

**Workshop on
The World Summit on Sustainable Development**

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ARAB NGO NETWORK FOR DEVELOPMENT



HEINRICH
BÖLL
FOUNDATION

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Foreword

This book is the outcome of a workshop co-organized by the Arab NGO Network for Development (ANND) and the Heinrich Boll Foundation (HB). Held in Beirut on 19 and 20 May 2003, the first day of the workshop discussed Heinrich Boll's memorandum to the World Summit on Sustainable Development (WSSD) Johannesburg, known as the "Joburg Memo" and Lebanese Civil Society reports on the Summit and its proceedings. The second day discussed Lebanese national campaigns and work plans on sustainable development issues.

The main contribution of the Boll Foundation is the Johannesburg Memorandum formulated by a group of academic researchers, environmental activists, and civil society personalities. The Memo launched a debate on the concepts of sustainable development and its relationship to international politics, especially neo-liberal policies that aim at trade liberalization.

Since the mid-90's, the Arab NGO Network for Development, while prioritizing the issue of sustainable human development, has followed up on various world summits organized by the UN, of which the WSSD was the last. ANND had a central role in organizing the Arab participation in the official Summit and in the parallel meeting with the same level of effort and commitment. The network, through its partnership with the Heinrich Boll Foundation, aims to organize follow-up meetings on the UN's millennium goals (MDGs) launched by the Secretary General and adopted by the General Assembly, through following up the implementation process of the said goals.

We hope that the workshop's outcomes will be useful and helpful to civil society organizations in reaching their goals.

Ziad Abdel Samad
Arab NGO Network for Development

Executive Summary

On the eve of the Johannesburg Summit, the implementation process of the Rio resolutions had been below expectations on all levels, as indicated by ANND's reports following the Prepcoms and the Summit itself.

The commitment to and the implementation of Rio were not up to the level of challenges identified in the series of summits organized by the UN in the 90's, where official and non-governmental delegations studied the plan, focused on its main challenges, and proposed implementation mechanisms that remained mostly unimplemented. This applies especially to International Conference on Population and Development (Cairo 1994), the World Summit on Social Development (Copenhagen 1995), the 4th International Conference on Women (Beijing 1995), and the Millennium Summit that produced the Millennium Declaration.

The latter declaration highlighted the challenges facing the 21st century by proposing eight specific goals, hence known as the Millennium Development Goals (MDGs), to be reached in fifteen years at the latest. But these goals were by themselves a step backwards compared to the ten commitments of the World Summit on Social Development, that were, in their turn a step backwards compared to the Working Plan of the Rio Earth Summit.

Furthermore, this reversal was happening in the context of the severe impact of globalization and trade liberalization on developing nations, especially Arab states, in the last decade of the 20th century. Following the Uruguay Round and the negotiations leading to the establishment of the WTO, international trade principles and free trade agreements, especially those concerning agriculture, services, and intellectual property, became a constraint on developing nations. They limited their competitiveness while freeing the hands of multinational corporations that

aim at increasing their profits through opening new markets for their products and services. These corporations also use international laws that protect them from local competitors, facilitate the mobility of their capital, and loosen local regulations, thus ignoring and circumventing local interests by any means necessary. Naturally, the outcome will be the marginalization and failure of sustainable development programs and policies.

The people of the world and their representatives were expecting that the World Summit on Sustainable Development (WSSD) formulates an action plan that distributes responsibilities, specifies a time-table for tackling challenges within a legal framework, and secures financial commitments to achieve development and sustain resources. What happened was the exact opposite. Responsibility was avoided by the adoption of differentiated responsibilities instead of common responsibility. Worse yet, while corporate accountability was absented and international agreements and conventions marginalized, the final declaration insisted on the importance of implementing trade liberalization and structural adjustment policies as a main condition for receiving financial and technical aid to face the challenges of development.

First Session:

Heman Argawal, one of the main contributors to the Joburg Memo, presented its underpinnings. First, despite the negative evaluation of the post-Rio phase and the preparations for the WSSD, it was necessary to continue with the spirit of Rio and write the memorandum. Second, despite the fact that what was written is not a political document, it was called a memorandum in order for it to acquire an "official" nature that goes with its scope of diffusion and impact on the global community of civil society organizations. Third, the intellectual basis for the Memo is the meeting of the "environmental" debate with the "developmental" debate, traditionally separate. Development was associated with the idea of poverty, while environment is associated with that of justice; thus, the merging of these two interests

is the mean to present implementable proposals.

The team that wrote the Memo mirrors this meeting of two interests as well as benefits from its diverse composition (academics, activists, and even representatives of the private sector) and national backgrounds (North and South).

The evaluation of the Memo by the Lebanese workshop participants was represented by three discussants. The first was Adib Nehme who started by giving a background picture of the world summits' process, which he described as regressive. He indicated that the "secret" is in the hegemonic dynamics that actually control progress in the world as "opposed" to the goals and working programs of these summits and conferences. The UN had initiated this series of international gatherings in the beginning of the 90s, while still under the influence of a tendency that was in its turn influenced by the former prevailing international balance of power rather than from the dynamics born out of present circumstances. The goals set by the summits were a continuation of choices born out from the old world order.

This weakening and replacement process started with the creation of new institutions parallel to the international system that was created after World War II, especially the UN, or by increasing the role of parallel institutions in place. The prime example is the creation of the WTO in 1995 and the increasing role of the World Bank (WB) and the IMF in managing the world economy, all that without forgetting the ever-increasing role of Multinational Corporations, whose real hidden interests form the newly-globalized economic framework.

The essential issue is in launching a new dynamic leading to gradual change in the real balance of power with corrective characteristics, the rehabilitation of the original goals, and proposing new policies and efficient mechanisms. The struggle is that one of dynamics, mechanisms, and processes, and the opposition is not limited to the current goals.

The main attribute of the globalization process, covering the time period of these summits, is the increase in uneven

development coupled with the process of decomposition, locally, nationally, and internationally. It is a polarizing process in nature, as this is apparent from its results. This is the sole unification form that neo-liberal globalization can produce, considering it is necessarily a minoritarian project. Thus the problems facing the world today are not a product of malfunction in the globalized world order, but are a natural product of the system itself. They are the outcome of its success.

The Memo discusses a series of issues, mainly, the criticism of globalization and of development as a vague concept containing many contradictions. The Memo also contains a different vision of the mechanisms for fighting poverty, globally and nationally. The Memo also criticizes the presentation of a contradiction between the "environmental" priority and the "developmental" priority. On eradicating poverty, it goes further by stating that they are linked, and tries to prove that the environmental vision is better qualified than the others to propose sustainable and realistic development solutions.

The Memo says that globalization depleted the hopes Rio had raised. Globalization widened the gap and strengthened the polarization mechanisms... The truth that mirrors the choices of globalization is the creation of the WTO as the main implementation mechanism of this new ideology that is invading the world. In Marrakech, when the WTO was being announced, the merchants of the Earth and the environment met to declare the favoring of the interests of multinational corporations over those of the people and of the Earth. Their real slogan was: "everything is for sale". To the contrary of Rio's goals and perspectives, this globalization encouraged unjust growth on a world scale. The policies of open markets led governments to use their resources in an irrational manner and to sell them to cover their debts. The rich countries did not respect their commitment to helping the developing countries with up to 0.07% of their GNP. The opposite was true. Channeling resources from developing countries to the developed ones increased, thanks to the mechanisms of world econ-

omy. A large part of economic activity became speculative, which changed the world economy to a kind of virtual economy where the flow of capital is 70 or 80 times larger than the total of world trade; 80% of the exchanges in the world markets are operations whose scope does not exceed seven days. In short, the present nature of globalization is based on the principle of sacrificing the common good for the good of multinational corporations.

The Memo also points to the vagueness of the concept of development and its contradictions. This criticism is essentially right, especially concerning the concept popularized by the First Human Development Report issued by the UNDP in 1990, and more so if aimed at the meaning widely used by governments (north and south) and international institutions (all the Breton Woods institutions). In these many and contradictory uses of the concept, what remains is the name. As for the content, it differs, or, more accurately, it is totally contradictory.

But the Memo was methodically mistaken, since it wanted to judge the concept of development through the meaning used by international institutions and by the official literatures of the 90s. If development was put in its historical context, it should be considered as originally a "concept" that carries analytical and pro-change contents and points to programs, choices, and socio-political goals. If this historical context was taken into consideration, the criticism in the Memo becomes unwarranted and imprecise. The concept of development, apart from its official use, when put into its historical context, acquires radical content and clear critical perspective, which is free from the idea of reproducing the western model.

The weakness in the contemporary concept of development prevailing in official and semi-official international literature is its transformation, in its use and implementation, into a technical term, to a large extent, coupled with the weakening of other levels: those of future perspectives, policies, and choices. The criticism found in the Memo, while containing this weakness, presents a critique that reaches the philosophical/civilization perspective from an

advanced environmental perspective. But this omits the intermediary perspective, which is, in our opinion, the most important one, the missing link, in the contemporary developmental thought. This means the sociopolitical perspective, absent from the traditional concept of development and from the philosophical content of the Memo. This sociopolitical perspective is the one that sees development as a social/historical project, linked to political choices concerning the nature of the existing system and the problematic of surpassing capitalism.

The Memo says that the concept of the world's division into North and South is an old concept, not relevant anymore. The dividing line between the poor and the rich does not match with the geographical line between North and South. The latter also contain rich persons who constitute an organic part of the 20% that benefit from the economic returns of the world economy, irrespective of where they are. But this image remains partial. The shifting of the center of attention from the geographic field to the social field is not enough, because it neglects the historical paths of individual countries and of the world system. This cannot be explained only by the social divide.

The Memo presents an advanced criticism of the "developmental" answer to the poverty problem. All the focus is on poverty, while the discourse on wealth is omitted, although both poverty and wealth are products of the same economic system. Solving the poverty problem demands solving the wealth problem. The Memo presents the alternative answer to the poverty problem, which does not see it as a lack of basic needs but the lack of basic rights. It sees this as an issue of rights, not needs. But one more time, this analysis lacks essential elements, as does the proposals. In the real life of people, needs and rights are mixed; they can be separated only in one's mind.

The Memo presents the idea that the environment field represents the largest framework of the human civilization process. It is the large system where the other systems operate. The economic system, thus, is a partial system operating in the larger system. So, if the focus is limited to

the prevailing economic sphere, then it is possible to present the law of interrelation and balance between poor and rich, since the rich are controlling the world economy. This idea leads to proposing cultural change in ways of life, worldwide

Habib Maalouf, the second discussant, saw the Memo not as a "romantic" document, but as an attempt to reconcile social issues, mainly world poverty, developmental issues, in general, and environmental issues newly appearing on the world scene.

He pointed out the criticism that called the concept of development as vague, and in its question: "to where leads development?" is a stressing on the meaning given by the sustainability concept. It was quite appealing that the memo went beyond the classical divide of the North and the South, replaced by the theory of divide between consumers and marginalized people found in each country, poor or rich.

But the Memo did not advocate a change of the civilization model that we are living, such as what was included in some of our previous proposals that we based on the conclusions reached on the nature of the consumer society and its never ending demands that will lead the world to its demise. The Memo does not present a philosophical alternative.

The third discussant, Ali Darwish, considered that the Memo, with some changes, could be fit to be a document for people facing rampant economic globalization. He then added that the insistence of the Memo, in the introduction of the second part, on the urgency that the Summit continues what Rio started and surpassed, was a hurrying common to many civil society organizations. The process of failure was clear during the Prepcoms, so it was a natural outcome that the WSSD would be a disappointment and a backwards step from Rio. All that could be deduced from the Memo. The main reason for this outcome is that the WTO and TNCs, that tried to impose their will before and during the summit, succeeded in having their way on many essential issues.

It is well known that the present economic globalization is unjust, unequal, and represents the dominating interests of the rich and powerful. Thus, it is striking that the Memo presents the idea (page 21) that poverty alleviation could be achieved by increasing globalization, while it assures that poverty is mainly a product of lack of power and not lack of wealth.

If we look at what the Memo proposed concerning Fair Wealth and Social Rights, we will find many proposals born out of the Human Rights Conventions (socio-economic and cultural ones) as well as Agenda 21, which is slowly pushed aside in favor of the Millennium Development Goals (MDGs).

On another side, the Memo presents itself as a non-political document. The question that should be asked here is whether the implementation of what the memo proposes is within the core of national and international political decision-making, since transforming international trade from free to fair requires political will?

We notice that the Memo forgot some issues that hinder the possibility of implementing its proposals:

* If most Northern countries have democratic systems, even if this witnessed some reversal post 9/11, most southern states live under dictatorships or democratic dictatorship, such as Lebanon. That is why the traditional means are ineffective in the process for change.

* The Memo talks about World Agreements within a system similar to that of the UN, while the WTO and the USA work on a systematic method of destroying all international legitimacy of the UN, with the aim of limiting it to Humanitarian Aid. The prime example is the attempt to force multilateral environmental agreements (MEAs) to concord with WTO conditions. Maybe one of the achievements of the NGOs in Johannesburg is managing to stop this proposal as well as saving the concept of Common but Differentiated Responsibility.

* Despite the importance of organic agriculture, what can feed the world is Sustainable Agriculture.

* The Memo does not tackle the issue of the freedom of

mobility of labor in the face of trade liberalization.

Any reader of the Memo will notice that some points are lacking, from their perspective, but that should not diminish its importance. On the contrary, it adds to it and enriches it. The adoption of this Memo is of no less importance than the adoption of Agenda 21 for the achievement of sustainable development.

Second Session:

Following the Memo, the discussion moved to the Lebanese NGO Report that was presented by one of its authors, Adib Nehme. During the preparatory phase of the Lebanese Civil Report, there was an effort to present an Arab contribution in the reinterpretation of the concept of sustainable development, through the rooting of the concept in our modern history. The main idea is that the concept of development should be historically contextualized. The report linked development-related ideas to two movements that the Arab world witnessed in the beginning of the past century. This serves as a theoretical basis.

These two movements are: the Arab Renaissance movement and the National Liberation project, building the national state. It should be noted that the term "development" was widely used in the then prevailing national discourse and it carried a specific significance: a sort of stability or a sort of self-reproducing economic system. The Western viewpoint was based, then, on growth as an essential element for progress. Thus, economic growth became the main drive. But third world thinkers did not content themselves with this "Northern" view. By taking into account the lasting impact of colonialism, they gave a specific content to the concept of development: the building of the independent national state. Of course, this model in our countries meant that the state was overly present in the development process. This model showed with time that it could not positively sustain itself, coupled with the fact that it contained several weaknesses: on the political level, the absence of democracy, and on another level, the absence of a constitutive cultural component of the "devel-

opment project".

The project started off in a fragmented way, since it was limited to the idea of the growth of production. Ironically, the Arab Renaissance movement had both components, which the later national state building project was devoid of. They were, first, the seeds of democracy albeit in its liberal Western form, and second, an enlightenment process, ranging from the emancipation of women to religious reform. Unfortunately, these two components were sacrificed during the momentum of national building.

The Lebanese Civil Report is an effort to put development in an implementable framework linked to contemporary concerns, such as human rights, partnership between the government and civil society, and, especially, the concept of the "right to development" as a fundamental right for people and individuals. Here, the right for political and economic self-determination enters as a central point in development.

The report contained a general evaluation of governmental responses to developmental demands. The indicators, including the economic ones, show disappointing results. The worsening environmental situation in Lebanon is a result of policies, on one-hand, and of implementation mechanisms, on the other. The mistake in Lebanon is in the developmental political philosophy, because it starts from a short-term vision.

Ghassan Makarem presented the report on the proceedings of the WSSD. He pointed out that the Summit revolved around three axes. The first was the negotiations over the "work schedule" or the "action plan". The second was around the establishment of dialogues with the eight major groups represented in the Summit: women, youth, civil society, the business sector, indigenous people, labor movements and farmers, science and technology, and local authority representatives. The dialogue took place through round tables. The third axis included the general assembly through which speeches of delegations and national leaders were delivered.

