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**Legal Aspects Regarding**  
**EEAA/NCS & the Red Sea Rangers**

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## **Executive Summary**

This report addresses the legal framework pertinent to the legal and administrative role of EEAA in relation to the natural reserves of Egypt, with emphasis on the Red Sea Protectorate. Law 102/1983 and Law 4/1994 are only two components comprising the legal framework for natural reserves. The framework is in reality a complex mix of laws, decrees, and regulations by a large number of governmental authorities. The effectiveness of the legal system is thus determined by the extent of coherence among these several legal instruments. Conversely, legal gaps and conflicts highlight a substantial number of issues needing attention.

The major proposed reforms to be addressed by legislation, decrees, regulations, and administrative actions are summarized in terms of 14 issues and recommendations. They range across the areas of institutional framework, finance and revenue, and legal enforcement.

Two major annexes summarize the laws, decrees, and regulations that directly and indirectly affect the administration and management of Egypt's natural reserves. The first annex provides substantive details, while the second contributes interpretative information based on a series of meetings with the Red Sea rangers and other officials.

## **1 Introduction to the Legal Framework for the Natural Reserves**

Law 102/1983 is the main legal instrument for establishing and managing conservation areas (i.e., natural reserves) in Egypt. According to this law, the objectives for establishing natural reserves in Egypt are:

- To protect areas which support natural communities of important fauna, flora, and (or) rare geological formations.
- To protect endangered terrestrial species.
- To contribute to natural beauty and aesthetics.
- To protect natural resources to be used in a sustainable and systematic way.

The Prime Minister is authorized by Law 102/1983 to nominate the body responsible for implementation. The law also states that the nominated body has the right to establish branches in the governorates where the reserves are located. This body was originally the Environment Affairs Agency under the Cabinet of Ministers, by Presidential Decree 631/1982. Law 4/1994 (Law of the Environment) replaced the original agency with the current Egyptian Environmental Affairs Agency (EEAA), within which the Nature Conservation Sector (NCS) is responsible for the administration and management of the country's natural reserves.

However, Law 102/1983 and Law 4/1994 are only two components comprising the legal framework for natural reserves. The framework is in reality a complex mix of laws, decrees, and regulations by a large number of governmental authorities (see **Section 2**). The effectiveness of the legal system is thus determined by the extent of coherence among these several legal instruments. Conversely, legal gaps and conflicts highlight a substantial number of issues needing attention (see **Section 3**).

## **2 Natural Reserves by Landscape Category and Legal Declaration**

The nature reserves of Egypt occupy 8.5% of the national territory. They represent three broad groups of landscape and environmental categories: (1) seas, lakes, and Nile islands; (2) desert reserves; and (3) geological reserves. Scientists expect that after adding new areas worthy to be declared reserves, the reserves will cover about 18% of Egypt. The existing reserves and their legal declarations—all by decrees issued by the Prime Minister—are presented below.

### **2.1 Seas, lakes and Nile islands**

- Ashtum El.Gamil Reserve (Prime Minister Decree 459/1988 amended by Prime Minister Decree 2780/1998)
- El.Zaranik and El.Bardwil Swamp (Prime Minister Decree 14 29/1985 amended by Prime Minister Decree 3379/1996)
- El.Ahrash Reserve (Prime Minister Decree 1429/1985 amended by Prime Minister Decree 3379/1996)
- Ras Mohamed, Sanafir, and Tiran Reserve (Prime Minister Decree 1068/1985 amended by Prime Minister Decree 2035/1996 )

- Nabq Reserve (Prime Minister Decree 1511/1992 amended by Prime Minister Decree 33/1996).
- Abu Galum Reserve (Prime Minister Decree 1511/1992 amended by Prime Minister Decree 33/1996)
- Lake Garun Reserve (Prime Minister Decree 943 /1989 amended by Prime Minister Decree 2954/1997)
- Wadi El.Rayan Reserve (Prime Minister Decree 943/1989 amended by Prime Minister Decree 2954/1997)
- Saluga and Ghazal Reserve (Prime Minister Decree 928/1989)
- Lake Burullus Reserve (Prime Minister Decree 1444/1998)
- Nile Islands which include 144 islands (Prime Minister Decree 1969/1969)

## **2.2 Desert reserves**

- Taba National Park (Prime Minister Decree 316/1998)
- St. Katherine National Park (Prime Minister Decree 613/1988 amended by Prime Minister Decree 90/1996).
- Wadi Allaqi Reserve (Prime Minister Decree 945/1989 amended by Prime Minister Decree 2378/1996)
- Elba National Park (Prime Minister Decree 450/1986 amended by Prime Minister Decree 1186/1986 and Prime Minister Decree 642/1995)
- El Amayed Biosphere Reserve (Prime Minister Decree 671/1986 amended by Prime Minister Decree 90 /1996)
- Wadi El.Assuti Reserve (Prime Minister Decree 942/1992 amended by Prime Minister Decree 710 /1997)
- Wadi Degla Reserve (Prime Minister Decree 47/1999)

## **2.3 Geological reserves**

- Hassana Dome Reserve (Prime Minister Decree 946/1989)
- Maadi Petrified Forest Reserve (Prime Minister Decree 944/1989 )
- Sannur Cave National Monument (Prime Minister Decree 1204/1992)

### **3 Overview of the Existing Legal Framework**

This section is intended as an inventory of the laws, decrees, and regulations that directly and indirectly affect the administration and management of Egypt's natural reserves. Together, they comprise the cross-cutting legal framework. **Annex A** provides substantive details. **Annex B** contributes interpretative information, based on a series of meetings with the Red Sea rangers and other officials.

#### **3.1 International Conventions**

- Convention Regarding the Preservation of Fauna and Flora in their Natural State (London, 1933).
- Agreement for the Establishment of a Commission for Controlling the Desert Locust in the Middle East (Rome, 1969).
- African Convention on the Conservation of Nature and Natural Resources (Algiers, 1968).
- Convention Concerning the Protection of the World Cultural and Natural Heritage (Paris, 1972).
- Convention on International Trade in Endangered Species of Wild Terrestrial Animals (Washington, 1973);.
- Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979).
- Convention on Wetlands of International Importance, Especially of Waterfowl Habitat (RAMSAR, 1986 ).

#### **3.2 National Laws**

- 53/1966: Agriculture (amended by Law 116/1983)
- 43/1979: Local management
- 102/1983: Natural reserves
- 124/1983: Fish catch, aquatic organisms, and fish farms
- 101/1985: International air tickets issued in Egypt
- 4/1994: Law of the Environment

#### **3.3 Presidential Decrees**

- 153/2001: Establishment of an agency to supervise land uses in Egypt
- 154/2001: Responsibilities of different competent authorities for land use

### **3.4 Prime Ministerial Decrees**

- 1068/1983: Regarding establishment of Ras Mohamed, Tiran and Sanafir Islands Reserves (amended by 2035/1996)
- 1429/1985: El Ahrash and El.Zaranik Reserves (amended by 3379/ 1996)
- 450/1986: Elba Reserve (amended by 1186/1986 and 642/1995)
- 459/1988: Ashtum El.Gamil Reserve (amended by 2780/1998)
- 1511/1992: Nabq Reserve (amended by 303/1996)
- 264/1994: Allowable activities in reserves
- 1444/1998: Lake El.Burullus Reserve

### **3.5 Ministerial Decrees**

#### **3.5.1 Minister of State for Environmental Affairs**

- 92 /1999: User fees for the Giftun Islands (effective April 2000)

#### **3.5.2 Minister of Agriculture and Land Reclamation**

- 24/1967: Plant epidemics, polluted areas, and plants which are not permitted to be removed
- 32/1967: Restricting contagious and epidemic diseases of animals, and precautions to be taken
- 472/1982: Establishing areas where hunting certain birds and animals is prohibited
- 701/1982: Establishment of El.Amayed Reserve in Matruh Governorate
- 1058/1984: Prohibiting hunting, killing, or seizing Nile crocodiles
- 303/1987: Fish catch, aquatic organisms, and fish farms (by-law of Law 124/1983)
- 90 /1990: Prohibiting hunting, killing, or catching stone curlew and similar birds
- 1403/1990: Prohibiting catching, killing, or seizing certain kinds of reptiles

#### **3.5.3 Minister of Transportation and Communication**

- 5/1991: Prohibiting disposal of wastes in inland waters, port facilities, and water courses

### **3.6 Governors' Decrees**

33/1980	47/1986
16/1981	143/1992
105/1981	23/1994
18/1982	2/ 1995

14/1998	49/2001
46/1998	76/2001
95/1998	77/2001
97/2000	82/200
4/2001	

### 3.7 Regulations

Instructions issued by the Nature Conservation Sector:

- 14/2000: Defining the competent authority responsible for environmental impact assessment (EIA) for activities related to nature reserves

## 4 Principal Issues and Recommendations

As indicated in **Annex A** and **Annex B**, there is substantial room for improvement in the legal instruments for natural reserves. It is also clear that failure to implement existing laws and regulations is at the root of many problems. This section will summarize principal issues according to three categories: institutional aspects, finance and revenue, and legal enforcement.

