4.4 Environmental Policy

(1) Environment Measures

The followings are some of the most important environmental measures in Egypt.

Table 4.3: Environmental Measures in Egypt

Year	Policy	Contents
1992	**The National Environmental Action Plan (NEAP)**	・ Provide the tools for ensuring that "Egypt's economic growth becomes a sustainable one ・ It firmly asserts that "Protecting the environment, among other aspects, is one of the key imperatives imbedded in the concept of sustainable development"
1998	**The Policy directives of the Ministry of State for Environmental Affairs**	These were issued by the Minister of State for Environmental Affairs and updated in 2002 and represent a good start towards establishing an environment management system based on specific programs and outputs that would enable the Ministry of State for Environmental Affairs and the Egyptian Environmental Affairs Agency to set specific targets and report on the achievement of those targets. The updated policy directives are as follows: ➢ Strengthening partnership at the national level through full coordination with the national entities that have their environmental projects have impacts on the environment. ➢ Supporting bilateral, regional and international agreements in the environmental field. ➢ Enforcing Law 4/1994 for the protection of environment and Law 102/83 for nature protection. ➢ Implementing environmental protection projects through national, bilateral, multilateral funds. ➢ Supporting integrated Environmental management systems. ➢ Supporting the multilateral Environmental agreements to which Egypt is a signatory. ➢ Integrate the use of marked based instrument in the field of protection of environment. ➢ Transfer and adoption of environmentally friendly technologies. ➢ Encourage foreign investments in the area of environmental protection through involvement of private sector. ➢ Support to the policy of the Decentralization of Environmental Management.
2002	**The National Environmental Action Plan (NEAP) update**	・ Covering the period from 2002-2017, this document is designed to represent Egypt's agenda for environmental actions over the next 15 years. It is also designed to complement and integrate with existing sectoral plans for economic growth and social development. It is viewed as a diagnostic document with qualitative

Year	Policy	Contents
		analysis of the environmental issues but with little quantitative analysis for setting priorities, including a plan of strategic actions. However, this document doesn't provide any cost estimate of the strategic actions proposed, which could make its implementation difficult.
2000/ 2001	**EEAA Five-Year Action Plan** (2002-2007)	Based on the NEAP 2002 and the policy directives, EEAA developed its five year action plan, which includes the following 1. Integrated solid waste management program (in all governorates of Egypt) 2. Protecting River Nile and Water Resources (Improve quality of water resources by controlling industrial waste.) 3. Improve Air Quality of Greater Cairo (Reduce concentrations of dust and lead) 4. Environmental Education, Training and Awareness (Increase public awareness of environmental problems and develop human) 5. Environmentally Friendly Industrial Cities (Identify environmentally friendly cities in order to increase competitive advantage) 6. Environmentally Friendly Technology Transfer (Promote the use of environmentally friendly technology) 7. Environmental Information Systems (Enhance the use of information technology, especially in the field of environmental management) 8. Environmental Management (Provide the support for the adoption and implementation of integrated systems for environmental management in various activities.) 9. Nature Conservation (Conserve national biodiversity) 10. Capacity Development of EEAA and RBO's 11. Environmental Financial Mechanisms 12. Green Area Expansion 13. Environmental Inspection 14. International Environmental Commitments of Egypt

Source: EcoConServ, 'Study on Status of the Environment and Relevant Policies/Measures in Egypt', Feb. 2005
EEAA, "The Five Year Action Plan of MSEA/EEAA" http://www.eeaa.gov.eg/English/main/Policies4.asp

EEAA established the first action plan in 1992 and released at Rio Summit. The next action plan was developed ten years after the first one and aiming for 2002 to 2017. A working group, called "the Capacity 21 Unit" was set up inside of EEAA with the support of UNDP, upgraded the former action plan which became a framework of environmental management for the next 15 years. In addition, MESA and EEAA developed 5 years action plan which had links to the environmental action plan for 2002-2017.

(2) Capacity of EEAA on and Decentralization of Environmental Management

Some donors during our interview survey mentioned that EEAA did not have enough capacity to execute newly given functions and responsibilities by the Law 4/1994. This was partly because there is not enough trained personnel for EIA, hazardous waste management, industrial inspection, or other essential staffs in whole Egypt. Only 30% of EEAA staffs are permanent and other 70% are temporary workers.

Although there is a notion that EEAA's capacity for better environmental management has improved over the last 10 years, they still need to proceed strategy driven environmental management based data and information obtained by monitoring activities. In addition, it is necessary for EEAA to better coordinate among department of environmental management sector, environmental quality sector, planning and follow-up, inspection unit and information department.