The discussions were expected to lead to the application

of Rio's recommendations and declarations. This occupied the fundamental share of the Summit's discussions, in parallel with other activities, up to the day before the conclusion of the Summit's work.

Several major points of disagreement over the text appeared since the fourth, and last, preparatory meeting, which was convened in Bali, Indonesia. The negotiations were over 156 paragraphs, about 25% of the text, after there had been an agreement over 75% in Bali.

The results were the following:

WATER:

Questions relating to water could be the real accomplishment that was achieved in the Summit's action plan. The Summit, after pressuring the United States to yield its severe opposition to this goal, agreed to reduce the number of people with no proper primary health care (2.4 billion) by halving it by the year 2015. Achieving this goal would minimize death rates due to polluted drinking water that affect 2 million people yearly, most of whom are children.

ENERGY:

Here lies the political failure of the Summit's resolutions. Air pollution, due to combustion emissions, is one of the clearest dangers and challenges to the world, but the United States and OPEC countries refused to adopt a goal that would specify a timeline to minimize fossil fuel consumption, and replace it with renewable energy. They also refused the principle of eliminating subsidies for petroleum extraction. This was in addition to their refusal of a goal that sets mechanisms to decrease the rate of people who are deprived from energy by half, part of the "Millennium Development Goals".

AGRICULTURE AND FISH RESOURCES:

All indicators that create obstacles to agricultural production in developing countries were cancelled from article 38, under the pretext of "Free Trade". This is due to the refusal

of the European Union to lift subsidies on its agriculture sector and to subsidize organic farming. Alternately, the EU approved supporting genetically modified foods that would pose a threat to food security around the world.

BIODIVERSITY:

The summit withdrew from agreements that were not more than a month old. The content of the agreements associated with facing the biggest extinction process that the planet is facing since the dinosaur age, and the need to end and reverse the average threat of biodiversity loss, decided upon the past April, were altered. Actually, the content of the text was rendered vague, only directed to the need to "achieve a noticeable decrease in the rates of biodiversity loss".

GENETICALLY MODIFIED FOOD:

Civil society representatives stressed that genetic modification will menace the future of food on the planet, thus the "precautionary principle" should apply. The issue concerning the authorization of genetically modified food was encouraged in the final agreement.

GENERAL & REPRODUCTIVE HEALTH:

There was a success in distinguishing between health services, on one hand, and TRIPS and GATS that were heavily supported by the United States, on the other. Nevertheless, the ability of developing countries to offer adequate health services and to secure medication for various chronic diseases could be hindered by the wording of the paragraphs. The issues of reproductive and sexual health were a source of conflict, particularly after linking general health (paragraph 47) to "cultural and religious values" and disconnecting these values from "human rights". It is well known that these values justify several violations of women's rights, especially with regard to honor crimes, genital mutilation, and the denial of women of the right to their own bodies.

TRADE&FINANCE:

The text falls within the "Monterrey Consensus", reconfirming its commitments, albeit vaguely. Although most of the discussions centered on debt and its negative effects on sustainable development, the negotiations did not solve the disagreements over cancellation or restructuring mechanisms. The dangerous deterioration occurred, however, in stating the necessity of encouraging direct foreign investment to concentrate on utilizing "local deposits" in order to support sustainable development. This means that challenges and obstacles towards sustainable development became the responsibility of national and local authorities alone.

A positive change occurred in emphasizing the need to reform the international financial institutions in order to improve the participation of developing countries in the decision-making process. The texts regarding trade promoted World Trade Organization policies and were able to re-establish the link between MEAs and WTO policies. In addition, the text reiterated the role of the WTO in promoting sustainable development, reconfirming the Doha Declarations as a work plan for sustainable development. Among these "declarations" of the Doha Conference, the text stressed "new issues" that were not even agreed upon in Doha (environmental standards, labor standards, transparency measures in governmental procurement, in addition to competitions and investments).

GLOBALIZATION:

Globalization also took a major part of the discussions. Articles 45 in the final document reconfirmed the challenges that developing countries are facing in the globalization process. It re-emphasized, however, the chances offered by trade, investments, capital flows, and technology - including information technology - and their importance in establishing international sustainable development. The discrepancies in the access to these resources were not tackled but remained vague and contradictory enough to express all points of view. In other words, they

did not go beyond rhetoric statements, disregarding "implementation plans".

PARTICIPATION OF CIVIL SOCIETY:

Social movements and civil society representatives present at the Summit admitted the failure of the framework proposed in Rio to resist the campaign led by the United States and some countries of the G77 against their participation. Indeed, article 151 from the Bali text, protecting the right to information and participation, was removed.

The expression "civil society" was indeed replaced by "stakeholders" in article 19 (consumption and production) and "relevant actors" in article 138 (institutional framework) in the paragraph regarding the role of the International Institutions. It is worth noting however, that the concept of "civil society" is still present in other parts of the text. The use of both concepts therefore came as a confirmation of the shrinking role of NGOs and their replacement by the private business sector in the decision making process.

CORPORATE ACCOUNTABILITY:

After thorough discussions and intense negotiations that resulted in the suggestion of different versions of the text in the preparatory meeting in Bali, there was an agreement on the structure of a text that refers to the necessity of the accountability of transnational corporations. This was accomplished thanks to the lobbying of civil society. The text remains weak, however, as it does not suggest timetables and specific goals. This is due to the expansion of the authority of TNCs and of the interests of business persons and industrialists. Of course, it is not expected that corporations like Exxon, Bayer, Shell, and others abide by programs negatively affecting their revenues even if these programs are vital to the process of saving the planet.

GOVERNANCE:

In this respect, the conveners removed from the final text the articles that mention the absence of justice and the discrepancies in opportunities resulting from protectionism

and subsidies in industrial countries and their neglect of international frameworks including those of the UN. The removed texts equally stressed the necessity of guaranteeing real participation of developing countries in the decision making process within international financial institutions. Article 123 and 124 that thoroughly referred to this issue were replaced by texts that are general, if not vague. As for article 146, it indicated the necessity of establishing patterns of development and adequate national developmental policies, but reference to the imbalance in global governance and financial and trade institution was removed and replaced by a statement on the necessity of promoting national governance in the direction of expanding public participation.

HUMAN RIGHTS:

The section over this issue took a different direction than that of the Governance principle. The G77 along with the United States tried to delete references of the term "human rights" from the text regardless of the resistance of some European and Latin American countries. The concept of Human Rights has been replaced by that of "the rule of law" entailing the justification of repressive regimes. In their turn, developing countries adopted this change in fear that their deficient human rights records be used as pressuring tools against them.

INSTITUTIONAL FRAMEWORK FOR SUSTAINABLE DEVELOPMENT:

This article was subject to lengthy discussions and numerous suggestions between the United States and Japan, on one side, and the G77, on the other. The G77 tried to remove all articles that call for the participation of civil society in the national and international decision making processes under the pretext that it is possible to use the concept of civil society to pave the way for the participation of the business sector. It had also refused to use the term "Human Rights". The US and the EU tried to limit the impact of the Commission for Sustainable Development in

the United Nations through suggesting minor details, burdening it with many demands in order to cancel its developmental role.

Thus the effort of the main delegations in the Summit was transformed into deal brokering between governments and multinational corporations. The Arab League report pointed out this fact. The Summit concluded thousands of partnership, from local water projects to massive potable water projects. The USA considered that the Summit was a success by the mere fact that corporations presented their projects and made deals, despite the fact that most of them had nothing to do with sustainable development.

Third Session:

The second day of the workshop discussed sectoral environment issues. The first speaker was Abdallah Zakhia who focused on Public Property, especially the beachfront.

Lebanese laws consider the beach as public property that cannot be owned, cannot be sold, and should only be developed for public use, with touristic or industrial justifications, as long as they do not affect the beachfront's unity and continuity. Any illegal or "semi-legal" occupation of the beach is declared void.

The extension of the natural beach and the disorganized constructions cause ecological damage to biodiversity in the water and near the water. Tourist-wise, any negative impact on this natural resource is a deadly blow to the touristic potential of Lebanon. Tourists come for beaches not for concrete, ugly concrete at that. Privatization also hurts the tourism industry since private resorts would be limited to the rich, marginalizing most tourists and the vast majority of the Lebanese people.

The problem is in the state's policies that depend on passing "incomplete" laws, non-application of laws, and non-arrest of law-breakers. The inability of the government to solve this social/environmental disaster is born out of structural factors in the public administration, which needs urgent reform, that transform it to a politicized tool, lacking independence when facing private interests.

Bassam Kountar spoke about organic waste management. He pointed out the scope of the problem where the latest studies showed that 90% of solid waste in Lebanon is domestic waste, constituting around 4000 tons per day. While 60% is organic waste, the rest is composed of paper and cardboard, plastic, glass, metal, and others. The problem is that it also includes "dangerous" waste such as batteries, medicines, paints, and household chemicals that are thrown, without treatment, with the rest of the domestic waste. Also, hospital waste, abattoir waste, and animal farm waste are thrown indiscriminately in different parts of the country, polluting land, water, and air.

As for treatment, knowledgeable sources in the Ministry of Interior and Municipalities give the cost at \$75 Million annually. The treatment includes sorting, contracting out, bailing, transport, wrapping, re-sorting, and shredding. In some areas, such as Greater Beirut, Baabda, Aley, Metn, and Kesrouan, where the contracts are handled by Sukleen and Sukome, collection and inner city transport should be added. The funds come out directly from the Independent Municipal Fund, not felt by the municipalities, since the expenses do not appear directly in their budget. The overall treatment of a ton of waste costs \$106, which is very high, despite the fact that the cost of street sweeping and garbage collecting in Beirut is contractually more than \$25 million annually, while dumping costs per ton vary between \$21.4 in Bessalim and \$37.3 in Na'ma (according to the Ministry of the Environment).

Kountar proposed the following solutions: raising people's awareness; new tax laws on pollution (products that producers and consumers share responsibilities for, like plastic bags); sorting at the source (home, school, factory, place of business, office, etc.); adopting recycling policies through subsidizing the recycling industry and giving financial incentives for modernizing the sector in order to be able to absorb larger amounts of waste (especially plastic); the necessity of building composting plants; a media plan to raise awareness on the waste problem and its current costs, environmental economic and health impacts of the

current waste treatment; and cooperation to implement the plan as well as formulate the means.

With Habib Maalouf, the issue moved to the air pollution caused by the transport sector. The proposals were the following:

- First. Opening an investigation to specify the guilty parties,;
- Second. Reevaluating compensation policies;
- Third. Immobilizing all diesel engine cars;
- Fourth. Hastening the issuing of the directive delimiting the specifications of the fuel used in all vehicle engines;
- Fifth. Hastening the issuing of the directive delimiting the specifications of fuel emanations from old vehicles;
- Sixth. Preparing the implementation of the annual obligatory auto check up according to the letter of the law;
- Seventh. Implementation of the banning of leaded fuel for all vehicles in accordance to the law as well as the obligatory use of transformer/filter in these same vehicles by the same deadline, as well as using the annual obligatory auto check up as an implementation mechanism;
- Eighth. More repressive road safety measure;
- Ninth. Part of the large amounts paid to Social Security should be lowered to finance the above proposals and to build a nation-wide public transport system.

The last of the speakers, Lutfallah Al-Hajj, discussed land delimiting and zoning. He proposed a method for finding a solution based on raising the awareness of citizens, politicians, and local authorities; setting up a number of ideal models for sensitive locations; reevaluating of the relationship between private interests and public ones; and instating legal, organizational, financial, and implementation mechanisms that correct the balance between the interests in order for zoning not to be outside the logic of both the market and democratic politics.

Apart from simplifying administrative structures and following qualitative goals, the search for career and monetary incentives for the construction sector has become more than essential.

Opening Session

Kirsten Maas

Director of Heinrich Boll Foundation, Arab Middle East office.

Ladies and Gentlemen,

I am very honored to be with you today in this conference representing the Heinrich Boll Foundation, a German foundation affiliated with the Green Party. Its foremost task is political education in Germany and abroad with the aim of promoting informed democratic opinion, socio-political commitment and mutual understanding. The political values of ecology, democracy, solidarity and non-violence are the chief points of reference. The foundation seeks to strengthen global ecological and civil action, intensify the exchange of ideas and experiences, and keep alive people's sensitivity to change.

The Heinrich Boll Foundation's Arab Middle East Office, facilitating long established co-operation with project partners in five countries of the Mashreq is also trying to enhance dialogue both between Arab activists and scholars but especially between Europe and the Arab Middle East.

In our concern about the organized irresponsibility that rules the world, an effort to strengthen civil society activities in the realm of sustainable development took shape. Working towards the World Summit 2002 in Johannesburg obviously attracted a lot of our attention, personnel, and financial resources. For and in the region, we organized an intense capacity building program for young activists in Cairo, engaged in several debates and preparatory events, issued a manual "The World Summit Between your Hands" in Arabic, translated the "Joburg Memo" into Arabic, and finally facilitated the participation of Arab participants in the Summit. The Heinrich Boll Foundation in its

international effort provided many documents and organized several international efforts ahead of Johannesburg but also served as an active venue in the civil society forum during the summit. You will see some of this in the film that will be shown after this opening session. The outputs of the "Boll Forums" at the Summit are probably best to track down by looking at the website www.worldsummit2002.org which also provides the main texts relevant to look up retrospectively.

"The Joburg Memo - Fairness in a Fragile World" was one of the main contributions of Heinrich Boll to the World Summit on Sustainable Development. The Memo stood out for various reasons. First, for the quality of its writing and by the positive reception it received wherever it was presented. The Foundation's intention was to foster public debate and increase an awareness of certain issues in the discussions before the Summit, during and after. The Memo was debated in various regional and international meetings; it was widely distributed and translated to 11 languages including Arabic, German, English, Russian and, most recently, Thai. A glance at the Memo's list of authors reflects the diversity of our international network, from North to South, from East to West, from NGO communities, sciences, politics, and private sector.

While, through this event today, we are hoping to learn from your reflections on the Memo ideas and, more fundamentally, the regional and definitely Lebanese specific concerns and problems, allow me some general introductory comments:

From Rio in 1992, which made the conceptual breakthrough linking development and environment and creating the term "sustainable development", to Johannesburg 2002, many civil society actors in both South and North felt much of the impetus of Rio had been lost and the WTO agenda was already dominantly accepted vis-à-vis the promises of Rio.

But one of the biggest developmental problems, poverty, not only remained, but seemed to have grown even more scandalously. Not poverty alleviation but a more just distri-



bution of wealth became one of the strong messages of the Memo we are seeking to present to you.

In taking up issues that were frequently neglected in mainstream debates but are central to the discourse on global justice, the Memo should be able to provoke both the question of values and responsibility.

Social justice and environmental issues are two sides of the same coin. As the memo puts it, rightly, "the North is most unsustainable in resource consumption, and the South is most unsustainable with regards to poverty and misery. The former must reduce its ecological footprint, while the latter must ensure livelihood rights for the marginalized majority".

Finally, I think that the spirit of the Memo goes far behind the World Summit on sustainable Development, 2002; it includes many fresh ideas, which can be debated and adapted. I hope that it can inspire you, involve you in critics that help to develop it further and finally serve as one reference point in our common strive for a sustainable and just future.

Ziad Abdel Samad

Executive Director of ANND

Dear colleagues,

We are assembled here as representatives of civil society organizations to discuss the proceedings and resolutions of the World Summit on Sustainable Development, ten years after that of Rio in 1992. Despite the fact that the Rio Summit formulated a work plan for the third millennium, our evaluation of the implementation process of the Rio resolutions, on the eve of the Johannesburg Summit, was below expectations on all levels, as was written in the report following the preparatory meetings and the one following the summit itself.

The 21st century plan specified 40 goals that could be divided into four categories:

1. Social and economic level,
2. Resource management and its preservation for a sustainable development,
3. Strengthening of the main groups,
4. Last, but not least, means of implementation.