### 4.1 Institutional aspects

- The term “reserve” is deliberately used in a broad generic capacity, because not all reserves have the same objectives. The establishment and management of reserves encompasses a spectrum of arrangements, from strict reservation for species protection, to various combinations of conservation and extractive uses, e.g., grazing and ecotourism. There is an urgent need to identify and evaluate sites of importance for natural heritage throughout the country, which would become part of Egypt’s national network of reserves. The sites need to be prioritized in terms of their contributions towards conservation aims according to an objective system. Recommendation: The full spectrum of protection arrangements is formally recognized in the IUCN classification of reserves. The Ministry of State for Environmental Affairs should issue a decree in support an Egyptian system of natural reserves which meets the IUCN international framework and classification.
- The rules and regulations of each reserve are not specific to their individuality. Recommendation: The EEAA should change the administrative framework for natural reserves to have two sections: (i) the first section should present the general legal and institutional framework applicable for all reserves; (ii) the second section should focus on specific legal and management details unique for the given reserve.
- Law 4/1994 refers to cooperation among competent agencies to achieve and implement the provisions of the law. Currently, this cooperation is informal, based on personal relations and not on legal terms. Recommendation: EEAA’s

Nature Conservation Sector should form a national committee—with members from the ministries of Defense, Agriculture, Interior, Transportation, etc.—to formalize cooperation in a legal framework recognized by decree from the Prime Minister.

- Prime Minister Decree 450/1986 stipulates (Article 2) that a branch of EEAA shall be established in the Red Sea Governorate, and that it should be managed by an Executive Council chaired by the Red Sea Governor. The members of this Executive Council are to represent bodies such as the EEAA and ministries of Tourism, Agriculture, Defense, and the Academy of Scientific Research and Technology. However, this Council is inactive and in reality does not exist. Recommendation: A way must be found to establish and activate this Council, or the EEAA should seek alternative multi-stakeholder approaches to address the many cross-cutting issues affecting the Red Sea Protectorate.
- According to Law 4/1994, the Board of Directors of the EEAA should include high-ranking employees who represent the mainline roles and responsibilities of the Agency. Recommendation: It is highly recommended that a permanent member representing the Nature Conservation Sector be a member of EEAA's Board of Directors.
- In light of the substantial scope and growing responsibilities of the Nature Conservation Sector, its institutional status should be reconsidered. Recommendation: It is conceivable that what is currently the Nature Conservation Sector could operate as an independent body within the Ministry of State for Environmental Affairs, and with an independent budget.
- Nature conservation differs in concept from environmental protection. The framework given by Law 102/1983 and Law 4/1994 only partly addresses the needs of nature conservation. Recommendation: For the long term, legal experts with broad experience in nature conservation should begin to prepare draft proposals of a more adequate legal framework for it.

#### **4.2 Finance and revenue**

- The annual budget for the Nature Conservation Sector is determined by resolutions of the Environmental Protection Fund (EPF). However, this budget is not related to the revenues generated by the natural reserves, e.g, through the collection of fees and payment of fines. Recommendation: The Ministry of State for Environmental Affairs should consider the advantages and disadvantages of budgeting the Nature Conservation Sector in proportion to the revenues it raises, and linking that to an incentive system for the rangers. Currently, financial incentives for the rangers do not have legal backing.
- Only five of the existing reserves (Ras Mohammed, Nabq, Wadi El.Rayan, El Zaranig and El.Giftun) collect visitor fees, the amount of which differs from one reserve to another. These fees are not based on unifying criteria or objective measures such as the relative user value of each reserve, but instead on internal memos approved by the Ministry of State for Environmental Affairs. Recommendation: The EEAA should take a national perspective in order to establish a unified fee system for the natural reserves of Egypt. Within

the national framework, variations in fees should be related to user demand, available services, and other relevant factors. This national system of fees should be established by decree from the Ministry of State for Environmental Affairs.

- Since 1993, the Nature Conservation Sector has been using a formula approach for assessing environmental damage to coral reefs. This assessment often entails substantial sums of money and important negotiations. Recommendation: The assessment of damages to coral reefs has to be based on one or more legal instruments.

### 4.3 Legal enforcement

- Without the permission of the competent administrative body, Article 3 of Law 102 /1983 prohibits activities and experiments in areas surrounding natural reserves that affect the environment of the reserves or the natural processes in them. These surrounding areas (sometimes called “buffer zones”) have not been legally delineated, and this presents the risk of disputes and possible litigation. Recommendation: The Ministry of State for Environmental Affairs should issue a decree regarding the boundaries of the surrounding areas (buffer zones) of each natural reserve.
- Law 102/1983 prohibits hunting, removing, or transporting any living organisms and organic substances such as shells, coral reef, rocks, or soil for any purpose. Article 24 of the Executive Regulations of Law 4/1994 makes an exemption for purposes of science. Recommendation: This contradiction has to be legalized.
- The role of legal inspection is not granted to Red Sea rangers who have contractual (i.e., non-permanent) employment status with the EEAA. Moreover, the Border Guards (Ministry of Defense) do not have the power to effect seizures with respect to Law 4/1994. Because of these complications, these agents are correspondingly handicapped in being able to properly enforce laws and regulations. Recommendation: The Ministry of State for Environmental Affairs, coordinating with the Ministry of Defense, should consider legal means to resolve both of these questions.
- Marine Sea grass is not addressed in any legal instrument, in spite of its contribution to the economy and biodiversity. Recommendation: The EEAA should propose and evaluate legal approaches for sea grass protection.

## **Annex A: Substance of the Legal Framework**

This annex summarizes relevant details of the key laws, decrees, and regulations that bear on the administration and management of the natural reserves.

### **Law 102/1983**

Law 102/1983 was issued and published in the Gazette on 31 July 1983. This law comprises eleven articles:

1. The first article has clearly defines the natural reserve in a way to avoid any obscurity or confusion. It states that the natural reserve is any area of land, coastal or inland water characterized by its living organisms, plants, animals, fishes or natural phenomena of cultural, scientific, tourist or aesthetic value. This area shall be designated and delineated by a Prime Ministerial Decree issued upon a proposal from the Environmental Affairs Agency of the Cabinet of the Ministers.

2. The second article defines the prohibited dispositions, actions, activities or procedures which might lead to the destruction, damage or degradation of the natural environment or harm the terrestrial, marine or plant life or detract from the aesthetic value of the reserve. It specifically prohibits the following actions:

- Hunting, transporting, killing or disturbing living terrestrial and marine organisms or carrying out activities which lead to their extermination.
- Hunting, removing or transporting any living organisms or organic substance such as shells, coral reef, rocks or soil for any purpose.
- Destruction or transporting plants, which exist in the reserve.
- Damaging or destroying geological or geographic formations or areas considered as habitats for animals and plants or for their reproduction.
- Introducing foreign species into the reserve
- Polluting the soil, water or air of the reserve in any manner.
- It is also prohibited to erect buildings or establishments or to construct roads or steer vehicles or practice any agricultural or industrial or commercial activities in the reserve without permission from the competent administrative body according to conditions, regulations and procedures to be specified by a Prime Minister Decree.

