

An Overview of Environmental Law in Egypt

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Introduction

Environmental law plays a fundamental role in protecting the environment, preserving natural resources, and ensuring their sustainable use for future generations. In Egypt, a comprehensive framework of environmental laws and regulations has been established to address pollution, protect biodiversity, regulate waste management, and promote the sustainable use of natural resources.

This article provides an overview of the concept of environmental law, the principal areas of environmental legislation in Egypt, and the key challenges affecting the effective implementation of environmental laws.

Definition of Environmental Law

Environmental law is a body of laws and regulations aimed at protecting the environment and regulating the use of natural resources to ensure their preservation and sustainability.

Its scope includes various areas, including pollution control, waste management, protection of water and air resources, and conservation of wildlife, plants, and natural habitats.

Main Types of Environmental Legislation in Egypt

Law No. 4 of 1994 for the Protection of the Environment, as Amended by Law No. 9 of 2009

Objective

Law No. 4 of 1994 aims to reduce pollution resulting from industrial, agricultural, and urban activities and to establish a legal framework for environmental protection.

Main Aspects of the Law

The law establishes a number of definitions and principles relating to environmental protection, including concepts concerning environmental pollution and natural resources.

Environmental Pollution: Any unwanted change in the physical, chemical, or biological properties of the environment.

Natural Resources: Resources including air, water, soil, minerals, and living organisms.

Air Protection

One of the principal areas addressed by the law is the protection of air from pollution resulting from industrial, agricultural, and vehicular activities.

This includes establishing air-quality standards, regulating harmful gas emissions, and conducting periodic inspections of industrial facilities to ensure compliance with applicable environmental standards.

Water Protection

The law also contains provisions aimed at protecting water resources from pollution.

These provisions include restrictions on the disposal of industrial waste and sewage into surface and groundwater without appropriate treatment, as well as requirements relating to the installation and operation of water-treatment facilities where necessary to prevent pollution.

Waste Management

The law regulates various aspects of waste management, including the collection and transportation of solid and hazardous waste.

It also promotes recycling and measures aimed at reducing waste at its source.

Soil and Natural Resource Protection

The law seeks to protect soil and natural resources from degradation and pollution.

This includes imposing restrictions on the use of chemicals and pesticides that may cause soil pollution, as well as measures aimed at protecting forests, wildlife, and endangered species.

Environmental Awareness

Environmental awareness constitutes another important aspect of environmental protection.

The legal framework emphasizes the importance of promoting environmental culture through educational programs and public awareness campaigns designed to inform individuals and institutions about environmental protection and pollution prevention.

Responsibilities and Penalties

The law establishes environmental responsibilities for individuals and companies and provides penalties for violations of its provisions.

These may include financial fines imposed on entities responsible for environmental pollution and, in cases involving serious violations or pollution, criminal penalties that may include imprisonment.

Since the enactment of Law No. 4 of 1994, several amendments have been introduced with the objective of strengthening the effectiveness of the environmental protection framework and adapting it to evolving environmental challenges.

These developments have included strengthening penalties and regulatory oversight and encouraging the adoption of environmentally friendly technologies and practices.

Law No. 202 of 2020 on Waste Management

Objective

Law No. 202 of 2020 establishes a comprehensive legal framework for waste management and regulates the collection, transportation, treatment, and environmentally safe disposal of waste.

Main Aspects of the Law

The law establishes definitions and classifications relevant to waste management, including solid waste and hazardous waste.

Solid Waste: Non-hazardous solid materials resulting from human activities.

Hazardous Waste: Materials containing chemical or biological substances that may pose risks to human health or the environment.

Solid Waste Management

The law establishes procedures governing the collection, transportation, and treatment of solid waste.

These measures include organizing the regular collection of waste from residential and institutional premises, as well as encouraging recycling and waste reduction at the source.

Hazardous Waste Management

Particular attention is given to hazardous waste due to the risks it may pose to public health and the environment.

The legal framework addresses the classification of hazardous waste according to its characteristics and risks, establishes requirements for its treatment, and regulates its storage and transportation.

Private Sector Participation

The law also provides a framework encouraging private-sector participation in waste management.

