AMERICAN UNIVERSITY OF BEIRUT

DECENTRALIZATION AS A POLICY OPTION IN LEBANON
THE CASE OF THE WASTE MANAGEMENT CRISIS
AND LOCAL LEVEL SOLUTIONS

by
NATALIA EL MENHALL

A thesis
submitted in partial fulfillment of the requirements
for the degree of Master of Science in Environmental Sciences
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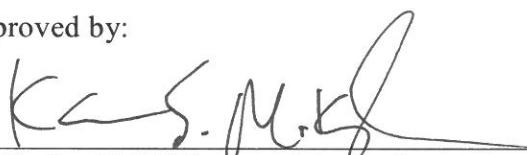
_____
Dr. Karim Makdisi, Associate Professor   Advisor
Department of Political Science and Public Administration

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Dr. Carmen Geha, Assistant Professor   Member of Committee
Department of Political Science and Public Administration
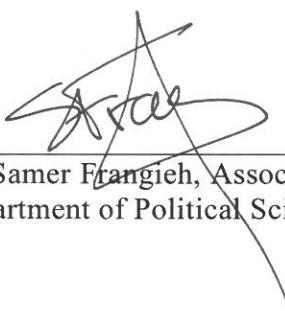
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Dr. Samer Frangieh, Associate Professor   Member of Committee
Department of Political Science and Public Administration

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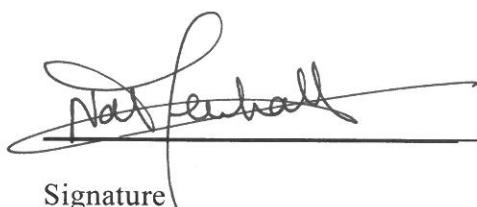
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AN ABSTRACT OF THE THESIS OF

<u>Natalia El Menhall</u>   for   Master of Science in Environmental Sciences
<u>Major:</u> Environmental Policy Planning

Title: <u>Decentralization as a Policy Option in Lebanon. The Case of the Waste Management Crisis and Local Level Solutions.</u>

Post-civil war policy in Lebanon focused on infrastructural development that exacerbated rather than curtailed traditional clientalism whereby local patrons, representing the political or new financial elite, are in constant negotiations to expand their interests and networks. The 1989 Ta'if Agreement that ended the war enshrined the concept of decentralization as core to regional sustainable development and local participation. Although decentralization has long been part of the discourse among this elite, no practical policy measures have been developed as there has been no convergence of elite interests.

In this context, the 2015 garbage crisis in Beirut and Mount Lebanon was considered by civil society as a possible tipping point to shift Lebanon's environmental practices and policies, and potentially move away from the clientalist framework. In fact, the crisis catalyzed the creation of a social movement that called for among other things, decentralization in waste management as a sustainable solution. However, the political elite, working through public institutions, blocked possibilities for genuine reform even as garbage continued piling on the streets and the corresponding health and environmental risks accumulating. It was now up to local governments to take ad hoc policy decisions.

This thesis examines the case of three such local governments, namely the municipalities of Choueir, Bikfaya and Beit Mery. Choueir's solution consisted of an incinerator donated by Minister and local political figure Bou Saab. The solution initiated an uproar among residents and activists for its lack of compliance with environmental standards. Bikfaya opted for a sorting plant under the patronage and close involvement of prominent Gemayel family. Beit Mery's solution followed the first two and adjusted the process to avoid their mishaps. The political interests in this case were less evident and resulted in a positive perception of the solution and the process.

The thesis finds that in the absence of structural reforms that challenge the clientalist system, decentralization was not effective and remained linked to political elite interests, some of which resulted in positive outcomes. It highlights the absence of core requirements for decentralization to be effective. These include a national will for decentralization by the political elite, the availability of resources, technical and financial, for municipalities to develop policy solutions and a high level of autonomy of local governments from central patrons and their interests.

ACRONYMS

AEC: Arc En Ciel
AUB: American University of Beirut
CDR: Council for Development and Reconstruction
EIA: Environmental Impact Assessment
EDZ: Electricité de Zahlé
FPM: Free Patriotic Movement
IMF: Independent Municipal Fund
MoEnv: Ministry of Environment
MoIM: Ministry of Interior and Municipalities
MoPH: Ministry of Public Health
NGO: Non-Governmental Organization
OMSAR: Office of Minister of State for Administrative Reform
PET: Polyethylene Terephthalate
UNEP: United Nations Environmental Program
UNHCR: United Nations High Commissioner for Refugees

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CHAPTER I

INTRODUCTION

Lebanon is a country of 10,500 km^2 and an estimated population of 5.6 million according to studies in 2013, with more than 80% residing along the coastal area.[1] While the environment has been a major pillar in Lebanese culture and economy, studies have reported a severe decline, with more than 500 million USD worth of damage. In fact, since the end of the Lebanese civil war in 1991, the country's post war recovery focused on reconstruction of the infrastructure and economic development.[2] Although environmental protection was not a governmental priority then, some actions were taken to address environmental issues such as the establishment of the Ministry of Environment in 1993 and the passing of few key policies afterward. Until recently, environmental issues had not been considered a governmental policy priority.[3]

The post-war reconstruction phase in Lebanon was characterized by the strengthening of patron-client networks due to the collapse of the state during the war and their legitimization under the political consensus that put a stop to the war.[4] This meant that most resources and services were controlled by the patrons and were provided to clients (in this case, citizens) in return for their loyalty.[5] It

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[1] Sweepnet. (2014) *Integrated Report on the Solid Waste Management in Lebanon.*
World Bank. (2011). *Republic of Lebanon Country Environmental Analysis.*
[2] Makdisi, K. (2012). The Rise and Decline of Environmentalism in Lebanon. In *Water on Sand: Environmental Histories of the Middle East and North Africa*. Oxford: Oxford University Press.
[3] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly ,23*(1), 55-72.
[4] Ibid.
[5] Ibid.

also resulted in a power-sharing arrangement that patrons still use to advance their interests. Any protest or demand for change within the patron-client exchanges might bring about a negotiation process to realign the exchange, without the patron actually letting go of overall control and interests.[6] This was translated into the public sector, the design and execution of public policy, the provision of public services and the disbursement of public funds that became ruled by clientelist practices, mostly favorable to the same patrons and their networks. The result is a dysfunctional policymaking process and execution as well as very low quality and access to public services. This is particularly true when compared to other countries in the MENA region as well as the world, especially in already poor and marginalized rural areas across the country. To fill this gap, private actors act as alternative service providers and charge high prices for average services.[7]

In the last six years, since the onset of the Syrian crisis in 2011 and the influx of more than a million registered refugee to Lebanon,[8] additional pressure has been placed on already scarce public services, including waste collection and treatment. In 2015, Lebanon's waste management issue transformed into a crisis resulting in major environmental and health problems. The roots of the crisis go back to the end of the Lebanese civil war (1990) when the Lebanese government contracted 'Sukleen', a company owned by AVERDA in 1994 following a loan

