



POLICY AND PRACTICE

Reforming the National Framework for Environmental Policies in Saudi Arabia

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(Received June 1998)

ABSTRACT *The current framework for national environmental policies in Saudi Arabia suffers from overlapping authority, a slow decision-making process, gaps in legislation and implementation difficulties. The paper gives a brief assessment of the existing framework including: political culture; environmental decision making process; environmental institutions; and environmental awareness. This is followed by a proposal for reforming the current framework. The proposal covers four main sectors: political culture and the public role; environmental decision making; environmental policies and laws; and institutional structure.*

Introduction

The Kingdom of Saudi Arabia was founded in 1932, covering a major part of the Arabian Peninsula. Increased revenues in the 1970s rapidly accelerated urban, industrial and agricultural growth. This rapid growth placed pressure on the sensitive desert environment. Exploitation of natural resources including valuable aquifers and oil production activities caused a severe deterioration of environmental conditions. Urban growth resulted in disturbance to fragile habitats and new forms of stress including pollution and health problems.

Adopting and implementing environmental policies in Saudi Arabia is strongly influenced by the prevailing political and administrative culture. The country, as an absolute monarchy, has a centralized decision-making process. This is dominated by the Council of Ministers in which the King is the prime minister. This centralized distribution of power limits public participation in decision making and places the whole responsibility of protecting the environment on the government and its agencies. As in other countries, the Government attempted to deal with environmental problems by adopting policies and legislation to protect the environment and control human activities, in addition to structuring administrative bodies to carry out their implementation. Several problems hindered the national framework for environmental policies including:

policy inconsistency; administrative conflicts; overlap of authority; and failure to implement adopted policies and laws.

The paper is part of a wider study that assessed Saudi environmental policies and proposed a new framework for environmental policies. A part of this wider study (Al-Gilani & Filor, 1997) gave general background including: historical review; policy documents; institutional categories; and decision-making processes. The institutional dilemma was addressed in a more recent paper (Al-Gilani & Filor, 1998). This included a proposal for a new institutional structure and redistribution of authority and mandates as part of the reformed framework. Another part of the study is currently in preparation for publication, to include assessment of current environmental laws and a draft for an environmental policy act.

This paper presents the overall structure and components of the proposed reformed framework. The first part (the current dilemma) summarizes and categorizes the major factors shaping Saudi environmental policies. This includes: political culture; environmental policies; environmental decision making; environmental institutions; and environmental awareness and the public role. Under each topic a brief assessment is given including any deficiencies and conflicts. The second part utilizes these findings to construct a proposal for change. This proposal revises the national framework for environmental policies covering four main sectors:

- political culture and the public role;
- environmental decision-making process;
- environmental policies and laws;
- new institutional structure.

All proposed elements of the framework take into consideration the current political and administrative system and hence can be incorporated within the general political structure. The proposed reforms in each sector should be considered within the context of the overall structure of the proposed framework including those not discussed in detail in this paper, in particular the draft environmental policy act which provides several legal tools needed to support the proposed reforms.

The Current Dilemma

Although severe environmental impact is relatively recent, it is obvious that stresses on the environment have increased in the last few decades. This has resulted in several steps by the Government to deal with the increasing problems. These include adopting policies and legislation in addition to an institutional structure with varied scope and mandates (Al-Gilani & Filor, 1997, pp. 775-776). Several elements influenced environmental policy initiation, adoption and implementation. However, the most influential factor has been the prevailing political system and culture.

Political Culture

Political culture has influenced and shaped: the environmental decision-making process; policy implementation; institutional relations; and, consequently, the overall administrative culture. It has also influenced the public contribution to

environmental debate and the degree of scrutiny allowed to independent bodies such as newspapers. However, as in any other country this factor is dynamic and with the announcement of the new constitution in 1992, the Kingdom witnessed some change in the political atmosphere. The decision to limit ministerial posts to a period of four years is one example of such a change.¹ This element, and possibly a signal from the Government, gave local newspapers increased flexibility in discussing and scrutinizing governmental bodies' activities. However, it is also noticeable that such flexibility is still limited to local public services, while national policies and plans remain immune to criticism. Such change in the political culture can be advantageous in environmental issues, where public concern can be channelled through local media venues to influence environmental policy initiation and implementation.

The Consultative Council (*Majlis Al-Shura*) is another element in the changing political culture. However, it is not clear to what degree the Council is aware of environmental conditions and public environmental needs. Furthermore, the lack of access to Council deliberation on environment issues makes it difficult to assess their ability to influence the environmental decision-making process. The Social and Health Committee (SHC) of *Majlis Al-Shura* is the committee responsible for reviewing environmental policies and laws. The Council's role in the environmental debate needs to be publicized especially on issues related to public health. The establishment of the Council still needs to prove that it was a constructive step to incorporate public concern into the decision-making process as well as creating a body capable of scrutinizing the activities of government officials and bodies. Further political reforms might include these concerns. The Government's duties towards the environment were spelled out in the new constitution, officially referred to as the "Basic Law of Government". Item 32 of the constitution formed the basis for governmental duties and obligations to protect and maintain a healthy environment for the people of Saudi Arabia.

