

Institutionalisation of the RNP model abroad: the Lebanon

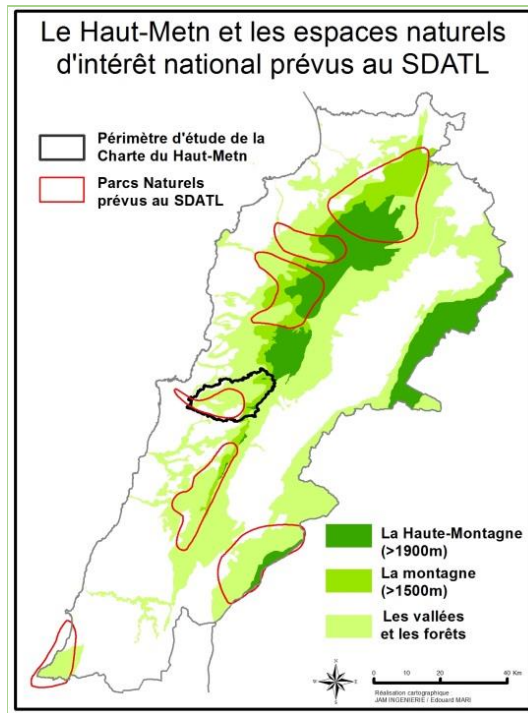


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In 2009 the Lebanon voted in favour of introducing a spatial planning master plan (SDATL) providing for the establishment of six Regional Nature Parks (RNPs) and one National Nature Park (NNP) in previously identified regions.

The assistance of four French Regions was sought to help these territories set up the parks provided for in the SDATL, more or less directly on the basis of the Regional Nature Parks (RNP) model.

The assistance provided to the Lebanese Government by the Rhône Alpes Region also concerned the establishment of a legal framework for these new territorial models.

TERRITORIAL ORGANISATION

The Lebanon is divided into eight Mohafazah (the equivalent of regions in France), subdivided into 25 Caza (départements), which are in turn divided into municipalities. The municipalities may decide to join together in a federation of municipalities. The federations are groupings of municipalities in a legal structure for the purpose of co-operating in several fields such as town planning, waste and water management, etc.

ORIGIN OF THE PROJECT

In 2002, the Lebanese Ministry of the Environment began considering the classification of protected areas on its territory, drawing on the categories of the IUCN (nature reserves, nature parks, natural features and protected landscapes) and the preparation of a framework law on nature reserves.

In 2009 the Lebanon adopted by decree the introduction of a spatial planning master plan (SDATL) providing for the establishment of Regional Nature Parks in six previously identified sites¹. The SDATL defines regional nature parks as “a project managed by a number of neighbouring municipalities, which agree on a development charter associating non-polluting and non-harmful activities, modest, high-quality urban development, and the preservation of the natural environment”². However, the SDATL did not clearly define the means by which parks would be designated, managed and funded. It was therefore necessary to consider the establishment of a specific legal framework for the “Parks”. The Council for Development and Reconstruction (CDR) with the assistance of a French design office prepared the proposal concerning the establishment

¹ The proposal concerning the establishment of RNPs and an NNP was drawn up by the Council for Development and Reconstruction with the assistance of a French design office.

² SDATL, Chapter 4 <http://www.cdr.gov.lb/study/SDATL/French/Chapitre%204.PDF>

of RNPs and an NNP.

In 2012, with the support of the ADELNORD project between the Republic of the Lebanon and the European Union, the CDR and the Ministry of the Environment, a mission to “define the status, role, purpose and function of national and regional nature parks in the Lebanon and the corresponding management arrangements, and to prepare the relevant legal framework” was put in place and conducted by a technical assistance team (GFA and ELARD and with the backing of the MADA NGO) with the support of the Rhône-Alpes Region.