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[6] Anti-corruption Resource Center. *Overview of Corruption and Anti-Corruption in Lebanon*. (2012). Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly ,23*(1), 55-72.
World Bank. *Lebanon Economic Monitor: The Great Capture* (Rep.). (2015).
[7] World Bank. *Lebanon Economic Monitor: The Great Capture* (Rep.). (2015).
[8] United Nations High Commissioner for Refugees (UNHCR). (n.d.). UNHCR Syria Regional Refugee Response. Retrieved from http://data.unhcr.org/syrianrefugees/country.php?id=122.

from the World Bank dedicated to the rehabilitation of post-war Lebanon.[9] Trash started piling up on the streets of Beirut after Sukleen suspended its operations in two Lebanese governorates, Beirut and Mount Lebanon and could no longer access its primary landfill in Naameh, which was originally established in 1997 as an emergency dumping site for a period of six years. Unable to offer alternate sites that would be environmentally acceptable, the government authorized the site's expansion beyond the 6 years of the initial agreement.[10]

While trash was piling up on the street, the main problem was the lack of appropriate policy solutions. Lebanon's policymaking process is highly influenced by its political system, which is based on power sharing and patron-client networks, and policy making remains in the hands of a few political and sectarian decision makers. When these decision makers are unable to reach an agreement, the result is often prolonged paralysis in policymaking, which in this case led to the garbage crisis. Although waste management is listed within the prerogatives of locally elected municipal councils, up until the 2015 crisis, little reference was made to a decentralized approach to waste management. As the waste management crisis intensified, public support grew for a decentralized solution as well as the demand for a more municipalities to take on a more active role and responsibility in waste management. While central government officials are still debating immediate solutions that would guarantee them some economic and political interests like

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[9] Executive Magazine. Dissecting a waste empire, How Lebanese Governments Created a Trash monopoly. (2016, January 15). Retrieved from http://www.executive-magazine.com/economics-policy/dissecting-a-waste-empire
[10] Malas, N. (2014, January 19). Government Paralysis in Lebanon Turns Smelly'. *The Wall Street Journal*. Retrieved from http://blogs.wsj.com/middleeast/2014/01/19/government-paralysis-in-lebanon-turns-smelly/

landfills and garbage export, municipalities across the country are struggling to find solutions for all the garbage. In fact, despite political, administrative, regulatory and financial challenges, some municipalities have developed ways to overcome the policy deadlock and have acted to remove waste at a local level.

This thesis will look into policymaking processes in Lebanon, particularly trends in environmental policymaking and examine how decentralization and local policy making were presented as a potential solution for the waste management crisis. It will attempt to answer the following questions: How did decentralization emerge as a policy option during the waste management crisis in Lebanon? What insights can be generated from local level response in terms of viability of the solution in waste management?

To achieve that, this thesis explores three cases of municipalities that came up with local initiatives to remove waste within their localities in order to understand the dynamics and capacities within localities that may or may not allow a decentralized approach to environmental policy. The thesis will be divided into six chapters. Chapter two presents the methodology used to collect relevant data and document case studies from three municipalities. The methodology used is particularly important seeing as the topic is contemporary and little research has been conducted about the waste management crisis in Lebanon, particularly from a decentralization perspective. Chapter three looks into the policymaking process in Lebanon and analyzes that process, particularly when it comes to environmental policy making in Lebanon. Chapter three then continues to examine the details of the waste management crisis in Lebanon to better understand linkages to the overall

environmental policymaking process in the country. Chapter four starts by defining decentralization in Lebanon as seen by the different stakeholders. It then moves to examine the evolution of decentralization in the Lebanese discourse and looks at the main challenges of applying decentralization in Lebanon. Chapter five documents three cases of municipalities that have had to develop ways to remove waste from the streets. More specifically, the chapter examines the context of these municipalities as well as the process to find a solution as well as the different components in the process. It is important to highlight that at the time of conducting research for this thesis, the local initiatives were still in the process of being assessed, tested or implemented and therefore the objective of this research is not to evaluate the impact of the selected option, nor is it to take a stance vis-à-vis any of the options selected in the three cases. Chapters six and seven present key observations that resulted from the discussed cases. The aim of this research is to investigate how decentralization emerged in the discourse as a policy option during environmental crisis in Lebanon and understand the process leading up to the implementation of the solutions to better assess the feasibility and viability of decentralization in environmental policy, which is further explored in the final chapter of this thesis.

CHAPTER II

METHODOLOGY

The research focused mainly on qualitative data collected through extensive desk research and semi-structured interviews to gather different perspectives on the topic. As a first step, the research started by looking into existing literature on environmental policymaking in times of crisis, before moving to the case of Lebanon as well as decentralization as a policy option in environmental crises. It then sought input from experts working in governments, international agencies, media, academia and civil society organizations on decentralization and waste management in Lebanon through semi-structured interviews. Finally, and before moving into conclusions, the research presented three case studies of initiatives implemented by municipalities to manage waste in their localities, through interviewing members of the municipal councils, local activists and members of the local community.

A. Methods

The research included a review of literature such as existing studies, publications, reports and published policy options. Another important source of data that was integrated in the study was an analysis of local media pieces (written, visual and online media platform) where the decentralization option for the waste management issue was presented and repeated by different stakeholders.

The fact that the waste management crisis was ongoing at the time of the study made this exercise quite challenging at two levels. The first was at the level

of available studies and literature analyzing the effects of power sharing systems on environmental policy making and crisis. The second was at the level of media archives, where it was not feasible to look at a year worth of archives from TV stations, radio channels and newspapers, not to mention online news outlets.

Seeing as the research question was a contemporary one, the case study method was found to be the most convenient as it allowed the documentation of data that was otherwise not available.[11] The empirical data would fill the gap in literature around crises and environmental policy in Lebanon that, up until the eruption of the current crisis, has been restricted to environmental expert circles. In other words, the case study method would allow the correlation of the data with the specific and complex context of policy making in Lebanon, linking specific events to existing dynamics and process, and uncovering multiple elements of the occurring events, including the "how" and why".[12] The multiple case study approach would allow the comparison of set elements and the observation of similarities and differences across the cases.[13] This would result in the generation of new evidence and contributing to an under theorized area in environmental policy in Lebanon, namely the intersection between the environment, decentralization and policymaking.