Environmental Policies

The main source of national environmental policies are the five-year development plans. These documents contain a good and clear direction for government environmental policies, especially the fifth and sixth plans. They also established the ideological orientation and commitment of the Government towards the environment. However, most policy proposals have never been implemented. The most recent example was the policy and programme proposals of the fifth plan (1990-95), which included an excellent assessment of deficiencies in applied policies, and a clear policy direction and proposals aimed at solving those deficiencies.

The sixth plan also included a constructive assessment and comprehensive listing of proposed policies and programmes. However, it did not refer to the failure to implement the fifth plan's proposals (Al-Gilani & Filor, 1997, pp. 776-779.) No mechanisms exist to follow up policy proposals, where proposed policies do not reflect any co-ordination between environmental agencies and the Ministry of Planning (MoP)—see Al-Gilani & Filor, (1997, pp. 776-781) for a review of Saudi environmental policy documents.

The effort to adopt and issue environmental laws in Saudi Arabia was relatively successful in several areas. However, this effort was not comprehen-

sive. It is noticeable that the Ministry of Agriculture and Water (MAW) was the most active body in drafting and sponsoring environmental laws mainly in the 1970s and 1980s. On the other hand, the main agency, the Meteorology and Environmental Protection Administration (MEPA), was slow to draft environmental standards and faced serious obstacles to gaining approval for its most critical laws. The National Commission for Wildlife Conservation and Development (NCWCD) succeeded, after some struggle, to pass the Wildlife Reserves Areas Law M/12 1415H (1995) which provides the legal instrument for the Commission's plans and activities. There is a gap in the current regulations, mainly in the environmental health sector, including pollution monitoring and waste disposal, in addition to the lack of any regulation to protect coastal areas from urban and industrial development. The most obvious gap is the non-existence of Environmental Impact Statement (EIS) requirements for development projects at all levels and sectors. Other major players, such as the Ministry of Municipal and Rural Affairs (MoMRA), the Ministry of Industry and Electricity (MIE) and the Ministry of Health (MoH), contribute little to the field, leaving a gap in the legal instruments which protect and conserve the environment and human health.

Although each environmental law has its own problems, co-ordinating their implementation is the most common problem, in addition to lack of policing power and resources. The MEPA, for example, faced difficulties in implementing its own environmental standards, although the law granted it the power to do so. In this case the problem was the lack of long term planning to establish monitoring stations and follow-up mechanisms. It is noticeable that financial penalties are rarely applied in violation of environmental laws. In any future revision of such laws and restructuring of environmental institutions, financial penalties must be part of the implementation power granted to environmental agencies. *Majlis Al-Shura* can play a role in following up the implementation of environmental laws and deliberating on any problems facing implementation.

Environmental Decision Making

The process of environmental decision making in Saudi Arabia has struggled for some time to reach its current form. However, several problems still exist, especially in relation to co-ordinating environmental activities and legislation (Al-Gilani & Filor, 1997, pp. 784-785). Four main factors influence environmental policy initiation in Saudi Arabia: public concern and pressure; international commitments; research findings; and policy proposals.

The public role in initiating environmental policies is limited. In some cases, however, continuous pressure can result in bringing the issue to the attention of high ranking officials and consequently initiate further investigation of the matter. However, it takes many complaints to transfer such concern into a policy initiation. With the increasing attention given to environmental issues in international politics, Saudi Arabia has been involved in many international conferences and meetings. Some resulted in commitments to adopt environmental policies and regulations. The approval of Agenda 21 Saudi Arabia (1995) is a good example. However, in most cases, approving such international agreements takes a long time and, in others, they never receive approval. Neverthe-

less, due to the increasing power of international agreements it is assumed that this factor will be more influential in the future.

Research activities of governmental bodies are fragmented, lack clear aims and are hindered by a lack of resources and qualified staff. The lack of comprehensive environmental data, research plans and assessment reports at the national level causes a major deficiency for the process of environmental decision making. Academic institutions have contributed little to the field. One side of the problem is the limited funding allocated for research within universities and by King Abdulaziz City for Science and Technology (KACST). The KACST provided a total of SRY 10 million (£1.66 million) to fund pollution and environmental protection research over 13 years (1979–1992) (KACST, n.d., p. 16). At national level, there is no clear plan for establishing basic environmental inventories and conducting research for assessing environmental impact. Such deficiencies can be blamed on the MEPA, the body responsible for this task, and the KACST, the advisory and planning body in the field. Very little if any funding is available for academic institutions from governmental bodies such as the MEPA, MAW, NCWCD and MoMRA. Most agencies do not have programmes to support research at local universities. The root of environmental research problems lies in the lack of clear plans and programmes by governmental agencies that have no clear vision of what is needed and to what extent such research can help in initiating and adopting environmental policies. Research findings can have little influence in initiating environmental policies and laws simply because so few exist. However, considering the prevailing administrative culture, even if such findings exist, their availability to, or influence on, decision makers is questionable.