This includes encouraging investment in waste management and recycling technologies and promoting cooperation between governmental and private entities in order to achieve the objectives of the legislation.

Community Awareness and Participation

The law recognizes the importance of public awareness and community participation in effective waste management.

Awareness programs may be used to educate the public about proper waste management and recycling, while individuals and institutions are encouraged to participate actively in waste collection and sorting processes.

Responsibilities and Penalties

The law establishes responsibilities for individuals and companies and provides penalties for violations of its provisions.

These may include financial fines for violations involving environmental pollution or improper waste management and, in serious cases, criminal penalties that may include imprisonment.

Law No. 102 of 1983 on Natural Reserves

Objective

Law No. 102 of 1983 aims to protect wildlife and plant species from extinction and to preserve biodiversity through the establishment and protection of natural reserves.

Main Aspects of the Law

The law establishes key concepts relating to natural reserves and protected species.

Natural Reserve: A terrestrial or marine area distinguished by unique ecosystems or rare natural phenomena and designated for protection in accordance with the law.

Protected Species: Animals and plants within protected areas that are threatened or endangered and require legal protection.

Establishment and Designation of Natural Reserves

The legal framework provides for procedures relating to the identification and establishment of natural reserves.

These procedures include identifying areas that meet relevant scientific criteria and completing the legal procedures necessary for their designation, including the required governmental approvals and consultations.

Management of Natural Reserves

The law establishes principles governing the management and protection of natural reserves.

These include developing plans for the sustainable management of natural resources and organizing monitoring and guarding activities to regulate human activities within protected areas and ensure compliance with applicable legal requirements.

Protection of Wildlife and Plants

The law provides measures aimed at protecting wildlife and plant species within natural reserves.

These measures include prohibitions on hunting or disturbing protected terrestrial and marine animals and restrictions on cutting, removing, or otherwise damaging rare plants or plants that have ecological significance.

Prohibited Activities

The legal framework restricts activities that may adversely affect natural reserves, including:

- Activities causing air, water, or soil pollution.
- The introduction of exotic species that may disrupt ecological balance.
- Construction and development activities that may adversely affect protected areas or natural resources.

Responsibilities and Penalties

The law establishes legal responsibilities relating to the protection of natural reserves and provides penalties for violations.

These penalties may include financial fines and, in cases involving serious infringements, criminal penalties that may include imprisonment.

The Importance of Environmental Law

Environmental law plays an important role in protecting public interests and ensuring the sustainable management of natural resources.

Protection of Public Health

Environmental legislation contributes to reducing pollution levels, improving air and water quality, and reducing health risks associated with environmental pollution.

Preservation of Natural Resources

Environmental laws help ensure the sustainable use and preservation of natural resources, including water, soil, minerals, wildlife, and plant resources.

Promotion of Sustainable Development

Environmental legislation contributes to achieving a balance between economic development and environmental protection, thereby supporting sustainable development over the long term.

Challenges in Implementing Environmental Laws in Egypt

Lack of Environmental Awareness

Limited environmental awareness among individuals and companies may hinder the effective implementation and enforcement of environmental legislation.

Technical and Financial Constraints

The effective implementation of environmental protection programs may be affected by limited technical capabilities and financial resources necessary to implement environmental measures and compliance programs.

Administrative and Legal Challenges

Weak coordination among different governmental entities may create practical difficulties in implementing and enforcing environmental laws effectively.

Conclusion

Environmental law constitutes a fundamental component of the legal framework for protecting the environment and ensuring the sustainable use of natural resources in Egypt.

The principal environmental legislation addresses a wide range of issues, including pollution control, waste management, protection of natural reserves, conservation of biodiversity, and the regulation of activities that may adversely affect the environment.

At the same time, the effective implementation of environmental laws depends not only on the existence of a comprehensive legislative framework but also on public awareness, adequate technical and financial resources, effective regulatory oversight, and coordination among the relevant governmental authorities.

A clear understanding of the principal environmental laws and the challenges associated with their implementation is therefore essential for individuals, businesses, and institutions seeking to comply with environmental requirements and contribute to the protection and sustainable management of Egypt's natural resources.