[11] Kohlbacher, F. (2006). The Use of Qualitative Content Analysis in Case Study Research. *Qualitative Social Research,7*(1).
[12] Zainal, Z. (2007). Case Study as a Research Method. *Jurnal Kemanusiaan, 9*.
Baxter, P., & Jack, S. (2008). Qualitative Case Study Methodology: Study Design and Implementation for Novice Researchers. *The Qualitative Report ,13*(4), 544-5559.
[13] Baxter, P., & Jack, S. (2008). Qualitative Case Study Methodology: Study Design and Implementation for Novice Researchers. *The Qualitative Report ,13*(4), 544-5559.

The selection of the cases started with news about Choueir's incinerator, a piece of news that made front page headlines across local media in October 2015.[14] This came after calls from activists to release municipal funds and allow municipalities to take charge of their lawful role in managing waste. The Choueir case, or what quickly escalated into an environmental and political scandal, led me to wonder whether decentralization, in light of the current governance system in Lebanon and the existing patron-client networks, would actually work. As an environmental and political activist, the mere fact that I was questioning civil society's demand for a decentralized approach to waste management brought up many questions about requirements for decentralization in waste management, the readiness of municipalities to claim ownership of the decision making process and how that process would actually take place. From that point on, conversations about the waste management crisis and decentralization highlighted many positions from different stakeholders, leading to the formulation of the research questions.

Seeing as Choueir inspired this thesis, and to simplify the establishment of comparative elements, the other cases were selected based on comparable criteria, including socio-economic conditions, religious and political affiliations, population size and geographical location. In addition to that list, it was important that the selected cases had addressed the waste management issue, which could extend from a "no action" approach all the way to the "perfect" scenario solution. Though possibilities were quite numerous, the activist in me decided to look at cases that were being highlighted in the press and among activist circles as "good" cases,

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[14] Allouch, M. (2016, December 15). لهذه الأسباب محرقة ضهور الشوير مخالفة للقوانين البيئية. Retrieved from https://goo.gl/SZSG5l

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while staying true to the similarities set to allow the comparison. In addition to Choueir, Bikfaya and Beit Mery both fit the criteria in terms of regions in the north Metn region; the three areas are historically considered as summer destinations, with high education levels among their population. Each of the three cases included a prominent political figure, currently represented in central government (parliament and/or cabinet).

In terms of implemented solutions, Choueir had opted for incineration, Bikfaya had launched a treatment plant for recycled material and was facing challenges with organic waste and Beit Mery had opted for a "Zero Waste" approach with the support of external experts (Cedars Environmental). It is important here to re-emphasize that the point of this research is not to evaluate whether the result of the implementation of these solutions was successful or not, especially since they had been newly put in place at the time of the research. The objective is rather to look at the process leading up to the implementation (including decision making and dynamics) and learn whether a decentralized approach would be feasible.

Building on the existing literature, a semi-structure interview guide was then designed to be used with the different stakeholders. The areas of enquiry focused on following themes:

- Availability and Selection of Options
- Decision Making Process
- Financial and Human Capacity
- Perceived Impact and Public Reactions

- Political Dynamics and Events

This interview tool allowed for great depth in terms of generated data and analysis (Annex 2).

Based on the literature review as well as media statements, a list of stakeholders was finalized (Annex 3 for the complete list). The study interviewed 17 stakeholders from representatives of national and local governments, international development agencies, media, academia, national and local civil society representatives, activists and community notables, environmental and decentralization experts. The interviews with these stakeholders helped provide additional information and detail to the existing literature and media releases to cover the above mentioned areas of interest and understand trends. More specifically, the interviewees included:

- Representatives from the Ministry of Environment, to give a general understanding of the state of the environment and environmental policymaking in Lebanon, as well as specific details related to the role of the Ministry in finding solutions for the waste management crisis and in following up with municipal councils working on different options
- Representatives of the municipal councils (members and advisors) in the three selected regions, to get input as to the available options, the challenges and opportunities as seen by the municipal councils, and the decision making process leading up to the implementation. It is important to highlight that it was difficult to get access to members of

the municipal council in the three areas, the reason for which advisors were interviewed

- Environmental experts in order to understand the intricacies of environmental policymaking in Lebanon, the existing dynamics within environmental issues and their take on dynamics, capacities and possible solutions for the waste management crisis

- Governance expert, to understand the politics around decentralization as well as the different decentralization models that have been presented to the government over the past years. The conversation also addressed the requirements for the implementation of decentralization and how it reflects at the local level

- Activists from the protest movement that rose in 2015 as well as environmental activists that have been working on environmental issues in Lebanon. The activist profile was important to collect data about trends in policies, practices and advocacy for environmental issues, to understand the obstacles to policy change in environmental issues, the timing and rational for the demands for decentralization and the stances vis-à-vis central government's decisions

- Activists at the local level that have participated in campaigning against the selected options in the cases in order to better understand the dynamics and interests that exist within a certain locality. Though few local activists were contacted within each of the localities, very few were interested in being part of the research

- Media, to understand the changes in discourse at the local, central and activist levels. Only a few media representatives were contacted but the only person who showed readiness to engage also happened to be part of the Environmental Crisis Unit that was created within the cabinet to follow up on the waste management crisis

In addition to the above, data was collected through observations in public hearings, conferences and collective meetings (Annex 4).

Thematic analysis of the collected data was used and based on the themes mentioned above. Insights and recommendations for the required elements that would make decentralization a viable option for environmental policy change in times of crisis were derived.

B. Limitations

The limitations encountered or mitigated during this research were the following:

- Tight timeframe: The study was conducted over a period of four months and therefore some elements might not have been taken into account as rigorously. These include the impact resulting from the implementation of the solutions and specific data related to indicators such as electoral results
- Access to information, data and people: Given the nature of the topic at hand, the fact that it is contemporary and ongoing and the need to get different perspectives from a multitude of actors, it was difficult to

access relevant and updated data. This was mitigated by diversifying data sources (interviews, media, studies...) and by validating findings with experts. However, another challenge arose when contacting stakeholders, especially municipal members and media representatives

- Ongoing crisis: As the crisis is still ongoing, the analysis and recommendations could be subject to change at the time of publication

- New solutions: The implemented solutions at the local level are quite nascent and there is not enough evidence to conclude their efficiency and sustainability

- Case study representativeness: Case studies of three municipalities with similar characteristics are not enough to generalize results to other municipalities in Beirut and Mount Lebanon, or across the country

- Anonymity of stakeholders: Given the sensitivity of the issues discussed in this thesis, most of the key informants interviewed wished that the researcher would not use quotes that would identify them in person. For this purpose, quotations used are not directly linked to the person who made the statement

- Theoretical framework: Given the nature of the research and the complexity of the issue tackled, it was also challenging to apply existing theories as a defined framework for the work. It was then decided that the more suitable methodology would be to avoid limiting the research to one theory but rather fill a gap in theory and provide evidence for a different theoretical approach

- Finally, one of the case study method's main challenges remains the fact that "[case studies] provide little basis for scientific generalization".[15] In the case of this thesis, the case studies focused on dynamics, process and interests, making the generalization even more complicated, especially since, no matter how similar the localities, the three observed levels (dynamics, process and interests) changed. It is therefore difficult to generalize the findings of this thesis to the broader national level.

