Environmental Policies and Their Role in Mitigating Environmental Risks in Arab Countries

السياسات البيئية ودورها في الحد من المخاطر البيئية في الدول العربية



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Abstract:

Environmental policies constitute an effective instrument for preserving the environment in which we live; however, their effectiveness and ability to achieve the desired outcomes vary from one country to another and from one region to another. The Arab region is among the regions most exposed to numerous and diverse environmental risks, despite the variation in their severity across different countries. From this perspective, this study seeks to analyze Arab environmental policies in terms of their importance, priorities, and effectiveness, while taking into account the disparities among its various states. It also examines the mechanisms and tools employed by Arab systems to mitigate environmental risks, whether institutional or legislative in nature.

Keywords: Environmental policies, environmental risks, Arab region.

الملخص:

تمثل السياسات البيئية الآداة الفعالة في المحافظة على المحيط الذي نعيش فيه إلا أنها تختلف من حيث فعاليتها وتحقيق النتائج المرجوة منها من دولة إلى أخرى ومن منطقة إلى أخرى، و المنطقة العربية من أكبر المناطق التي تهددها مخاطر بيئية كثيرة ومتعددة رغم تفاوتها من دولة لأخرى .ومن هذا المنطلق تبحث هذه الدراسة في تحليل السياسات البيئية العربية من حيث أهميتها وأولويتها وفعاليتها مع مراعاة التمايز بين مختلف دولها ، كما تبحث في الآليات والأدوات التي تستعملها الأنظمة العربية في الحد من المخاطر البيئية سواء كانت مؤسساتية أو تشريعية .

الكلمات المفتاحية: السياسات البيئية، المخاطر البيئية، المنطقة العربية.

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Introduction

Environmental policies and their role in mitigating environmental risks represent a subject of inquiry shared across numerous academic disciplines. The field intersects with political science through the processes of policy formulation and decision-making by political leaders, and is equally significant in law, through its connection to the enactment of legislation and statutes that contribute to the protection of the environment and the reduction of environmentally associated risks.

Environmental policies have attracted substantial attention from states at the domestic, regional, and international levels. The wave of legislative enactments began as early as 1902 with the conclusion of the International Convention for the Protection of Certain Wild Birds, subsequently amended in 1950 and 1970 and renamed the Convention on Bird Protection and Hunting. This was followed by a wave of international cooperative legislation, most prominently the Rio de Janeiro Convention of 1992-commonly referred to as the Earth Summit-and the Johannesburg Convention of 2002, which produced landmark resolutions calling for greater attention to environmental concerns through a range of mechanisms and instruments aimed at reducing environmental risks. At the domestic legislative level, France enacted a comprehensive environmental statute-the "Environmental Code" in 1967. In the United States, a presidential decree established the U.S. Environmental Protection Agency (USEPA), a federal government body charged with protecting human health and the environment by drafting and enforcing regulations based on laws enacted by Congress. The Environmental Protection Agency (EPA) was proposed by President Richard Nixon and officially established on December 3, 1970.

Building upon the foregoing and within the framework of the international context, Arab states began enacting a series of legislative measures aimed at mitigating environmental risks. The first such law was Tunisia's Environmental Law of 1983, followed by Egypt's Environmental Law of 1994 and Iraq's Environmental Improvement Law of 2009. Arab collective engagement with this domain intensified when the issue was formally placed on the agenda of the 2018 Arab Summit held in Saudi Arabia under the title of the Arab Strategy for Health and the Environment. This was preceded by the efforts of numerous regional associations and organizations, including the Arab Forum for Environment and Development (AFED), the Arab Network for Environment and Development, the

Inter-Parliamentary Union, and the United Nations Environment Programme (UNEP).[1]

Notwithstanding the laudable objectives for which these organizations were established, the fundamental question remains: is it feasible to adopt an Arab model grounded in a unified set of policies applicable to the Arab region as a whole? And to what extent can such a model succeed in mitigating environmental risks at the regional level?

In order to address this problematic comprehensively, the study adopts a structured plan comprising three axes and a conclusion:

Section One: A theoretical framework for environmental policy.

Section Two: A chronological grounding of environmental policy in the Arab region.

Section Three: The defining instruments of the common Arab policy in the field of environmental governance.