3. Article three prohibits any activities or experiments in areas surrounding the reserve—which shall be delineated in a decree by the concerned Minister upon a proposal from the Environment Affairs Agency of the Cabinet of Ministers—which would affect the environment of the reserve or its natural processes in it without the permission of the competent administrative body.

4. Article four entrusts the execution of this law and its by-laws issued to protect and preserve the reserves to the administrative agency which shall be defined by a decree from the Prime Minister. This nominated competent agency has the right to establish affiliated branches in the governorates with reserves. These branches are responsible for the following:

- Preparing programs and studies necessary for the development of the reserve.

- Monitoring environmental phenomena, surveying the terrestrial and marine organisms in the reserve and establishing an archive for each reserve.
- Managing and coordinating the related activities to the reserve.
- Informing and educating the public about the objectives and purposes of reserves.
- Exchanging information and experiences with countries and international organizations in this field
- Managing the moneys of the fund referred to in article six.
- According to this article the Prime Minister is authorized to nominate the body which shall be responsible to implement the provisions of this law.
- Prime Minister Decree 1067/1983 nominated the Environmental Affairs Agency affiliated to the Cabinet of Ministers to be responsible for the implementation of this law. As stated before the Environmental Affairs Agency was established by the Presidential Decree 631/1982. This has been replaced by the EEAA by Law 4/1994..

5. Article five authorizes the environmental societies which are real estate registered according to the law to resort to the competent administrative and judicial organizations for the purpose of implementing the provisions of the laws and their executive decrees to protect the natural reserves.

6. Article 6 states that a special fund is to be established by article six to receive money, grants, and donations to the conserved areas and entrance fees if any, as well as, the revenue from any fines collected as a result of the implementation of the provisions of this law. All these funds will be assigned the following purposes:

- Subsidizing the budget of the bodies implementing the provisions of this law.
- Contributing to the improvement of the environment in the reserves.
- Conducting the studies and surveys necessary in this field.
- Monetary rewards for those informing about and apprehending violators of the provision of the law.
- This special fund was cancelled by law 4/1994, article 14/c which stipulated that the financial resources of the protectorates funds provided for in law 102/1982 shall be devolved to the environment protection fund.
- According to that, the budget of the protectorates is the money that has been allocated by EEAA.

Articles 7, 8 and 9 record the penalties to be inflicted upon the violators, ways to collect fines, granting the capacity of the Legal Inspection Officers to the employees of the competent administrative departments who are responsible to implement this law.

7. Article 7 states that without violation to any more severe penalty designed by another law, any person violating the provisions of the second and third articles of this law and its executive decrees is subject to a fine not less than LE 500 and not more than LE 5000 and imprisonment for a duration of not more than one year or either penalty.

In case of recurrence of the violation, the penalty shall be a fine not less than LE 3000 and not exceeding LE 10,000 and detention for a period not less than one year or either penalty.

In addition, offenders will bear any cost incurred for the removal or reparations determined by the competent administrative body or its branches in the governorates and equipment or tools used in the violation will be confiscated.

8. Article 8 states that fines and expenses of removal shall be collected immediately by the administrative procedure.

9. Article 9 reads: The employees of the competent administrative bodies responsible for the implementation of the provisions of this law and its executive decrees and are nominated by a Decree from the Minister of Justice in accordance with the competent Minister shall be granted the capacity of the Legal Inspection Officers as for the said crimes in this law.

10. Article 10 reads: all legislation contradicting the provisions of this law are hereby cancelled.

11. Article 11 reads: This law is to be published in the Gazette and will be enacted three months after its publication.

### **Law 101/1985 regarding Tolls on International airfare**

This law refers to a toll placed on international air travel tickets issued in Egypt in local currency.

This law was issued and published in the Gazette on 3 July 1985 and enacted the next day of its issuing. The law includes the following articles:

1. Article 1 stipulates a toll of 10% (increased after that to 25%) of the prices of the flight tickets issued in local currency for the following purposes:

- Funding Ministry of Tourism Plan to promote tourist areas and develop hotels and airports.
- Promote and beautify archeological areas
- Funding prevention of pollution projects and conserving the environment.

2. Article 2 opened an account at the Egyptian Central Bank for the revenue of tolls stipulated in article 1. All the competent companies and offices are obliged to collect the stated tolls and to allocate the money in the opened account within a period not exceed 15 days.

### **Law 4/1994 Regarding the Environment**

This law and its executive regulation have not specified what articles apply to natural reserves, however, it is easy to recognize articles which are connected with the term "Nature reserves" directly or in directly. A list of the relevant articles follows:

Article 5: Stipulates the functions of the EE.AA. One of the 24 stated functions is administer and supervise natural protectorates.

Article 14: Regarding the environment protection fund which states in paragraph (d) that one of the financial resources of this fund is the financial resources of the protectorates fund provided for in law 102.

Article 28: It is forbidden to hunt or catch the species of wild birds and animals determined in the executive regulations of this law or to possess, transport, circulate with, sell or offer to sell such birds and animals either dead or alive. It is also forbidden to damage the nests or eggs of these birds.

The executive regulations of this law shall determine the areas to which the provisions of this article apply and shall specify the conditions for a hunting license in these areas as well as the competent administrative authorities responsible for implementing the provisions of this article.

Article 73: It is prohibited to construct any establishment within 200 meters of the Egyptian coast lines without the permission of the competent administrative authority in coordination with the EEAA. The executive regulations of this law shall lay down the procedures and conditions to be followed in this connection.

Article 74: It is prohibited to take any measures that may affect the natural coast line or alter its configuration either inwards or outwards, without the approval of the competent authority in coordination with EEAA. The executive regulations of this law shall regulate the procedures and conditions to be followed in this connection.

Article 75: The representatives of the concerned administrative authorities shall be entitled, each within its scope of competence and in coordination with the EEAA, to enter the exclusion zones referred to in articles 73 and 74 of this law in order to inspect works being carried out therein. If they discover that works contrary to the foregoing provisions are being executed or are intended to be executed, the violator shall be ordered to restore matters to their original state otherwise the works will be halted administratively and matters restored to their original state at the expense of the violator and the beneficiary jointly. Payment shall be collected by means of administrative attachment.

Article 84: Whoever violates the provisions of Article 28 of this law shall be fined a sum of not less than two hundred Egyptian pounds and not more than five thousand Egyptian pounds. In addition, birds and animals seized as well as the machines and equipment used in the violation shall be confiscated.

Article 98: Penalties for violating the provisions of articles 73 and 74 of this law shall be imprisonment for a period of not more than six months and/or a fine of not less than one thousand Egyptian pounds and not more than twenty thousand Egyptian pounds.

#### **Executive Regulation of Law 4/1994 (Prime Minister Decree 338/1995)**

Article 7: The financial resources of the Nature Reserves Fund are provided for in law 102/1983. The share of EEAA in the 25% of the proceeds of duties imposed on travel tickets issued in Egypt in Egyptian currency, pursuant to Article 1 of law 5/1986 and to the Prime Minister Decree No: 697/1986 to a minimum of 12.5% of the total proceeds of the above mentioned duties.

Article 8: The resources of the fund shall be allocated to the fulfillment of its object, in particular to:

- Experimental and pioneering projects in the field of protecting natural wealth and the environment from pollution.
- Establishing and operating Environmental Monitoring Networks.

Article 23: All methods of hunting, killing or catching the birds and wild animals referred to in Annex (4) of these Executive Regulations are prohibited. It is also forbidden to possess, transport, circulate with, sell or offer to sell such birds and animals, either, dead or alive, or to destroy the nests or eggs of the birds. The provisions of this Article shall apply to all nature reserves as well as to areas where animals and birds are threatened with extinction, as designated in a decree to be issued by the Minister of Agriculture or the governors in coordination with the EEAA.

Article 24: It is forbidden to issue licenses for the hunting of the birds and wild animals referred to in Annex (4) hereof except for purposes of scientific research, overcoming an epidemic or for such other purposes as are approved by the EEAA. The application for a license shall be submitted in writing to the Ministry of Interior, indicating the species and number of birds or wild animals for which the hunting license is required, the purpose for which they will be hunted, the hunting period, the names of the persons to be licensed, and the method and weapons to be used in hunting, the said Ministry shall refer the application to the EEAA, in order to ascertain its seriousness and importance.