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[15] Kohlbacher, F. (2006). The Use of Qualitative Content Analysis in Case Study Research. *Qualitative Social Research, 7*(1).

CHAPTER III

LEBANON: POLICY, ENVIRONMENT & CRISIS

This chapter aims to look at policymaking in Lebanon, particularly in terms of dynamics affecting policymaking. I then explore how these dynamics apply to environmental policymaking, while examining existing legal frameworks, practices and implementation for environmental policy in Lebanon. I then move on to describe the main milestones of the waste management crisis and linking it to the environmental policy framework in Lebanon. The chapter ends by looking at how decentralization emerged to become an issue during the waste management crisis in Lebanon, through analyzing the discourse of different actors during the crisis, in an attempt to answer the first research question. This would be used to further build on the following chapter that tackles the evolution of decentralization in Lebanon from a political and technical aspect.

A. Policy Making in Lebanon

Between 1975 and 1990, Lebanon witnessed 15 years of civil war between different sectarian groups, which ended with the 1989 Taif Agreement. The agreement reaffirmed the 1943 National Pact, which was designed to guarantee representation between all confessional groups while at the same time preventing any from gaining a dominant position. The socio-political norm and practice in Lebanon has been highly linked to clientelism, where communities seek to ensure

coverage and patronage by various confessional and sectarian elites.[16] The

clientelist relationship can be defined as a set of exchanges between the patron

(usually the leader) and the client (the public), where the patron provides protection

as well as access to resources and services that they control, in return for their

clients' loyalty.[17] Although the country is governed as a consociational democracy,

the electoral system is based on a decentralized confessional representation that

reinforces the power of elites through transferring the client-patron exchanges from

the central level to the local level. This grants them power over a certain

geographical domain and makes it difficult to surpass the locally built exchanges

and bonds in favor of a wider, possibly national, alliance to redefine relationships

and power.[18] Hence, the parliamentary democratic system recognizes 18 religious

sects represented according to the size of their respective populations.[19] And so, the

current Lebanese government is divided between political elites and politicians who

have either actively contributed in the civil war or are direct allies to groups who

fought the civil war, allowing the same elite to harness citizen support and

implement control.[20] These patrons are self-proclaimed representatives of the major

sectarian groups and have in common the fact that their power-base is confessional;

They are the merchants and financiers within the Lebanese economy with direct

official representatives in the legislative and executive branches.[21]

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[16] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly, 23*(1), 55-72.
[17] Ibid.
[18] Ibid.
[19] Henderson, T., Nelson, C., & Chemali, Z. (2015). Increasing women's Political participation in Lebanon: Reflections on Hurdles, Opportunities and Hope. *Journal of Politics and Law,8*(4).
[20] Knudsen, A. (2005). *Precarious Peace building: Post-war Lebanon, 1990-2005* (Rep.). Chr. Michelsen Institute.
[21] Gates, C. (1998). *The Merchant Republic of Lebanon: Rise of an Open Economy* (pp. 23-50, Rep.). London: The Centre for Lebanese Studies and IB Tauris.

Practically, this is translated into a state, after a little under 30 years of post-war status and billions of dollars in debt,[22] that is still unable to cover basic needs like electricity, water, transportation, internet and most recently, garbage collection to the majority of its citizens. Instead, these services are dependent on political patrons who cater for political patronage, protection, and services to citizens.[23]

Political agreements are reached outside of state institutions either as back-door deals or through national dialogue tables or under the auspices of foreign patrons. Parliament and Cabinet as institutions are sidelined until a regional and sometimes international macro political agreement can be made. There are 'high level' sectarian patrons who are leaders of major political parties and who have representatives in political office.[24] These perform all the functions traditionally ascribed to statesmen. They have their own foreign ties and external patrons, attend international conferences and represent Lebanon, propose and support legislation, as well as sit at the National Dialogue table, which is the main platform to resolve political conflict and build consensus.

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[22] Executive Magazine. Dissecting a Waste Empire: How Lebanese Governments Created a Trash Monopoly. (2016, January 15). Retrieved April 09, 2017, from http://www.executive-magazine.com/economics-policy/dissecting-a-waste-empire

[23] Yamout, G., & Jamali, D. (2007). A Critical Assessment of a Proposed Public Private Partnership (PPP) for the Management of Water Services In Lebanon. *Water Resources Management, 21*(3), 611-634.

[24] Geha, C. (2016). *Civil society and political reform in Lebanon and Libya transition and constraint*. London: Routledge.

Studies on the Lebanese political system state that policymaking in

Lebanon follows an unconventional path that is highly dependent on power sharing,

clientelism and remains within the hands of few patrons:

> "It is difficult to capture the formal or informal patterns of policy making in Lebanon. The presence of grand coalitions and absence of freedom of information often means that policy decisions are made behind closed doors. Policy is often made under urgent conditions, crises, without a clear path for developing solutions and in response to evidence-based problems. At the legislative level, very few MPs are involved in the legislative process. While MPs have the role of liaising with citizens, often they are not the sole decision makers."[25]

Since the 2005 assassination of Prime Minister Hariri, political elite have

been polarized between pro-Syrian March 8 and anti-Syrian March 14. The

polarization acts to enshrine the political system rather than to shake it.[26] When

politicians have historically disagreed, deadlock or civil strife has prevailed. The

political elite have not even thought to go to citizens for support and but instead, in

2012, opted to indefinitely postpone parliamentary elections under the guise of

regional instability. It wasn't until after two years of presidential deadlock that the

parliament was able to elect a president in November 2016.

The weak state in Lebanon and lack of technical capacity means that public

institutions are limited in their ability to develop national policies. However, the

confessional and sectarian system means that public institutions are challenged in

their independence and ability to advocate for or implement policy reform options

that serve the entire population. According to Kingston, demands and protests from

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[25] Beyond Reform & Development. (2015). *Mapping Civil Society Organizations in Lebanon*. Brussels: European Union.
[26] Knio, K. (2005). Lebanon: Cedar Revolution or Neo-Sectarian Partition? *Mediterranean Politics* *,10*(2), 225-231.

the public or civil society organizations against these clientelist exchanges, usually aim at expanding the public's access to the controlled resources and services or "freedom of action outside the compliance agreement".[27] The result of these demands is usually a renegotiation of the terms of the exchanges between the patrons and the clients, without any real structural change in the agreement itself given its resilience.

The same national structure and relationship fabric is regenerated on two levels. The first is represented by the local level with local communities, as political parties harness their popularity and use their power and resources to serve their constituencies at the local level. The second is at the level of sectors where these exchanges and resources remain the main source of interest and focus across all sectors. While the local level is further discussed in chapter four, the following section looks at these exchanges and how they have been (and still are) translated within the environmental sector.