The official path of environmental decision making has several deficiencies. All environmental policy and law proposals have to be submitted to the Preparatory Committee for the Ministerial Committee on the Environment (PCMCE) and later the Ministerial Committee on the Environment (MCE). The meeting of the PCMCE and any subcommittees formed is the battle ground between environmental agencies, and in many cases the forum where some policy proposals are delayed for several years. In the case of the MEPA's EIA and National Coastal Zone Management Plan (NCZMP), two vital laws were stopped at this policy-making level where committees were formed to resolve the disagreement between opposition agencies and the MEPA. Evidently a new mechanism is needed to avoid the deadlock at this stage. This might include the appointment of an independent figure to take decisive decisions if the process reaches a dead end. The MEPA also needs to be more flexible and realistic in its proposals especially when it comes to defining the authority of implementation. It seems that the obstacles placed by environmental agencies are the most critical factors in obstructing the process. Indeed the lack of co-ordination and the inability of the MEPA to play its role as the co-ordinator of environmental activities is the most obvious failure of the process.

For those policies and laws that managed to pass through the decision-making process, implementation is the final obstacle. All environmental laws face serious implementation problems including a lack of qualified staff, resources, policing power and/or vague mandates for implementation. However, most laws need the co-operation of several agencies to guarantee full implementation, which does not exist in most cases. Inter-authority struggles and overlap of activities play a part in the lack of co-ordination.

Environmental Institutions

The institutional structure and distribution of authority in the environmental field have played a role in the current environmental problems. The most important factors are the scope of work and the mandate granted to environmental institutions which have resulted in areas of authority conflict and overlap of their activities. Both factors have also hindered the implementation of officially approved policies and laws (Al-Gilani & Filor, 1998, p. 1).

The current administrative structure reflects the degree of attention the Government has given to environmental issues. This was represented by forming MEPA and the Environmental Protection Co-ordinating Committee (EPCC) in 1981 and later the Ministerial Committee on the Environment (MCE) and its preparatory Committee (PCMCE) in 1990 to oversee national environmental policies and activities. Although both the EPCC and later MCE-PCMCE managed to bring all involved parties to one table, little was achieved in reducing overlap of authority and conflict. In addition to the lack of any obvious decisive authority, distribution of authority between agencies is the main reason behind this agency rivalry (Al-Gilani & Filor, 1998, pp. 1-2). The best example is the proposed NCZMP where the area of coastal management and marine conservation is mandated to several agencies each with a different scope of work and attitude to the issue. All governmental bodies have contributed to the ongoing dilemma in environmental decision making, in addition to their internal problems. The MEPA, for example, has several serious problems including the lack of power and resources to co-ordinate environmental activities and monitor the implementation of environmental standards. On the other hand, conflict of interest is obvious in many of the MAW's activities. Redistributing authority and scope of work might be the solution for these problems, as such redistribution can reduce conflict of interest and pressure on some agencies, especially the MAW.

The internal structure of the MEPA, MAW and MoMRA suffers from some deficiencies that need urgent restructuring. The MEPA, as the main environmental agency, is in need of administrative reformation to bring in more flexible administrators capable of playing a co-ordinating role between environmental agencies. A substantial increase in its resources and monitoring capabilities is urgently needed. On the other hand, the NCWCD seems to be in a good position in terms of its structure and fulfilment of its mandate. The MoMRA's role in environmental issues needs a complete review to make it more responsible for urban environmental quality in addition to rural conservation. Its authority to run local municipalities must also include the responsibility to monitor and conserve rural landscape, urban environment and sensitive habitats within urban boundaries. (A review of the environmental institutional dilemma in Saudi Arabia is given in Al-Gilani & Filor, (1998)).

Environmental Awareness and the Public Role

The state and activities of environmental awareness in Saudi Arabia significantly influence the degree of public participation. Some 18 years since mandating the MEPA, the authority to improve environmental awareness and raise public understanding of environmental issues, the agency has little to be proud of in this field. It has conspicuously failed to fulfil one of its main duties. This has left

a major section of environmental issues, especially pollution and development impact on public health, uncovered. On the other hand, the NCWCD has managed to carry out a relatively successful campaign for habitat protection and wildlife conservation awareness. Independent agencies and companies, such as the Royal Commission for Jubail and Yanbu (RCJY) and Saudi Aramco, have succeeded in adopting and implementing awareness programmes with varied degrees of success.

The Saudi Environmental Awareness Project (SEAP) in 1995 was the first comprehensive effort organized to educate the public about environmental issues and problems. This project, which was privately funded, managed to receive wide media coverage and attracted the attention of the public. For many, it was the first time they were exposed to such an awareness programme. The SEAP was a new phenomenon in the Saudi culture and attracted the attention of a large number of people. However, this was a limited project that lasted for only two months. The dominant message to the public of what is needed from them to maintain a clean environment was not balanced by an indication of each government agency's role. Each agency emphasized in its presentation the success they had achieved in conserving the environment and maintaining a hazard free environment. A series of articles in a local newspaper (Al-Bouq, 1995a, 1995b, 1995c) gave a good critical review of the SEAP activities.

The role of the public in initiating environmental policies and the degree to which they can participate in the decision-making process is controlled mainly by the prevailing political culture. However, when considering the state of environmental awareness in the country, one cannot expect the public to play a major role in environmental debate. An ill-informed and disenfranchized public cannot participate in policy initiation and public debate. The public reaction in most cases is localized and they are not aware of the wider national level of impact on their health and the environment.

