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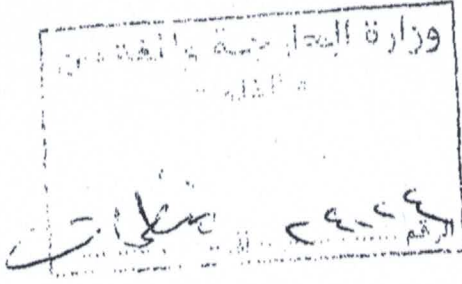
La Mission Permanente du Liban auprès de l'Office des Nations Unies et des autres Organisations Internationales à Genève présente ses compliments au Bureau du Haut Commissariat aux Droits de l'Homme, et en référence à la lettre du Rapporteur spécial chargé d'examiner la question des obligations relatives aux droits de l'homme se rapportant aux moyens de bénéficier d'un environnement sûr, propre, sain et durable, en date du 27 septembre 2018, a l'honneur de lui faire parvenir ci-joint la réponse communiquée par le Ministère libanais de l'Environnement, au questionnaire concernant «la pollution atmosphérique et les droits de l'homme».

La Mission Permanente du Liban saisit cette occasion pour renouveler au Bureau du Haut Commissariat aux Droits de l'Homme, les assurances de sa très haute considération.

Genève, le 15 Novembre 2018.



Bureau du Haut Commissariat aux Droits de l'Homme
Palais des Nations
1211 Genève 10



رقم التسجيل: ٥٥٨٣/ب

بيروت في: ٢٠١٨/١١/٧

جانب وزارة الخارجية والمغتربين

الموضوع : طلب معلومات من الحكومات حول حق الإنسان بالتمتع ببيئة مستدامة، أمانة، نظيفة وصحية.

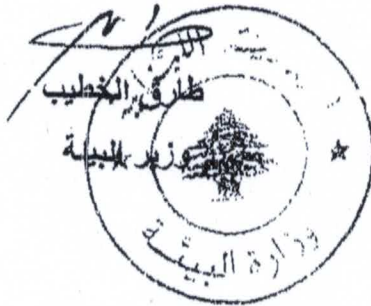
المرجع: - كتاب مديرية المنظمات الدولية رقم ٨/١٦٢٨ تاريخ ٨/١٠/٢٠١٨ المسجل لدى وزارة البيئة برقم ٥٥٨٣/ب تاريخ ١٠/١٠/٢٠١٨، والمتضمن كتاب بعثة لبنان الدائمة لدى الأمم المتحدة والمنظمات الدولية - جنيف - (رقم ٧/٧/١/١٥ تاريخ ٣/١٠/٢٠١٨)

تحية طيبة وبعد،

بالإشارة إلى الموضوع والمرجع المبينين أعلاه،

تودعكم وزارة البيئة ربطا جوابها على الأسئلة التي تضمنتها الاستمارة المرفقة برسالة المقرر الخاص لدى الأمم المتحدة، المعني بمسألة حقوق الإنسان والتمتع ببيئة مستدامة، أمانة، نظيفة وصحية، والذي تضمنها كتاب بعثة لبنان الدائمة لدى الأمم المتحدة والمنظمات الدولية - جنيف - المنوه عنه في المرجع أعلاه.

شاكرين تعاونكم ، وتفضلوا بقبول فائق الاحترام.



نسخة تبلغ الى:

- وزارة البيئة - مصلحة الدوائر الإقليمية والضابطة البيئية
- وزارة البيئة - مصلحة الديوان - دائرة الشؤون الخارجية والعلاقات العامة

1 Question 1

A multitude of laws, decrees, and ministerial decisions govern environmental management in Lebanon. An overview of the existing institutional and legal framework as well as sectoral policies and strategies related to air quality management is provided below:

1.1 Law 78/2018 on the Protection of Air Quality

In 2018, the Lebanese Parliament enacted Law 78 dated 19/04/2018 on the Protection of the Environment. The law comprises of 34 articles related to ambient air pollution, monitoring air pollutants, assessment of their levels in the Lebanese atmosphere, prevention, control and surveillance of the ambient air pollution resulting from human activities.

1.2 Law 444/2002 on the Protection of the Environment

In 2002, the Lebanese Parliament enacted Law 444 dated 29/07/2002 on the Protection of the Environment.

Of importance is Section V of Law 444 on the protection of environmental re-sources, whereby Chapter One of Section V relates to the Protection of Air Quality and Control of Unpleasant odors. Specifically, Article 24 prohibits every private or public, natural or legal person, to cause any emission or leak of any pollutant to the air environment and stated clearly that emissions shall not exceed the limit values of environmental quality standards, including NAAQS. Article 25 stated that emissions from the burning of any kind of fuel or others in industry, energy production facilities or for any other purpose shall remain within the allowed limits.