In the course of decentralization of administrative responsibilities in Egypt, EEAA established eight Regional Branch Offices (RBO) in Greater Cairo, Alexandria, Tanta, Mansurah, Suez, Hurghada, Aswan, and Assiut. Establishment of those RBOs aimed to improve capacity of environmental monitoring, environmental inspection, EIA review and environmental education for residents as well as to promote coordination between EEAA and its regional branches.

Decentralization in environmental field also intends to strengthen the Environmental Management Units (EMU) established in each governorates. Currently, EMUs are still characterized by limited institutional capacity, as discussed below.

The EMU in Cairo Governorate has 12 staffs in four sections, including environmental impact analysis section, environmental compliance section, inspection section. For instance, the inspection section conducts inspection when complaints (that need inspections) are raised from residents. In reality, however, the EMU often times request joint inspection for RBO inspection or MoHP's laboratory either because the EMU does not have enough instruments nor enough capacity to carry out the inspection themselves. In some cases, the EMU simply leaves inspections to these institutions. Because of limited staffs and equipments, EMU only can conduct inspections to deal with complaints, not as a planned inspection. DANIDA and others donors are in support of improving EMU's capacity.

To illustrate the capacity of EEAA on environmental management, let us discuss the status of the inspection unit further. Form the time of the establishment of the Inspection Unit in the year of 2000, up to June 2002, 500 violating establishments were taken to court and nearly 150 cases received a verdict. However, in 90 % of the cases ruled, the fine did not exceed 1,000 L.E., which is the lowest minimum fine that can be imposed by virtue of the Environmental Protection Law. Establishments' owners found it much easier and cheaper to pay the fine than to rectify or control the polluting activity.

Table 4.4: Result of Inspection Efforts by Inspection Unit

# of Establishments	Situation
40	Were cancelled because of faulty reporting
25	Reached a reconciliation
More than150	Received a verdict less than 1,000 L.E.
150	Still being investigated
More than50	Proved innocent because of structural legal faults
50	Presented proof that they had removed the violation
More than35	The violation was not proven because as soon as the inspection committee visited the premises, the source of pollution was closed off.
Total 500	Taken to Court

Source: Tarek M.Genena, 'Consultant Report on the Country Environmental Analysis', Dec. 2003

(3) Environmental Impact Assessment（EIA）

The legal basis for environmental impact assessment (EIA) is established by Law 4 of 1994, which requires EIA for new projects and expansions and renovations of existing ones.[3] Sectoral ministries and Governorates are the Competent Administrative Authorities (CAA) for EIA in Egypt, as they possess the executive powers in relation to development authorization. The Central EIA Department of the EEAA is responsible for supervising the screening process, managing the review of EIA reports, taking decisions on the acceptability of EIA reports and giving an opinion on the development and proposals for mitigation measures. Figure 4.5 shows the EIA process in Egypt.

EEAA has also issued a number of EIA guidelines. The general guidelines were issued in 1995. These describe in detail the screening method, which is based on three lists of project types:

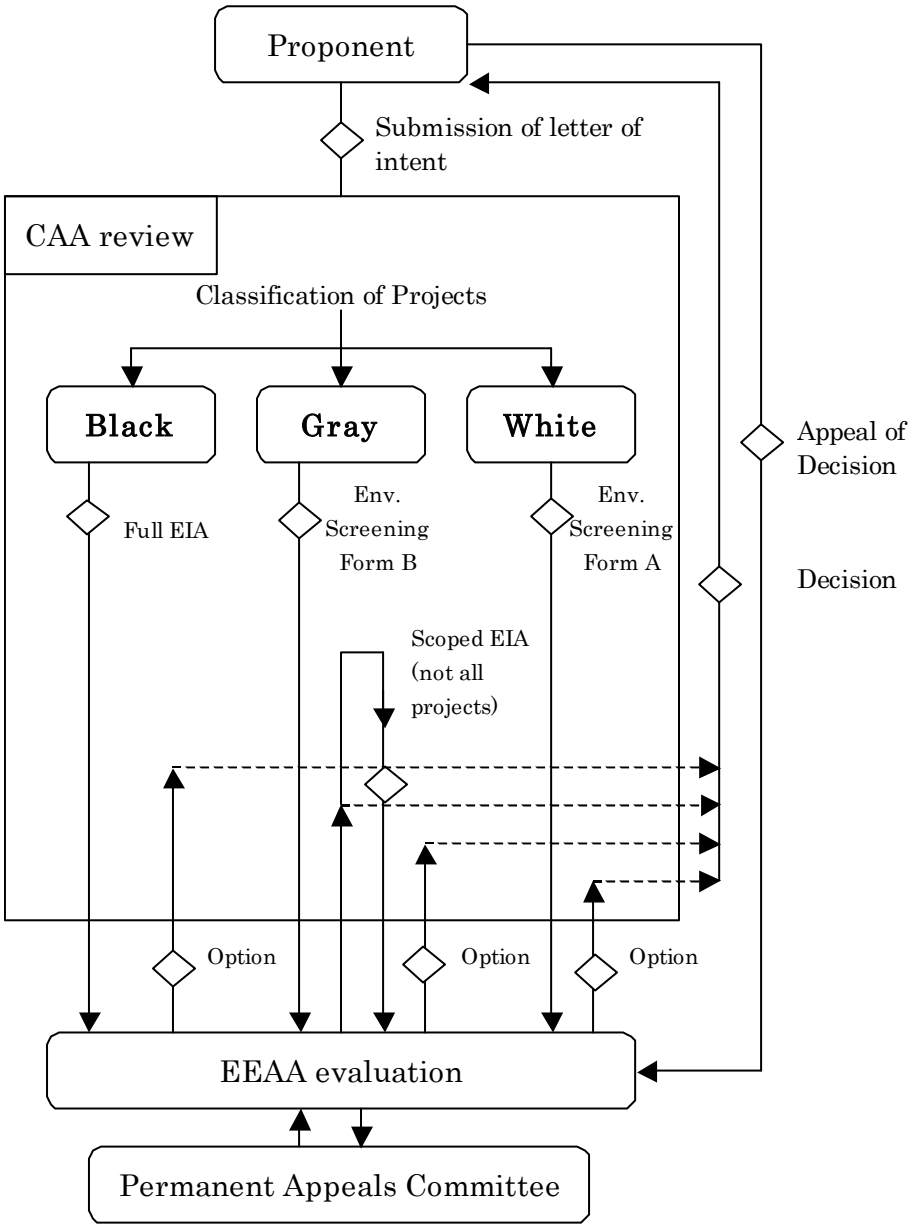
- White list projects with minor impacts (Category A)
- Grey list projects which may result in substantial environmental impacts (Category B)
- Black list projects for which complete EIA is mandatory due to the magnitude and nature of their potential impacts (Category C).

The guidelines include two screening forms, form A for white list projects and form B for grey list projects. For grey list projects, EEAA may require a scoped EIA whose is specified by EEAA on the basis of the information presented by the developer in form B. Also, in line with the development of sectoral guidelines, the development of sector-specific EIA forms has taken place. In 2001, specific B category forms were developed for the petroleum and tourism

[3] Executive Regulations indicates Prime Ministerial Decree #338

sectors. Moreover sectoral guidelines for the sectors of cement industries and land reclamation and petroleum industries were published. Other sectoral guidelines being developed are ones for the sectors of pharmaceuticals, urban development and power generation.

Following Table 4.5 show the number of EIA reviewed by EEAA and EIA performed by sectors.



Source: JICA, "Country Profile on Environment Egypt" Feb. 2002

Figure 4.5: Process of EIA

Table 4.5: Temporal Evolution of EIAs Reviewed by EEAA

Year	Number of EIA's Reaching EEAA	Number of CAA's
1994	7	3
1995	26	4
1996	41	10
1997	87	13
1998	276	25
1999	11,056	46
2000	10,315	52

Note: Number of CAA means that the number which CAA (Competent Administrative Authority) reviewed.
Source: EcoConServ, 'Study on Status of the Environment and Relevant Policies/Measures in Egypt', Feb. 2005

In 2004, 6,333 EIAs were submitted to EEAA.

Table 4.6: Distribution of EIAs by Sector (Years 2000 and 2004)

Sector	**Total Number of EIAs (2000)**	**Total Number of EIAs (2004)**
Industry	6,873	3,959
Services	2596	1717
Agriculture	403	198
Tourism	168	104
Energy/Petroleum (production, processing, transportation)	71	142
Communications	37	31
Infrastructure (roads, potable water, wastewater)	30	140
Health	25	27
Energy/Electricity	5	5
Housing and Reconstruction	2	9
Ports/ Airports	1	1
Transportation	1	0
Others	103	0
Total	**10,315**	**6,333**

Source: EcoConServ, 'Study on Status of the Environment and Relevant Policies/Measures in Egypt', Feb. 2005