The Kingdom lacks a clearly structured strategy for environmental awareness. Most successful activities are carried out by independent agencies and companies, while the MEPA has no national plan. The SEAP was a good but rather limited effort to improve environmental awareness, and did not represent a long term national strategy. The MEPA needs to draw up a National Plan for Environmental Awareness consisting of several programmes, each emphasizing a specific issue and supported by qualified staff and resources. The sensitivity towards any alarming health hazards and criticism of activities by government bodies can limit the degree of media participation in such a plan. (For further discussion of awareness activities and SEAP, see Al-Gilani (1998)).

Proposal for Change: Reforming the National Framework for Environmental Policies

The following is a proposal for reforming the national framework for environmental policies. It consists of suggestions to reform four main areas: political culture and the public role; the decision-making process; environmental policies and laws; and environmental institutions.

Political Culture and the Public Role

The discussion in this paper has demonstrated that despite government attempts to construct a framework for national environmental policies, several restraining

factors have obstructed this framework. Of most importance is the prevailing political culture. This fundamental factor can benefit from further reforms, mainly in the degree allowed for public scrutiny of government agencies, activities and programmes. To prepare the ground for successful environmental debate, the Government needs to encourage public participation in the decision-making process and increase the freedom of newspapers to assess environmental achievements and express public health conditions and environmental concern. The main ingredient for such public participation is awareness. The Government needs to draft a National Plan for Environmental Awareness. Such a plan must look at both long term and short term goals and be comprehensive enough to cover all environmental sectors, such as environmental health, pollution, waste disposal and nature conservation, in all sectors and at all levels. The experience of the SEAP can be used as a starting point.

With increasing public awareness, public concern will find its expression within the proposed more flexible civil atmosphere. Consequently, scrutiny of governmental agencies and the private sector will be more constructive. Another important ingredient of increased public participation can be a more active role for the Consultative Council (*Majlis Al-Shura*). The Council can be one of the avenues to channel public concern to the government, and a tool for including the public in the decision-making process. A new mechanism is needed to make the members aware of public needs and concerns. The council might introduce a system of public participation when assessing environmental issues. This could include holding public meetings in different regions and visits to sites suffering from environmental stresses. The Council could also ask academic and independent bodies to conduct studies on environmental conditions and surveys of public concern in relation to environmental issues such as air and water qualities, environmental health and hazards from industrial activities. Such studies can be used in Council deliberation and passed to the involved agencies. The current Social and Health Committee (SHC) has a very wide scope of duties, but forming a specialized committee on environmental issues (an Environmental Affairs Committee) would allow the Council to give more attention to such issues. This committee should establish links with the Saudi Environmental Society proposed later in this paper as a mean of channelling public concern to the Council members.

Grassroots organizations are a new form of public participation and activity which need to be introduced into Saudi culture. Although this form of public activism might find it difficult to function within the current political system, the Government needs to give it serious consideration because it is of vital importance to improve public awareness and attract interest in the environmental debate. Grassroots societies can be a beneficial factor in incorporating public concern into the decision-making process and placing pressure on both the private and public sectors for a healthier environment. To accommodate such activities within the current political system, it can be argued that such societies can complement and support government plans and allow the public to participate in following up the implementation of government policies and programmes. Furthermore, such societies can be developed alongside local government, with an independent executive chair and honorary chairmanship of the local governor. Representatives from governmental bodies can also be part of this activity, in addition to schools and universities. This concept can be used

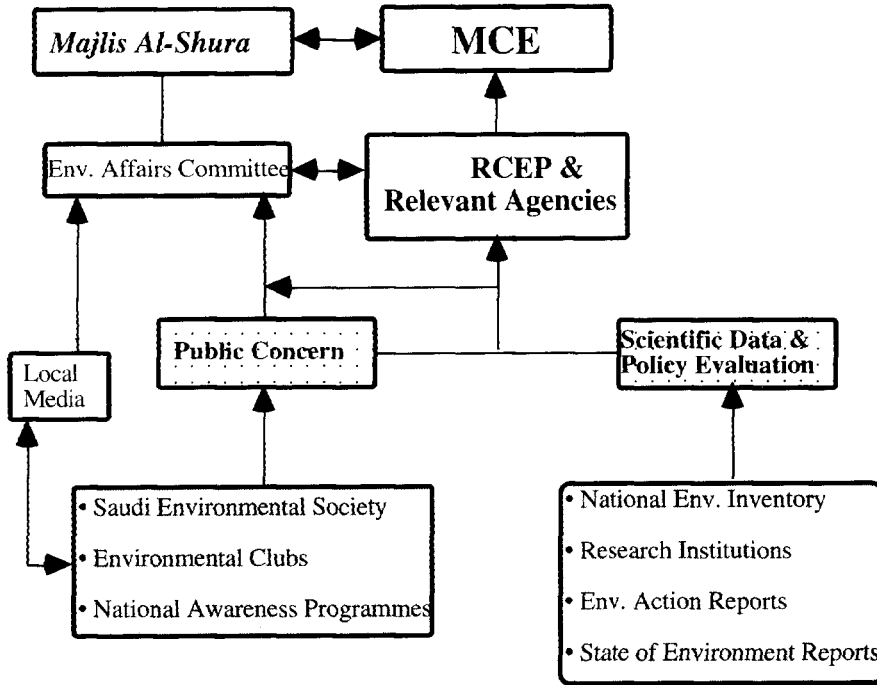


Figure 1. New factors affecting environmental policy initiation. Source: compiled by the authors.

to create the Saudi Environmental Society (SES) as a non-governmental body with public membership and elected executive and board members.