1.3 Key decisions related to air quality

- MoE Decision 8/1 (dated 01/03/2001) (ELV for stack emissions and effluent discharge) defined ELVs for stack emissions and effluent discharge from classified new and existing industrial establishments.
- MoE Decision 52/1 (dated 12/09/1996) covering the National Ambient Air Quality Standards (NAAQS) for Lebanon.

1.4 Sectoral policies and strategies related to air quality

- **National Strategy for Air Quality Management 2015-2030**

This Strategy constitutes the Government of Lebanon's (GoL) strategy to protect air quality in Lebanon. It complements other national and sectoral laws, policies and strategies related to air quality management in Lebanon.

- **Lebanon's Nationally Determined Contribution to Climate Change**

The GoL signed and ratified the UNFCCC in 1994. As a non-Annex I country, the GoL submits National Communications to the UNFCCC which includes Lebanon's greenhouse gas (GHG) emission inventory and mitigation analysis.

- **Policies and legal framework in the Transport Sector**
 - Draft Transport Policy
 - Land Transport Strategy

- Law 150/1992 banned the import of cars which date of manufacturing exceeds 8 years.
- MoE's Decision No.9/2000 reforms and organizes Land Public Transport sector in Lebanon and proposes a reduction in number of public transport vehicles.
- Law 341 dated 06/08/2001 (reduce air pollution from transport sector and encourage the use of less polluting fuel/).
- Decree 8442/2002 defined standards for gasoline and Diesel oil used in vehicles including their Sulfur content.
- Decree 8941/2012 (public transport incentives). In 2012, the CoM approved Decree 8941 (21/9/2012) on the "Draft Law which aims to incentivize the public transport sector" through various exemptions and government support of low interest loans.
- Law 243/2012 (new traffic law). Of importance, the Law reinstated the installation of catalytic converters in all gasoline vehicles and exempted new vehicles from inspection for the first 3 years after registration.

- **Policies and legal framework in the Energy Sector**

- Policy Paper for the Electricity Sector (PPES)

The PPES seeks to redress the country's ailing electricity sector by 2015 and achieve the 12% renewable energy contribution.

- The National Energy Efficiency Action Plan (NEEAP)

The NEEAP tackles energy efficiency in electricity generation, transmission, and distribution

- The National Renewable Energy Action Plan (NREAP)

The NREAP is the main national document that will lead the way for Lebanon to develop the different renewable energy technologies needed to reach the 12% target by the year 2020.

- Strategic Environmental Assessment of the oil and gas sector

- Law 132/2010 (oil and gas activities)

- Decree 10289/2013 (petroleum activity regulations)

- MoE Circular 11/1-2013 (operation of electric generators)

- **Policies and legal framework in the Municipal Solid Waste Sector**

- The 2010 Strategy for SWM (according to CoM Decision 55/2010, dated on 01/09/2010)

- The 2013 Draft National Master Plan

- Law 80/2018 on Integrated Solid Waste Management and Master Plan for Solid Waste Management

1.5 Multilateral Environmental Agreements related to Air Quality & Atmosphere

- Vienna Convention for the Protection of the Ozone Layer, Law 253 dated 30/3/1993
- Montreal Protocol on Substances that Deplete the Ozone Layer and its four amendments, Law 253 dated 31/3/1993
- United Nations Framework Convention on Climate Change (UNFCCC), Law 359 dated 11/8/1994
- Stockholm Convention on Persistent Organic Pollutants (POPs), Law 432 dated 8/8/2002
- Kyoto Protocol, Law 738 dated 15/5/2006
- Minamata convention on Mercury, Law 2 dated

- WHO Framework Convention on Tobacco Control (WHO FCTC)

2 Question 2

In addition to the Law 78 on the Protection of the Environment, the GoL initiated the development of different strategies and policies to prevent, reduce and limit air pollution.

2.1 National Strategy for Air Quality Management in Lebanon for 2030

The vision of the National Strategy is that "every citizen has the right to enjoy clean air". The strategy is composed of 6 strategic goals and allows the GoL to identify the needed outputs and activities to meet the vision set forth in the strategy by 2030 at the level of each goal.

Through this strategy, the GoL is committing itself to enhance and protect ambient air quality through the adaption of long-term goals, in order to reach the vision set forth in the strategy by 2030. This involves the assessment of criteria pollutants. The Strategy will also aim at assessing short-lived pollutants as well as greenhouse gas emissions. The Strategy will address where possible other important aspects such as indoor air quality, at residential as well as public areas (including aspects related to smoking), in addition, it will address aspects related to noise pollution. Besides addressing air quality issues, the Strategy highlights the need for improved wildfire risk reduction in Lebanon as a means to prevent large forest fires and avoid or mitigate the associated health and environmental impacts.