B. Environmental Policy in Lebanon

In contrast with the rise of environmentalism globally, the concept hit Lebanon quite late. As the country was in the midst of a civil war when global environmental movements were growing, the environment was reduced to tree planting and limited waste management initiatives. once the war ended, the priority went to the country's reconstruction process, with little or no consideration to

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[27] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly, 23*(1), 55-72.

environmental issues and consequences.[28] The emergence of environmental

organizations in Lebanon, often funded and supported by international donors,

pushed environmental issues on the political agenda. However, that alone would not

explain the motivation of the political elite to address environmental issues,

especially given the nature and division of civil society in Lebanon, and the fact

that core environmental issues in that phase (90s), such as industrial pollution,

quarrying, and land reclamations, remained untouched.[29] Kingston describes the

beginning of environmental policy in Lebanon as highly political and linked to the

country's elites or leaders.[30] Kingston argues that even if civil society

organizations played a role in putting the environment on the elite's agenda, the

latter were motivated by an "increased availability of capital for environmental

work from both foreign bilateral and multilateral donors". [31] The emergence of

environmental issue on the agenda was accompanied by an increased interest and

financial investment of the international community in these issues, creating

sufficient motivation and excuses for the political elite to co-opt these issues and

incorporate them in the clientelist exchanges that bond them to citizens within their

area of influence.[32]

Throughout the years, the country has seen the growth of environmentalism

and the rise of environmental NGOs, with around three hundred registered NGOs

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[28] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly, 23*(1), 55-72.
[29] Ibid.
[30] Kingston, P. (2013). *Reproducing Sectarianism: Advocacy Networks and the Politics of Civil Society in Post War Lebanon*. New York , NY: Suny Press.
[31] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly, 23*(1), 55-72.
[32] Chaker, A., El-Fadi, K., Chammas, L., Abi Zeid, M., & Hatjian, B. (2006). Towards a National Strategic Environmental Assessement System in Lebanon. *Impact Assessment and Project Appraisal,24*(2).

working on environmental issues at the local and national levels.[33] In 1993, the state responded to the growing international interest in environmentalism and created the Ministry of Environment. Since its establishment, the Ministry of Environment has been active in developing a regulatory framework for the environment in Lebanon. This has resulted in very little effort to push the environmental agenda forward and to change the status quo of environmental policy in Lebanon. One way to explain this is the lack of consensus among environmentalists, specifically in terms of environmental priorities and how these connect to other developmental priorities, making it difficult to have a clear position vis-à-vis state policy and practices.[34] Additionally, the ministry faces a number of challenges that are less linked to the regulations but more linked to their enforcement.[35] To this day, many regulatory texts (policies, laws, decrees, strategies) have been developed to tackle environmental protection in general and more specialized themes. In fact, in recent years, the Ministry of Environment has succeeded in pushing key regulations on the agenda. While some have not been passed by parliament yet, like the Integrated Solid Waste Management Plan, others have been randomly enforced, in the best cases.

In fact, according to several reports and studies, the Ministry of Environment has had to compete with other public institutions to develop, pass and enforce any policy putting the environment as a priority over other issues.[36] When it

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[33] Makdisi, K. (2012). The Rise and Decline of Environmentalism in Lebanon. In *Water on Sand: Environmental Histories of the Middle East and North Africa*. Oxford: Oxford University Press.
[34] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly, 23*(1), 55-72.
[35] Masri, R. (1999). Development – At what Price? A Review of the Lebanese Authorities' Management of the Environment. *Arab Studies Quarterly ,21*(1), 117-134.
[36] Masri, R. (1999). Development – At what Price? A Review of the Lebanese Authorities' Management of the Environment. *Arab Studies Quarterly ,21*(1), 117-134.

comes to environmental management, the challenges faced have been similar since the appointment of the first minister of state for environment in 1981 during the civil war, as well as the second minister of state in 1990, leading up to the creation of the Ministry of Environment in 1993 and the evolution of the ministry to this day.[37] These challenges have included a lack of technical capacity, financial resources, and the lack of proper authority and executive mechanisms to implement environmental policy and regulations. Some studies also claim that there is no proper understanding of the roles and responsibilities of institutional players in the texts, nor are they accompanied by clear executive decrees, resulting in non-compliance to the regulation itself.[38] One has to add that, until this day, there is a complete absence of political will to place environmental protection on the country's priority issues. This renders all efforts to design, advocate for and implement environmental policy ineffective and irrelevant.[39]

The main problem remains the fact that the environment policy in Lebanon is often coopted to reinforce the patron-client relationship; Other environmental issues have been disregarded at the expense of their economic interest and authority

World Bank. (2011). *Republic of Lebanon Country Environmental Analysis.*

Lebanese Ministry of Environment, UNDP & ECODIT. *State and Trends of the Lebanese Environment* (Rep.). (2010).

UNEP, CEDARE & Plan Bleu. *Policies and Institutional Assessment of Solid Waste Management in Lebanon* (Policy and Institutional Assessment of Solid Waste Management in Five Countries, Rep.). (2000).

[37] Makdisi, K. (2012). The Rise and Decline of Environmentalism in Lebanon. In *Water on Sand: Environmental Histories of the Middle East and North Africa*. Oxford: Oxford University Press.

[38] The Lebanese Center for Policy Studies. (1996). *Policy Paper on the Environment in Lebanon* (Rep.). Beirut.

[39] Makdisi, K. (2012). The Rise and Decline of Environmentalism in Lebanon. In *Water on Sand: Environmental Histories of the Middle East and North Africa*. Oxford: Oxford University Press.

Masri, R. (1999). Development – At what Price? A Review of the Lebanese Authorities' Management of the Environment. *Arab Studies Quarterly ,21*(1), 117-134.

UN Habitat. (2015) *Wasteless Lebanon. Integrated Waste Management Policy Paper*.

in other sectors.[40] According to Masri, throughout the years many environmental policies, laws and regulations were developed and passed.[41] This does not necessarily imply that environmental protection and good management were starting to happen. In fact, though some successes have been achieved in some areas, policies related to environmental issues such as quarrying, costal and solid waste management have not only reinforced the patron-client relationship with political leaders, but have also contributed to the exponential growth of the fortunes of these leaders at the expense of environmental degradation and public health.[42]

In rare cases, political interests actually helped push the environmental agenda forward and positively affect environmental policymaking. This was true when the appointed minister of environment was linked to a patron whose interests lie in a positive regulation of the environment, as was the case when Akram Chehayeb was appointed minister of environment in 1996. Chehayeb campaigned against quarrying and provided support to environmental NGOs and a long-term vision for the ministry's work. Though his linkages to a known patron for the Druze community in Lebanon – Walid Jumblat – could not be disregarded as well as the latter's interest in using environmental issues as a political platform for resource redistribution, it also proved to be an opportunity to push environmental policymaking forward. Naturally, the level of interest and support of the environmental agenda quickly decreased with the end of Chouhaiyeb's term.[43] One

[40] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly ,23*(1), 55-72.