#### **Annex 4 to the Executive Regulation of Law 4/1994**

It is prohibited to hunt, kill, or capture wild birds and animals specified in the following documents:

- The birds and animals listed in the table attached to the Minister of Agricultural Decree No 28/1967 issued in implementation of the provisions of article 117 of Agriculture law 53 /1966.
- Any other birds or animals determined in the international conventions to which the Arab Republic of Egypt adheres.
- Any other birds or animals designated in a decree to be issued by the Minister of Agriculture in agreement with the EEAA.
- The regions designated in the Minister of Agriculture Decree 472/1982.
- The following areas in the two governorates in Sinai: El Zlaniq, Sabkhet El Bardaweel, and El Inah, St. Catherine, Mount Syria, Tiran Island
- Bird hunting, fishing or removing sea shells coral reefs, oysters and other marine creatures, whether by trawling or hacking, are prohibited in the area lying between Taba and Ras Mohamed on the Gulf of Aqaba
- Nature reserves as defined in Prime Minister decrees issued in implementation of law 102 /1983.
- Rules of hunting in North Sinai issued by the Governors Decree 442/1980.
- Rules of hunting South Sinai issued by the Governors Decrees 15/1980 and 16/1980.
- Regions designated in the international conventions to which the Arab Republic of Egypt adheres.
- Any other regions determined in a decree of the competent authority in coordination with the EEAA.

#### **Law 124/1983 Regarding Fish and Aquatic Organisms**

This law includes a number of articles regarding nature reserves and biodiversity issues as follows:

Article 7: It is restricted to fish in prohibited areas or fish by prohibited fishing tools and in non-fishing periods, which are to be defined in a decree issued by the Minister of Agriculture.

Article 10: Fresh, dried or salty fishes or other aquatic organisms whose length or size less than those defined in a decree issued by the Minister of Agriculture may not be fished, sold or possessed. Catching fish in sizes outside of these limits is prohibited without the permission of the General Authority for Fish Resources and Development.

Article 11: Fishing of aquarium fishes from marine water is prohibited without the permission of the General Authority for Fish Resources and Development.

Article 13: Fishing by harmful, toxic, narcotic fatal materials explosives, barriers, basins, sheaves, zlaliq or along any of the dams and weirs is prohibited.

Article 14: Isles, bridges, Dams on lakes and their shores, weirs or drying up any water area of them may not be erected without the permission of the General Authority for Fish Resources and Development except in the following cases:

- Protection of agricultural lands and real estates from the lakes water flood
- Erection of fish farms Isles of lakes and their coastal zones may be used for cattle pasture or shooting birds without the permission of the General Authority for Fish Resources and Development

Article 15: Without violation to what is designed by any other law, residues of plants, insecticides used in the control of agricultural pests and similar toxics or radiated elements may not be cased or disposed in the Egyptian waters.

Article 17: Non-native fish, their eggs or larvae may not be used or brought to the country for any purpose without the permission of the General Authority for Fish Resources and Development after making technical consultation with the Institute of Oceanography and Fisheries.

Article 19: Fry of sea, lakes or other water body may not be collected, transported or possessed without the permission of the General Authority for Fish Resources and Development.

### **Executive Regulations Issued by Minister Decree 303/1987**

Article 21: Based on the presentation submitted by the Authority, the Minister of Agriculture shall issue a decree defining fishing ways and handicraft, which are used in marine waters.

Article 23: Fishing in locations and definite times shall be prohibited as follows:

- The course of any drain pumps falling into the sea during gathering of natural fry coming from the sea.
- Anchorage of Bab El Arab.

Article 24: Fishing lobster whose length from the middle of the eye to the end of the tail less than 15 cm and females carrying eggs characterized by egg mass in the abdomen may not be fished during hatching season from 1<sup>st</sup> April to the end of Oct. annually.

Article 25: With the exception of sea water in Edco and marine water next to cities of Rasheed, Marsa Matruh, El.Sallum, Port Tawfik, Safaga and El Quseir, green turtle animals with shells, may of be fished during the period between 1<sup>st</sup> May and 1<sup>st</sup> September of every year.

### **Law 53/1960 amended by Law 116/1983 regarding Agriculture**

This law was issued and published in the Gazette on 10/9/1966.

The law and its executive decrees aim at organizing agriculture production, protecting agriculture and animal opulence, without minimizing the agriculture area and conserving its fertility.

The most important items to this study are:

Article 117: Hunting birds and terrestrial animals useful to agriculture, or killing or captured them, is prohibited. It is also prohibited to possess, transport, circulate with, sell or offer to sell such birds and animals, either dead or alive. It is forbidden to destroy the nests of the mentioned birds or their eggs. The Minister of Agriculture shall issue a decree designating the kinds of birds, terrestrial animals, areas where the provisions of this article shall be applied, and the cases of exception for scientific and tourism purposes.

Article 118: Harmful plants to the designated birds in this law are not allowed to be cultivated without permission from the Minister of Agriculture. It is also prohibited to leave such plants growing in any land in the ministry's possession. The Minister of Agriculture shall issue a decree designating these harmful plants.

Article 119: It is prohibited to use harshness with these animals. The Minister of Agriculture shall issue a decree designating the cases subject to this prohibition.

Law 43 /1979: Regarding local management, amended by law 106/1987, 145/1988, 9/1989 and 84/1996.

Article 27: (repeated): The Governor shall strengthen the cooperation between the Governorate and universities and high colleges in the Governorate to serve the environment and promote the local society.

### **Presidential Decree 153/2001 establishing a National Center of Land Use Planning**

Article 1 of the decree stipulates that the Center is a public organization with legal personality affiliated to the Prime Minister and its location is Cairo City. The center has the right to establish branches in Egypt.

Article 2 states the responsibilities of this center: Carry on technical and environmental research and studies for the purpose of land uses in cooperation with the competent ministries and agencies in the State.

Article 3 concerning the formulation of the Board of Directors of this center which is chaired by the Vice Prime Minister. The Prime Minister is authorized to issue the decree for the formulation of that board.

Article f4 states the responsibilities of the board of directors.

Article 5 organize the meetings of that board.

Article 6 counts of the resources of the center.

Article seven stipulates special budget for the center.

### **Presidential Decree 154/2001 regarding Competent Agencies and Land Use**

The decree consists of four provisions. The first article states that the indicated areas on the enclosed map are allocated for the activities of agriculture, industry, tourism, environment, mining, inhabitants, transport, electricity, energy up to the year 2017.

Articles two and three of this decree organize the ways of each competent agency to perform its responsibilities.

### **Prime Minister Decree 264/1994**

Prime Minister Decree 264/1994 defines the ways to implement the provisions of the law 102/1983, which are summarized in the following:

Article 1 prohibits to establish buildings, installations or build roads for various vehicles or practice any agricultural, industrial or commercial activities in the natural conserved area without a permit from EEAA according to the following rules:

- Buildings, installations or roads shall be established in the good cause of the development of the nature reserve. The permitted activity shall in no way spoil the nature of the area nor the land, marine, plant life nor the aesthetic level of the reserve.
- The permitted practiced activities must be in harmony with the kind and classification of the reserve. Safety and security elements against different risks ought to be available according to the manner specified by EEAA.
- Buildings or other installations should not be higher than one floor and in harmony with the surrounding landscape of the area.
- The surface area of the practiced permitted activities must not exceed 10% of the total surface area of the reserve.
- The atmospheric, hydrological and geological conditions must be taken into consideration.
- Traffic must be limited to certain pathways within the area of the reserve.
- The provisions of the legislation related to the protection of the environment have to be followed.

Article 2 stipulates the following:

- The request for the permit to practice any activity in the reserve shall be submitted to the Nature Reserve Project Department of EEAA, accompanied with layouts and executive programs of the different stages of the activity and a comprehensive evaluation of the environmental impact of such an activity, which will investigate the request and review its enclosures before permitting the practice of the activity.
- It is prohibited to practice any activity unless having obtained all the necessary permits and approvals legally stipulated by other administrative competent agencies.

Article 3 dictates that permit for practicing the activity shall be in return for benefits confirmed by EEAA. All the collected money in this respect shall be allocated to the nature reserves funds.