But the commitment and the implementation of the plan were not to the level of the challenges especially in the series of summits organized by the UN, where official and non-governmental delegations studied the plan, focused on its main challenges, and proposed implementations mechanisms that remained mostly unimplemented. We point in this context to the International Conference on Population and Development (Cairo 1994), the World Summit on Social Development (Copenhagen 1995), and the 4th International Conference on Women (Beijing 1995), as well as the Millennium Summit that produced the millennium declaration.

The latter declaration highlighted the challenges facing the 21st century by proposing eight specific goals, hence known as the Millennium Development Goals (MDGs), to be reached in fifteen years at the latest. But these goals were by themselves a step backwards compared to the ten

commitments of the World Summit on Social Development, that were, in their turn, a step backward compared to the Working Plan of the Rio Earth Summit.

Furthermore, this reversal was happening in the context of the severe impact of globalization and trade liberalization on developing nations, especially Arab states, in the last decade of the 20th century. Following the Uruguay Round and the negotiations that led to the establishment of the World Trade Organization, international trade principles and free trade agreements, especially those concerning agriculture, services, and intellectual property, became a constraint to developing nations, limiting their competitiveness, while freeing the hand of multinational corporations. These corporations aim at increasing their profits through the opening of new markets for their products and services. They also use international laws that protect them from local competitors, facilitate the mobility of their capital, and loosen local regulations, thus ignoring and circumventing local interests by any means necessary. Naturally, the outcome will be the marginalization and failure of sustainable development programs and policies.

Our proof to the previous prediction is the refusal of the USA to sign international agreements especially the Kyoto Declaration on Climate Change, for the sole purpose of protecting the interests of its corporations in the developing world. The USA's population constitutes 5% of the world population, yet it is responsible for 29% of world pollution.

The World Summit on Sustainable Development comes ten years after that of Rio and two years after the Millennium Declaration. It was supposed to initiate a detailed program of implementation for the 21st century and the implementation mechanisms for millennium goals. It is upon these expectations that the Summit and its outcomes were evaluated.

The people of the world and their representatives were expecting that the World Summit on Sustainable Development (WSSD) formulates an action plan that distributes responsibilities, specifies a time-table for tackling

challenges within a legal framework, and secures financial commitments to achieve development and sustain resources. What happened was the exact opposite. Responsibility was avoided by the adoption of differentiated responsibilities instead of common responsibility. Worse yet, while corporate accountability was absented and international agreements and conventions marginalized, the final declaration insisted on the importance of implementing trade liberalization and structural adjustment policies as a main condition for receiving financial and technical aid to face the challenges of development.

What remains to be pointed to about the Summit is the perspective the UN adopted in the increasing of Major Group participation, especially civil society organizations. Within that context, one must stress the importance of developing the concept and mechanisms of participation between the different parties: states, UN agencies, civil society organizations, and the business sector.

Within that world situation, a great role falls upon the shoulders of civil society organizations, that of critically observing the plans, programs, and policies of governments, on one side, and that of raising the awareness and empowering citizens to participate in policy decision-making.

Dear colleagues,

This workshop aims to evaluate the Joburg' Memo written by a group of researchers for the Heinrich Boll Foundation, Germany. The deputy editor of the Memo, our friend Heman Argawal will present it to you. This Memo is an analytic document of the present state and challenges of sustainable development that presents positions and plans that will help the formulation of national plans.

We will also discuss the Lebanese Civil Society Report, prepared by a group of Lebanese NGOs interested in sustainable development and presented to the World Summit. We will also present an evaluation of the proceedings of the Johannesburg Summit, the mains issues it discussed, and the main points of conflict between the participants.

This workshop is a step towards empowering civil society organizations to formulate the main issues towards building national campaigns to influence national policies in the field of sustainable development. We hope that we will benefit from the efforts of the Heinrich Boll Foundation and the NGOs that issued the Lebanese Civil Report, in order to come up with national goals that will serve as the basis for national programs to be jointly implemented.



First Session

Heman Argawal

The first point is the background for writing the Memo. During the memorandum process it was known to all concerned that the WSSD would be a mere celebration, a ten-years-after festivity. Despite knowing that it would be a failure; we did not stop. On the contrary, we strived to issue the Memo. Nevertheless, WSSD could have been even worse.

The second point is the answer to the question: what is the Memorandum? The answer is that it is not a political document. The terminology gives it an official sounding name, as if it is a document issued by a government or an international organization. It is a kind of protocol that sums up the visions and ideas. Interestingly, it had a large impact on civil society organizations worldwide, which explains why it was published in eleven languages. So, after all, it had a political impact. There was criticism aimed at the Memo, which could be divided into those emanating from the South and those emanating from the North. The main criticism from the South is that the Memo is too euro-centric, but the Memo is a document written by a diverse group of people, coming from a wide range of thematic interests bringing together global concerns.

The third point I would like to talk about is the ideological underpinning that runs through the Memo like a red thread. It connects the environmental debate with the developmental debate, noting that, traditionally, they are disconnected from each other. The developmental debate since the 1945 is referenced as poverty alleviation, so all other factors are ignored while growth is given a priority. It is reduced to raising the living standards. The second ideological underpinning is that ecology is a condition of equity and the other way around, a kind of interdependence.

When talking of poverty alleviation, we are presenting poverty as a cause of something rather than condition caused by something. The Memo did not limit itself to poverty alleviation but recognized other facts; chief among them is the fact that the world is poorer than 30 years ago. The focus should be on what is creating poverty.

The Memo is a civil society document, even if among its writers there are people who hold political office. It is often expected from civil society organizations to be anti-government but it should not necessarily be so. NGOs are a third force expressing the concerns of people that the governments cut themselves from.

Briefly, let us look at the Jo'burg-Memo:

The First Chapter: Rio in Retrospect

- * Rio gave a boost to environmental politics in governments and business worldwide. It laid the groundwork for international governance in biosphere politics.
- * Rio increased the legitimacy of micro-level initiatives for sustainability in civil society, business, and municipalities.
- * However, the North backtracked from the Rio Bargain, and the South continued to show scarce interest in environmental affairs. The overall health of the planet further deteriorated and global inequality increased.
- * WTO is poised to create a borderless world market.
- * Meanwhile, governments prioritized the WTO agenda over their Rio commitments.
- * Rio could not bid farewell to development-as-growth philosophy.
- * What kind of development, for whose benefit, and in which direction are crucial distinctions when talking of sustainability.

The Second Chapter: The Johannesburg Agenda.

- * There is a fixation on the historically obsolete development model of the North.

This fixation, as if the crisis of nature did not exist, means sliding back behind Rio. It is also a grave disservice to

the South, since equity can no longer be separated from ecology.

- * In fact, conventional distinctions between North and South are diplomatic artifacts.
- * Instead, the real global divide runs through each society, between the globalized rich and the localized poor.
- * Fairness demands reducing the ecological footprint of the consumer classes in North and South.
Excessive use of environmental space withdraws resources from the world's marginalized majority.
- * Reinforcing rights of the poor is the condition of poverty removal.
- * Poverty is a lack of power rather than of money.
- * Leapfrogging into the solar age.
- * Such a leap is a chance to turn "underdevelopment" into a blessing. A solar economy holds the prospect for including people and saving resources.

The Third Chapter: Livelihood Rights.

- * Make equity an integral part of nature conservation.
- * Environmental protection is an integral part of poverty mitigation. Clean water, fertile soils, fisheries, and forests secure livelihoods and the health of the poor. The communities which were once in control of their immediate nature are indeed the real stewards of nature.
- * Food security is linked to farmer security, linked to biodiversity.
- * Women are pivotal guardians of local knowledge, skills for survival, biodiversity, and cultural memory.
- * Go for organic agriculture..
This avoids soil degradation and erosion of livelihoods.
- * Renewable energies ensure livelihoods.
Without them, woodlands get depleted or climate change looms.
- * Move against pollution to improve the lives of the poor.
In cities, contaminated water, infected air, and dangerous housing threaten people's health.

The Fourth Chapter: Fair Wealth

- * Talking about poverty is common; on wealth, it is Taboo. Will the well-off be able to live without the surplus of environmental space they occupy today?
- * De-intensify South to North material flows.
- * Recognize equal rights to the atmospheric commons. Look beyond the Kyoto Protocol. Adopt a contraction and convergence approach.
- * Include forests and water in international governance.
- * Learn from the biodiversity convention the principle of fair access and equitable benefit sharing.
- * The urgent question is: "Whose knowledge is a free good and who turns it into patents to be paid?"
- * Protect community knowledge systems on food and agriculture against the claims of governments and corporations.

The Fifth Chapter: Governance for Ecology and Equity

A) Community Rights

- * To have control over land, water, and seeds is a matter of human rights for communities.
- * Recognize rights to the natural habitat by incorporating them into national law.
- * Initiate a Convention on Community Resource Rights.
- * Resource conflicts are frequent between communities, state agencies, and corporations. Fair access and equitable benefit-sharing are fundamental cornerstones of any international agreement.
- * Establish a World Commission on Mining, Gas, and Oil Extraction, modeled after the World Commission on Dams.

Representatives from communities, NGOs, business, and governments should review past experience in resource extraction projects and identify criteria for future decision-making, guided by a human rights framework.

B) ENVIRONMENTAL RIGHTS FOR EVERY CITIZEN

- * Promote citizens' rights.
Not a restricted circle of experts, but a vibrant public

sphere based on democratic rights is the best support system for Sustainability.

- * Access to information is a precondition of vigilance. It ensures the right to participation; a precondition for citizen influence.

Globalize the Aarhus Convention. This shall guarantee access to courts and constitutes an essential precondition for accountability.

- * Reinforce the Rio principles of environmental management.

Prevention of harm is key to pro-poor strategies and should precede over scientific evidence of damage. The Polluter-Pays Principle calls for strict liability along with obligatory insurance against risks.

C) VALUING NATURE

- * Remove subsidies to resource extraction, transport, and chemical agriculture.

Subsidies suppress innovation, discourage conservation, and are environmentally harmful. These are forms of corporate welfare benefiting the already rich rather than the poor.

- * Shift the tax base from labor to resources, pollution, and waste, ensuring the right pricing of goods.

To achieve this goal, an international action towards full cost accounting needs to be started.

- * Introduce user fees for global commons.

In fact, such a measure provides the possibility of feeding the revenues earned from the named fees back into measures protecting them. It need not be elaborated upon that open access to resources favors overuse. The fair charges for using the atmosphere, airspace, and the high seas would take pressure off the commons and encourage resource efficiency safeguarding them.

D) MARKETS AND COMMON GOOD

- * To protect livelihood rights, go for fair trade, not free trade.

Calling for unlimited access to Northern markets is self-

defeating unless small producers and sustainable agriculture benefit. Fair trade agreements between producer and consumer countries are needed.

- * Reframe the WTO sustainably by broadening political space of nations in trade policy.

True democratic self-rule requires the citizenry's voice in sustainability and livelihood politics. This enables the public to express its choices about the scope and quality of trade.

- * Trade measures pursuant to MEA's should be protected from WTO challenge.

E) MARKETS AND COMMON GOOD

- * Environmentally harmful subsidies should gradually be eliminated.

The WTO should enact the gradual elimination of environmentally harmful subsidies in order to give an equal chance to sustainable production and livelihoods.

- * Move towards a Framework for Socially Accountable Production.

A framework for socially Accountable Production is grounded in principles, such as broadened social responsibility; precedence for rightholders; freedom of information; broadened corporate liability; and the precautionary principle.

- * Launch a Convention on Corporate Accountability

The world society has a right to accountability in terms of environmental, social, and human rights from transnational corporations. Voluntary codes of conduct such as the Global Compact or the Global Reporting Initiative are just not enough.

F) RESTRUCTURING FINANCIAL ARCHITECTURE

- * Cool out hot money! A currency exchange tax would dampen short-term speculation.

Financial turbulences fuel social and environmental destruction. Currency markets stability urgently requires demonopolizing the dollar as the global reserve currency.

- * Reorient the IMF: Provide bankruptcy protection and dis-

mantle structural adjustment programs.

Importance of ecological debt incurred by the North on the South throughout the centuries need be remembered. Any cost auditing and accounting that is done, keeping such a historical debt in mind, would make the recent financial debts of the South towards the North appear as banal mortgages.

* Relieve the debt burden.

G) FACILITATING INSTITUTIONS

* Move towards the World Environment Organization.

Initially, UNEP could be upgraded to be transformed into an institution of cooperative governance, integrating convention secretariats.

* Create an International Renewable Energy Agency.

The shift to a renewable resource base is a worldwide task which should be promoted by a suitable decentralized institution.

* The Permanent Court of Arbitration is required for impartial sorting of the conflicts between trade and environmental law.

Refashioning the existing dispute resolution mechanisms by global level endorsement of the principle of separation of powers is a most urgently required institutional feature. Environmental rules provide an advanced mechanism for settling international environmental disputes.

Adib Nehme: Discussing the Joburg Memo

Introduction: Backward Process

There is a remark concerning the series of World Summits of the 90s, their outcomes and their work programs. It is not just that the Johannesburg Summit witnessed a backward step compared to the Rio summit; the situation is similar with all the others: the World Social Development Summit in Copenhagen, the Population Summit in Cairo, the Women's Summit in Beijing, and the special summit on children, etc.

This process can be explained by the fact that the hegemonic dynamics that actually control progress in the world are opposed to the goals and working programs of these Summits and conferences. The UN had initiated this series of international gatherings in the beginning of the 90s while still under the influence of a tendency that was in its turn influenced by the former prevailing international balance of power, rather than from dynamics born out of present circumstances. The goals the summits set were a continuation of choices born out from the previous world order, rather than objectives ones based on balances really at work. Thus, every time the world goes further in time from the starting point that gave the initial impetus, the more this driving force weakens, taking with it its objectives and sensibilities, and is replaced gradually by perspectives and goals that are by nature the opposite, born out of the "real" balance.

This weakening and replacement process started with the creation of new institutions parallel to the international system that was created after World War II, especially the UN, or by increasing the role of parallel institutions in place. The prime example is the creation of the WTO in 1995 and the increasing of the role of the WB and the IMF in managing the world economy, all that without forgetting the ever-increasing role of Multinational Corporations whose real hidden interests shape the newly globalized economic framework. The role of these institutions was

gradually magnified at the expense of the UN's international organizations until they became a parallel system that coordinates the UN's movements, its goals, and pressure mechanisms. Then, they moved to a new stage; from the strategy of blockading, weakening, and marginalizing the UN, to that of taking control from the inside and replacing the goals, thus transforming the old institutions from those of development perspectives to those of neo-liberal perspectives.

Based on that, the essential issue is in launching a new dynamic leading to gradual change in the real balance of power with corrective characteristics, the rehabilitation of the original goals, and proposing new policies and efficient mechanisms. The struggle is that one of dynamics, mechanisms, and processes, and the opposition is not limited to the current goals.

Globalization: Dynamics of Evenness or of Unevenness?

Neoliberal ideology adopts the idea that globalization is the mechanism that leads to the evenness of the whole world. It claims that the imposition of a worldwide law of the market, coupled with its neoliberal economic tools will give birth, in national and international societies, to dynamics leading to decreasing the gap between states through the integration mechanisms in the global economy. This will boost the growth of national economies, thus participating in solving social crisis on the local level.

Nevertheless, the last two decades proved the opposite, beyond the shadow of a doubt. The world has not become more united, integrated, or even, nor is it on the way to become so. Actually, the process followed in the 80s and the 90s is one characterized by the increases of uneven development coupled with the process of decomposition, locally, nationally, and internationally. The process is a polarizing one, as witnessed by its results, to the contrary of the propaganda. That does not mean that there are no laws governing a rapidly globalizing world. The issue is not whether the world is becoming more unified or not, in the sense of increased links between regions, their

economies, and their common risks, etc., nor is it in the presence of an organizing framework. It is in knowing the process of this unification. Is it a unity based on evenness or a polarizing unity based on the increase of the gap between the center and the peripheries?