Section One: A Theoretical Framework for Environmental Policy

First: The Concept of Environmental Policy

This concept is composed of two terms. In its general sense, "policy" derives from the Arabic root meaning to govern and manage affairs; it has acquired multiple meanings depending on the context in which it is interpreted, denoting the organization of the relationship between the governing authority and the governed, and the exercise of authority in decision-making. "Environment," for its part, refers to everything that surrounds the human being-the medium in which one lives-encompassing all visible and invisible elements and materials.

Environmental policy may be defined as the set of deliberate measures taken to manage environmental activities with the aim of preventing or mitigating harmful effects on nature and natural resources, and ensuring that human-induced changes do not produce detrimental impacts on human well-being (ar.m.wikipedia.org).

It may also be understood as the rules and stages established by decision-makers for institutions and administrative bodies-including human resources in order to protect the environment through the implementation of plans and policies on the ground, while maintaining a continuous cycle of evaluation, monitoring, and policy adjustment.

Furthermore, environmental policy encompasses the decisions made by policymakers in the environmental domain, provided that the fundamental elements of any public policy are present-whether at the state or organizational

[1]. https://ar.wikipedia.org/wiki – accessed 10/10/2025

level beginning with data collection and analysis through to decision-making and the assessment of resulting consequences.

Environmental policy has also come to occupy a prominent place in scientific scholarship and has emerged as an independent discipline within legal and political studies, particularly in light of the growing attention devoted to environmental issues since the 1992 Earth Summit in Rio de Janeiro, Brazil. As the rate of environmental risks to human populations has risen, a modern scholarly trend has developed focusing on the study of risks arising from environmental pollution, and how to confront and mitigate them through an analysis of the decisions and measures adopted by states and international organizations-a field designated "environmental policy." Today, environmental policy has become an autonomous specialization, comparable to related fields such as environmental management, environmental development, and climate and environmental studies.

Second: Manifestations of Environmental Pollution

1. **Air Pollution**
   Air pollution refers to the disruption of atmospheric composition resulting from elevated concentrations of carbon monoxide, sulfur dioxide, and various toxic gases, whether from industrial sources such as factory emissions and vehicular exhaust, or from natural sources such as volcanic eruptions that release toxic gases.
2. **Water Pollution**
   Water pollution encompasses the contamination of both potable well water and marine waters. The primary cause is typically sewage effluent that infiltrates drinking water supplies or is discharged into seas and rivers. It may also include pollution resulting from oil spills caused by shipwrecks or uncontrolled oil wells, as occurred with the Deepwater Horizon incident in the Gulf of Mexico in 2010 and the sabotage of the Nord Stream pipeline.[1]
3. **Chemical Pollution**
   Lead, hydrogen sulfide, mercury compounds, cadmium, arsenic, cyanide compounds, pesticides, chemical fertilizers, and petroleum products are among the principal pollutants harmful to human health. Chemical pollution may arise from industrial accidents in factories resulting from the failure to take necessary precautions against such incidents. Industrial accidents have drawn global attention to the pollution they cause and have

[1]. Nord Stream pipeline explosion reference.

prompted many bodies and governments to recognize the importance of establishing an international programme comprising safe and robust systems related to the manufacturing, transport, and storage of chemical substances, and enforcing permanent oversight mechanisms to safeguard the health of workers in these industries and the surrounding environment.[1]

Third: Elements of Environmental Policy

4. **Stage of Problem Identification**

At this stage, the competent authority conducts an on-site assessment of the environmental problem, determines the scope of possible intervention, and identifies the appropriate administrative level responsible for addressing it. This stage requires the establishment of an emergency and temporal framework for intervention, given that environmental problems vary in their severity and in the timeframe within which they must be addressed to prevent escalation.

5. **Stage of Information Gathering**

This stage necessitates the formation of technical teams with expertise relevant to the primary problem, as they constitute the main driver of the environmental policy formulation process by providing and analyzing information and diagnosing the severity of the environmental issue. States typically establish technical committees tasked with preparing reports and advisory opinions to be placed before the formulators of the state's general environmental policy.

6. **Legislative Stage**

At this stage, a clear, comprehensive, and general picture must be assembled that can serve as a mechanism and reference framework for implementation, not only at the local level but also at the national and international levels, thereby ensuring continuity and achieving coordination and coherence among the various actors. Objective criteria are established, and it becomes possible at this stage to involve experts, the parties targeted by the legislation, and the administrative bodies related to the environmental problem-such as the ministries of environment, industry, interior, and health. Legislation and law constitute the legitimate framework that determines the success or failure of environmental policy in practice.

