokyo greening process. Fund collection was a means to engage a large sector of the society and build momentum for the project in addition to the given capacity building and awareness sessions.

The Arab countries seem to favor less participatory approaches and rely on centralized plans that fall under the full control of government agencies. This might be an indication to the general lack of democratic and participatory processes governing most of the Arab World.

Lebanon on the other has a strong tradition of public-private partnerships. Enlisting the private sector for large scale urban greening activities will be more effective than to rely on the public sector to do all the work.

Use of innovation to increase green spaces

Cities cannot simply rely on parks to increase green spaces, as space is a

luxury for most cities. To increase green spaces cities like Tokyo are working on effective planting of streets and new ways to value what is traditionally dead or wasted space: roofs and walls of buildings.

Green roofs and green curtains or walls not only increase green spaces within the city but bring nature closer to humans and effectively reduce heating and cooling costs among other benefits.

In large Lebanese cities urban jungle, the use of such technical solutions seems as a good model and viable solution for the lack of green spaces. In fact, some initiatives are already working on this specific idea within the capital Beirut. The situation might differ in other Lebanese cities; therefore, each city council must assess the situation within their jurisdiction and determine the solution or combination of solutions most suitable for their situation.

Influence future generations by involving schools

An interesting approach adopted in Tokyo was the involvement of schools in the green plan. Schools that participated in the activities greatly benefitted on more than one level: children were more willing to engage in outdoor activities, at the same time the quality of the school's environment greatly improved.

However, the biggest benefit of such actions is the investment in the youth, the leaders of tomorrow. Many efforts are being deployed in Lebanon to enhance the environmental education level in schools. Involving them in

a nation-wide project that aims to increase green spaces will provide students and teachers with a unique learning experience that will foster the new environmental leaders of tomorrow who will eventually shape up the environmental future of the country.

Choice of cities:

The cities chosen provide with concrete examples on how each city tries to tackle the problem of green spaces from its own perspective and local conditions. Tokyo was chosen as a primary example because it's a city with a huge population with low rates of green spaces available per resident but most importantly, the plan of greening Tokyo was found to be holistic integrating several sectors of society and linking the public-private sectors to achieve a common goal.

The Arab cities featured in this brief study represent the typical situation in most Arab countries. High urban densities and severe lack of green spaces are best represented by Cairo, whereas Amman is in a slightly better situation with the municipality taking some concrete actions to push things forward. Dubai, like many oil-rich countries is able to engage in ambitious plans to foster green spaces and sustain them over the long run.

Beirut and the major Lebanese cities share features with these cities and have characteristics that set them apart. What proved to be successful in Tokyo cannot be replicated in Beirut or Tripoli without some important changes and modifications. Nevertheless, each city represents a learning experience from which one can be inspired and learn.



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MEPI LAA TEA PROJECT

Beirut Case Study

The following information was provided to the MEPI-LAA team through personal communication with the Beirut Municipality represented by the vice president Mr. Nadim Abourizk.

The Beirut Municipality has a futuristic vision to the capital and is preparing a large scale strategic plan that will tackle all the major issues the city suffers from. In the meantime, the municipality is actively engaged in enhancing the status of green spaces within its range.

The most prominent effort the municipality has undertaken in relation to green spaces falls under the “Beirut Bitjanin” initiative which is a public-private partnership.

This initiative aims to renovate or create green spaces within the capital in order to reconnect people with these spaces and strongly involve the private sector represented by banks, companies design and landscaping firms in the greening efforts.

The private sector supported the project either through the donation of the project design or through the funding of the design implementation or both. The municipality plans to make these green spaces as community hubs

for social interaction and integration between different sectors of society. Gardens which were often closed and walled as to keep people at bay will serve in this new vision as open meeting points and as ideal places for outdoor urban activities.

The main projects within this initiative include:

1- Renovation of Sanayeh Garden:

With an area of 22,000 m², a historical value, and its location within one the capital's busiest districts, this garden is of particular importance.

A new design was suggested and will be implemented for this garden under which the main cultural and historical assets will be kept while enhancing the greenery and encouraging people frequentation of the garden through enhanced biking and walking lanes.

The design was donated by a leading private company and the cost of implementation amounting to 2.5 \$ US millions were also donated by the private sector. The renovation is expected to end by 2013.