What seems closer to logic is that neo-liberal globalization does not aim at achieving unity through evenness in living standards, production, rights, and participation, but through the unification of the framework, the force field in which the world operates. The world is unified because it is under the authority of a unified force field where the leading forces of neoliberal globalization govern. This unification is sufficient for the achievement of aims that are only possible if unevenness and polarization are maintained and routinely reproduced.

This is the only form of unity that neoliberal globalization can produce, since it is a minority-serving project by necessity. Thus the problems facing the world today are not a product of the malfunction in the globalized world order, but are the natural product of the system itself. They are the outcome of its success.

A Look at the Rio Summit:

The Rio Summit did not limit itself to environmental issues, in the direct and strict sense, but surpassed it by tackling the relationship between environment and development. Moreover, it tackled the historical results of the prevailing civilization genre. Within this context, it analyzed both the production and consumption levels of the economic process, and its categorization in the prevailing world economic system.

On the production level, it showed its polluting nature. On the consumption level, it showed its financial wasting nature accompanied by large gaps and injustices on the global level, as well as within each country, and between the poor and the rich. It also showed that pollution and the depletion of resources is a product of this process and that the rich, their economy, and their consumption are responsible for this unsustainable process.

The importance of the Rio Summit lies in the fact that it presented non-ideological proofs of the impossibility of maintaining this economic and civilization process. The criticism Rio produced reached the core of the system in its productionism and consumerism, not limited to details. Often, the environmental criticism of the world order gets close to a philosophical criticism, containing a different and radical perception of the world and its future.

Criticizing Globalization and Development:

The Memo discusses a series of issues, mainly, the criticism of globalization and of development as a vague concept containing many contradictions. The Memo also contains a different vision of the mechanisms for fighting poverty, globally and nationally. The Memo also criticizes the presentation of a contradiction between the "environmental" priority and the "developmental" priority. On eradicating poverty; it goes further by stating that they are linked, and tries to prove that the environmental vision is better qualified than the others to propose sustainable and realistic development solutions.

In its criticism of globalization, the Memo says that it depleted the hopes Rio raised. Globalization widened the gap and strengthened the polarization mechanisms. The truth that mirrors the choices of globalization is the creation of the WTO as the main implementation mechanism of this new ideology invading the world. In Marrakech, when the WTO's creation was being declared, the merchants of the Earth, and the environment, met to declare the favoring of the interests of multinational corporations over those of the people and of the Earth. Their real slogan was: "everything is for sale".

To the contrary of Rio's goals and perspectives, this globalization encouraged unjust growth on a world scale. The policies of open markets led governments to use their resources in an irrational manner and to sell them to cover their debts. The rich countries did not respect their commitment to helping the developing countries with up to 0.07% of their GNP. The opposite is true. Channeling

resources from developing countries to the developed ones increased thanks to the mechanisms of world economy. A large part of economic activity became speculative, which changed the world economy to a kind of virtual economy where the flow of capital is 70 or 80 times larger than the total of world trade; 80% of the exchanges in the world markets are operations whose scope does not exceed seven days. In short, the present nature of globalization is based on the principle of sacrificing the common good for the good of multinational corporations.

The Memo also points to the vagueness of the concept of development and its contradictions. This criticism is essentially right, especially concerning the concept popularized by the First Human Development Report issued by the UNDP in 1990, and more so if aimed at the meaning widely used by governments (north and south) and international institutions (all the Breton Woods institutions). In these many and contradictory uses of the concept, what remains is the name. As for the content, it differs, or, more accurately, it is totally contradictory.

But the Memo was methodically mistaken, since it wanted to judge the concept of development through the meaning used by international institutions and by the official literatures of the 90s. If development was put in its historical context, it should be considered as originally a "concept" that carries analytical and pro-change contents and points to programs, choices, and socio-political goals. If this historical context was taken into consideration, the criticism in the Memo becomes unwarranted and imprecise. The concept of development, apart from its official use, when put into its historical context, acquires radical content and clear critical perspective, which is free from the idea of reproducing the western model.

The weakness in the contemporary concept of development, prevailing in official and semi-official international literature, is its transformation, in its use and implementation, to a technical concept, to a large extent, coupled with the weakening of other levels: those of future perspectives, policies, and main choices causing the development prob-

lems. The criticism found in the Memo, while containing this weakness, presents a critique that reaches the philosophical/civilization perspective from an advanced environmental perspective. But, this omits the intermediary perspective, which is, in our opinion, the most important one, the missing link, in the contemporary developmental thought. This means the sociopolitical perspective, absent from the traditional concept of development and from the philosophical content of the Memo. This sociopolitical perspective is the one that sees development as a social/historical project, linked to political choices concerning the nature of the existing system and the problematic of surpassing capitalism.

These questions cannot be ignored and one cannot jump directly from the technical perspective to the philosophical one without passing through them, and answering them. What is needed is the integration of the sociopolitical and the philosophical perspectives in the criticism of development. We would like to point out, in this context, to the serious contributions made by the Arab NGO Network for Development, in some of its publications, as well as in the Lebanese NGO Report for the Johannesburg Summit, especially in the first part pertaining to the concept of development.

Poverty: Pauperization and the Model Tailing Concept:

Developmental thought is based on the refusal of tailing, reproducing the growth model of the advanced industrial states, and the refusal of said model as the sole ideal model for development. The Joburg Memo adopts this point of view and considers the reproduction of the western model as impossible, just as the Ro Summit did before.

In reality, those that market this tailing perspective are calling for the generalization of the consumer way of life with what it entails of economic policies. But they know very well that it is impossible. They know it is a mirage. If we look at the contemporary consumer model, we will find that it is a model that belongs to past historical stage. It is behind us. What we see is just an illusionary image mir-

rored by neoliberal globalization ideology. Thus, the call to tail and reproduce that model is a call to follow the wrong path after the illusionary image, which only reproduces the polarization and the existing gap between the North and the South. Running after this model will lead to drowning more and more into poverty and dependency.

Materially speaking, the tailing of the industrial model is impossible, as it has been pointed out time and time again. The issue is that of the hegemonic dynamics of the evolutionary process of the contemporary world. These dynamics are what define the processes followed by states, peoples, and social groups inside each country. The distance traveled on the road of development is not a matter of time or speed. Whether we are actually following the path of development or that of oblivion is a matter of perspective and dynamics, as well as the specificities of the concerned party.

Rich and Poor:

The Memo says that the concept of the world's division into North and South is an old concept, not relevant anymore. The dividing line between the poor and the rich does not match with the geographical line between North and South. The latter also contain rich persons who constitute an organic part of the 20% that benefit from the economic returns of the world economy, irrespective of where they are. This idea seems right. The North and the South were never a natural geographical location, but they express social geography, which is a symbolic terminology of the world divide between the poor and the rich, and the unevenness of the distribution of wealth. If the North and the South are social concept, then there is both North and South in each country, which complicates the picture, leading to each one's role in the production and in the development in each country, and on the world's scale.

But this image remains partial. The shifting of the center of attention from the geographical field to the social field is not enough, because it neglects the historical paths of individual countries and of the world system. This cannot be

explained only by the social divide. Hence, the concept of a social North and a social South, only, is not enough to understand the complicated picture of world polarization, where "geography" occupies a visible place. In fact, it is a socio-historic geography more than simply social geography. This shortage in the Memo reminds us of the absence of the socio-political level in the development criticism. It is, one more time, a problematic of giving importance to the historical dynamics, historical paths, historical processes, and historical consequences; that are often neglected while focusing on outcomes and appearances.

The problem of poverty and its alleviation is a prime example. Here, the Memo presents an advanced criticism of the "developmental" answer to the poverty problem, as it appears, sometimes, in the demands of developing countries. The Memo says that the predominant tendency in the poverty alleviation literature worldwide calls for a solution through the demand of a larger share for poor countries, and poor people in general, of the world economic system. All the focus is on poverty, while the discourse on wealth is omitted, although both poverty and wealth are products of the same economic system; solving the poverty problem demands solving the wealth problem.

The Memo presents the alternative answer to the poverty problem. It does not see it as a lack of basic needs but as the lack of basic rights. Thus, it is an issue of rights not needs. Poverty is a product of lack of power and means not an outcome of lack of money. Thus the solution is not through the pumping of money, but the empowerment of the poor. On this basis, we should count on the strategy of empowering the poor with basic rights rather than with basic needs.

The idea is very rich, and right at the core; but one more time, this analysis lacks essential elements, as do the proposals.

In the analysis, we should specify where the fault lies. It is in the idea of the historical and realistic uselessness of the poverty alleviation choice through the drive of the third world countries, or the poor, in their aim to increase their

share of production. It is a drive to tail and reproduce the illusionary process that we mentioned previously, because it is not a question of a fixed state, and of a distance between the developing and developed worlds that could be crossed or reduced if the lagging side puts some effort in it. The issue is making the following truth appear: the demand to increase the share of developing countries in the world economy, within the current economic system, its mechanisms, and its rules, is a pure illusion. It is impossible, realistically and on a short-term level, as well as on a historical level.

Poverty is not a result of the failure of the poor party in its choices and implementations, nor is it a result of a technical error in the national and/or the global economic system, but it is a result of the success of a system designed to result in the uni-polarization (where the lucky few are) of wealth accumulation and the grouping of poverty in the other pole (where the vast majority are). Any demand of a bigger share in this economy is a demand for a share in a system whose mechanisms lead to the constant pumping of resources and wealth from the weakest participating side to the strongest one, considering that it is a continuous operation, as long the system remains, rather than a one-time operation resulting from the inefficiency of one of the sides. This is the missing point that should be prioritized.

On another level, the Memo contains some distortion in the way it presents the issue of rights and needs. The text gives an impression of it being either that or the other. This is inappropriate and untrue. There is no contradiction between rights and demands. The poor are deprived from both at the same time. The correct ethical and developmental vision is based on the mixing of both. This is in order for the modern perspective not to fall into the same methodological mistake of the old that aimed at meeting the basic needs and ignored the rights, resulting in the historical process of shifting the decision-making center to bureaucracies, devoid of rights and needs.

Today, we do not need to make the same mistake that

would lead us to a perspective that lacks, in its turn, the tackling of the real problems and sufferings of the poor. The one-sided focus on rights is the other side of the coin where globalization advocates focus on ill-governance and mismanagement as the causes of poverty. In the real life of people, needs and rights are interlinked; they can be separated only in one's mind.

Proposed Model for the Theoretical Analysis:

Here, it is a matter of the usefulness of the civilization/environment perspective in proving the unsustainability of the present civilization process in its productionism and consumerism. It is a convincing argument that pushes people to adopt perspectives that surpass the narrow geography and the limited timeframe of their lives.

The elements of this analytical model are a series of ideas, most of which have been previously mentioned. First, poverty is the other side of wealth, no change in the first without a change in the second. This relationship can only materialize within the framework of an analytical system that interacts with all the elements within its scope, and works within a global organizational structure, while it may seem that it does not apply to the workings of the partial structure. The inclusion of the environmental perspective in the analysis, which is what the memo does, shifts the economic analysis from the partial field to the total field and shows the imbalance in the relationship between the rich and the poor.

The importance of this idea is that the environment field represents the largest framework of the human civilization process. It is the large system where the other systems operate. The economic system is a partial system operating in the larger system. So, if the focus is limited to the prevailing economic sphere, then it is possible to present the law of interrelation and balance between poor and rich. The rich control the world economy (and national ones). They increase their consumption at the expense of depleting environmental resources and the poor's participation in the means of production. But they do not include environ-

mental resources within their logic of thought nor as a general framework and basis for the common life of the whole of humanity across the ages. They look at the environment, on the other hand, as an economic resource and revenue in the production process that they know how to use, unlike the others. But if we adopt an opposite vision, then the analytical framework will be a system in its totality, where it is the distribution and sharing of limited resources, where one can only increase his share at the expense of the other. Based on this logic, it will be impossible to continue life if the strategy is to raise the consumption levels of all to those of the privileged few. The realistic choice is the decrease of the consumption levels of the rich (who possess) as a challenge in the common environmental space, where the rich consume 75% to 85%.

Cultural Change:

That will mean a radical cultural and behavioral change. It means the change in lifestyles to a simpler variety. It means giving nature more importance. It means a sustainable lifestyle based on resources and production means, in harmony with nature. But the question is, how? How to shift to a realistic and implementable project, expressed in a socio-politically precise project? Without this level, the project can become a pious call for a simpler life, adopting choices that emerged in the past, with the industrial revolution and the mechanization of labor, choices that did not endure in the face of production, growth, progress, and modernity.

Habib Maalouf: Joburg Memo: A Reading

In a preliminary reading of the Memo, the reader can come to a general conclusion about it being an attempt to reconcile social issues, mainly world poverty, developmental issues, in general, and environmental issues, newly appearing on the world scene. Thus, it is not a romantic or idealistic attempt, as some may think, nor is it a foundation for a new thought, or a philosophical background for a new movement, despite the presence of advanced, critical, serious, and very important ideas; and despite the efforts made by its writers.

So the Memo lacks founding philosophical thought. It seems that the writers of the Memo did not delve deeply in the philosophy that tackled the industrial and technological revolutions and their consequences, which introduced the criticism of "development", "progress", etc. This omission may be voluntary, in order not to drown the memo in theorization, and to maintain its scientific nature as well as its implementation one, that could serve the initiation of working plans.

Nevertheless, the memo could have included a philosophical, ideological, and political introduction that we could consider as a foundation to any global and all-inclusive initiative or proposal aiming at structural change in thinking, practices, and behavior. The Memo called the concept of development as vague, and in its question: "where does development lead us?" is a stressing on the meaning given by the sustainability concept. This agrees with the introduction of the NGO report prepared in Lebanon.

It was quite appealing that the memo went beyond the classical divide of the global North and South, replacing it by the theory of divide between consumers and marginalized (including the unemployed and the elderly) found in each country, poor or rich. Here the Memo puts its finger on the central environmental issue in the world, that of "the

consumer society problem". It arrives at a very important conclusion. Societies with large markets that depend on urban renewal, chemical agriculture, energy consuming industry, and oil consuming transport, etc. cannot be sustainable. This developmental model cannot be sustainable nor can this civilization model be permanent.

But the Memo did not advocate a change of the civilization model that we are living, such as what was included in some of our previous proposals that we based on the conclusions reached on the nature of the consumer society and its never ending demands that will lead the world to its demise. It is true that the Memo proposes the reevaluation of the wealth model on the quantitative level, but it does not delve into analyzing the roots of property and of consumption.

The Memo considers poverty as the twin of wealth, since wealth progresses always at the expense of poverty. This idea pushes forward the concept of "just wealth". This analysis is a bit traditional concerning the issues of wealth and poverty. We would have preferred a reevaluation of the concept of wealth, where the rich will be considered content. This means changing the content and the background. If the rich, in the traditional sense of the word, are those that can have everything, which is impossible, then, in the environmental sense, they are those who can fulfill their basic needs to live or survive.

The Memo should have also reevaluated the concept of equality. Is equality an equality in wealth, meaning the increase in ownership and consumption capabilities? Does consumption mean, for example, the increase of energy consumption, noting that the cheapest source is still fossil based (oil), which, when used, emanates large quantities of carbon dioxide that causes atmospheric changes? What if the developing world, including China's and India's two billion people, reaches the same consumption level of energy as the developed world, which is within its right according to the previous conception of equality? Doesn't that mean the total destruction of the world?

That is why there is a demand for reevaluating concepts,

such as wealth, poverty, and equality, in light of the concept of sustainability.

The memo underlined the concept of abundance of people and rarity of nature and the dialectical relation between them. It proposed, as an alternative, the use and adoption of "renewable economy", solar economy for example, an economy that is based on clean and renewable resources rather than polluting and non-renewable ones. The Memo tried to give an advice on the adoption of this renewable economy, especially for the developing world, since it is safe, economic, and environmental, but it did not delve into the problem of "technological" transfer, which still constitutes a demand for many third world theorists, who present this transfer, from the developed world to the developing one, as a solution for development.