Article 4 specifies that the holder of the permission is not allowed to practice the activity or to perform any expansion or renewal of the permitted activity unless the approval of the Natural Environmental Projects Department and the other competent administrative agencies has been obtained.

Article 5 stipulates that the permit to practice the activity should be limited for the period defined by EEAA and appropriate for the nature of the permitted activity and with the type and classification of the reserve.

According to the nature of the activity the owner of the permits shall present to the reserves Department periodical releases on the ongoing works of the permitted activity.

### **Prime Minister Decree 1068/1983 amended by Decree 2035/1996 concerning Ras Mohammed Reserve, Sanafir and Tiran islands**

Ras Mohammed is the headland at the southern most tip of the Sinai Peninsula, overlooking the juncture of the Gulfs of Suez and Aqaba. Coral reefs fringe Ras Mohammed from all directions. The uniqueness of the site, its diversity of vertebrate and invertebrates species, its coral formations and water clarity all combine to provide a memorable underwater experience. The islands of Tiran and Sanafir are part of the Ras Mohammed National Park. These islands hold important breeding populations. Adjoining sea grass beds are of importance for marine turtles.

Article 3 of that decree defines the prohibited works and actions in the reserve. It is prohibited to practice any activities or procedures which might lead to destruction, ruin, decline of the natural ecology or harm the land, marine or plant life or to cause damage to the aesthetic level of the reserve area. It specifically prohibits the following:

- Hunting transfer, killing or annoying the land or marine organisms or performing actions which may eradicate them. Nevertheless it is permissible to allow hunting in the area according to the conditions and statutes which shall be stipulated by a decree from the competent administrative agency.
- Hunting, pick up or transfer any organism or organic substances like oysters, coral reefs, rocks or soil for any purpose.
- Ruining or transfer existing plants in the reserve.
- Ruining or destroying geological or geographic composition or areas which are considered habitat for animals or plant species or for its reproduction.
- Introducing new species to the reserve area.
- Polluting soil, air or water of the reserve in any form of pollution.
- Diving, photography or frequent visits to certain places in a way that might disturb the organisms in the reserve.
- Discharge hazardous liquids, chemical substances, oil or different types of wastes in the reserve or the surrounding areas which might infiltrate to the reserve.

- Anchoring vessels inside the reserve area unless in the specified places and according to the conditions and ways defined by a decree which shall be issued from the competent administrative agency.
- Casting cans and food wastes and other types of waste.

It is also prohibited to establish buildings, roads, run vehicles or practice any agricultural or industrial or commercial activity in the reserve without a permit from the governorate branch of EEAA (the Central Department for Nature Reserves ) and according to the conditions, rules and procedures defined by a decree which shall be issued from the Prime Minister.

### **Prime Minister Decree 1444/1998 concerning Lake El Burullus on the Mediterranean coast**

Kafr El.Sheikh Governorate has declared Lake Burullus a reserve by Prime Minister Decree no 1444/1998.

Lake Burullus is one of Egypt's largest and most important wetlands, and the most important in the Delta. It has been identified as an important Bird Area by Birdlife International. It is also a Ramsar site, which means that Egypt has a legally binding obligation to protect and rehabilitate lake Burullus.

Article 3 of the said decree outlines the prohibited actions. They are nearly the same which are defined in similar decrees. The following have been added for this reserve:

- It is prohibited to ruin, transfer, destroy, change the geological, geographic archeological or historical characteristic in the reserve.
- Insertion of strange species of animals or plants in the reserve even though such species do not affect the biological diversity of the reserve.
- Discharge or pour liquids, chemical substances, oil, wastes, any kind of radioactive material or any foreign substance in the reserve or its surrounding area which will lead to harm the reserve or its aesthetic level, biodiversity or the heredity of the reserve organism.

### **Prime Minister Decree 1429/1985 amended by Decree 3379/1996**

These decrees declare Bardaweel lake and swamp area and El Zaranig as protected areas.

Article 3 of the decree 1429/1985 prohibits all the same activities mentioned previously in similar decrees.

### **Prime Minister Decree 450/1986 amended by Decree 1186 /1986 and 642/1995 concerning Elba Reserve**

This reserve includes: the coastal Mangrove Forests and Red Sea Islands; El Bark Region; El Dalib Region: Mount Elba Region.

Article 2 of this decree established a branch of EEAA in the Red Sea Governorate to be managed by an executive Council chaired by the Red Sea Governor and the members of this council representatives from the Ministries of Tourism, Agriculture, Defense, Interior, Academy of Scientific Research and Technology and EEAA. According to the amendment 1186/1986 to Decree 450/1986, the chairman of the

Central Department of the Zoo and Conservation of terrestrial life shall be added to the members of the executive council of the said branch in the Red Sea.

In fact the Elba National Park encompasses an enormous variety of habitats and landscape features. The summit of Gebel Elba is a mist oasis where a considerable part of precipitation is contributed in the form of dew or mist and clouds, creating a unique and rare ecosystem, not found anywhere else in Egypt.

The said decrees prohibit all actions previously mentioned in other similar decrees.

#### **Prime Minister Decree 459/1988 amended by Decree 2780/1998 concerning Ashtum El.Gamil and Tannis Island**

Ashtum El Gamil is part of lake Manzala, an important wetland for wintering waterbirds, holding over a quarter of a million birds in winter. One of the important functions of the Ashtum El.Gamil reserve is the protection of gravid fish and fry during their passage to and from the Mediterranean from Manzala. Ashtum El Gamil represents a modest example of a highly threatened and rapidly disappearing habitat in Egypt and the Mediterranean basin.

#### **Prime Minister Decree 1511/1992 amended by Decree 303/1996 concerning Nabq Reserve, South Sinai**

Nabq Reserve is a mangrove area. Besides hosting a plethora of marine organisms associated with mangroves, several water birds depend on the plant for nesting and feeding microhabitats. The area includes a variety of landscape features and supports a small native population.

#### **Prime Minister Decree 1511/1992 amended by Decree 303/96 concerning Abu Galum reserve.**

Abu Galum plays an important role in regulating the land use along the Gulf of Aqaba coast, and acts as a buffer between the different development focal points along the coast

#### **Prime Minister Decree 67/1983 regarding Responsible Body for Implementing Provisions of Law 103/1983**

The Environment Affairs Agency affiliated to the Cabinet of the Ministers is designated the concerned body responsible for implementing the provisions of Law 102/1983 concerning the reserves.

#### **Decrees by Minister of State for Environmental Affairs**

92/1999 Regarding visiting fees to both Giftun Islands starting from April, 2000 \$5 for foreigners and L.E 2 for Egyptians.

Regarding reducing the above said visiting fees to \$2 for the foreigner and L.E. 2 to the Egyptian.

#### **Decrees by the Minister of Agriculture and land Reclamations**

24 /1967 regarding harmful plant epidemic polluted areas and plants, which are not permitted to be removed.

28/1967 amended by 66/1983 and 1012/1992 regarding indicated birds and animals in the enclosed list to the Decree.

1967 Restricting contagious and epidemic disease of animals and precautions to be taken to prevent their outbreak

1982 Regarding the areas in which hunting the indicated birds and animals is prohibited.

1982 Regarding the establishment El.Omayed Reserve at Matruh governorate

984 Regarding prohibiting hunt, kill or seize Nile Crocodile.

1987 Regarding the executive regulation of the law 124/1983.

890/1990 Regarding prohibiting hunt, kill or catch Stone Curlew and similar birds in shape.

1403/1990 Regarding Prohibiting Catch or kill or seize by any way kinds of reptiles.

### **Decree 5/1991 by the Minister of Transport and Communication**

Regarding prohibiting casting wastes into the territorial waters, ports and water courses.

### **Governors Decrees**

33/1980 Regarding prohibiting fishing in the territorial waters using explosives and spears. It is also prohibited to cut or remove coral reefs. The decree in its article two obligates the responsible poles working in port security, intelligence of border security in the Red Sea, manager of tourism establishments and all competent agencies to execute the provisions of this article and notify it to the concerned agency.