Other forms of public society can function within schools, such as Environmental Clubs. Some schools do have some limited activities within science clubs. However, a wider, well-organized promotion of an Environmental Clubs Programme is needed. The MEPA and the Ministry of Education can contribute to administration and funding in addition to donations from the private sector. Allowing such societies to function at school level will significantly improve awareness within the next generation and consequently lead to more constructive participation in environmental debate. Most importantly it will form part of the factors influencing environmental policy initiation. Figure 1 shows the factors affecting environmental policy initiation suggested in this proposal; some of these factors are discussed in the next sections.

Decision-making Process

The difficulties inherent in the process are in need of urgent solutions. One element of the solution has been prescribed in the further incorporation of public concern and participation. The other element is the availability of basic environmental data and research findings on local environmental conditions and problems. The Government needs to establish a National Environmental Inventory consisting of several specialized databases covering basic information needed in

assessing local conditions, and the decision-making process at policy, plan and programmes levels. Existing databases of the NCWCD, KACST and universities can be the starting point of this national inventory. Significant change of government attitude towards environmental research is needed. This must include a substantial increase in funds and support for academic institutions. The KACST can play a vital role in such an activity through its Environment Institute. Although the private sector should be encouraged to play their part in funding research activities by adopting regulations for minimum research funds, based on the capital invested and annual capital gain, this should not replace or affect government funding particularly considering their dominant role. Establishing new specialized research centres within universities is urgently needed to complement the limited existing activities, e.g. a Marine Research Centre can build upon the existing Marine Science Faculty at King Abdulaziz University, Jeddah. It should be emphasized that weak and limited intentions are not enough and substantial resources are needed to structure a reasonable base of scientific data for the benefit and well-being of the next generations.

The most vital obstacle to the decision-making process is the lack of decisive authority especially at the PCMCE level where most conflict exists. The MEPA's participation in the process does not include the co-ordination factor that is part of its mandate. Appointing an independent chairman for the PCMCE, from outside the involved agencies, could be the vital step in reforming the process. Such an appointment would bring a neutral head with decisive authority in cases reaching deadlock such as in EIA and NCZMP. This appointment should mean relieving the MEPA from its role as the secretary general for the MCE-PCMCE. The MCE should have its own independent secretarial staff headed by the chairman of the PCMCE who will also be the Secretary General for the MCE. This will allow the MCE to function independently from the MEPA. Arbitration is another role for the MCE, in addition to its role as the body responsible for overseeing all environmental activities. The MCE-PCMCE should function as the last step in resolving any decision-making conflicts between environmental agencies. The process will retain the present steps of submitting a policy proposal to the PCMCE and through any designated specialized committees. However, if the involved agencies fail to reach agreement, the chairman of the PCMCE will have the final decision. To avoid making this one-man decision in cases of critical scientific and political issues, an advisory committee will form part of the MCE structure. This will be a neutral committee to advise the chairman of the PCMCE on any dispute between environmental agencies. The chairman will take their advice into consideration when resolving any conflict. If this point of conflict is resolved, the process of environmental decision making will be more constructive and the time factor will be substantially reduced—see figure 2.

On the other hand, the MEPA's attitude towards distribution of authority, especially at the implementation stage, needs revision. This factor has proved to be the most difficult to resolve when discussing policy and law proposals. The Royal Commission for Environmental Protection (RCEP), the body replacing the MEPA (see below) needs to keep a supervisory and advisory role in implementation rather than being the sole authority. Implementation must be distributed between agencies according to their role and scope of work. For example, reviewing environmental impact statements for agricultural projects should be part of the licensing procedure checked and approved by the MAW. However,

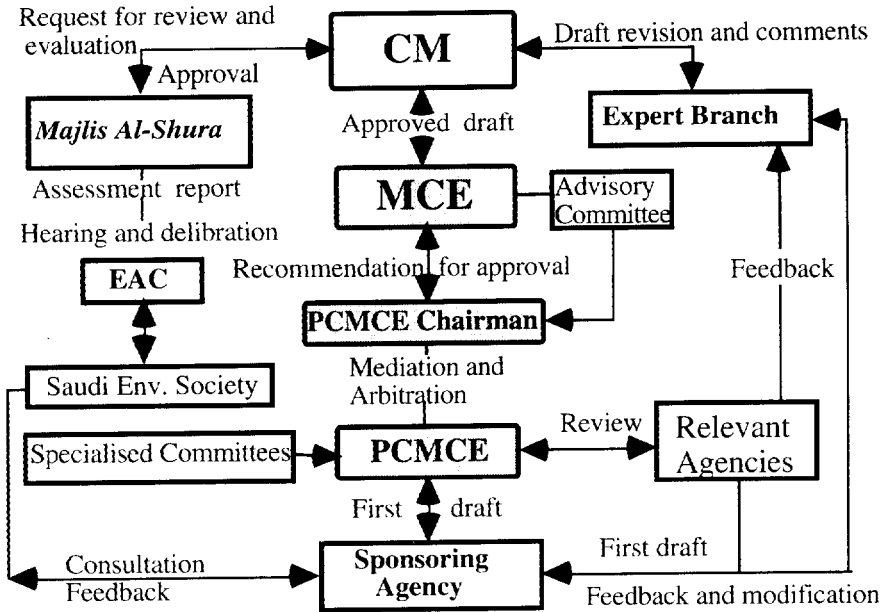


Figure 2. Reformed environmental decision-making process. Key: CM, Council of Ministers; MCE, Ministerial Committee on the Environment; PCMCE, Preparatory Committee for MCE; EAC, Environmental Affairs Committee. Source: compiled by the authors.