(Beirut Municipality)



2- Renovation of Sioufi Garden:

This garden of 19,000 m² located in Achrafieh is interesting with its topographic features as well as its rich floral make up.

A detailed design was donated by a private landscaping company that accentuates this garden's features and its unique topography while enhancing its floral composition and adding lots of shaded trails, an amphitheater and water features that add grace and function to the garden.

The cost of implementation hovers around 2 US million \$ with no private sector company stepping up and donating as of yet.



(Beirut Municipality)



3-Renovation of St. Nicolas Garden:

A small garden of 2200m², it is walled and mostly inaccessible. Under the new design donated by a private landscaping company, the garden will be opened up to the city through paved roads and through water features that reflect its surroundings as well as becoming a neighborhood meeting point.

The cost of the implementation is around 700,000USD funded by the municipality and expected to be finished by the end of 2013.



(Beirut Municipality)



4- Creation of Mgr. Elias Audi Garden:

The garden will have an area of 980m² on a land recently purchased by the municipality. It will be a neighborhood garden sitting on top of a 6 floor parking that can accommodate around 160 cars to ease congestion. The municipality will be implementing this project from its own budget, but the design was donated by a private company.



(Beirut Municipality)



5- Creation of Quarantina Garden:

A moderately sized garden with a surface of 3600m², it will serve to vitalize an impoverished area as well as serve to showcase the latest urban greening technologies.

In addition several neglected gardens will be rehabilitated without in depth studies such as William Hawi and Hadiket Hawd el Wilehe gardens.

Some gardens located in highly congested areas will be rehabilitated and renovated to ease up traffic and congestion by integrating underground parking spaces within them such as the Jesuit and the Mufti Hasan Khaled gardens.

The municipality has in addition two large scale projects that would help transform Beirut's cityscape.

a. Beirut Central Park/Hippodrome:

Occupying a large surface area (220,000 m²) but utilized poorly and for a once-a-week activity. The vision being developed in collaboration with the Ile De France is to create like a large central urban park open all year long with lots of possibilities for outdoor activities with the horse as a central theme to it. The project aims to link the park the nearby Horch Beirut.

b. Soft moving plan:

This is a dream project for the municipality which entails transforming specific roads connecting parts of the capital with the down town district. This area will have low traffic intensity, planted with large trees, offer cycling roads and outdoor green spaces. It is also supported by Ile De France.

Finally, a word remains to be said on the Horch Beirut, the capital's largest green area (36 ha). After some serious renovation and rehabilitation works, the park wasn't opened to the public, although the municipality wishes too. The main problem relies with some of the finishing works and with setting up a proper maintenance and control system before opening it to the public. The wish is to have it opened as soon as possible to the general public.

It is worth noting that the municipality has already started a local strategic plan which will include environmental strategic orientations of which increasing the green cover in the city, however since this is a long process the above mentioned projects are currently underway. Moreover the local strategic planning necessitates having an urban observatory for collecting and analyzing data among others. The urban observatory is currently in process of becoming active. This observatory will work and make round tables to determine the problems and set the main topics of concern by priority and work on them .



MEPI LAA TEA PROJECT IFI Round Table

Issam Fares Institute Roundtable Meeting

Within the framework of the MEPI – LAA project and in partnership with Issam Fares Institute for Public Policy and International Affairs (IFI) at the American University of Beirut a roundtable discussion on “Urban Green Spaces Policy in Lebanon”. The closed roundtable discussion that was hosted by IFI. took place on the 8th of November 2012 and was composed of experts, academics and public officials from the field.

MEPI- LAA and IFI’s aim from this roundtable was to bring academics and officials together with civil society in order to support recommendations from the current project, and that will be the basis for the advocacy campaign, that are based on knowledge, expertise and evidence.

Below is a summary of the interventions made by the three main discussants , noting that comments and recommendations of the remaining participants were integrated within the declaration and overall document where deemed fit.

Howayda Al Harithy: Professor at the Architecture and Design Department – AUB:

1- After stating her appreciation of the TEA project initiative as Beirut in particular and Lebanon in general are facing a critical situation ; a drastic decrease in green spaces in urban areas. She highlighted that a partnership between academia, civil society and government is the ideal way to deal with it.

2- The need for immediate protection laws of existing green spaces rather than regulating laws. The situation requires declaring a state of emergency with regards to the fast urban development in Lebanon which has one of the greatest assets in terms of agriculture, greenery and water but is witnessing disastrous crimes and abuse against the environment.