16/1981 Article 2 of this decree stipulates that it is prohibited to transport or attempt to transport fresh fishes catches locally from city to another within the border of the governorate or out of its border, without written approval.

105/1981 Regarding the prohibiting of fishing lobster from the territorial waters in the Red Sea Governorate and obligates the responsible peoples working in port security and intelligence of border security in the Red Sea and competent agency to execute the provisions of this decree.

18/1982 Regarding the prohibiting of catching lobster or transporting them out of the border of the governorate.

2/1995 (Periodical information) An appeal to accelerate public awareness about the nature resources in the Red Sea governorate with its coasts shore of 1080 km, and its tourism attractions (coral reefs, rare aquarium fishes, distinguished shells, 24 islands, Mangrove forests.)

47/1986 Regarding the establishment of EEAA branch in the Red Sea Governorate to execute the stated obligation in law 102/1983 and the Prime Minister Decree 1067/1983 and 450/1986.

143/1992 Regarding Prohibiting land filling of shores in front villages and tourism establishments and in front any other establishment in Red Sea cities.

23/1994 Regarding formulating a committee to enumerate the violations of Decree 143/1992.

- 14/1998 Regarding environmental precautions for the Red Sea islands.
- 46/1998 Regarding prohibiting collecting or offering sell shells, oysters, coral reefs and other rare marine organisms and aquarium fish within the governorate area and their subsequent confiscation and delivery to the EEAA
- 95/1998 Regarding prohibiting using El Harbun marine guns for fishing in the territorial waters of the Red Sea and preventing their entry through the airports or ports or handling them through commercial stores.
- 97/2000 Regarding prohibiting fishing Sea Cucumber in the Red Sea governorate.
- 4/2001 Regarding refusal of permitting any license to establish any marina on the shore except if it is equipped with an office for EEAA of two rooms.
- 49/2001 Regarding the responsibility of the Central Department of Red Sea reserves to issue the environmental approval for the holding tanks of marine floating
- 76/2001 Regarding the vessel which permits tourists to land on protected island, revoking permission to work for three months.
- 77/2001 Regarding the vessel which abstains from paying reserve visiting fees, revoking permission to work for one month.
- 82/2001 Regarding the establishment of consultant office for the Environment Impact Assessment in the Red Sea Governorate. (amended by the decree 147/2001).
- 119/2002 Establishes a High Committee for the Fisheries Regulations

**Guidelines for Visitors to Nature Reserves, issued in 1996 by Central Department for Nature Protection, EEAA**

- It is prohibited to hunt, kill, disturb terrestrial organisms or practice such actions which might lead to eliminate them.
- Guard the reserve area from destruction and deterioration, for this purpose do not collect or transfer from it or to it any live or dead organism (Plant – animal fossils ..... etc )
- All means of transport are prohibited to run the defined roads and stations.
- Camping is prohibited except in the specified areas after getting a permit from the Reserves Department.
- Preserve the cleanness of the reserve and store the garbage in the prepared containers or take it with you
- No access to the closed area is permitted.
- It is forbidden to tread on the plants and the geological compositions or throw litter on it. For this purpose kindly follow the marked roads and places.
- All the visitors are requested to leave the reserve before sunset except the campers in the specified camping sites.
- Please follow all the announced instructions and guidelines on the bulletin board existing in the reserve.

- The violator to these instructions shall be punished according to law 102/1983, so please help in protecting the natural resources of Egypt and do not take anything with you nor leave anything behind you.

### **Instructions to Protect the Marine Environment and the Region of the Nature Reserve Islands**

#### Boating:

- Do not use hook to anchor the boat close to diving Locations and use the floating plateau and buoys in order to avoid what might be destroyed by the anchor in seconds but needs several years to grow.
- Do not use any sort of yarn for fishing in areas close to the coral reefs because this will contribute damage to the corals.
- Do not cast wastes or oil in the water
- Do not walk on the coral reefs.

#### Underwater:

- Do not touch the coral reefs or disturb marine life
- Do not feed the fish and the marine fauna since feeding fish will render them more aggressive against divers who do not feed them.
- Do not use harpoon for fishing in the coral reef areas.
- Heavy diving in certain places shall lead to decline in the conditions of the coral reefs and push the aquatic organisms to immigrate from these places, for this reasons your cooperation with the Reserve Department which controls the diving locations is a must to precise exact quota of divers in the diving areas.
- Do not collect marine oysters, coral reefs and marine shell even if they are lifeless
- Do not disturb the sand around the coral reefs as they will need high energy to get rid of the sediment, which hinders their growth.

#### On the Nature Reserve Islands

- The activities in the region of the islands shall be under the direct supervision of the nature Reserve Department, so cooperation with this Department shall take place before or during the activity.
- It is necessary to follow the following negations to protect the environment in the island region and which are defined in the law 102/1983 concerning the Nature Reserves and includes:
- It is prohibited to practice any dispositions, activity or procedures which might lead in future or immediately now to destroy or decline the natural environment or harm the land, plant or marine life or affect its aesthetic level or pollute the soil, water or air in the island region and around it in any way.
- It is prohibited to throw cans, food remains and other forms of wastes in the island region or in the surrounding marine environment.

- It is prohibited to discharge harmful liquids, chemical substances, oil or wastes of any sort in the region.
- Discharge domestic wastes, raw or treated, liquid or solid into the island or into the surrounding aquatic field
- It is prohibited to transit rocks or soil from the island for any purpose.
- The atmospheric, aquatic and geological conditions of the region shall be taken into consideration
- It is prohibited to introduce alien species to the island region.
- To protect the main environment of the types of plants, animals, birds and rare endangered fish and coral reef regions. It is prohibited to ruin bird's nests or damage its eggs.

14 /2000 Regarding the Central Department for Nature Conserve to be the competent agency for the requests of environmental impact Assessment of affiliated projects to the reserves, review the request and comment and after that to send a copy of the study to the Central Department for Environment Impact assessment.

Tourism Development Agency has included in its declared conditions for the tourist areas a number of environmental precautions to safeguard the nature resources and biodiversity

## **Annex B: Meeting Notes**

Several meetings were held in Hurghada during 27-30 April 2002. Hurghada was selected because it is the capital of the Red Sea Governorate and the location of the main EEAA/NCS office in the governorate. Before our travel to Hurghada, an important meeting was held on April 22, 2002 with Mr. John McEachern, the leader of PSU's Red Sea unit. What follows is a summary of the main points of our meetings. We report views and opinions, and do not claim that they are the official position of the PSU, EEAA, or any other organization cited here.

## **Meeting Report #1**

Agency: PSU/Red Sea Unit  
Interviewed person: Mr. John McEachern, Unit Leader  
Date of Meeting: 22 April 2002  
Participants: Mr. Ahmed El Ibiary, Legal Consultant  
Eng. Salah M. Abdel Razek, Institutional Development consultant

### Purpose of the meeting:

To review the scope of work and agree on an implementation schedule and expected outputs.

### Main outcomes:

Mr. McEachern reviewed each task in the TOR to assure mutual understanding. Each consultant presented his proposed methodology to implement the assigned tasks and commented on the expected contents of his report. The major result of the meeting is summarized in the following:

- Mr. McEachern approved the expected contents of the report with a suggestion to abbreviate the details at the central NCS level, putting more level of effort into the Red Sea Rangers.
- Because of the difficulties faced by the consultants in arranging meetings at the central NCS level due to prior commitments of Dr. Fouda, it was agreed to start the assignment at the Red Sea and postpone the coverage of the central level to a later stage.
- A quick field visit was arranged to take place on April 26 – 30. The scope of the visit is to get more understanding of the local situation and to identify the main stakeholders. The major required fieldwork will be arranged during the first visit.
- Mr. McEachern specified the necessity for assessing the rangers' situation in Hurghada as well as in Quseir and Shalateen. Furthermore, Mr. McEachern indicated the need to come up with simplified and workable institutional and organizational solutions.