It should also be noted that Arabs were absent from the writing of the Memo, making it poorer. They might have shown that the problem in developing countries has not been a technical or technological one, in the sense of lack of "progress" in that field. It might have been, for example, due to the bad division of labor or the use of technical and technological innovations as a tool of control and abuse. That poses old/new questions, those of the Frankfurt School (Adorno, Fromm, Marcuse, Habermas...). They had pointed to the industrial revolution and its consequences and criticized the technicist and scientificist tendency that aims at transforming the subject (man) into an object, on one side, and at the transformation of "advanced" societies into consumer societies at all levels. Erich Fromm wrote, "We own or We are", putting humanity in front of two choices: ownership and consumption, or staying alive. He considered that the consumer society threatens humanity's future by threatening the Human species with extinction.

Hence, we can say that the Memo neglected this theoretical body and could not build on it nor advance it by focusing on the consumption problem. It also neglected to ask the questions pertaining to the identity of those that own the world today, those who control the means of this

privatized field of knowledge and the means of countering the attempts of the private sector to escape any restrictions that would permit International Organizations or states to protect local societies, and life on this planet.

The issue, the horror, of the empowerment of the private sector, whose sole purpose is the maximization of profit, which will lead to the control of science and technology irrespective of the environmental or health impacts, was not absent from the Memo. It was present in many parts, especially when discussing intellectual property, but it uses the term "invention patents", contradicting the environmental nature of the Memo that considers that no one should own the human or environmental field. The alternative should be "discovery patents", since Man discovers what is in Nature and does not invent anything. Thus, there is no substantial value for activities whose impact on the environment, and humanity, will not be known until many years, when they might be unwanted and/or irreversible.

Based on that, we propose the reevaluation of some of the concepts in the Memo, to perfect it so it can be adopted by the largest possible sectors of interested parties; concepts such as "wealth", "economy" (preserving things so they can last), "love of ownership and consumption", and "needs" (intellectual pleasures rather than consumption materialism). The Memo's participants should also be widened to include, among others, Arab contributors.

Ali Darwish

The UN and many civil society organizations considered the Joburg Memo as the best Memorandum presented at the WSSD. It is natural that 16 pioneers in the world social movement write such a Memorandum.

The Memo talks the languages of the poor and the marginalized through the presentation of facts and problems in a simple way. Its excellences are in its all-encompassing nature: its objective analysis of the events since the Rio summit, the impact of Marrakech on Rio resolutions, the debating of the different issues of the Johannesburg Summit, and the discussion of fair wealth for equality and the environment.

In short, with some additions, the Memo is fit to be the Peoples Document in the face of economic globalization. It should also be noted that the memo is a bit long.

In my opinion, the insistence of the Memo, in the introduction of the second part, on the urgency that the Summit continues what Rio started and surpassed, was a hurrying that is common to many civil society organizations. The process of failure was clear during the Prepcoms, so it was a natural outcome that the WSSD would be a disappointment and a step backwards from Rio. All of that could be deduced from the Memo. The main reason for this outcome is that the WTO and the TNCs, who tried to impose their will before and during the summit, succeeded in having their way on many essential issues.

It is well known that the present economic globalization is unjust, unequal, and represents the dominating interests of the rich and powerful. Thus, it is striking that the Memo presents the idea (page 21) that poverty alleviation could be achieved by increasing globalization, while it assures that poverty is mainly a product of lack of power and not lack of wealth.

If we look at what the Memo proposed concerning Fair Wealth and Social Rights we will find many suggestions born out of Human Rights Conventions (especially

CESCR) as well as Agenda 21, which is then slowly pushed aside in favor of the Millennium Development Goals (MDGs).

On another side, the Memo presents itself as a non-political document. The question that should be asked here is whether the implementation of what the memo proposes is within the core of national and international political decision-making, since transforming international trade from free to fair requires political will?

We notice that the Memo forgot some issues that hinder the possibility of implementing its proposals:

- * If most Northern countries have democratic systems, even if this witnessed some reversal post 9/11, most Southern states live under dictatorships or democratic dictatorship, such as Lebanon. That is why the traditional means are ineffective in the process for change.
- * The Memo talks about World Agreements within a system similar to that of the UN, while the WTO and the USA work on a systematic method of destroying all international legitimacy of the UN, with the aim of limiting it to Humanitarian Aid. The prime example is the attempt to force multilateral environmental agreements (MEAs) to concord with WTO conditions. Maybe one of the achievements of the NGOs in Johannesburg is managing to stop this proposal as well as saving the concept of Common but Differentiated Responsibility.
- * Despite the importance of organic agriculture, what can feed the world is Sustainable Agriculture.
- * The Memo does not tackle the issue of the freedom of mobility of labor in the face of trade liberalization.

Any reader of the Memo will notice that some points are lacking, from their own perspective, but that should not diminish its importance. On the contrary, it adds to it and enriches it. The adoption of this Memo is of no less importance than the adoption of Agenda 21 for the achievement of sustainable development.

Debate:

- * The absence of Arab civil society organizations in the

writing of the memo can be explained by the weakness of [Arab] environmental associations, by their weak networking, and by their reactive rather than proactive nature. A wide debate should be launched in order to formulate an Arab perspective in sustainable development. It was noted that the Lebanese Civil report was an Arab formulation.

- * Contemporary challenges should be specified in order that a working strategy for sustainable development can be formulated in the Arab world, especially within the context of the US's plan for a free trade zone in the Middle East.
- * There was a criticism of the perception that environmental problems are greater among the poor than among the rich.
- * There was a criticism of the linking of environmental destruction with the absence of democracy along the "North" model.
- * It was pointed out that population increase was omitted as a subject/problematic, as well as its impact, from the Memo.
- * The memo succeeded in presenting mechanisms on a Global scale, but, due to its role, did not formulate local mechanisms.
- * The absence of the peace and security problematic was noted. It was clarified that the memo was only intended for the WSSD.
- * A negative proposal was noted in the Memo; the one proposing an International Environment Protection Agency. This is a traditional step: "when we lack a solution we create a committee". The Memo should have contained a call to reach out to social and the anti-capitalist globalization movements for the search for solutions, means, and new power balances.
- * The missing level in the Memo is the socio-political one that may lead to a misunderstanding concerning the "development is freedom" motto as meaning that the absence of development is the absence of freedom, or lead to false contradiction between basic rights and basic

-
- needs, noting that rights contains needs and more.
- * NGOs should take the next step in transforming themselves into social movements to reach the political level, especially in light of the backwardness of our political parties. This idea led to the stressing of another one: if political parties have failed, the concept of the Party has not, while NGOs are not up to the challenges.

Second Session

Adib Nehme

During the preparatory phase on the Lebanese NGO Report, there was an effort to present an Arab contribution to the reinterpretation of the concept of sustainable development, through rooting concept in our modern history. This is part of an ongoing effort in conjunction with the Arab NGO Network for Development.

The main idea is that the concept of development should be historically contextualized. We found out that we can link development-related ideas to two movements that the Arab world witnessed in the beginning of the past century. This serves as theoretical basis. These two movements are: the Arab Renaissance movement and the National Liberation project, building the national state.

It should be noted that that the term development was widely used in the then prevailing national discourse and it carried a specific significance: a sort of stability or a sort of self-reproducing economic system. The western viewpoint was based, then, on growth as an essential element for progress. Thus, economic growth became the main drive. But third world thinkers did not content themselves with this "northern" view. By taking into account the lasting impact of colonialism, they gave a specific content to the concept of development: the building of the independent national state. Of course, this model in our countries meant that the state was overly present in the development process. This model showed with time that it could not positively sustain itself, coupled with the fact it contained several weaknesses: on the political level, the absence of democracy, and on another level, the absence of a constitutive cultural component of the "development project".

The project started off in a fragmented way, since it was limited to the idea of the growth of production. Ironically,

the Arab Renaissance movement had both components, which the later national state building project was devoid of. They were, first, the seeds of democracy albeit in its liberal western form, and, second, an enlightenment process, ranging from women emancipation to religious reform. Unfortunately, these two components were sacrificed during the national building momentum.

The report is an effort to put development in an implementable framework linked to contemporary concerns, such as human rights; partnership between the government and civil society, and, especially, the concept of the "right to development" as a fundamental right for people and individuals. Here, the right for political and economic self-determination enters as a central point in development.

The report contains an essential idea, incorporating the environmental problem in the fundamental concerns of every day life (water, air, habitat, etc.) to avoid portraying the problem as an elitist concern that will push people away from it.

The report contained a general evaluation of governmental responses to the developmental demands. The indicators, including the economic ones, show disappointing results. Considering the successive lebanese governments from 1992 to 2002, as a "governmental-type", permits us to evaluate a whole period, in block. The result of this evaluation allows us to criticize the implemented policies, not just from the perspective of the social impact, but also from the economic efficiency aspect. The rate of growth was supposed to be, according to governmental projection, between 8 and 9%. In fact, the rate started at 8% then dropped to 0%. The budget was supposed to be balanced by 2000-2001, but, of course, that was not the case. This is the general context that should form the framework in which the social and environmental problems should be discussed, since the same policies impact negatively on the environmental, social, and economic levels.

The worsening environmental situation in Lebanon is a result of policies, on one hand, and implementation mech-

anisms, on the other. Lebanon's mistake is in its developmental political philosophy, because it starts from a short-term vision. Taking the health sector as an example, we have to wait until people become sick to finance their hospitalization. The result is that 80% of the health budget goes to private hospitals. The fact that there is an abundance of hospitals in Lebanon, in addition to an abundance of doctors, especially specialists, and an abundance of medical equipment, creates a situation that can absorb all the money pumped into it. Public health spending and waste is equivalent to 10% of the GNP, one of the highest in the world. That amount would have been enough to initiate full free medical coverage, including dental and optometric, to all Lebanese citizens. In reality, the opposite has occurred: no free coverage and no qualitative return. A health policy based on prevention and preliminary medical care would save huge amounts for the state.

Finally, one has to say that the NGO Report does not present itself as a complete program, but as a document that shows alternative choices.

Ghassan Makarem

MAIN DISCUSSIONS IN THE ACTION PLAN

The proceedings of the WSSD revolved around three axes. The first was the negotiations over the "work schedule" or the "action plan". The second was round-table dialogues with the eight major groups (women, youth, social movements and NGOs, the business sector, indigenous peoples, the labor movement and farmers, science and technology, and local authorities). The third was the general assembly where delegations and national leaders delivered speeches.

The discussions were expected to lead to the application of Rio's recommendations and declarations. This occupied the fundamental share of the Summit's discussions, in parallel with other activities, up to the day before the conclusion of the Summit's work.

Several major points of disagreement over the text appeared since the fourth, and last, preparatory meeting, which was convened in Bali, Indonesia. The negotiations were over 156 paragraphs, about 25% of the text, after there had been an agreement over 75% of it in Bali.

The draft copy of the action plan dealt with the following:

- 1- Introduction
- 2- Poverty Eradication (agriculture and rural areas, sanitation, energy, industrial development support, urban infrastructure, and labor).
- 3- Changing unsustainable patterns of consumption and production (awareness, empowerment, training and energy).
- 4- Protecting and managing the natural resource base of economic and social development (fresh water, oceans, climate, agriculture, tourism, mining, and biodiversity).
- 5- Sustainable development in globalizing world.
- 6- Health and sustainable development (health services, information systems, capacity building, HIV/AIDS).
- 7- Sustainable development of small islands developing states.

- 8- Sustainable development for Africa.
- 9- Sustainable development for other areas (Latin America, the Caribbean, Asia/Pacific, Western Asia, and Europe).
- 10- Means of Implementation (funding, trade, partnership, education, and capacity building).
- 11- Institutional framework for sustainable development (goals, support of institutional frameworks, role of UN/UNDP/ECOSOC, role of international organizations, institutional framework support on regional and national levels, major group participation).

THE NEGOTIATION PROCEDURES OF THE IMPLEMENTATION PLAN

The following is the initial analysis of Johannesburg summit (draft dated 4/9/2002)

1. FIRST

The General Secretary of the United Nation considered the following topics to be at the centre of the Summit's activities: Water, Energy, Health, Agriculture, and Biodiversity, known as "WEHAB".

a. WATER

Questions relating to water could be the real accomplishment that was achieved in the Summit's action plan. The Summit, after pressuring the United States to yield its severe opposition to this goal, agreed to reduce the number of people with no proper primary health care (2.4 billion) by halving it by the year 2015. Achieving this goal would minimize death rates due to polluted drinking water that affect 2 million people yearly, most of whom are children.

b. ENERGY

Here lies the political failure of the Summit's resolutions. Air pollution, due to combustion emissions, is one of the clearest dangers and challenges to the world, but the United States and OPEC countries refused to adopt a goal that would specify a timeline to minimize fossil fuel consumption, and replace it with renewable energy. They also refused the principle of eliminating subsidies for petroleum

extraction. This was in addition to their refusal of a goal that sets mechanisms to decrease the rate of people who are deprived from energy by half, part of the "Millennium Development Goals".

The European Union had already proposed a 1% increase in the use of renewable energy. Brazil, the Caribbean, Latin American countries (some being members of OPEC), and other members of the G77, also declared their intention to increase the consumption rate of unpolluted energy to 4 times by the year 2015, (from 0.25% to 1%).

c. AGRICULTURE AND FISH RESOURCES

All indicators that create obstacles to agricultural production in developing countries were cancelled from article 38, under the pretext of "Free Trade". This is due to the refusal of the European Union to lift subsidies on its agriculture sector or to subsidize organic farming. Alternately, the EU approved supporting genetically modified food that poses a threat to food security around the world.

The summit permitted the Global Environmental Facility (GEF), affiliated to the World Bank, to maintain its programs against desertification. The Summit also agreed upon assisting in the reconstruction of fish reserves "where possible" by 2015. This constitutes a withdrawal from previous agreements that declared wider goals and faster timelines.

d. BIODIVERSITY

The summit withdrew from agreements that were not more than a month old. The content of agreements associated with facing the biggest extinction process that the planet is facing since the dinosaur age, and the need to end and reverse the average threat of biodiversity loss, decided upon the past April, were altered. Actually, the content of the text was rendered vague, only directed to the need to "achieve a noticeable decrease in the rates of biodiversity loss".

e. GENETICALLY MODIFIED FOOD

There was no real disagreement between governments regarding genetically modified food, although civil society

representatives stressed that genetic modification might menace the future of food on the planet, thus the "precautionary principle" should apply. Nevertheless, authorization of genetically modified food was not only kept open, but it was encouraged by government representatives who ignored the issue of developing organic production. This was mainly due to the pressure exercised by TNCs, which control trade in agriculture.

f. GENERAL & REPRODUCTIVE HEALTH

There was a success in distinguishing between health services, on one hand, and TRIPS and GATS that were heavily supported by the United States, on the other. Nevertheless, the ability of developing countries to offer adequate health services and to secure medication for various chronic diseases could be hindered by the wording of the paragraphs. The US's proposal would have technically led to the privatization of the health sector and the increase in medication cost.

In parallel, the issues of reproductive and sexual health were a source of conflict during the negotiations, particularly after linking general health (paragraph 47) to "cultural and religious values" and disconnecting these values from "human rights". It is well known that these values justify several violations of women's rights, especially with regard to honor crimes, genital mutilation, and the denial of women of the right to their own bodies.

Additionally, the Holy See (Vatican), the US, and some the countries of the G77 (led by Iran and Saudi Arabia) refused the referral to the agreements of the International Conference on Population and Development (Cairo 1994) and the 4th World Conference on Women (Beijing 1995), particularly concerning reproductive health, sexual health, and HIV/Aids. The text also mentioned "religious rights" after removing many instances of the phrase "human rights".

2. SECOND

Social movements consider the following issues most sensitive and most influential on global decisions.

a. TRADE & FINANCE

The United States and the European Union tried to avoid adopting "Agenda 21" as an essential link between trade and sustainable development, and proposed to adopt the results of the fourth ministerial declaration of the World Trade Organization (WTO) in Doha. On the other hand, developing countries insisted on specifying timeframes to implement Official Development Assistance (ODA), as highlighted in the Financing for Development Conference in Monterrey. Industrial countries refused the latter proposal, however, and proposed implementing the principle of merely encouraging Foreign Direct Investments (FDI) for sustainable development. In addition, they refused that the United Nations General Secretary supervises the assistance.