[1]. https://ar.wikipedia.org/wiki – accessed 08/09/2025

Environmental legislation is not merely the issuance of laws; it entails the establishment of preventive and deterrent mechanisms and practices that guarantee emergency interventions during environmental disasters, define the jurisdictions of each agency, and organize the work of institutions in terms of objectives, priorities, and the optimal use of available resources.

Accordingly, the success of environmental policy is linked to its formulators and decision-makers on the basis of both objective and subjective factors related to the policymakers themselves-particularly in terms of their training, expertise, and experience-all of which are ultimately reflected in the legislative and legal text.

Implementation Stage

Implementation is considered one of the most challenging stages associated with environmental policy, both in the Arab world and at the international level, as it constitutes the primary instrument of intervention. These instruments are divided into formal and informal institutions.

a) Formal institutions, which are in turn divided into central bodies such as ministries, legislative bodies, judicial authorities, and security agencies, and decentralized entities such as local administrations.

b) Informal institutions, encompassing civil society organizations, environmental associations, political parties, and even trade unions.

The effectiveness of implementation in addressing the environmental problem remains closely linked to the form of the legal text, which determines the powers and responsibilities of each agency, and the degree of flexibility of this text in confronting the environmental problem. Highly formal legal texts that require extensive procedural compliance-characteristic of certain Arab states-may constitute an obstacle to addressing the consequences of environmental problems, on the one hand.

On the other hand, implementation remains dependent on the availability of material resources and capabilities that enable effective intervention and ensure the success of environmental policy, particularly given that some interventions require substantial resources demanding considerable financial outlays-a condition that is absent in many Arab states. Moreover, implementation is not confined to material means alone but extends to other dimensions and instruments as well.

Section Two: A Chronological Grounding of Environmental Policy in the Arab Region

Arab states vary in the timing of their enactment of legislation and laws related to the environment, as well as in the adoption of environmental policies for the mitigation of environmental risks-a variation attributable to the historical circumstances of each state.

1. The Status of the Environment and Its Preservation in Islamic-Arab Culture

Islam has exhorted the preservation of the environment at all its levels, whether in the Holy Qur'an or the Prophetic Sunnah, as evidenced by numerous texts. The Almighty says: "And do not cause corruption upon the earth after its reformation" (Al-A'raf: 56).[1]

He also says: "And when he goes away, he strives throughout the land to cause corruption therein and destroy crops and animals. And Allah does not like corruption" (Al-Baqarah: 205).[2]

From both verses, one may infer a call to preserve the environment and refrain from corruption, on the basis that righteousness and reform are the foundational principles.

In the Prophetic Sunnah, the Prophet (peace be upon him) said: "There is none amongst the Muslims who plants a tree or sows seeds, and then a bird, or a person, or an animal eats from it, but it is regarded as a charitable gift for him." (Narrated by Al-Bukhari)

Muslims upheld this principle and set an example in environmental development across different eras-particularly during periods of significant advancement in the Islamic state. On this basis, the Islamic view of the environment may be summarized as follows:

• The human being is a steward of the earth, and therefore bears the obligation to preserve the environment.

• Reform is an obligation commensurate with one's capacity.

• The environment is placed at the service of the human being.

In the modern era, Arab states have endeavored to align with international legislation on environmental preservation, both collectively and individually. Notable examples include:

1. Qur'an, Surah Al-A'raf, 7:56 (Sahih International translation)

2. Qur'an, Surah Al-Baqarah, 7:205 (Sahih International translation)

• **Algeria:** The first environmental law was enacted in 1983 and subsequently amended in 2003 under the title "Law on Environmental Protection within the Framework of Sustainable Development."

• **Oman:** A presidential decree was issued under number 82/10 for the protection of the environment and the preservation of public health.

• **Egypt:** Law No. 04 of 27 January 1994 was promulgated, relating to the environment and establishing the Environmental Affairs Agency.