At a broader policy level, this strategy will allow Lebanon to align itself with two Sustainable Development Goals (SDGs) and their targets:

- SDG 3: Ensure healthy lives and promote well-being for all at all ages
- SDG 11: Make cities and human settlements inclusive, safe, resilient and sustainable

2.2 Air Quality Monitoring

In 2013, the MoE launched its first phase of the Air Quality Monitoring Network (AQMN). This phase 1 provided real time air quality monitoring through five urban background air quality monitoring stations of which two are also equipped with meteorological stations. Phase 2 of the AQMN was launched in 2017 and covered the installation of ten additional stations, three PM stations and eight additional standalone meteorological stations with the support of the EU/StREG programme.

In addition to MoE's AQMN, several other institutions have acquired air quality monitoring facilities; these include the following:

- In North Lebanon, the Urban Community of Al-Fayhaa installed three air quality monitoring stations in Tripoli (including a meteorological station).
- It is also worth noting that some of the universities, local authorities, and companies have few instruments for the measurements of the airborne pollutants.

In addition to air quality monitoring, several research and academic institutions conducted studies in the field of air quality.

2.3 Communication and outreach on Air Quality

MoE publishes on a mobile application (SensioAir) updated data with near real-time air quality index and hourly averages and inform regularly the general public about the importance of air quality following the law 28 dated 10/02/2017 on the Right to Access to Information.

2.4 Lebanon's Nationally Determined Contribution to Climate Change

Lebanon prepared National Appropriate Mitigation Actions which aim to reduce GHG emissions in the waste and transport sectors. In April 2016, the GoL signed the Paris Agreement, under which it submitted its Nationally Determined Contribution (NDC). The NDC aims at reducing national GHG emissions by 15% compared to the Business-As-Usual scenario as an unconditional target and by 30% conditional to financial and technical support by 2030. The reduction will emanate from the implementation of policies and activities under the power, transport, waste and forestry sectors. These climate change mitigation measures will improve indirectly air quality through the reduction of consumption of fossil fuel in thermal power plants and private generators, the improvement of public transport, and renewal of fleet and reduction in forest fires.

2.5 Other Policies

Policies and legal framework in the Energy, transport and solid waste sectors are detailed in the section 1.

3 Question 3

- At the legal level, the development of pending application decrees related to the law 444 on the Protection of the Environment and Law 78 on the Protection of Air Quality;
- At the policy level, adopt priority texts that are essential for the implementation of the Air Quality Strategy;
- Insufficient financial resources for the implementation of different projects and the application of certain actions;
- Difficulties in communication between concerned stakeholders.

4 Question 4

The Air Quality Strategy Goals 1 and 6 aims at assessing degraded airsheds based on quality-controlled data, and develop an action plan in case of high pollution levels in addition to the development of an early warning system to alert the public about dust and other pollution episodes (with a clear methodology for short-term intervention) focusing on at risk population mainly hypersensitive people, children, pregnant women and the elderly.

It should be noted that the Lebanon Environmental Assessment of the Syrian Conflict & Priority Interventions Report (2014) estimated that the Syrian conflict will result in an increase of up to 20 percent in emission of air pollutants in Lebanon leading to a serious degradation of air quality. The stark and sudden surge in population size increased traffic, demand for heating, energy for electricity and open burning of waste dumps. This resulted in toxic and carcinogenic combustion fumes and growth in air pollutants.

5 Question 5

- MoE Decision 8/1 (dated 30/01/2001) defined ELVs for stack emissions and effluent discharge from classified new and existing industrial establishments.
In the framework of the MoE/EU StREG Programme, support to Inspection and Enforcement of Industrial Establishments has initiated the updating of the ELVs for selected sectors.

- Decree 8633/2012 on the Fundamentals for Environmental Impact Assessment (EIA) and which defines environmental assessment procedures in Lebanon. For existing establishments, the MoE requests an Environmental Audit which may include data on emissions.
- Decree 8471/2012 on the Environmental Compliance for Establishments and which provides a mechanism for obtaining an Environmental Compliance Certificate (ECC) to existing classified establishments and classified industrial establishments from MoE. Every industrial establishment would need to submit to the MoE (1) the establishment a/o operation permits obtained from MoI, and (2) an EA report prepared by pre-qualified environmental firms to determine their environmental performance (emissions of air pollutants, water consumption, waste and wastewater generation, etc.). It should be noted that since 1997, cement industries (5 in total) and the only fertilizer industry in the country, report monthly on their air emissions to the MoE.
- Decree 167/2017 on providing tax exemptions on income and customs for individuals or legal entities engaged in environmental activities or importing goods to be used to avoid, reduce or eliminate pollution or to treat recycle and or reuses waste.

In addition, Lebanon Environmental Pollution Abatement Project (LEPAP) provides close to zero interest rate loans for eligible industrial enterprises to implement industrial pollution abatement interventions. LEPAP also offers free technical assistance to comply with national regulations and acquire the technical approval on the loan application.

6. Question 6

Article 13 of the Lebanese constitution guarantees freedom of expression and freedom of the press. In addition, on January 19, 2017 the Lebanese parliament enacted law 28 on the right to access to information.

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 د. سادي عمرو