3- Importance on combining between the existing laws to protect green spaces and green practices inspired from traditional Lebanese culture and way of life that spans from the household to the agricultural field.

3- Request for laws that sustain existing green spaces as well as increase them.

4- Importance of supporting the existing laws to protect green spaces with the indigenous knowledge and green practices inspired from traditional Lebanese culture and way of life that spans from the household to the agriculture field.

5- Approach laws from an integrated holistic legal framework that includes all intersections between different layers and systems such as: consumption of

energy, building laws, water systems, transportation system and many other systems that come into place and allow having a green strategic policy.

6- Widen the scope of all concerned governmental stakeholders and ministries such as the ministry of public transport, ministry of agriculture and others to reach an overall green infrastructure.

7- Empower municipalities in order to have decentralization in governance where the municipalities have access to funds and the capacity to enforce the law and hold people accountable in a local contextualized way.

Dr. Yasser Abu Nasser: Visiting Assistant Professor in Landscape Design and Ecosystem Management Department - AUB

1. The importance of looking at green open space within a national green strategy

2. Highlighted the need for clear terminology and definitions of what is considered an open space and a green space, for example Cornish el Manara is an open space which is widely utilized by the residents of Beirut and its citizens for all sorts of outdoor activities whereas Horsh Beirut is a large urban green space closed for the public most of the time.

3. A need to have a holistic approach to green spaces management that goes beyond municipal boundaries and jurisdictions to the greater natural boundaries of cities and their surroundings since green spaces cannot be are not restricted to administrative boundaries.

4. A need to reconsider some laws and ensure that other considerations are recognized such as zoning techniques which currently deal with the management of lands as a commodity rather than taking into consideration the environmental and social value of green spaces and calling for their preservation.

5. A need to have overall regional planning schemes of green spaces for various levels ranging from street and neighborhood to cities and metropolitan areas.

6. A need to have a common understanding of green spaces as a public good that we all share and hence need to cherish and conserve.

Dr. Jad Chaaban: Assistant Professor at the Agricultural Economics Department – AUB

1- After Highlighting that the legal study conducted under the framework of this project is a pioneer study.

He traced back the reasons behind the decrease in green spaces in urban areas in Lebanon mainly to the following reasons:

- 80% of people live in cities and mostly at the outskirts of cities where the services and infrastructure presented are poor and much different than the affluent parts of the cities which cause a major problem which is in urban living space noting that green spaces are integral part of that living space. The socio-economic implications of this problem:

a) The living places that have fair and acceptable infrastructure and services are linked to high prices of residences

b) The remaining majority of people who work within the city but cannot afford to live in these residential areas due to their high prices are forced to go to the outskirts of cities which results in congestion, traffic problem and more dangerously change in demographics and social disparity where the rich live within the city and the poor live outside the city. Add to it that the people who were already living in cities have very high costs of living to maintain.

2- A Need to identify who is responsible and who is benefiting from green spaces and more specifically green public spaces: The government is responsible since green spaces are part of public service, while those benefiting are the voters and not the residents.

3- He recommended the following:

a) To call for reform of the electoral law to allow residents living in any given city for more than 10 years to be able to vote within that city.