[41] Masri, R. (1999). Development – At what Price? A Review of the Lebanese Authorities' Management of the Environment. *Arab Studies Quarterly ,21*(1), 117-134.

[42] Malik, H. (2000). *Between Damascus and Jerusalem. Lebanon and Middle East Peace* (Rep.). Washington: Washington Institute for Near East Peace.

[43] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly ,23*(1), 55-72.

could say that there are two types of policies that go through the required approvals and are passed: The first are the ones that do not contradict the already established patron-client networks, but that, on the contrary, result in an increase of power of the patrons. One example cited by Makdisi (2012) is the establishment of the Lebanese River Authority (LRA), in 1954, which would manage Lebanon's water supply and distribution for irrigation and electrical production across the entire territory.[44] The implementation, however, focused only on Beirut and major cities, resulting in "an economic boom for the relevant patrons and clients [… and] further marginalization of regions, sects, and citizens outside these sectors".[45] The second type are the regulations that pass under pressure set by the international community, such as the Environmental Assessment System that was enhanced due to "requirements by international development institutions".[46] Indeed, Decree 8213/2012, integrates Environmental Impact Assessment as a mandatory step across many industrial, commercial and agricultural activities and yet, it still faces with institutional and political challenges. The latter type is also closely tied to the patrons' gain and interests. Kingston describes the case of the establishment of a protected area in the northern region of Lebanon, Ehden, and how it started with local and international pressure but quickly moved to become an issue of loyalty to the local patron.[47]

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[44] Makdisi, K. (2012). The Rise and Decline of Environmentalism in Lebanon. In *Water on Sand: Environmental Histories of the Middle East and North Africa*. Oxford: Oxford University Press.
[45] Ibid.
[46] Chaker, A., El-Fadi, K., Chammas, L., Abi Zeid, M., & Hatjian, B. (2006). Towards a National Strategic Environmental Assessement System in Lebanon. *Impact Assessment and Project Appraisal,24*(2).
[47] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly ,23*(1), 55-72.

Over the years, a number of environmentalist reform movements were initiated to push environmental issues forward and change environmental practices. According to Kingston, these movements "have not been able to penetrate or transcend the patrimonial logic of environmental politics".[48] Instead, they are faced with different options that ultimately result in their failure to transform into movements that can impact national level policy. The first is linked to the instrumentalization of the movements and its absorption into the existing patron-client exchanges. This has resulted in movements not taking stances on environmentally harmful activities and being co-opted to reinforce the existing power that patrons detain when it comes to environmental resources. The second is the diversion of movements from the national level policy advocacy work to details resulting in shifting attention of key environmentalist figures as well as citizens. Kingston's closing statement summarizes the state of environmental policy in Lebanon:

> "Through both the capture of environmental surpluses at the local level as well as through the penetration of environmental advocacy work at the national level, Lebanon's political elites have proved successful in coopting, fragmenting, and ultimately narrowing the scope of environmental activity in the country."[49]

When it comes to solid waste management, no legislative framework that tackles a comprehensive strategy for solid waste management has been passed, although there is a number of draft laws that have been presented, amended and are waiting for government to place them on its agenda.[50] There are, on another hand,

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[48] Kingston, P. (2001). Patrons, Clients and Civil Society: A Case Study of Environmental Politics in Post War Lebanon. *Arab Studies Quarterly ,23*(1), 55-72.
[49] Ibid.
[50] UN Habitat. (2015). *Wasteless Lebanon 2022, integrated waste management policy paper* (Rep.).

fragmented pieces of laws, decrees and ministerial decisions that include

legislations concerning solid waste management. The environmental protection law

444/2002, underlines the basis and norms for environmental protection, with no

mention of the solid waste management.[51] According to SweepNet, a regional Solid

Waste Exchange of information and Expertise network in Mashreq and Maghreb

countries, Lebanon has three decrees directly related to Waste Management: a)

8735/1974 that assigns waste management to municipalities, b) 9093/2002 that

incentivizes municipalities that host waste management facilities, c) 1117/2008 that

incentivizes municipalities that host sanitary landfills.[52]

C. The 2015 Waste Management Crisis

The waste management issue in Lebanon goes back to the 1990s when the

Ministry of Environment and the Council for Development and Reconstruction

(CDR) adopted an emergency solid waste management plan and contracted a

private company (Averda Group, holding company for Sukleen and Sokomi) to

"collect, treat and landfill solid waste" for the Beirut and Mount Lebanon regions.[53]

The plan included the provision of funds from the independent municipal fund to

cover the cost of the process.[54] Areas outside of Beirut and Mount Lebanon were

left to deal with waste collection, treatment and disposal and all incurred cost.

Following that plan, and as part of the waste management system, five facilities

[51] Sweepnet. (2014). *Country Profile on Waste Management situation in Lebanon.*
[52] Ibid.
[53] Saadeh, L., and Marwan M. (2015). *Solid Waste Management in Lebanon*. Report. Beirut: Blom Bank. http://blog.blominvestbank.com/wp-content/uploads/2015/08/Solid-Waste-Management-in-Lebanon.pdf.
[54] Atallah, S. (2015, August). "Garbage Crisis: Setting the Record Straight." Editorial. *The Lebanese Center for Policy Studies*. http://www.lcps-lebanon.org/featuredArticle.php?id=48.

were created, while two existing landfills (Bourj Hammoud and Normandy) were shut down. According to the Regional Network for Integrated Waste Management in the MENA region (SWEEP NET), 2.55 million tons of waste are generated annually, with a projected yearly increase of 1.65%.[55] Of the waste generated, around half is landfilled, 15% is composted and 8% is recycled. The rest is dumped randomly and openly.[56]

The solid waste management plan had several flaws of relevance to this research: The first was related to the cost allocated to the collection and disposing of waste. In upper middle income countries, this costs around $100/ton of waste according to the World Bank. With the start of Sukleen's contract, the cost of collection of waste was more than double compared to the pre-Sukleen phase.[57] According to a paper by UN Habitat, the contract with Sukleen for Beirut and Mount Lebanon amounted to 150 million USD per year in 2015, compared to 3.6 million USD per year in 1994.[58] More specifically in Beirut and Mount Lebanon, Sukleen charges around $140/ton of waste collected and dumped.[59] The second was the plan's capacity to expand with the increase of waste quantities, but also as more sustainable and sanitary solutions were found. In fact, one of the five facilities that

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[55] Sweepnet. (2012). *The Solid Waste Management Situation In Mashreq And Maghreb Countries: Update On The Challenges And Opportunities*. GIZ. https://www.giz.de/en/downloads/giz2012-enSWEEP-Net-regional-report.pdf.