The support of the Rhône-Alpes Region was sought in establishing the NNP in the Upper-Akkar Region through the assistance of the Monts d’Ardèche and Pilat RNPs, and, subsequently, in considering the appropriate legal framework. The Île de France (Haute Vallée de Chevreuse RNP), and PACA (Verdon RNP) regions were also asked to provide assistance to the projects establishing RNPs in the Upper-Matn and in Jezzine.

LESSON TO BE LEARNED

The plan to introduce a new category of park under the French RNP model is a central government initiative implemented through the Ministry of the Environment. The French RNP model was also proposed at national level by the SDATL, and the regions in which RNPs are to be established have been pre-identified.

ESTABLISHMENT PROCESS

- The project regarding the establishment of an NNP in the Upper-Akkar region was launched **in 2002**. The Mada association has been working together with the Rhône-Alpes Region over the past ten years or so to assist the municipalities in establishing this sustainable territory in co-operation with the CDR, the Ministry of the Environment and the Ministry of Agriculture.
- After studying the situation and in consultation with the federation of municipalities, it was decided to focus on a pilot area concerning 3 municipalities (out of the 17 municipalities initially identified) where biodiversity is most heavily concentrated. With the support of the Rhône-Alpes Region, several missions and study trips were made to RNPs in the Rhône Alpes Region to foster ownership of the project.
- A working group comprising 3 heads of municipalities was set up. At the end of the second year, a steering committee and a technical committee were set up and the initial elements of the charter were drafted in consultation with local actors. However, changes in the heads of municipalities following the municipal elections in 2010 slowed the process down. As from 2011, as a result of the impact of the Syrian crisis on the territory and the arrival of refugees, the establishment of the park was no longer considered to be a priority. The need to strike a balance between the legal approach and the territorial approach rapidly became clear.
- **In 2012** assistance was offered to the Lebanese government in establishing a legal framework which would make it possible to take NNPs and RNPs into account. At the request of the Ministry of the Environment, work on the legal framework concerned proposed amendments to the **draft legislation on nature reserves** and the preparation of a **decree for the management of Protected Areas**.
- A grouping of three bodies (two design offices and the MADA association) provided support to the municipalities of two other regions for the preparation of field studies, the drafting of documents setting out objectives and the definition of operational activities. This work was carried out with the help of a consultation process with a view to introducing a charter that had been accepted and approved by the municipalities

concerned. The territories concerned by this measure are: the Upper-Matn, where the process had received the support of the Île de France Region and whose Charter had been signed in 2013, after two years of consultation, although the process for setting up the Park has not yet commenced; and Jezzine where the work began a year ago with the support of the PACA Region and is still in progress.

- The Qadicha region has also been working on a (transversal and multi-thematic) territorial project and the introduction of a multi-stakeholder governance structure of the RNP type with the support of the Languedoc-Roussillon Region through the Pyrénées Catalanes RNP.

Other similar initiatives have received the support of local actors, sometimes with backing of international actors. A total of 14 “sustainable territory” initiatives have consequently been implemented in the Lebanon³.

LESSON TO BE LEARNED

The SDATL, a strategic spatial planning document defines both the model (RNP) to be implemented and the territories on which RNP and NNP projects will be set up. The process is managed at local level by various structures (design offices, associations ...) without the genuine involvement of local actors. Under these conditions, local actors' misgivings and fears may well block initiatives

CHARTER

To date, four regions have started to prepare charters. In addition to the regions we have already mentioned (Upper-Akkar, Upper-Matn and Jezzine), the Qadicha region has also set a similar process in place.

The Charters have been prepared according to a model which draws on the charters established in France. In particular they have maintained the incentive aspect (guidelines and policy orientations) for stakeholders who decide to work on a joint project. If the legislative framework is adopted as it stands, each charter will be validated by the Council of Ministers and approved by decree for a period of 8 years, so that it corresponds to two municipal terms of office. The initial charters were valid for 5 years.