Article 14 in the text indicates that it is necessary for all countries, mainly the developed, to take into consideration the needs of developing countries, provide financial and technological services, as well as strengthen and build the capacities of developing countries. However, articles 97 (implementation - science), 109 (implementation - capacity building), and 122 and 123 (institutional building) that stressed the necessity of commitment to offering contributions to achieve multilateral environmental agreements (MEA), to offering ODA, and to the accountability of TNCs, were rendered very weak and non-compulsory.

Therefore, the report was within the provisions of the "Monterrey Consensus" of the FfD, reconfirming its commitments, albeit vaguely.

Although most of the discussions centered on debt and its negative effects on sustainable development, the negotiations did not solve the disagreements over cancellation or restructuring mechanisms. However, industrialized countries insisted on reaffirming the results of the WTO summit in Doha throughout the report, without modifying any clauses to achieve sustainable development.

Although it was indicated in some statements that debt crises pose challenges that poor countries have to face (in paragraph 72, specifically related to Western Asia), there

was no specification on the action or timeframe to address this pressing problem.

The dangerous deterioration occurred, however, in stating the necessity of encouraging foreign direct investment (FDI) to concentrate on utilizing "local deposits" in order to support sustainable development. This means that challenges and obstacles towards sustainable development became the responsibility of national and local authorities alone, excluding international responsibility towards developing countries.

A positive change occurred in emphasizing the need to reform the international financial institutions (IFIs) in order to improve the participation of developing countries in the decision-making process. The texts regarding trade promoted WTO policies and were able to re-establish the link between MEAs and WTO policies after they had been previously interrupted.

In addition, the text reiterated the role of the WTO in promoting sustainable development, reconfirming the Doha Declarations as a work plan for sustainable development. Among these "declarations" of the Doha Conference, the text stressed "new issues" that were not even agreed upon in Doha, and were left for an "explicit consensus" in the 5th WTO meeting [in Cancun]. These were environmental standards, labor standards, transparency measures in governmental procurement, in addition to competitions and investments.

b. GLOBALIZATION

Globalization also took a major part of the discussions. Articles 45 and 45 (bis.) in the document reconfirmed the challenges that developing countries are facing in the globalization process. They re-emphasized, however, the chances offered by trade, investments, capital flows, and technology - including information technology - and their importance in establishing international sustainable development. The discrepancies in the access to these resources were not tackled but remained vague and contradictory enough to express all points of view. In other words, it did not go beyond rhetoric, disregarding "imple-

mentation plans".

c. THE MAIN PRINCIPLES OF RIO:

- Common but Differentiated Responsibility: The Seventh principle of the Rio declaration was almost cancelled out. The G77 and some European countries insisted, however, on preserving the principle, only succeeding in some sections, excluding those related to mechanisms and institutional frameworks. In other words, it remained as a concept without specific implementation plans. This principle was noted in sections of the report in clauses regarding poverty alleviation, consumption, natural resources, and financing the implementation of Agenda 21. However, it was cancelled from articles 120 and 138 in the section that specifically relates to capacity building.

- Precautionary Principle: Article 15 in the Rio Declaration proposes taking preventive measures against projects that are believed to cause irreparable environmental damages, until the opposite is proved. This principle should be applied on any economic or social activity that prevents the preservation of the environment. Transnational corporations that base their activities on the exploitation of natural resources and the resources of indigenous and disadvantaged people see in this resolution as a further threat to their interests. As a result, TNCs and their lobby groups have influenced the position of the United States and many of the developed and developing countries that, in their turn, attempted to abort the resolution. This led to the cancellation of the principle in articles 22 (health) and 103 (implementation frameworks and education) and changed it to an "approach", not a principle, therefore making it non-compulsory.

d. PARTICIPATION OF CIVIL SOCIETY

Social movements and civil society representatives present at the Summit admitted the failure of the framework proposed in the Rio convention to resist the campaign led by the United States and some countries of the G77 against their participation. Indeed, article 151 from the Bali text that protects the right to information and participation, was removed.

The expression "civil society" was indeed replaced by "stakeholders" in article 19 (consumption and production) and by "relevant actors" in article 138 (institutional framework) in the paragraph regarding the role of International Institutions. It is worth noting however, that the concept of "civil society" is still present in other parts of the text. The use of both concepts therefore came as a confirmation of the shrinking role of civil society organizations, including NGOs, and their replacement by the private business sector in the decision making process.

e. CORPORATE ACCOUNTABILITY

After thorough discussions and intense negotiations that resulted in the suggestion of different versions of the text in the preparatory meeting in Bali, there was an agreement on the structure of a text that refers to the necessity of the accountability of transnational corporations. This was accomplished thanks to the lobbying of civil society organizations. The text remains weak, however, as it does not suggest timetables and specific goals. This is due to the expansion of the authority of TNCs and of the interests of business persons and industrialists. Of course, it is not expected that corporations like Exxon, Bayer, Shell, and others abide by programs negatively affecting their revenues even if these programs are vital to the process of saving the planet.

f. Governance

The United States demands local, national, or regional governance at best, while claiming it does not wish to interfere in the global decision-making process, which in fact it controls. On the other hand, many developing (non-democratic) countries do not permit international interference in policy within their national boundaries, although they request the democratization of the decision-making process in international circles. In other words, they attempt to lessen international pressure on their actions. Some European countries took another stand asking for the generalization of the "Good Governance" principle on both national and international levels.

In this respect, the conveners removed from the final text

the articles that mention the absence of justice and the discrepancies in opportunities resulting from protectionism and subsidies in industrial countries and their neglect of international frameworks including those of the UN. The removed texts had equally stressed the necessity of guaranteeing real participation of developing countries in the decision making process within international financial institutions. Article 123 and 124 that thoroughly referred to this issue have been replaced by texts that are general, if not vague.

As for article 146, it indicated the necessity of establishing patterns of development and adequate national developmental policies, but reference to the imbalance in global governance and financial and trade institution was removed and replaced by a statement on the necessity of promoting national governance in the direction of expanding public participation. In addition, article 151, considered the most important article in highlighting the importance of civil society participation in the decision making process and guaranteeing justice in harmony with the tenth principle of Rio, was removed.

g. HUMAN RIGHTS

The section over this issue took a different direction than that of the Governance principle. The G77 along with the United States tried to delete references of the term "human rights" from the text regardless of the resistance of some European and Latin American countries. The concept of Human Rights has been replaced by that of "the rule of law", entailing the justification of repressive regimes. In their turn, developing countries adopted this change in fear that their deficient human rights records be used as pressuring tools against them, although experts in international law maintain that all human rights concepts adopted in international conventions are not a conditionality and their negligence is not accountable. They are at worst, collectively conditional, where they can be used by developing countries against industrial countries, especially with regards to basic rights, like the right to access to water, to food, or the question of corporate accountability.

The real motive behind the hesitance of the G77 is due to the non-democratic character of most of them. As for the United States, it considers that the concept of Human Rights can be "trade distorting" and that it can damage "the invisible hand of the market" that would be rendered "visible" in the light of international human rights instruments (Habeas Corpus).

Conservative countries, however, were not able to cancel out "human rights" from the text entirely. It was stated in article 5 (Introduction), 56 (Africa), and 152 (Institutional Framework), as a condition for achieving sustainable development that benefits all, in harmony with basic rights, nevertheless it was removed from article 121 of the Goals section.

With regards to labor standards, the necessity of respecting the recommendations of the ILO was stated in article 9.b. of the Poverty Eradication section. However, it was removed from paragraph 122.g. and replaced by a reference to the social impact of sustainable development, especially concerning ILO conventions, referencing the Monterrey Consensus.

h. INSTITUTIONAL FRAMEWORK FOR SUSTAINABLE DEVELOPMENT

This article was subject to lengthy discussions and numerous suggestions between the United States and Japan, on one side, and the G77, on the other. The G77 tried to remove all articles that call for the participation of civil society in national and international decision making processes, under the pretext that it is possible to use the concept of civil society to pave the way for the participation of the business sector. It also refused to use the term "human rights". The US and the EU tried to limit the impact of the Commission for Sustainable Development in the United Nations through suggesting minor details, burdening it with many tasks in order to cancel its developmental role.

i. CONSUMPTION RATES

The texts failed here as well by calling merely for the "encouragement" of establishing a ten-year program in

developing countries to decrease the consumption rates of substances that damage the environment. This failure is attributed to the refusal of this goal by the most polluting countries, mainly the United States, Canada, Australia, and Japan, who disregarded the EU's support of this goal. The conveners equally rejected a suggestion calling for the Eco-Labeling of environmentally friendly products. There was also a serious disagreement about technological exchange.

Both the G77 and the United States were apprehensive of timeframes. The US refuses to abide to any timeframe. Developing countries, on the other hand, were worried about lagging behind previously set timeframes due to their lack of financial, technical, and human resources to apply the resolutions.

The Summit led to concrete results however. The results are known as partnerships, with the private sector called in to alleviate the burdens and commitments to sustainable development policies, through new frameworks. The frameworks for the projects' execution are referred to as Type II outcomes, as opposed to Type I outcomes, meaning multilateral agreements.

The insistence on the partnership principle was an excuse to evade commitment to multilateral agreements and to drive the United Nations to acknowledging the failure of the agreements' frameworks: Social movements fear that the partnership principle will be exclusive to TNCs, as industrial countries, mainly the United States and Japan, refuse to even discuss this issue, in the aim of encouraging FDIs. They also fear that ODAs that requires the use of 0.7% of the industrial countries' GNP to help developing countries, will become a type of subsidy to private foreign investment.

The use of the notion of Partnerships also embarrasses developing countries and civil society organizations, since who can refuse partnerships, in principle? It is clear that the question of partnership is an attempt to privatize development as a primary and tacit goal.

Thus the effort of the main delegations in the Summit

was transformed into deal brokering between governments and multinational corporations. The Arab League report pointed out this fact. The Summit concluded thousands of partnership projects, from local water projects to massive potable water projects. The USA considered that the Summit was a success by the mere fact that corporations presented their projects and made deals, despite the fact that most of them had nothing to do with sustainable development.

Arab countries did not establish many partnerships, however. This is because the program they proposed did not go beyond a few generalities and sermonic suggestions. Official Arab positions were almost restricted to condemning Israel and the siege of Iraq and to blaming underdevelopment and backwardness on the Israeli occupation. This can explain the sudden change in the Lebanese delegation on the eve of the Summit that was supposed to be headed by Prime Minister Hariri who was replaced at the last moment by the Minister of Environment.

DIALOGUE WITH OTHER GROUPS

The dialogue between the representatives of the major groups on health, biodiversity, agriculture/ecosystems, water and sanitation, energy, and regional plans of action did not acquire the same importance it did in the Bali preparatory meetings. This led to disappointment and the withdrawal of some representatives of Civil Society, mainly NGOS, women, youth, and indigenous groups. Indeed, official delegations were not paying any attention to the dialogue. Instead, the focus was on deals with the Business Major Group. It is worth mentioning that the structure of the suggested dialogue changed due to the priority of negotiations over the text.

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A closer reading of the final draft reveals that development and human rights concepts are in decline. Although some details might lead to disasters, the problem is not merely in the details however; the problem goes beyond

them to reach goals and principles. The United Nations has taken the path of globalization that the WTO and the IFIs have been trying to impose, at a time when the UN should be monitoring their projects and their goals.

Strong and serious differences emerged between the official Summit, where the primary documents were discussed, and the People's Forum, 45 minutes away. In the Peoples Forum, different working groups were created to discuss topics such as: sustainable life, food security, environmental issues, governance, self-determination, sciences, technology, health, education, and the building of social movements. The Forum equally issued a statement containing a summary of the dialogues that took place and that tackled all these topics, raising the question of the futility of participating in Summits that do not pay attention to basic rights and freedoms.

The divisions ceased to be divisions between North and South or between East and West. It was thus natural for civil society organizations from developing countries to agree with a country like Norway as opposed to the G77, especially with regards to concepts like democracy, as it was also natural for the civil society of the industrial countries to stand with the G77 in their position against the G8.

This confirms the importance of the groundwork that social movements, NGOs, environmental organizations, and human rights organizations had started on the global levels by organizing international and regional social forums on different issues, in addition to networks and groups objecting to the current path of capitalist and military globalization. The appeal of the United Nations as a primary international arbitrator in international relations on all levels will be a challenge. The indicators do not lead to optimism. The aspirations of civil society require the mobilization and the unification of efforts. This can only be accomplished by the radical reform of the current global order towards justice, rights, equality, security, and peace.

Debate:

* The Summit was categorized as a transitional phase in

the process of shifting from the war on poverty to the war on "terrorism".

- * The Summit showed a division of two blocks: one that has the power and the means and the second that only has the right analysis, but not the means to implement them.
- * It was underlined that, in the concept of development, the search is always for the causes of poverty not the causes of the inability of development in the Third World.
- * It was stressed that the concept of development is large, containing both the local and the global. There is an organic link between the two in the formulation of national goals. One cannot neglect the global: in the 60s, the world's wealth was \$7 trillion, in the 90s it has become \$23 trillion, while the average gap between the wealthiest 20% and the poorest 20% of the world population rose from 1/30 in the 60s to 1/90.
- * The political problems (lack of democracy, occupation, etc.) in the Arab world were categorized as the main ones, but they are part of underdevelopment that creates centers of violence ready for explosion.
- * The official discourse of the international community on the need for the participation of the civil society organizations was criticized in light of what happened in the summit, which showed the lack of seriousness in this slogan; the attempt of excluding the CSOs was near constant.
- * The problematic was categorized as that of the mechanisms in reaching local communities on these issues.
- * The summit failed to formulate global goals but some participating countries had national goals; that is what Lebanon lacks.



Third Session

Abdullah Zakhia: Public Property: Between Pirating and Privatization

The democratic state is based on the balance of personal and public interests, and one of its main functions is to preserve this balance and to further it. Any swing to the public or the personal hits the foundations and puts society's unity in danger. Public interests and personal interests are linked to public property and to personal property, to a great extent. The privatization of the beach and public properties leads to the weakening of the state and the strengthening of a minority of wealthy and powerful persons as well as uprooting citizens from their land, causing social upheavals.

The Nature and Function of the Beach

The study of any legislation and any organizational framework concerning public maritime property should be done through a general vision for organizing the beachfront, so it would be civilized and encompassing. It should take into consideration the following essential bases:

1. The Nature of the beach.

In all Mediterranean countries, the beach is a cultural and natural heritage. If it is considered as a first-degree heritage in France, it should be even more in Lebanon, whose history was and still is linked to the beach. That is why we need to safeguard this national cultural and natural heritage.

2. The Function of the beach.

Social Function: The beach has a social function since it forms a space of interaction between the citizens, thus in the core of the democratic exercise. It is needed to safe-

guard it to secure human rights, general health, and leisure that are taken into consideration in all international conventions. That is why we need to protect this free (liberty-wise and cost-wise) space for all citizens, as in the rest of the Mediterranean.

Tourist Function: The main tourist resource of Lebanon is its beach, so any negative impact on the latter is a blow to the tourist industry. The legislative act number 1966/4810 differentiated between tourist resorts and entertainment/residential resorts by giving rights solely to the first in using the beach. If tourist resorts benefit the whole country's economy, the entertainment/residential resorts only benefit their owners if they are given access to the beach, which also decreases the touristic value.

Public Property: Between Protection and Pirating

Lebanese laws consider the beach as public property that cannot be owned, cannot be sold, and should only be developed for public use, with touristic or industrial justifications, as long as they do not affect the beachfront's unity and continuity. Any illegal or "semi-legal" occupation of the beach is declared void.

There are many proposals (legalization after the fact) to settle the issue of beach occupations, but the six governments and the three parliaments since the Ta'ef accord have not managed to pass any laws. The state, with all its debts, has not received any financial intake from these illegal occupations, or from legal ones, despite the fact that these returns are very small (3 billion) of which the government only manages to collect 250 million.