[56] Saadeh, L., and Marwan M. (2015). *Solid Waste Management in Lebanon*. Report. Beirut: Blom Bank. http://blog.blominvestbank.com/wp-content/uploads/2015/08/Solid-Waste-Management-in-Lebanon.pdf.

[57] UN Habitat. (2015). *Wasteless Lebanon. Integrated Waste Management Policy Paper*.

[58] UN Habitat. (2015). *Wasteless Lebanon. Integrated Waste Management Policy Paper*.

[59] Sukleen is blackmailing Lebanon to steal more resources: Gemayel. (2015, July 22). Retrieved from http://www.dailystar.com.lb/News/Lebanon-News/2015/Jul-22/307789-sukleen-is-blackmailing-lebanon-to-steal-more-resources-gemayel.ashx

Samaha, N. (2015, July 26). Lebanon's capital drowning in an ocean of trash. Retrieved from http://www.aljazeera.com/news/2015/07/lebanon-capital-drowning-ocean-trash-150726083036505.html

were assigned in the plan was found to have high risk of ground water contamination and could therefore only be used to dispose inert materials. This lead to more waste being dumped in the Naameh landfill compared to the expected quantities as per the plan.

When the Naameh landfill was opened in 1997, it was expected to serve as a dumping site for only six years.[60] However, as of 2001, the landfill started receiving more waste than the amount it was designed for and continued until 2015. During that period, the Government issued decrees to allocate further funds to Sukleen from the Independent Municipal Fund, reaching 40% deductions from budgets of municipalities benefitting from private solid waste management contracts, reaching a total of 43.5 million USD in 2009. Additionally, Sukleen's contract for Beirut and Mount Lebanon was renewed repeatedly, in 2007, 2010 and 2015.[61]

In 2015, Walid Jumblat, patron and leader of the the Chouf region that included Naameh and head of the region's ruling party, publicly denounced the landfill and vowed to close it down: "As the environmental situation in the Naameh landfill reached unprecedented levels of environmental risks... we vow to close the landfill once and for all by the end of the extended contract of [Sukleen] in Jan. 17, 2015".[62] In July 2015, the landfill was closed due to public demand, a political

[60] Sit-In at Naameh Landfill Suspended after Crackdown. (2015, January 25). Retrieved from http://greenline.me.uk/from-the-press/the-daily-star-sit-in-at-naameh-landfill-suspended-after-crackdown/
[61] UN Habitat. (2015) *Wasteless Lebanon. Integrated Waste Management Policy Paper*.
[62] Jumblatt Calls for Closure of Naameh Dump. (n.d.). Retrieved October 21, 2014, from http://www.dailystar.com.lb/News/Lebanon-News/2014/Oct-21/274756-jumblatt-calls-for-closure-of-naameh-dump.ashx

decision lead by Walid Jumblat. This coincided with the end of the contract with Averda Group and the cessation of all collection and treatment activities.[63] The government had launched a bidding process to replace the contract with Averda. However, none of the service providers applied, partly due to conditions that were said to fit only Averda.[64]With no immediate solutions, the closure of the Naameh landfill on July 17th, 2015 left Beirut and Mount Lebanon with tons of trash piling up in the streets, between buildings. This resulted in the mobilization of citizens in protest and demand for a long-term solution to the waste management issue, which has lingered for more than two decades. At that point, a protest movement, "YouStink", was formed to publicize the government's failed attempts to address the waste management crisis and to advocate for a more sustainable solution for waste management in the country.[65] Other groups, such as Badna Nhaseb and Men Ajel Al Joumhouriya joined the movement as it grew from demanding a solution for the waste management crisis to calling for the downfall of the sectarian, corrupt and clientelistic regime. These groups saw in #YouStink an opportunity to continue the social, economic and political demands they had been pushing for since 2011, through movements like 'Isqat Al Nizam'.[66]

Another bidding process was launched by the government to replace the existing contract with Averda. However, the results of the bids were recalled immediately after they were announced. The reasons for this change, as expected,

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[63] Lebanon Support. (2014). *Waste Management Conflict*. Beirut.
[64] UN Habitat. (2015) *Wasteless Lebanon. Integrated Waste Management Policy Paper*.
[65] Star, A. L. (2015, August 25). From overflowing dumpsters to a protest movement. Retrieved from http://www.dailystar.com.lb/News/Lebanon-News/2015/Aug-24/312467-from-overflowing-dumpsters-to-a-protest-movement.ashx
[66] Lebanon Support. (2016). *Waste Management Conflict*. Beirut.

have not been explained officially. However, many assumed that they were linked

to a particular interest that was not met in the winning bids.

Around the end of July 2015, the movement called for a protest in Beirut's

Central District and public pressure began increasing for government to find

adequate solutions. Instead, the council of ministers announced that collection

works will resume without solving the issue of where and how to properly dispose

of the waste collected from Beirut and Mount Lebanon. In fact, many incidents of

garbage being dumped randomly in valleys, in rivers and shorelines by Sukleen and

other anonymous groups were reported.[67] Attempts to rally support and attention by

the movement lead to the arrest of few activists followed by a large protest on

August 8, 2015 gathering thousands of citizens from different parts of the country,

including more remote areas that were nominated to host the next landfills for

waste from Beirut and Mount Lebanon.

> "Discussions over where to bury the garbage also took on class
> dimensions, with inhabitants of remote and impoverished areas like Minieh
> in the north protesting their land's transformation into a national garbage
> dump. They called instead for implementing the desperately needed
> development programs that they have long been promised, which—unlike
> the garbage—the state has never delivered".[68]

Following protests transformed into violent acts as police and security

forces detained activists, used beating, water cannons and rubber bullets to push

protestors to withdraw. The movement then focused on demanding the resignation

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[67] Karam, Z. (2015, August 03). Lebanon's trash crisis set to worsen amid summer heat, rising fury on the street. Retrieved from https://www.usnews.com/news/world/articles/2015/08/03/lebanons-trash-crisis-worsens-amid-rising-heat-anger

[68] Yahya, M. (2015, August 25). Taking Out the Trash: Lebanon's Garbage Politics. Retrieved from http://carnegieendowment.org/syriaincrisis/?fa=61102

of the Prime Minister and Minister of Environment, a sustainable solution for the garbage crisis and a transparent bidding process to avoid repeating the Averda Group scenario.