## Meeting Report #2

Agency:	PSU/Red Sea Protectorate Office
Interviewed person:	Dr. Mahmoud H. Hanafy, PSU
Date of Meeting:	28 April 2002
Participants:	Mr. Ahmed El Ibiary, Legal Consultant Eng. Salah M. Abdel Razek, Institutional Development consultant
Purpose of the meeting:	To discuss the current situation of the Red Sea rangers and identify the main bottlenecks and areas for support

### Main outcomes:

Dr. Hanafy is a highly qualified consultant hired by the PSU project to support the Protectorate office at the Red Sea area. Dr. Hanafy holds an advanced degree in marine sciences, accompanied with extensive experience in environmental management.

Furthermore, Dr. Hanafy is the environmental liaison with the Governor of the Red Sea, which adds influential political and executive support to the Unit's activities.

It worth noting that the substantial level of the Governor's support to environmental sector is due to his personal beliefs in the importance of environmental protection for the region. This support is enhanced by positive interpersonal relationships.

Dr. Hanafy indicated that although the environment is the cornerstone for investment and economy of the Red Sea region, EEAA's institutional representation in the region (Red Sea rangers) remains at a section level, reporting directly to the Head of the NCS (Dr. Fouada). Major obstacles of the current institutional framework for the Red Sea rangers can be summarized as follows:

- There is no clear vision of roles and responsibilities of the rangers in enforcing the law. Also, the inappropriate legal contractual arrangements of the rangers impedes them from power to effect seizures with respect to Environment Law 4 of 1994.
- The small institutional size of the Unit (section) limits the rangers' career path and motivation.
- There is a perceived lack of approved appropriate organizational structure for the Unit, combined with a limited number of qualified rangers and support staff, and inadequate equipment and facilities to support rangers' activities.
- Official coordination among the major stakeholders such as borders guards, police force, fisheries authorities, tourism authorities, etc., is insufficient.
- The role of NGOs in raising environmental awareness and liaison with different beneficiaries has been limited.

### Areas for improvement:

- Upgrade the rangers' institutional level to at least a general department.

- Locate a highly qualified person to be EEAA's General Manager for the Protectorate. The nominated person should have extensive experience in environmental management with special ability in communications with senior governmental officials. Furthermore, he or she has to have a clear vision of sustainable environmental development.
- Develop an appropriate organizational structure for the Unit. The proposed structure should be appealing to attract qualified rangers and to establish a career path for them.
- Implement capacity-building events to enhance the current staff's capabilities, as well as those of new rangers. Training fields include, but are not limited to, environmental management; law enforcement; communications skills; environmental awareness raising; professional diving; underwater photography and surveying; and other specializations.

### Meeting Report #3

Agency:	PSU/Red Sea Protectorate Office
Interviewed person:	Mr. Abd Allah Eliwa, Senior Ranger/ Responsible for the Northern Section
Date of Meeting:	28 April 2002
Participants:	Mr. Ahmed El Ibiary, Legal Consultant Eng. Salah M. Abdel Razek, Institutional Development consultant
Purpose of the meeting:	To discuss the current situation of the Red Sea rangers in the northern section, and to identify areas for improvement.

#### Main outcomes:

Mr. Eliwa is a one of the most senior rangers in the Unit; his seniority dates back to 1 January 1996. He graduated from Suez Canal University, College of Science. His permanent residence is Ismaliya City. He lives in the project's resident building in Hurghada.

Mr. Eliwa was hired by the EEAA under a yearly personal services contract, filling the position as an environmental researcher in EEAA. His employment conditions include: annual salary increase, additional unscheduled remunerations, health insurance through a private sector company contracted with Army hospitals, social insurance, and other privileges stated in the labor law.

Recently, Mr. Eliwa was assigned, unofficially, as section chief of the northern section. He has no documented job description for his position. His main tasks include organizing rangers' work in the northern section, planning and supervising patrolling, EIA review, and coordinating work with concerned agencies. Occasionally, he performs the ordinary rangers' work when necessary.

According to Mr. Eliwa, the following agencies are the primary ones working in the field of protecting the environment in the Red Sea area:

- Borders Guards, Ministry of Defense
- Facilities and Environment Police, Ministry of Interior
- Local Administration Units (EMU and Cities' Councils)
- Tourism Development Authority, Ministry of Tourism
- Fishery Development Organization, Ministry of Agriculture
- NGOs
- Private Sector (investors, diving centers, and boat owners)

The day-to-day work demonstrates cooperation with local administration units and agencies, due in large part to the full support of the Governor for environmental protection. Cooperation with the Borders Guards has shown improvement, but is still an area that needs enhancement. Coordination with the fishery organization is weak. This could be due to a conflict of interest between the two agencies, limited awareness of the environmental aspects of fisheries, and unclear understanding of

Law 4. In addition to constraints previously identified by Dr. Hanafy (see Meeting Report #2), other obstacles that were identified include:

- Insufficient coordination between EEAA/NCS and other agencies, especially Borders Guards and the Fishery Development Organization.
- Delay in the completion of the EEAA's Red Sea Regional Branch Office.
- Lack of adequate office space owned by EEAA (current office space is rented by the PSU), and no equipped workshop or appropriate storage facilities.
- Lack of sufficient capacity-building programs for rangers and cooperating agencies.
- Deficient environmental awareness and little understanding of environmental laws among corresponding agencies.

Areas for improvement (not previously mentioned in other meetings):

- Develop official communication and coordination mechanisms between EEAA and various agencies. The highest administrative level of the concerned agencies (preferably Ministries) should concur with the proposed mechanisms.
- Implement training in administrative skills; communication skills to enable rangers to cooperate with other agencies; work planning; time management; understanding and enforcement of governing laws; and languages (English, German, and Russian).

## Meeting Report #4

Agency:	Tourism Development Authority, Red Sea Branch
Interviewed person:	Eng. Hani El.Hakiem, Director
Date of Meeting:	29 April 2002
Participants:	Mr. Ahmed El Ibiary, Legal Consultant Eng. Salah M. Abdel Razek, Institutional Development consultant Mr. Abd Allah Eliwa, Red Sea Protectorate Office
Purpose of the meeting:	To identify the scope of work of the TDA and areas for improvement in cooperation with Red Sea rangers

### Main outcomes:

The work of the TDA regarding environmental protection is to encourage environmentally-sound private investment in tourism development. This is done by establishing tourism zones and by supervising the implementation of development plans for them. The TDA develops infrastructure schemes in these zones with an aim to recover costs and monitor the application of environmental regulations.

In carrying out these responsibilities, TDA has the authority to acquire and sell tourism development lands, retain the income, and charge fees for assessing and monitoring projects. Among the specific development and environmental management responsibilities that reside with TDA are the following:

- Mandate and help prepare development plans for tourism centers to assure high-quality environmental design;
- Modify existing subdivisions to achieve the objectives of development and environmental protection;
- Require and help protect important environmental assets that fall within TDA's allocated properties;
- Guide the management of the coastal setback lands (on all waterfront parcels) to assure public access, limit inappropriate treatment of the natural landscape, and encourage landscape design;
- Encourage ecology/ecotourism development consistent with resource management policies;
- Provide early technical assistance and information to assist developers in meeting environmental protection objectives;
- Mandate preparation of EIAs for each tourism center prior to authorizing its development, and coordinate with developers to assure proper application of the EIA (including mitigation procedures and subsequent monitoring)

### Areas for improvement:

Those who participated in this discussion gave the view that the central authorities in TDA maintain a good working relationship with the central authorities in EEAA. The TDA's permanent steering committee includes two members from EEAA. At the

local level, the cooperation between the TDA and the Red Sea rangers is also good, in the opinion of those who commented. Coordination is not formal and regular, but does occur in response to expressed occasional needs.

## Meeting Report #5

Agency:	Intelligence Unit of Border Guards, Red Sea Area, Ministry of Defense
Interviewed Person:	Officer. Ossama Abd Allah, Unit Commander
Date of Meeting:	29 April 2002
Participants:	Mr. Ahmed El Ibiary, Legal Consultant Eng. Salah M. Abdel Razek, Institutional Development consultant Mr. Abd Allah Eliwa, Red Sea Protectorate Office
Purpose of the meeting:	To identify the scope of work of the border guards in relation to environment protection, and areas for improvement in cooperation with Red Sea rangers

### Main outcomes:

In the course of protecting the Egyptian borders, the Intelligence Unit of the Border Guards is responsible for enforcing all civilian laws in borders areas, whether on sea or land. Among those laws, Law No. 4/1994 for the Environment is among the most important civil laws in the Red Sea area.