the RCEP should keep the right to re-examine any statement it considers of high risk. At the same time, the MAW should apply the RCEP's standards and inform them of all proposed projects in addition to seeking advice from the RCEP in cases beyond their abilities. This will allow the RCEP the role of monitoring and following up implementation rather than being the initiating, monitoring and implementing authority at the same time. Furthermore, granting the RCEP an overruling authority when supervising implementation will guarantee compliance with approved regulations—see Figure 3. (The RCEP is the proposed replacement of the MEPA as will be discussed below.) Such distribution of authority will make use of a wider range of resources. On the other hand, environmental agencies should be provided with enough resources and policing powers to enable them to carry out implementation activities.

Environmental Policies and Laws

Parts of the existing policy proposals can be used as a base for future ones. However, the main dilemma of implementation needs to be resolved to guarantee comprehensive implementation and compliance. Furthermore, government policies and programmes must contain a time limit to allow the public and the Consultative Council (*Majlis Al-Shura*) to scrutinize and monitor the implementation of such policies. The policy proposals dilemma is valid for all development plan policy proposals in Saudi Arabia, hence a national system to follow up implementation of development plan proposals is needed. Such follow-up

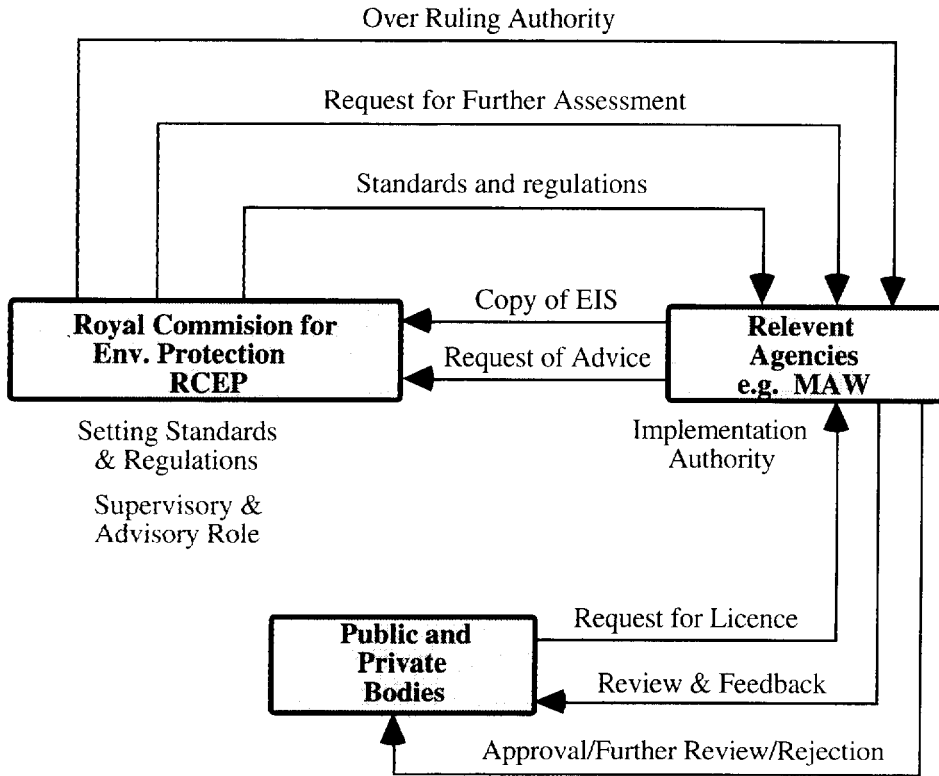


Figure 3. Implementation process: the case of EIA. Source: compiled by the authors.

must incorporate the Ministry of Planning (MoP), the body responsible for drafting these plans, the involved agencies and *Majlis Al-Shura*. The public needs to play a part in such activity through grassroots organizations and by expressing concern to the local media and Consultative Council members. The MoP and the RCEP need to publish an assessment report (Development Plans Assessment Report (DPAR)) assessing the achievement of adopted development plans, environmental policies and programmes. This report should be published in the last year of each plan, separate from and prior to the new plan. The suggestions of a national follow-up system will need discussion of a wider-based cultural, political and administrative reform, which is beyond the scope of this paper.