The legal sentence for occupying public property is two years of prison, while the burden of transforming the property to its original state and monetary fines are no less than the price of lease. But these laws are not implemented. The beach, and its continuity, remains closed to citizens by "pirates" for more than twenty years, and the state remains immobile despite the public outcry.

Concerning occupation of the beachfront and draft laws

for legal settlements, the following remarks can be noted:

1. Cross-checking the names of the illegal occupiers of the beach with their political backers indicates how it has been possible to stop the implementation of the existing laws and the voting on new ones that are more just and would solve this issue and guarantee financial returns to the state.
2. Implementing the financial charges found in decree number 92/2522 to collect charges for use of public property will mean the collection, for the state, of 9.5 billion L.L. yearly, a very low sum that does not mesh well with the worth of these properties.
3. Basing the starting date at 1/1/1993 for the collection of charges will lead the state to lose substantial sums, especially since most of the illegal occupations started in 1991.
4. Paving the way for long-term construction projects is an indirect way of privatizing public property, as was noted in the report of the Public Accounting Agency for the year 96/97.

Draft Laws Concerning the Private Use of Public Maritime Property:

There are many draft laws concerning long-term beach construction projects with minimum conditions, but none have been passed yet. At the same time, there is a draft law presented by the Parliamentary Committee for Administration and Justice and the Committee for Public Works protecting the beach starting 60 meters from the water, but pressure inside and outside the parliament has prevented its passing till this day.

While draft laws are being stopped, illegal beach occupations continue, this time with legal cover through decrees cutting up public property bit by bit.

Today, after the return of Rafic Hariri to the post of Prime Minister, and with the new transport minister, Najib Mikati, there is yet another draft law with the implicit goal of privatizing the beach. The draft law amends section 17 of

decreed 144/S giving the Minister of Transport, in partnership with the Council of Ministers, extensive powers concerning public property, the people's property, without any conditions or time limits. This draft law privatizes the country and forbids citizens from their right to benefit from the beachfront, pushing them to go to foreign beaches to enjoy that right, today in Syria and maybe tomorrow in Israel! Should a friend's land or an enemy's land be more welcoming than one's own land?

By comparing the Syrian Draft Law and the Lebanese one, the faults of the latter, as well as those of the state, become clear. While the former is a complete and comprehensive one, based on the most contemporary legal principles, especially the social function of beaches, the latter revolves around profit, for the government and particular individuals. The Syrian draft law stipulates that "seashore public properties are considered part of the public treasury...and it is for public use and benefit. Its benefits should not be forbidden to the citizens or monopolized for the sake of a few". Exceptions are strictly regulated, on an environmental basis, and in no way is the unity and continuity of the beach compromised.

The Lebanese draft law considers the beach as a consumer good and leaves to high ranking statesmen, under the cloak of the common good, wide unmonitored authority, thus ignoring the social function of the beach, citizen's rights, and environmental impact. This draft is a reworking of the beach privatization proposal that was voted down. In Lebanon, privatization means dividing up the loot.

Impact on Environment and Tourism:

The extension of the natural beach and the disorganized constructions cause ecological damage, to biodiversity in the water and near the water. Tourist-wise, any negative impact on this natural resource is a deadly blow to the touristic potential of Lebanon. Tourists come for beaches not for concrete, ugly concrete at that. Privatization also hurts the tourism industry since private resorts would be

limited to the rich, marginalizing most tourists and the vast majority of the Lebanese.

This is what the High Council for Urban Planning warned about, concerning the issue of legal deals/amnesty on beachfront occupations. So did the Constitutional Council, with its decision number 86 issued on 1/6/1992:

"Nature gave Lebanon great sand beaches without human intervention. This constitutes a priceless national treasure and one of the main pillars of Lebanon's touristic future...[M]any in Lebanon see that the permission granted to individuals and private institutions to occupy/monopolize public beach property will close it to others and transform it to private clubs for those who can pay, thus forbidding the rest of the citizens their rights granted by law. If temporary works to section of the beach are permitted in a non-exclusionary manner, it should be to sell services not to sell the use of a public property".

The Environment and Public Property Are Victims of State Policies:

The state has two methods to circumvent the laws and their applications, the first is postponing things indefinitely and the other is securing the secret identity of the law-breakers, in addition to implementation problems caused by corruption and over-politicization.

Issuing of Laws and the Waiting Game:

All environmental laws fall under the waiting game. Proposed laws spend years between the parliamentary committees and the Council of Ministers until they are issued in a distorted manner, because of the intervention of political and financial interests.

Maintaining the Anonymity of Lawbreakers:

Laws pertaining to the protection of the environment and public property are not applied, or they are applied arbitrarily depending on the political or financial weight of the lawbreakers. The law exists, but the problem is in its appli-

cation. Despite the severity of the crimes, the state still pleads ignorance as to the identity of the criminals, while their names are a common knowledge. We have crimes but not criminals.

Administrative Corruption and Politicization of the Implementation Tools:

If the law passes all the hurdles, it still faces the obstacle of its implementation, put by the various public administrations. All Ministers of Administrative Reforms agree with the assessment of the late Khatchik Babekyan: "there is one clear and sure thing, nothing will be achieved, neither today nor in the foreseeable future [...] if the administration remains politicized, and its loyalties divided between the community leaders, parties, and influential people".

This was corroborated by the former inspector attached to the Central Inspection Division, and former Governor of North Lebanon, Khalil Al-Hindi in his presentation at the Reform in Lebanon Conference (8/3/2002), who is well knowledgeable in these facts. He said that the reason for the intervention of politicians and other influential people is - 99.99 % - of the time, to cover a lawbreaking or to circumvent the law. He reached a conclusion that the administration is ignorant, impotent, corrupt, corrupting, backward, and politicized.

The reasons for the sickness that carves the body of the administration are politics and politicians. Administrative reform, which is more than ten years old and has consumed more than one minister, has not been able to disassociate the administration from the political sphere and the confessional sphere, nor has it been able to stop the increase of the kickbacks.

There is an unholy alliance, with the state's benediction, between the corrupting politician and the corrupted civil servant; the former protects the later, who in turn, gives him services, most of which are against the law. The protection of the environment and public maritime properties demands the rehabilitation of the state.

The laws exist but are not implemented; the know-how is available but marginalized; and the financial resources available but stolen because the state is absent or an accomplice because there is no surveillance and the citizens are marginalized. In face of this gloomy situation, it is up to civil society organizations to form a pressuring force that will instate the institutionalization of this state apparatus.

Bassam Kintar

Prologue

If the description that was given to the second Earth Summit was "The Dialogue of the Deaf", as a result of the closed cycle that the conversations entered and prioritization of "war on terrorism" over "war against poverty", the discussion of basic environmental issues on the national scale is not very far from the mentioned description, especially when the discussion deals with solid domestic waste.

While the state is persistent in ignoring national human resources and shying away from adequate scientific studies, it is always corporations that get the research contracts and use them to promote and serve their own interests. That is if we not even mention all the waste of public funds (contractors without supervision) and energies (constant change of advisors). The outcome is an amount of public money spent like on no other environmental issue in Lebanon, nearly \$3 billion between 1992 and 1999⁽¹⁾.

One can witness the intensifying pattern this issue takes, especially after the protests of citizens when the Na'ima Dump reached critical capacity. The dump was the worst example the state gave in handling the problem, transferring it from place to place. A second example would be the unofficial Saida Dump, where the state committed another grave mistake by permitting the creation of a central sorting factory, which in the cases of Karantina and Amrousiya had proved its inefficiency both environmentally and economically. The last example is the unofficial Jibalin Dump, where the government will commit a double crime by legalizing it, opposing all recommendations to the contrary made by civil society organizations that proved the impossibility of installing a landfill by a riverbed and in a protected agricultural area.

The Scope of the problem:

The latest studies show that 90% of solid waste in

1 Council for Development and Reconstruction, Report 2000.

Lebanon is domestic waste, around 4,000 tons, or one kilogram per person, daily. While 60% is organic waste, the rest is composed of paper and cardboard, plastic, glass, metal, etc. The problem is that it also includes "dangerous" waste such as batteries, medicines, paints, and household chemicals that are thrown, without treatment, with the rest of the domestic waste. Also, hospital waste, abattoir waste, and animal farm waste are thrown indiscriminately in different parts of the country, polluting land, water, and air⁽²⁾.

The Cost of treatment:

As for treatment, knowledgeable sources in the Ministry of Interior and Municipalities give the cost at \$75 Million annually. This includes sorting, contracting out, bailing, transport, wrapping, re-sorting, and shredding. In some areas, such as Greater Beirut, Baabda, Aley, Metn, and Kesrouan, where the contracts are handled by Sukleen and Sukome, collection and inner city transport should be added. The funds come out directly from the Independent Municipal Fund, not felt by the municipalities, since the expenses do not appear directly in their budget.

The overall treatment of a ton of waste costs \$106, which is very high (see the table), despite the fact that the cost of street sweeping and garbage collecting in Beirut, is contractually more than \$25 million annually, while dumping costs per ton vary between \$21.4 in Bessalim and \$37.3 in Na'ma, according to the Ministry of the Environment.

The Independent Municipal Fund's revenues for the year 2001, which should be distributed to the municipalities, are 100 billion L.L. This should lead us, along with the municipalities that are demanding their funds on a daily basis, to understand where a third of the Fund's revenues will go to and to the level of the financial waste. If we contracted-out the waste treatment of the whole Lebanon to the two companies that are responsible for it in some cities, the cost will reach \$200 million annually, which amounts to double the Independent Municipal Fund's yearly budget.

² Habib Maalouf, National Campaign for Solid Domestic Waste treatment, study in process, May 2003.

If the law on municipalities would have permitted the imposition of a tax for waste collection and treatment, within this context, it would cost the taxpayer \$200 annually, without including the cost for other types of waste, nor that of the treatment of the actual landfills⁽³⁾.

Prices of Solid Domestic Waste's Treatment (Officially)	
Sorting	\$20.1 per ton
Bailing	\$12.0 per ton
Wrapping	\$9.7 per ton
Shredding	\$7.3 per ton
Transport of organic waste for composting	\$4.2 per ton
Composting	\$19.1 per ton

Based on the above table, the level of financial waste is clear. For further evidence, the group that called for the closing of the Na'ma Dump took pictures and shot videos. The table shows the high price for waste treatment, but the real "theft" is the combined Bailing and Wrapping ledgers with a total of \$21.7 per ton.

During unauthorized visits to the Na'ma Dump from the 'Ebey side, it was found out that waste which was "bailed" and "wrapped" at high costs was unwrapped and de-bailed and distributed horizontally by Sukome's machines. Lebanese citizen did not benefit from the process, except if we take into consideration that the waste was covered from their sight from the sorting centers to the landfill. Most probably, this was done in order not to inconvenience the tourists since it passes by Downtown Beirut.

Through simple accounting, if the collection company collects 2000 tons per day then the Lebanese citizen pays \$43,400 per day, not counting the operating costs of the machines that will de-bail and unwrap the bailed and wrapped solid domestic waste.

3 Habib Maalouf, op. cit.

The proposed National Plan:

Researchers agree that the domestic waste treatment problem cannot be entrusted to one side that is why a national plan is needed. A bold political decision should be taken, because every time this problem reaches critical level, in a given area, it is transported to another part of the country under the excuse that a quick solution is required. The question that should be asked is why the problem is left unsolved till it reaches critical level, forcing the state to look for an emergency plan? As if waste is an unpredictable disaster like earthquakes or floods, not a daily occurrence that we are all responsible for!

The proposed national plan by the Lebanese Assembly for the Environment and Development is based on a conclusion that adopts sorting at the source, recycling what can be recycled and composting organic waste since other categories only amount to 6% of the total domestic waste. So, according to the experts, Lebanon only needs one landfill to absorb the remaining non-lethal waste. So if the Na'ma Dump, for example, absorbed the remaining 6%, it would take it 95 years to reach 4,200,000 tons, not four years as what is happening now.

Lowering waste production:

Policies for lowering waste production are based on these principles: raising people's awareness, new tax laws on pollution (products that producers and consumers share responsibilities for, like plastic bags), issuing of specifications on consumer goods in order to avoid their transformation quickly to problematic waste, passing laws forbidding the use of poisonous material in production of consumers goods, import ban on non recyclable products (like PVC), and the encouragement of the use of "clean" production techniques.

Sorting at the Source:

The second main point in the national plan is the sorting of waste at the source (home, school, office, plant, store, etc.) through the use of two garbage bags: one for organ-

ic waste the other for recyclable waste (paper, cardboard, glass, tin, and plastic) that are kept clean to ease the recycling. Dangerous waste such as batteries, medicines, paint, and insecticide should be kept separate.

Recycling:

One solution would be adopting recycling policies through subsidizing the recycling industry and giving financial incentives for modernizing the sector to absorb larger amounts of waste, especially plastic. The least subsidizing would be lowering the costs of electricity, since recycling demands large amounts. Specifications for products to be recycled should be issued. It should be noted that the sole economic feasibility study, commissioned by the Council for Development and Reconstruction, was shelved under the excuse of its non-completion, while, in fact, it went against the interests of the deal-brokers in the governmental institutions.

Composting:

Since more than 50% of domestic waste is organic, the national plan concentrates on building a composting factory that will cost far less than a waste dump and that will guarantee a certain amount of income. The plan proposes that all specifications should be issued: size of the factories, mechanisms of composting, level of air and dampness, the quality of the final product, and the level of heavy metals in it.

Civil society's experiments in this field are based on fast composting, with a composter of five-ton capacity and a three-day cycle. But it should be noted that it is below requirement since it is unsorted.

In conclusion, whatever the composting method used, if the sorting process doesn't precede it, then it can't be successful, and it should be at the source because centralized sorting proved its failure.

Awareness Raising:

The implementation of this Plan, which should be adopt-

ed by the Ministry of the Environment, requires the participation of citizens and local governments. Thus there needs to be a media plan to raise awareness on the following issues: the waste problem and its current costs, the environmental economic and health impacts of the current waste treatment, and the importance of cooperation to implement a workable plan. Advertising spots will have to show how to sort domestic waste and have to stress the financial benefits from recycled products for local governments and private sectors. The example of the American University in Beirut should be noted.

The inclusion of various other ministries (Culture, Education, Information, and Industry) in this campaign may contribute to the swiftness and the practicality of the implementation. This is contrary to the idea that is being circulated relating to our backwardness and ignorance as well as our incapacity to sort at the source.

The question is, what have we to lose? Even if it were a failure, it would be smaller than the present and continuing failure.

Financing the National Plan:

In light of the vast sums of money paid for this issue, estimated for the past few years to be billions of dollars, and today, at 200 million dollars annually, worsening the problem, the proposed national plan gives the priority to stop the flow of financial squandering, by first solving the health issue then solving other issues.

The plan proposes to start immediately in choosing the sites for composting organic waste, rather than choosing new dumping sites. The dumping of waste in legal or illegal sites should stop immediately and all World Bank (big sites) and other international loaners (small sites) funded new dumping sites projects should be discontinued. That will require legislative change, since the parliament passed a bill approving the loan agreement between Lebanon and the WB to finance the first part of the dumping plan. The WB should also be convinced to transfer the sum of \$25 million dollars from the five dumping sites to the proposed

national plan and for buying the equipment necessary for on-site sorting and composting. This will not require the whole sum since it is less costly than the government's project.

The plan includes proposing to the international donors the funding of this project within the set specifications. On the other hand, part of the funds taken from the Independent Municipal Fund can also be invested in the project. In the second phase of the project, a solution should be found for the dumping site, the best would be re-sorting and recycling but it would be costly.