Based on the personal beliefs and commitment of the Unit, as well as on the Red Sea Governor's clear directions to protect the environment, the Unit's position on environmental protection and enforcement of Law No. 4 are among the top priorities of its day-to-day work. The current coordination between the border guards and Red Sea rangers can be summarized as follows:

- The border guards grant the rangers the required permission to work in prohibited areas, as needed;
- The Unit and the rangers can organize joint patrol missions, subject to prior consultations and arrangements; and
- Upon receiving information or guidance from the Red Sea rangers, the border guards enforce environmental procedures with respect to private sector activities in border areas.

### Areas for improvement:

Those who participated in the discussion had the following views of potential improvements:

- The border guards need to be given the power to effect seizures with respect to Law No. 4/1994;
- The Red Sea rangers should appoint a permanent liaison ranger to coordinate with the border guards;
- Workshops to discuss environmental law and its enforcement could be useful to numerous client groups; and
- An official coordination mechanism is needed between the border guards and Red Sea rangers to monitor activities in mountain areas.

## Meeting Report #6

Agency: Utilities and Environment Police, Ministry of Interior

Interviewed person: Officer. Ahmed Nasr, Unit Deputy Chief

Date of Meeting: 29 April 2002

Participants: Mr. Ahmed El Ibiary, Legal Consultant  
Eng. Salah M. Abdel Razek, Institutional Development consultant  
Mr. Abd Allah Eliwa, Red Sea Protectorate Office

### Purpose of the meeting:

To identify Scope of Work of the Unit in relation to environment protection and areas for improvement in cooperation with Red Sea rangers

### Main outcomes:

The Utilities and Environment Police is the Ministry of Interior's designated body for enforcing Law No. 4 in the Red Sea area. One of its responsibilities is to provide the Red Sea rangers with the needed legal authority and power to implement the law. However, the role of these police in supporting the Red Sea rangers is limited because most of the rangers' activities are at sea, outside of Interior's jurisdiction.

The current coordination between the Unit and the Red Sea rangers is summarized as follows:

- The Utilities and Environment Police support the rangers with the required authorized personnel to enforce Law 4/1994 in civil areas;
- The Utilities and Environment Police pursue legal actions against law violators, and take the violators to the courts;
- Upon receiving information or guidance from the Red Sea rangers, the Utilities and Environment Police enforce environmental procedures with respect to private sector activities.

### Areas for improvement (not previously mentioned in other meetings):

Those who participated in this discussion believe that EEAA needs to expedite the implementation of its incentive system to identify law violators and collaborate in their apprehension.

## Meeting Report #7

Agency:	Organization for Fisheries Development, Ministry of Agriculture
Interviewed person:	Eng. Ahmed Ali Sakawi, Manager Mr. Ahmed Mohamed Ahmed, Administration Manager
Date of Meeting:	29 April 2002
Participants:	Mr. Ahmed El Ibiary, Legal Consultant Eng. Salah M. Abdel Razek, Institutional Development consultant Mr. Abd Allah Eliwa, Red Sea Protectorate Office

### Purpose of the meeting:

To identify scope of work of the Organization in relation to environment protection and areas for improvement in cooperation with Red Sea rangers

### Main outcomes:

The Organization for Fisheries Development was established in 1983 by Presidential Decree No.190 to improve the national economy in relation to fisheries, as well as to establish projects in fisheries in compliance with national plans.

The Organization supervises the implementation of fishing licenses, laws, and their executive regulations. Moreover, it proposes legal and other means to improve the business environment for fisheries. It conducts studies and engaged in monitoring to increase fisheries production and reduce costs, and it conducts training and capacity-building of personnel working in the field. Additionally, it coordinates with international and regional organizations in fisheries protection and development under technical and economic cooperative agreements.

The relation between the Organization for Fisheries Development and the EEAA/NCS Red Sea rangers is often strained due to contradicting interests. For example, the Organization for Fisheries Development promotes fishing, regardless of species fished. On other hand, Law No. 4/1994 specifies that certain species should be protected. Shark fishing is an example of such a contradiction.

### Areas for improvement:

Those who took part in the discussion had two main suggestions:

- The Ministry of Agriculture and Ministry of State for Environmental Affairs should develop a protocol for official mechanisms of communication and coordination on fisheries. The most important outcome of this could be a unified implementation agreement by the two agencies for fisheries policy and management in the Red Sea area.
- The two ministries working together should conduct joint workshops on the legal framework governing fisheries, including approaches for enforcement.

## Meeting Report #8

Agency:	The Red Sea Association for Diving and Water Sports (NGO)
Interviewed person:	Mr. Mahmoud A. Hady, Director
Date of Meeting:	29 April 2002
Participants:	Mr. Ahmed El Ibiary, Legal Consultant Eng. Salah M. Abdel Razek, Institutional Development consultant Mr. Abd Allah Eliwa, Red Sea Protectorate Office
<u>Purpose of the meeting:</u>	To identify the scope of work of this NGO in relation to environmental protection and areas for improvement in cooperation with the Red Sea rangers

### Main outcomes:

The Association was established in October 2000. It has more than 518 members, representing private-sector marine activities in the Red Sea area. The goals of the Association are to establish and uphold standards for safety and quality in diving and other marine activities and services. In addition, the Association supports a comprehensive marketing and promotional plan to increase the Red Sea as an international diving destination. As part of that strategy, the Association works to diversify the range of diving sites and to support their environmental protection.

The Association has a code of conduct for all operators in the diving industry, and seeks to generate new cadres of qualified operators and upgrade the standards of the existing ones. It provides advisory services for existing and potential professionals and investors, and it utilizes an information center and hotline to address inquiries, problems, and emergencies.

The Hurghada Environmental Protection and Conservation Association (HEPCA) is one of the active members of the Association. The installation of the mooring buoy system and its maintenance is an example of cooperation among the EEAA/NCS, Red Sea Governor, and HEPCA as a member of the Red Sea Association for Diving and Water Sports.

### Areas for improvement:

In general, the Association claims a good working relationship with governmental agencies at both central and local levels, as well as with community organizations. Specifically, the Association cites an excellent working relationship with the Red Sea rangers through activities such as joint patrolling, reporting violations of Law 4/1994, and coordinated efforts for the installation and maintenance of the mooring buoys. One suggestion for improvement that arose during discussions is:

- Well-established members of the Association (e.g., HEPCA) not only should continue to participate in environmental protection, but also should take on a larger role in environmental awareness raising.

## Meeting Report #9

Agency	PSU/Red Sea Protectorate Office
Interviewed Person	Mr. Esam Mostafa, EEAA Lawyer in Hurghada
Participants	Ahmed El.Ibiary, Legal Consultant
Purpose of the Meeting	To discuss legal procedures regarding environmental violations, especially in the natural reserves.

### Main outcomes:

Mr. Mostafa identified a number of institutional and legal issues of relevance to the effectiveness of the Red Sea rangers. First, the office of the Red Sea Protectorate is not at an adequate institutional level, even though the Red Sea Protectorate is one of the largest reserves. Moreover, cooperation with the other competent agencies relies mainly on personal relationships rather than on legal and administrative frameworks. The areas surrounding the reserve (“buffer zones”) are not legally determined.

Law enforcement faces several obstacles. The rangers work under inappropriate contractual arrangements which stand in their way of being allowed to conduct legal inspections for the EEAA. The rangers do not carry weapons, are not usually accompanied by police, and are challenged in writing good legal reports.

### Areas for improvement (not previously mentioned in other meetings):

- Regarding inter-governmental collaboration, an Executive Council of the Governorate was issued by Prime Ministerial Decree 450/1986 (amended by Decrees 1186/1986 and 642/1995), and reinforced by Decree 47/1986 of the Red Sea Governor. However, this Council has not met. The formation and active engagement of such a Council is one approach to strengthen the administrative and legal framework in which the Red Sea rangers should be operating.
- Several of the constraints itemized above can be remedied with relatively simple instruments, e.g., government employment contracts for rangers, permits for rangers to carry weapons in certain circumstances, and capacity building in how to issue effective legal citations and reports.