State of the Environment (SoE) reports are one source of information in urgent need. RCEP must regularly publish an annual SoE report containing comprehensive data and up-to-date information about the environment and the extent to which adopted environmental policies and laws have been implemented. SoE must be available to the public and decision makers; moreover it needs a follow-up from local media and scrutiny from grassroots organizations. Environmental Action Reports (EARs) are another component of policy follow-up mechanism. This is an annual report to be submitted by all public, and designated private, organizations to the RCEP explaining that organization's environmental measures and achievement, including compliance with national

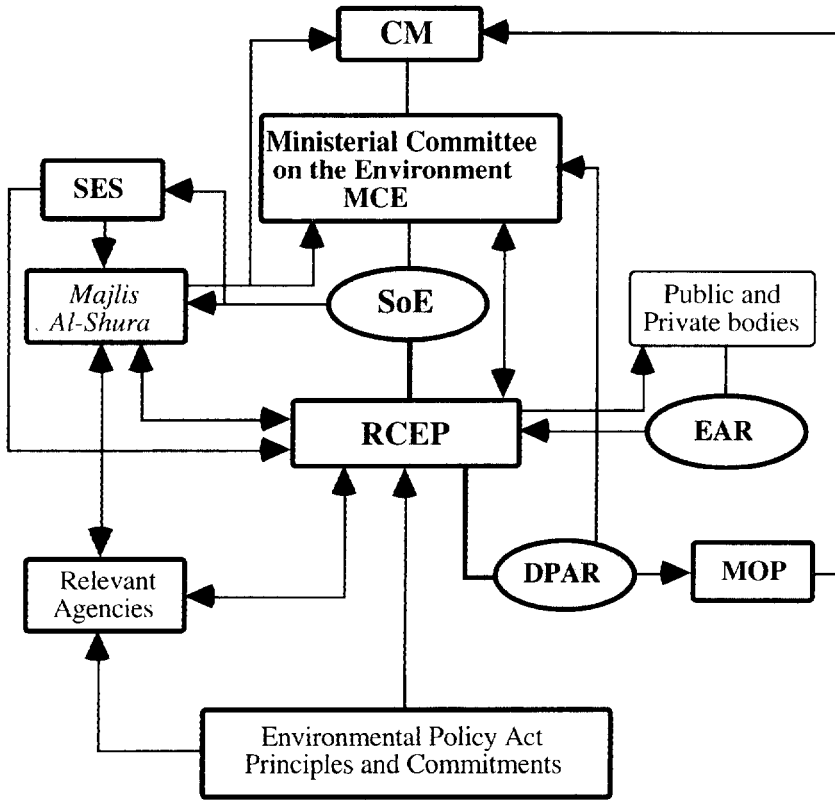


Figure 4. Environmental policies follow-up mechanism. *Key:* CM, Council of Ministers; SES, Saudi Environmental Society; SoE, State of the Environment Report; RCEP, Royal Commission for Environmental Protection; MoP, Ministry of Planning; EAR, Environmental Action Report; DPAR, Development Plans Assessment Report. *Source:* compiled by the authors.

policies and laws. These reports should provide reference points for the RCEP when evaluating policies and following implementation—see Figure 4.

Many areas are not covered by the current laws, requiring active legislation to fill these gaps especially in environmental health, food safety and pollution monitoring sectors. Environmental standards need completion, in addition to a periodical revision of old ones based on new scientific findings and local conditions. The Government must make a commitment to adopt a comprehensive Environmental Impact Assessment Law within a specific time limit. e.g. within the next year, in addition to a commitment of full implementation within the next two years. The existing draft can be used as a basis for this law, but Strategic Environmental Assessment must be included as a requirement for governmental policy proposals. Another area in urgent need of legislation is waste disposal. The MoMRA and other relevant bodies need to adopt and advocate comprehensive legislation for this sector which lacks any clear regulation at the moment. This law should provide the tools to monitor and manage waste disposal in urban and rural areas and must also emphasize recycling and

the minimization of health hazards for the public and for future generations. Economic instruments such as monetary penalties can be used in such laws using the internationally acceptable principle that 'the polluter pays'. Incorporating economic instruments including environmental taxes and penalties will improve the ability of environmental bodies to implement and police environmental laws.

There is a need for a general policy act to establish the basic principles and commitments of the Government. This act can be used as a foundation for future policies and plans. Such an act for environmental protection can utilize the previously approved policies of development plans and other policy proposals such as the Conference on Environment and Development 1990 recommendations and Agenda 21 Saudi Arabia. The significance of such a broad act is to declare the Government's long term goals and plans as set out in Item 32 of the constitution *General Law of Government*. It will further detail its commitment within a specific time limit. Since issuing the new constitution in 1992, the Government has not followed that commitment with any detailed environmental policy commitment to prepare the ground for further legislation. Publishing and debating such a policy act in the local media will inform the public of the Government's commitment and plans for a healthy and clean environment. Furthermore, it will set clear principles and commitments to be used for future plans and programmes.

Institutional Structure

The main theme of restructuring environmental institutions is based on avoiding overlap of authority and conflict of interest, in addition to grouping related activities under one body. Distributing implementation authority between several agencies rather than concentrating it within one body is another ingredient of this theme. This will enable the MEPA-RCEP as the main agency to carry out its duties without the continuous struggle for power and disputes over authority. Giving each agency its own specialized scope of work and mandating to the MEPA-RCEP the overall supervision authority will give these agencies the flexibility to function without the current deadlock caused by the MEPA's insistence on combining legislative and implementation authority in many environmental issues. The proposed new structure includes: a main environmental agency, the Royal Commission for Environmental Protection (RCEP); a body responsible for all nature conservation and natural resources, the National Commission for Nature Conservation (NCNC); a National Institute for Water Resources (NIWR); a National Institute for Environmental Health (NIEH); and the Saudi Environmental Society (SES), a non-governmental body concerned with environmental awareness and conservation. These are in addition to existing major players such as MAW and MoMRA.