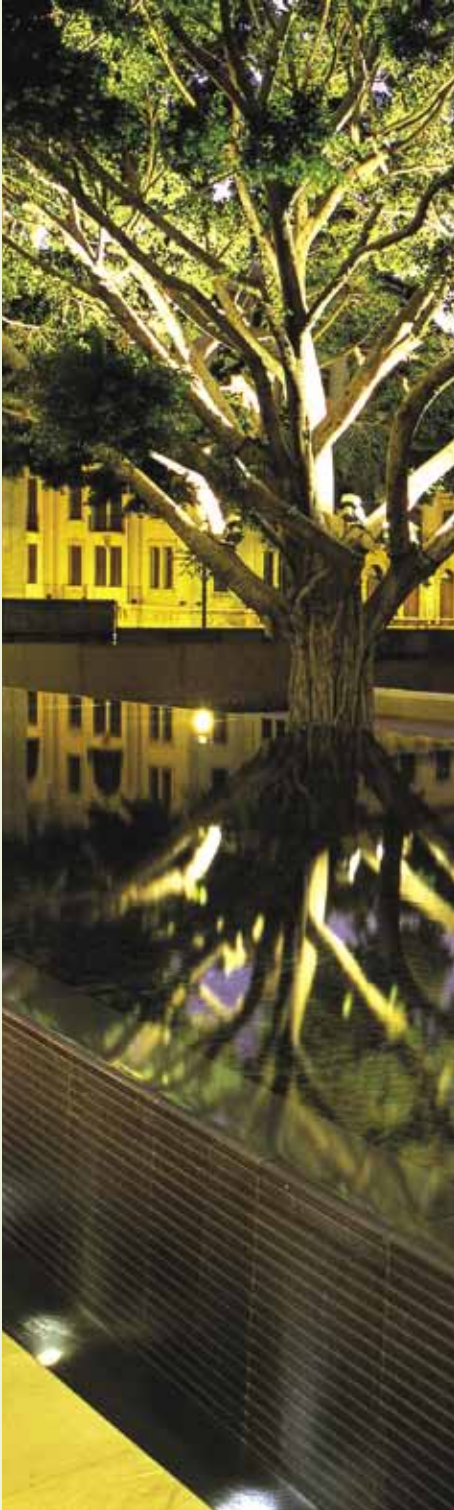
b) Need for each elected municipal council to have a participatory long term community development plan that includes increasing green spaces, these plans must be transparent and hold the council accountable for the strategies and projects implemented

c) Restudy the borders of cities/ municipalities based on regional, economic, environmental and other influences for better management of urban assets.

d) Identify and organize the relationship between different stakeholders, sectors and ministries

IFI Round Table of Experts

IFI - American university of Beirut (AUB)	Ali Chalek (Moderator)
American university of Beirut (AUB)	Jad Chaaban (Discussant)
American university of Beirut (AUB)	Yaser Abunnasr (Discussant)
American university of Beirut (AUB)	Houeida El Harithi (Discussant)
Académie Libanaise des Beaux-Arts (ALBA) Balamand University	Serge Yazigi
American university of Beirut (AUB)	Waddah Nasr
American university of Beirut (AUB)	Jala Makhzoumi
American university of Beirut (AUB)	Georges Batikha
American university of Beirut (AUB)	Dalia Chabarek
American university of Beirut (AUB)	Nadine Harake
American university of Beirut (AUB)	Dana Mazraani
American university of Beirut (AUB)	Maya Abou Zeid
American university of Beirut (AUB)	Salma Talhouk
IFI - AUB	<i>Sarine Karajerjian</i>
IFI - AUB	Rana El Hajj
Green Line	Ali Darwish
Green Line	Neemat Abou Cham
Lebanese American University (LAU)	Nada Khoury
Lebanese University (LU)	Mosbah Rajab
Lebanese University (LU)	Leon Telvizian
MEPI-US Embassy	Eliane Fersan
Ministry of Environment and Orders of Engineers	Sana Al Sairawan
Prime Design/AUB	Aram Yeretizian



Civil Society declaration policy to increasing green spaces in urban areas in Lebanon

Introduction

The preamble of the Lebanese constitution clearly declares that it abides by the Universal Declaration of Human Rights. This landmark document is part of international customary law, and its main drafters included Lebanon's first ambassador to the US and the UN, Dr. Charles Malik.

Article 25 of the declaration states that "everyone has the right to a standard of living adequate for the health and well-being of himself and of his family." This 'standard of living,' as stated by the UN special rapporteur, necessitates a healthy environment as well as environmental standards.

More than half of the world's population lives in cities, which surprisingly make up to only 2% of the earth's surface¹.

In Lebanon, according to a study made by the UN Habitat in 2008, 87% of the total number of population lives in urban areas². Here we question

1 Girardet (1995) Connections, Autumn. Online: www.ourplanet.com/aaas/pages/population06.html#

2 Lebanon urban profile. A desk report review report, October 2011. Un Habitat

about the standards of living of this population.

Despite the fact that cities offer their residents many modern-day comforts, they have also become synonymous with environmental degradation, traffic, health problems, social alienation, and chaotic constructional development at the expense of green spaces.

We recognize that cities are at a crossroad. Either they become cities for traffic, pollution, and a decrease in the overall quality of living, or they become cities for people, green spaces and healthy environmental living. The latter necessitates implementing holistic management strategies that include green infrastructures, transportation, clean water, waste treatment, efficient energy use, reliable communication and expansive green spaces.