Mobilizing support:

The struggle to mobilize support for this national plan is not an easy one. The environmental organizations in Lebanon lack organizational efficiency and networking that would permit them to be effective advocacy/pressure groups. They need allies and, in this case, municipalities are the ideal candidates. The second candidates are all the people directly impacted by the dumping sites. The awareness campaign also needs the mobilization of political parties, legislators, and media outlets. Thus we propose:

1. Publishing and distribution of the proposed national plan of the Lebanese Assembly for Environment and Development (being initiated).
2. Organizing the largest number possible of workshops with NGOs and environmental clubs focusing on the main issues of the campaign (sorting, recycling, composting, etc.), with the aim of widening participation.
3. Organizing a national forum with the participation of NGOs and Municipalities focusing on the current high costs and the alternatives.
4. Pressuring the Parliamentary Environmental Commission to present a motion questioning the new government on the issue.
5. Advocating that the ministry of the environment adopts this plan and proposes it to the Council of Ministers. In

case of a negative reaction, a weekly sit-in should be organized.

6. Demanding that the World Bank and the UN stop promoting covered dumping sites, as well as asking for the transfer of already-issued funds to the new national plan.

7. The environmental organizations should prioritize the issue of domestic waste, due to its sensitivity and the pressing developments.

Habib Maalouf

Proposal to Limit Air Pollution Caused by the Transport Sector

Despite the issuing, after a long and hard struggle, of law number 341 in August 2002, concerning the limitation of air pollution caused by the transport sector in Lebanon, the topic remains on the political scene as an ever-increasing problem. Citizens have long lost their trust in the implementation capacity of the state, the government, the public administration, as well as the parliament's follow-up, accountability, and evaluation of its legislation.

Some criticize the implementation difficulties of this law because most of its articles are linked to compensation measures, which need funds that are not available. The Lebanese Assembly for Environment and Development (LAED) raised this issue in a workshop held in March 2002 (Towards a National Plan to Solve Air Pollution). Both the governmental and the civil sector participated (Ministries of the Environment, Energy, Interior, and Transport; transport trade unions and many environmental organizations). LAED sees the absence of a transport policy as the core problem. This absence is apparent in the bad organization of the land transport sector in Lebanon, in the continuing of the non-implementation of relevant laws, in the lack of a plan to use less polluting energy sources, and in the lack of fiscal incentives to encourage public transportation.

Based on this evaluation, here are some proposals to solve the problem of implementation of the law. These proposals are administrative, organizational, and non-monetary, meaning that they do not require large amount of funding but good administrative sense and efficient coordination between the different relevant institutions.

The solutions proposed are based on the need to implement the law in block, thus demanding the following:

First:

An investigation of all who are breaking the law, past and

present, should be opened to specify who the guilty parties are. It is unacceptable that ten thousands engines are imported illegally and sold on the market with impunity. This will serve as an example for the future.

Second:

We should take into account that the reason given by the taxi drivers for shifting their engines to diesel was the import of four thousand mini-vans on diesel, thus creating an unfair competitive advantage. On the other hand, the law gave a compliance deadline of not more than one year (ending on 9/8/2002) for these mini-vans to shift to fuel, thus it took away their unfair advantage, while, on the other hand, permitted the state to remove ten thousand taxi licenses, also limiting the severe competition. LAED proposes that financial compensation should be studied in order to issue a directive on the basis of the cost of new fuel engines and their installation. This should be reflective of the date of the diesel engine to be replaced (according to the date it was put into service in Lebanon). The replaced engines should be sold to the scrap metal sector to fund the treasury. Other measures could be that the state buys back some of the licenses at the sale cost, as well as forbidding mini-vans from operating inside the cities and specifying specific stops where they can take their clients outside the city.

Third:

All deadlines in the law should be respected. Ten thousand taxi licenses should be bought back at sales cost (6,000,000 L.L.) and the drivers' proposal of securing the renewal of the fleet should be taken into consideration through a well researched study that reorganizes the sector geographically according to local needs.

Fourth:

The directive delimiting the specifications of the fuel used in all vehicle engines should be issued quickly, especially since it should have been issued three months after the

passing of the above mentioned law. The directive should be based on the proposals of the Ministries of Energy, Environment, and Industry.

Fifth:

The directive delimiting the specifications of fuel emanations from old vehicles should also be issued quickly. The application of directive 6603 can heavily limit high pollution caused by trucks, buses, and all vehicles on diesel engines by limiting their load, by installing a filter on their exhaust pipe, and by specifying the level of emanation permitted, which will be tested annually. The directive has to specify implementation mechanisms.

Sixth:

The annual obligatory auto checkup according to the letter of the law should be implemented a process considered as the safety valve for air pollution legislation.

Seventh:

Leaded fuel should be banned, for all vehicles. This should have started on 1/7/2002 in accordance of the law with the obligatory use of transformer/filter in these same vehicles by the same deadline, as well as using the annual obligatory auto checkup as an implementation mechanism.

Eighth:

Road safety measure should be more repressive in order to stop black-smoking vehicles caused by bad fuel burning as well as white-smoking cars caused by engine oil burning, etc.

Nineth:

Financially, the transportation costs should be restudied: costs in hard currency concerning the (imported) cars as well as their spare parts, the rising costs of expansion and maintenance of roads caused by the ever increasing number of cars in service, the public subsidies of the transport

sector to the public transport institution (to the amount of 13 billion L.L. in addition to transport costs for public servants to the amount of 100 billion L.L.); and the costs of the state's share of the drivers' social security system. Today, 44,167 drivers pay dues for "family welfare" to the amount of 19 billion L.L. and to "health and maternal care" to the amount of \$28.6 billion, while receiving \$53.4 billion in both categories. The state's burden is 170 billion for the drivers out of the annual 750 billion it has to pay the social security system. Part of these large amounts should be lowered to finance the above proposals and to build a nation-wide public transport system.

Loutfallah Al- Hajj

1. Introduction

In Lebanon, the competence/jurisdiction for:

- * Land delimiting.
- * Zoning.
- * Habitat.
- * Construction.
- * Architecture.

is in the hands of the minister of public works directly or through delegates.

Without getting into details of administrative reform, we bluntly say that this requires quick administrative reform. In the West, these tasks are the jurisdiction of the Ministry of the Environment, as is the whole administrative process.

If we take into account the different countries track record in the subject, especially the USA and France, we will notice the great undisputed successes in the implementation of these policies. Without these policies, industrial, agricultural and urban progress would have been impossible.

2. The state of land delimiting and zoning in Lebanon:

- * In light of the negative impact on the environment, urbanism and architectural history;
- * In light of the severe crisis, financial and administrative, of the central as well as local government, that hinders its ability to prepare, repair and use public utilities;
- * In light of the rising of production costs, of property costs, of public services and private services to the level that it becomes a hindrance to growth.

Facing this situation, the call for Land delimiting and Zoning on aesthetic bases is not enough. Additionally, pinning the hopes on modernizing studies or facilitating the procedures is not convincing. Thus, it is imperative to face the real reasons and interests that were and still are hindering land delimiting and zoning since independence.

The effort should be put on specifying land delimiting and zoning and its legitimacy, on one hand, and the nature of the hindering forces and interests on the other hand. This project should be linked to public consciousness in order for it to acquire legitimacy central to political, social, and economic public awareness.

No wonder that citizens oppose aesthetic theories in architecture, and that they consider them at odds with their interests, and that political/economic forces view them as "imposed".

3. Specifying land delimitation and zoning:

The specification is not solely based on technical and aesthetic factors, but also on economic, legal, and political ones. It is important to turn to implementation mechanisms that differ from what the market dictates, and that surpass it, by imposing specifications in correlation to public resources (beaches, air, water, vegetation, archeological sites, public gardens, as well as educational, health, and administrative utilities) that are non-sustainable.

The environment, architectural heritage, and public utilities are public resources. That is why the previously mentioned specifications and land delimitation are formed on the "basis" level and zoning on the "implementation" level. That it is why they both have:

- The general subject of finding a balance between environmental factors and urbanization demands and their impact.
- The same line of work, specific by the meeting of personal interests and public ones.

Land delimitation and zoning specific traits:

- Land delimitation is the embodiment of the authority of the state for a specified time limit and at a specific period.
- Zoning contains the following:
 1. A series of legislative texts imposed by the public authority despite the fact that the return to the organizational framework limits efficiency and opens the way for political interventions and misuse of public authority.

2. A series of implementation, judicial, financial and taxation mechanisms given by central authority for intervention (knowing that the use of these mechanisms has become natural and unjust).

4. The citizens position vis-à-vis land delimitation.

The citizen thinks, firstly, that his right of investing in property is based on the principle of offer and demand. The limiting of this right would be considered as an aggression on his property. Secondly, he also thinks that the state's obligation is to insure the required infrastructure. International experience and the nature of urbanity prove that these two suppositions that form strong convictions for the Lebanese (individuals and pressure groups) are false.

The traditional force of the market is not enough, on its own; to find the balance between the different uses of the space/environment in an efficient way to secure personal and public interests.

5. Method of reform.

The importance of the issue and its complications makes reform imperative on three levels:

- Raising the awareness of people, municipalities, and politicians on the importance of land delimitation and zoning in order for them not to perceive it as a threat to their interests.
- Implementing a series of model operations on specific sensitive areas to prove that solutions are possible.
- Retaking into consideration the relationship between personal interests and public ones in relation to natural and built public resources, putting into effect legal, organizational, financial, and implementation mechanisms that will correct the unbalance, so land delimitation would follow market logic as well as democratic political logic.

6. Conclusion.

Apart from the streamlining of administrative procedures and the following of qualitative goals policies, the search of

means of encouraging, economic-wise and job-wise, the construction sector has become more than vital. These are the main goals, but without the collective support they are useless. That is why; each one of us should be responsible.

Debate:

- * There was a demand for a unified Environmental project for all NGOs as a pressuring means, in addition to an implementable working plan that would be the beginning of a solution.
- * The search for alternative and environmentally friendly corporations should be encouraged, as a mean to fight the polluting ones.
- * Regulatory means are the missing link as well as the specifications for these regulations.
- * The solution begins at home; sorting of solid wastes should start at home.
- * There is a National working Plan for solid waste, but it requires popular support for its implementation.
- * It should be reminded that Lebanese law does not forbid cutting down trees for construction in the name of private property.
- * The problems with genetically modified foods and their impact on bio-diversity and nutrition were stressed in light of the absence of relevant laws. On the same level, imported irradiated frozen foods and their similar impacts were noted.
- * The debate could not reach a decision whether diesel is more polluting, but whatever the case is, the focus should be on public transport with the limiting of personal vehicles in cities, as well as strict car maintenance.
- * The Urban planning law tackles aesthetics, not environmental impact, while the Engineers Order does not have an executive or implementative status. It only collected taxes on building permits.

Closing Statement

WORLD SUMMIT ON SUSTAINABLE DEVELOPMENT FOLLOW-UP WORKSHOP

CONCLUDING RECOMMENDATIONS

Civil society representatives working on environmental and development issues issued a statement in conclusion of the Follow-Up Workshop on the Recommendations of the WSSD that took place in Beirut on 19-20 May 2003. The workshop was organized by the Arab NGO Network for Development and Heinrich Boll Foundation in coordination with the Lebanese Assembly for Environment and Development and Greenline.

The participants of the workshop agreed to:

1. Adopt the recommendations of the Lebanese NGO Report on Sustainable Development that was issued in preparation for the Second Earth Summit in Johannesburg in August 2002, as it constitutes an adequate work plan for civil society organizations.
2. Organize specialized workshops in preparation for a national plan on thematic issues raised in the workshop:
 - Safe water and sewage treatment management
 - Air pollution, energy and transportation policies
 - Solid waste management
 - Assault on the seashore and river public property
 - Agriculture and biological diversity
 - Zoning and urban planning
3. Empower and strengthen the capacities of civil society organizations working on environment and development in order to adopt adequate plans and methodologies.
4. Organize workshops and awareness raising campaigns about Lebanese governmental policies and the damages and abuse they inflict on the environment.
5. Work on Lebanese legislation in the context of reacti-

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- vating or amending certain laws that affect the environment and advance new laws.
6. Pressure the Parliament Committee on the Environment to question Government's policies in dealing with environmental issues in Lebanon.
 7. The participants insisted on improving the quality of coordination of civil society organization with the concerned ministries and governmental bodies to challenge and confront environmental problems in Lebanon. In this context, the participants proposed to:
 - Create an institutional framework for environmental watch
 - Create a national environmental monitor
 - Acquire the right to personal claim for environment organizations
 - Place objective and adequate standards on environmental watch

Beirut, May 20 2003

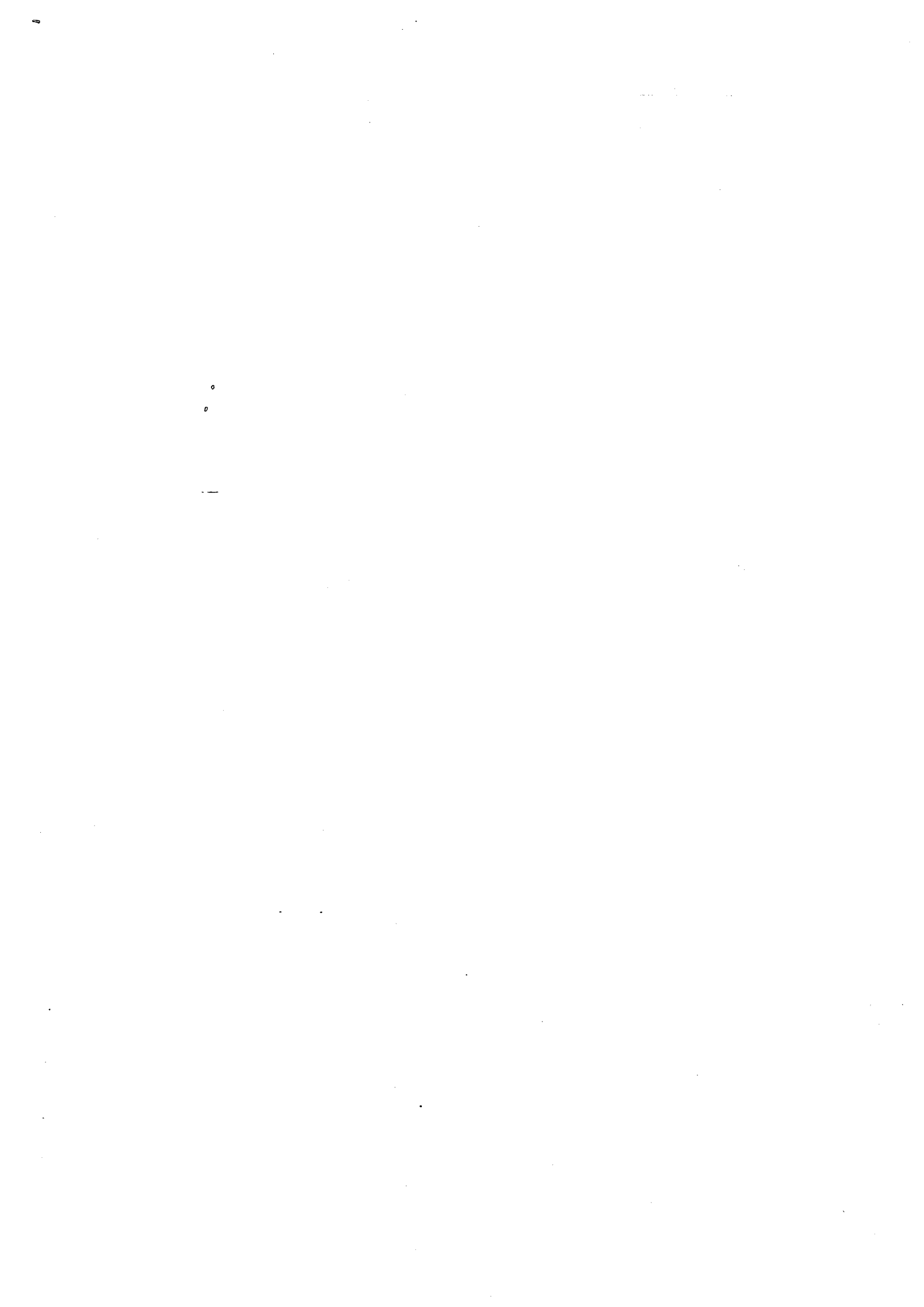
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