The Royal Commission for Environmental Protection (RCEP) should function as the principal environmental body in the Kingdom responsible for protecting and maintaining a clean and healthy environment for its citizens and living creatures. It is authorized to initiate and plan national environmental policies, including setting goals and objectives, proposing plans, programmes and drafting the environmental section of the development plans in co-ordination with the MoP. It is the supervisory body for implementing environmental policies, laws and follow-up compliance with national environmental standards. It will

monitor the impact of development activities on the environment and supervise and participate when needed in the implementation of the EIA law. The Commission will be the body responsible for improving environmental awareness through a National Plan for Environmental Awareness. It also will act as the advisory body for the Government and its branches for environmental issues at all levels (Al-Gilani & Filor, 1998, p. 4).

The Government must take the first step in restructuring the MEPA, while the new administration of the RCEP needs to submit a convincing plan for future environmental activities, detailing the required resources and the expected benefits from such expenditure, especially for the next generation (Al-Gilani & Filor, 1998, p. 4). The concept of trusteeship or *Kelafah*² can be used as the ideological base for proposing the RCEP's environmental plans. This will harmonize with the general theme of the Saudi Constitution *General Law of the Government*.

Out of the existing three main agencies the NCWCD distinguished itself with a well-organized administrative structure and efficient administration that was reflected in its noticeable success in the field of wildlife conservation. Most vital was the strong political support it enjoyed. This position can be used as the basis for wider activities. Several areas of work are proposed to be added to the Commission's mandate here; all are related to their present activities and are currently delegated to the MAW where limited success has been achieved (Al-Gilani & Filor, 1998, p. 5). The new assignment will include granting the commission overall authority in all nature conservation matters, most importantly granting it the responsibility of national parks, traditional *Hemas*, and natural resource management including forest and range lands management. (For a wider picture of the proposed institutional structure which is part of this framework, see Al-Gilani & Filor (1998, pp. 1-6)).

Concluding Remarks

This paper has synthesized the influencing factors in Saudi environmental policies and proposed a reformed framework for environmental policies. The main components of this framework are based on several proposed reforms to the existing conditions. These cover political culture, the decision-making process, environmental policies and laws, and institutional structure. Together they represent an attempt to resolve existing problems and construct a more comprehensive framework for national environmental policies.

An anticipated result of the proposed reforms is the creation of new factors influencing environmental policy initiation (see figure 1.) The proposed National Environmental Inventory and the new National Research Institutions findings and recommendations will form the scientific base for initiating new policies. SoE reports, Environmental Action Reports and Development Plan Assessment Reports should provide the RCEP with measuring tools to evaluate and assess the success of implemented policies and laws. In the public concern sector, the Saudi Environmental Society and Environmental clubs should provide a good platform to improve public awareness, in addition to the National Awareness Plan. This will complement the RCEP, NCNC and MCE roles and give the public a channel by which to express their concerns. Giving the Consultative Council a more active role to channel and evaluate public concern will give its assessment process more credibility.

The proposed mechanism for environmental decision making should reduce the current dilemma. However, this will depend on the ability of, and authority given to, the proposed position of Chairman of the PCMCE/Secretary General of the MCE. The proposed hierarchy of decision making accommodates relevant agencies' fears and complaints regarding authority distribution, though the MEPA-RCEP might consider it a reduction of its over all authority. In reality, this authority has never been exercised, claiming it caused severe disruption to the process. The RCEP's role as the main environmental body was recognized in the proposed implementation authority. Granting the RCEP an overriding power to oversee and follow up implementation will place pressure on other bodies to perform and guarantee the implementation of environmental policies and compliance with standards and regulations. The proposed institutional structure has grouped related activities under one body and established new fields that were not clearly defined in the current structure. Most importantly it has reduced conflict of interest and overlapping authority that existed in many sectors. Providing sufficient resources for the new bodies will obviously be vital in their success.

It is essential that this proposed framework or a similar model is brought to the attention of key decision makers in the environmental field, for rapid legal drafting, legislation and implementation. Without such a reformed framework, the present situation will continue, to the detriment of the diverse Saudi environment and the well-being of the next generation.

Notes

1. The King has the power to exempt some ministers from this condition. In the last change to the CM, those occupying major positions such as in the MoD, MoI and MFA maintained their positions.
2. The concept of *Kelafah*, i.e. representation or vice regency, is an Islamic principles that regulates man-nature relationship. It indicates that although Allah Almighty granted man the privilege to live on earth, he, the Almighty, as the ultimate creator and owner placed conditions on his grant, which include the trust to look after Allah's creation. This was indicated in several Qur-anic verses:

It is He (Allah) who has made you his vice regent on earth. Qur-an 6:165

Do no mischief on the Earth after it has been set in order. That will be best for you, if ye have faith. Qur-an 7:85

Say: "To whom belong The earth and all beings therein? (Say) if ye know".

They will say, "To Allah!" Say: "Yet will ye not Receive admonition?" Qur-an 23:84-85

O children of Adam! Wear your beautiful apparel;

At every time and place of prayer: eat and drink:

but waste not by excess, For Allah loveth not the wasters. Qur-an 7:31

For further discussion of the concept and the Islamic perspective of nature see: Al-Doswqi (1986); Joma (1992); and Khalid & O'Brien (1992).

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