• **Tunisia:** The law enacted on 2 August 1988 constitutes the first legal text to consecrate comprehensive environmental protection, to recognize pure environmental damage and the pure environmental offence, and to establish the full range of environmental protection mechanisms. At the preventive level, it introduced the requirement of environmental impact assessments; at the remedial level, it consecrated the polluter-pays principle. It also introduced purely environmental levies for the first time, provided for the establishment of a pollution control fund, and designated the National Agency for Environmental Protection as the body exclusively competent to protect the environment and to represent environmental interests before the judiciary.[1]

Section Three: The Defining Instruments of the Common Arab Policy in the Field of Environmental Governance

First: Shared Characteristics of Arab Environmental Policies

Arab states share a number of characteristics pertaining to environmental policies, which define the general framework for the analysis and evaluation of these policies:

1. **Weakness of Budgets Allocated to Environmental Protection**
   The majority of Arab states suffer from financial weakness in the environmental domain-attributable primarily to the budgets allocated to it particularly given that environmental matters sometimes require considerable financial resources. With the exception of Gulf Cooperation Council states, most Arab states allocate limited financial resources to environmental and related issues.
2. **Insufficient Specialized Research Centres for Environmental Policy Analysis and Evaluation**
   Most Arab states are characterized as consumers rather than producers in the field of scientific research and experimentation related to the

[1]. https://legal-agenda.com – accessed 10/01/2026

environment and sustainable development, owing to the scarcity of research centres. However, with the dawn of the twenty-first century, Arab states-through organizations and Arab institutions with shared interests-began establishing institutions and research laboratories dedicated to environmental affairs, such as the Arab Forum for Environment and Development (AFED) and the Arab International Organization for Environment and Development.

3. **Weak Political Will and Reliance on Ad Hoc Policies**

   A prevailing perception among political elites has been that environmental issues are peripheral concerns, resulting in a failure to accord them the status they deserve within electoral programmes and a tendency to focus instead on economic affairs, defense, education, and health. Environmental issues have further been viewed as contingent matters requiring circumstantial policies linked to external treaty obligations.

4. **Geographic Environmental Disparities**

   Geography plays a major role in determining environmental policies in the Arab world, and differentiates the approach to environmental issues in the region-whether in setting priorities or during implementation. Problems such as desertification and drought are more acute in the Arab desert states than elsewhere, in addition to differences in the nature of geographically induced environmental problems that may require long-term or short-term policies.

5. **Financial Disparities among Arab States**

   The most distinguishing feature of Arab states is the financial and economic disparity among them, attributable to differences in geographical and human resources. This disparity has led to differences in the nature of environmental policies adopted by each state according to financial cost. States with strong economies-such as Saudi Arabia, the United Arab Emirates, and Algeria-and high financial revenues are better positioned to adopt costly environmental policies, in contrast to states with limited financial income.

Second: Instruments for Activating Environmental Policy

By this we refer to the means and techniques contributing to the success of environmental policy while ensuring positive results with tangible real-world impact. These may be summarized as follows:

6. **Economic Instruments**

   These include the provision of financing and equipment programmes and economic programmes related to the environment, alongside the application of economic theories in this domain, with a shift in focus from environmental remediation to the pursuit of financial returns and public benefits from these environmental economic projects.

7. **Legal Instruments**

   These are not confined to the legislative dimension alone but encompass the monitoring of the application of legal texts, with the necessity that legislative texts keep pace with ecological developments occurring in the environmental domain-whether of natural origin, such as earthquakes, volcanic eruptions, rising water levels, drought, and desertification, or of human origin, such as industrial pollution. In this area, environmental legislative policy is divided into two categories:

   – The first is preventive in nature.

   – The second is punitive and deterrent in nature.

8. **Educational and Pedagogical Instruments**

   These relate to the preparation of citizens and the consolidation of principles of environmental protection and preservation, whether through educational institutions by reviewing and supplementing curricula in this domain, or through associations and civil society organizations.

Conclusion

In conclusion, it may be stated that environmental policies in the Arab world continue to require greater attention from the political elite and should be accorded a status commensurate with that of other major policy concerns - namely defense, health, and education-given their significance and the risks to which they give rise, particularly in the context of global scientific reports which predominantly indicate negative trends. Furthermore, these policies must chart a common Arab course in confronting shared challenges, whether through the establishment of bilateral or multilateral organizations that provide channels for cooperation among Arab states. Despite Arab efforts to enact legislation and formulate policies for the preservation of the environment, these efforts remain deficient in monitoring, oversight, and evaluation mechanisms.

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