With regard to the binding nature of the charter compared to other strategic documents, the first document to be drawn up sets the general conditions and any subsequent documents must be compatible with the first document. For example, if an urban development plan is drawn up after a charter has been set up, it has to conform to the latter.

LESSON TO BE LEARNED

In the system proposed in the Lebanon, the government's financial commitment justifies an obligation to achieve results. Once they have been approved by the Council of Ministers, the Charters will have the force of a decree for a period of 8 years.

ACCEPTANCE BY THE LOCAL AUTHORITIES AND POPULATIONS

The initiatives have not yet been publicised among local populations, but local NGOs have been associated in the relevant discussions. The territories have considered the initiative to be an opportunity to find funding for territorial projects.

³ According to the end of mission report on the project defining the status, role, purpose and corresponding management arrangements of national and regional nature parks in the Lebanon

http://www.cdr-adelnord.org/5/8/5/7/0/9/Presentation_fin_de_mission_18-12-2012_.pdf

Nevertheless, not all aspects of the initiative have been equally well received. In the Upper Akkar, for example, the issue of land ownership (on land that is not registered in the land registry) has led municipalities to put up resistance and in some cases made them determined to withdraw from the project. To enable the project to progress, the question of the delimitation of the territory making up the Park was set aside and efforts focused on territorial development. At central government level there is also some concern about the degree of autonomy that these projects might involve and about the financial resources required to support them.

LESSON TO BE DRAWN

The fears expressed at both local and national level with regard to these projects are legitimate (land ownership issues and commitment of government funding). The absence of a legal framework at the beginning of the initiative, the fact that the initiative is imposed rather than a local initiative, and more generally speaking the wider context of instability in the country have certainly played an important role in the reservations expressed by the different stakeholders.

INSTITUTIONAL SUPPORT

The Ministry of the Environment did not go along with the idea of setting up a joint structure comprising representatives of the Ministry and representatives of the territories concerned. It was decided that each sustainable territory would set up an independent body with a committee that would have a certain degree of financial and moral autonomy. The structure would receive funding from the Ministry of the Environment and be accountable for its expenditure.

MAIN INCENTIVES AND OBSTACLES

One of the main incentives for the initiative was the assistance provided by the French Regions and the RNPs in the French network, which showed a genuine desire to lead the project. Another strong point was the general enhancement of environmental initiatives, which enabled these projects to take shape.

The experience of the Upper Akkar has shown that the absence of a legislative framework was a major obstacle. The lack of a clear and official definition of what the Parks involved led to fears about the scope of the scheme and therefore to disputes between territories.

Social and political conflicts and conflicts between territories have certainly helped to fuel fears. The government crisis has meant that it has to date been impossible to complete the process.

OUTCOME OF THE PROCESS

In 2014 the revised draft legislation on nature reserves was approved by the parliamentary committee in charge of the environment and a draft decree focusing particularly on the “Parks” was proposed. However, as a result of the political crisis in the country - formation of an emergency government, dissolution of parliament and removal of the President of the Republic from office - the matter has been blocked and is still awaiting validation.

The experience of the Upper-Akkar has helped show the importance of establishing an institutional and legal framework defining the different categories of protected areas, the process for setting them up and the way in which they will be managed. Work on the legal framework has essentially consisted of proposing amendments to the framework legislation and a special decree in respect of RNPs.

CONCLUSIONS

The SDATL justifies the adoption of the RNP model given the “concentration of natural, landscape and heritage assets in a number of areas”. The legal framework defined by the Ministry of the Environment in respect of nature reserves was considered the most appropriate for incorporating this new category of protected area. The work has therefore concerned the amendment of the existing law and an RNP decree.

The Ministry did not go along with the idea of setting up a joint structure comprising representatives of the Ministry and representatives of the territories concerned. It was decided that each sustainable territory would set up an independent body and that there would be no national co-ordinating body.

The SDATL also provides for the drafting of a charter for each RNP. The charters are policy documents in the form of 8-year contracts. They will be validated by decree at national level.

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