Declaration:

Following intensive workshops, trainings and meeting with experts on the severe lack of green and open spaces in major Lebanese cities, we, a group of 14 local NGO's from throughout Lebanon, have joined forces under the framework of the "Towards Environmental Advocacy: Building Capacities of Civil Society" project. Implemented by The Middle East Partnership Initiative Lebanon Alumni Association (MEPI – LAA) and funded by MEPI, we have decided to address the alarming status of green spaces in Lebanese cities.

As such, we call for urgent and immediate action. To begin, we would like to declare a state of emergency for the preservation of the few green spaces that remain, and advocate by all possible means (legal, policy changes, lobbying of media, civil

society groups and academics) to increase the number of green spaces.

Recommendations:

Based on the premises that it is within the right of each individual to enjoy a safe environment, the findings of the legal and case study (as well as expert opinions), and the growing evidence that green spaces contribute to improving the livelihoods of people at a socio-economic level, as well as affecting their mental well-being and health, we the representatives of civil society, recommend the following:

At the legal level:

1- Amendment of the urban planning law, decree-law no.69/1983, by adding a clause stipulating the realization of a green strategy study while setting up the detailed designs and directional plans for cities. These provisions and this strategy shall be defined under an application decree issued by the council of ministers so that it includes the minimum green spaces ratio per capita standards within Lebanese cities, knowing that meeting international standards will be difficult to achieve at the current time and noting that the efficiency of green space is a prerequisite.

- Amendment of the urban planning law, decree-law no. 69/1983, article 8, paragraph 8, by adding an expression that binds – while setting up the detailed designs and plans for the regions – the dedication of a specified area (determining its surface explicitly) to establish green spaces.

- Considering and surveying the Lebanese cities through detailed designs and setting up the minimum green space ratio per capita, which will

be implemented at a later stage, taking into consideration that the portion of green space per person according to the World Health Organization shall not be less than 9 m². It is worth noting that the participants are aware that this standard cannot be executed evenly in all Lebanese cities; nevertheless, it is very important to guarantee a minimum of efficient green space per person for healthy living conditions.

- Article 7 stipulates the inclusion of the Environmental Impact Assessment (EIA) within the studies conducted by the Directorate General of Urban Planning in the broader framework of its organizational projects.

2- Amendment of the municipal law, decree-law no. 118/1977, article 49, by explicitly including the establishment of public gardens in the municipal tasks, and defining their relative percentage, their surface or the maximum distance between the green space and any housing unit.

3- Amendment of the municipal fees law no. 88/60, article 72, which stipulates that there will be an additional charge on building permit fees of 10% of its value, dedicated to the expenses paid for the purpose of implementing works and projects related to schools, popular housing, public restrooms, health facilities, museums, libraries and gardens, etc. We suggest dedicating a specific and explicit percentage of this 10% to increase green spaces.

4- Reconsidering the directional plans and detailed designs for some cities in the matter of zoning and relative percentage of afforestation in the built areas, as well as ensuring the implementation of the relevant provisions.

Suggestions of the civil society in the matter of public strategic plans and community projects:

1. Establishing partnerships that gather the public sector, the private sector and the civil society to implement and support the city projects related to the increase of green spaces, in order to reach the largest possible segment of the population and to ensure that the efforts are unified to achieve the desired goals.

2. Including the schools in projects set to increase the green spaces in and out of schools, so that this participation will have a positive effect on future generations.

3. The municipalities shall use innovative means to resolve the problem of green spaces such as greening new streets, new roads and neglected areas, buildings, walls and rooftops, waste dumps, etc.

4. Launching campaigns that target the population in order to introduce people to the importance of green spaces in the cities, and to encourage them to cultivate their own green areas, such as inviting people to plant a tree to celebrate a baby's birth as done in some regions in Lebanon.

If you believe in the principle that states all human beings have the right to live a healthy life, and if you believe that your identity as a Lebanese citizen should guarantee a safe and sustainable life, then react, participate, sign the petition and be one of those who create and plan the green Lebanon of tomorrow.

**MEPI –
Lebanon Alumni Association**

Petition site:

<http://mepilaa.wordpress.com/>

Or Contact:

MEPI – LAA at 71 - 64 26 28