The protest movements saw that central level administration was limiting the prospects for a greater role for municipalities and a more sustainable solution for waste management as well as other potential services that municipalities could provide for their citizens. The main solution proposed by the movement was inspired by successful cases of local level service provision, such as the Electricité de Zahlé case. EDZ managed to produce and distribute 24/7 electricity to Zahle and fifteen other municipalities. While the EDZ model consisted of providing a state-produced product, the intensification of electrical outages, EDZ partnered with a private firm for support.[69] The solution that the movement suggest for the 2015 waste management crisis was similar to the EDZ case at the level of legislation, where municipalities could take responsibility of waste management within their locality. As of August 5, civil society organizations started calling for a comprehensive and decentralized solution for waste management.[70] The movement maintained the same demands throughout the protests and added additional ones demanding the resignation of the council of ministers and the sectarian system.[71] However, the government was not as consistent when it came to the suggested solutions. At the onset of the crisis, the main solution suggested by the government

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[69] Naylor, H. (2016, August 28). In a country where outages are the norm, a Lebanese town now has power 24/7. Retrieved from https://goo.gl/Xub8OT

[70] نشرة الاخبار المسائية [Television series episode]. (2015, August 05). Beirut: MTV.

[71] نشرة الاخبار المسائية [Television series episode]. (2015, August 08). Beirut: MTV.

نشرة الاخبار المسائية [Television series episode]. (2015, August 18). Beirut: MTV.

نشرة الاخبار المسائية [Television series episode]. (2015, August 19). Beirut: MTV.

نشرة الاخبار المسائية [Television series episode]. (2015, August 22). Beirut: MTV.

نشرة اخبار الثامنة [Television series episode]. (2015, August 24). Beirut: LBC Group.

was similar to the one signed with Sukleen and the Averda Group. This included contracting one or several firms to collect and 'treat' the waste, without any standards for treatment.[72] On July 22, the government suggested locations for temporary landfills in parallel to a bidding process that had started to find contractors.[73] Meanwhile, the Free Patriotic Movement and Hezbollah were blocking meetings of the council of ministers until a mechanism for decision making was set to avoid infringements on the authority of the position of president of the republic. This meant that no file could be discussed within the cabinet, not even one that constituted a serious threat on health and wellbeing of citizens. It is important to mention here that after the first mass protest that took place on August 22nd, which was countered by violence from security forces, few members of the Free Patriotic Movement's parliamentary block joined the protests. According to interviewees, this was an attempt to co-opt the movement. However, the FPM parliamentarians were asked to leave the demonstration.[74] Between August 10 and August 26, the bidding process was called off and the suggested solutions by the cabinet changed: extending Sukleen's contract to collect and transport waste from Beirut and Mount Lebanon to either Arsal or Akkar, against financial incentives.[75] This would be agreed upon between the Future Movement and Hezbollah as patrons of the regions that would host the waste.[76] Another suggestion by different political groups, including the Lebanese Forces, was deporting waste; This proposal was later uncovered as a scam and denounced by Minister Akram Chouhaiyeb who

[72] نشرة ا اخبار الثامنة [Television series episode]. (2015, July 12). Beirut: LBC Group.
[73] نشرة اخبار الثامنة [Television series episode]. (2015, July 22). Beirut: LBC Group.
[74] نشرة الاخبار المسائية [Television series episode]. (2015, August 23). Beirut: MTV.
[75] نشرة الاخبار المسائية [Television series episode]. (2015, August 25). Beirut: MTV.
[76] نشرة الاخبار المسائية [Television series episode]. (2015, August 10). Beirut: MTV.

stressed on the need to find a more sustainable solution. Former Minister of Interior Ziad Baroud presented the option of decentralizing waste management to municipalities as the legal and only solution for the crisis. According to Baroud, the only problem for an immediate implementation was the release of municipalities' budgets frim the Independent Municipal Fund.[77] Charbel Nahas, former Minister of Labor, also pushed for municipalities to claim their funds, responsibilities and land from the central government through a law suit.[78] It wasn't until August 27th that the cabinet gave municipalities the option of managing their own waste. This was only possible if municipalities use one of three options: composting and waste treatment, anaerobic digestion or landfilling. The solution came without any additional details as to the financial issue. Protesters took to the streets again on August 29, this time with a 72-hour deadline to respond to demands.[79] The deadline was reached and protesters took over the Ministry of Environment demanding the immediate resignation of the minister of environment.[80]

Figure 1: Deadline and Demands by #YouStink On August 29, 2015

[77] نشرة الاخبار المسائية [Television series episode]. (2015, August 25). Beirut: MTV.
[78] شرة اخبار الثامنة [Television series episode]. (2015, August 26). Beirut: LBC Group.
[79] نشرة اخبار الثامنة [Television series episode]. (2015, August 29). Beirut: LBC Group.
[80] نشرة اخبار الثامنة [Television series episode]. (2015, September 1). Beirut: LBC Group.

The Council of Ministers moved into a state of emergency and called the

Minister of Environment to form a crisis committee, from which he resigned and

allowed the Minister of Agriculture, Akram Chouhaiyeb to take his place. The

Minister, together with a technical committee, presented a plan that was found to be

lacking and unrealistic by environmental experts representing the #YouStink

movement. The country then moved into a state of deadlock with regards to the

waste management crisis. Government officials and political parties could not agree

on a sustainable and environmental plan that would guarantee their interests while

activists were being arrested and discredited in the media and public spheres. This

was true for all attempts launched by the government to find a way out of the crisis.

According to interviewees, the problem with all these attempts was multi-layered.

First, they lacked a long-term vision and sustainable strategy for waste management

in the country away from landfilling and incineration. Second, all demands would

have threatened the interests of political leaders and negotiations were not about

finding the most suitable solution for the crisis but rather about finding a way to

maintain and increase those interests while ensuring that all political leaders

benefited from the deal-making process. Third, even though the movement

officially rejected the Chouhaiyeb plan, none of the attempts had serious

implementation measures that could transform the crisis quickly. This, in part, is

reflected in the long policymaking history that Lebanon has witnessed, especially

since the end of the war and the lack of proper enforcement and implementation.

On the other hand, many stakeholders mentioned the trap that this sort of plan can

have on protest movements like #YouStink, referring it to as a trap in decision

making in the sense that activists and citizens would be trapped in managing the

plan's details rather than ensuring implementation and monitoring that the actual solution is set in place.

Juxtaposed to the piling up of trash, Lebanese citizens were suffering a range of socio-economic challenges that triggered national discontent from central government agencies. Living conditions had deteriorated to a sub-standard state given wages disproportionate to the price of housing, education and health.[81] In the summer of 2015 and prior to the images of garbage piling up, Lebanon had been suffering from decreased standards of living and an increase in immigration while also hosting 1.5 million Syrian refugees.[82] The importance of this movement was not only in its capacity to mobilize citizens. For the first time in Lebanon, the movement shifted the debate among experts and environmentalists to reach each household in Lebanon. As a policy area, environmental decision-making is often reserved to experts and NGOs active in this field but the crisis of summer 2015 however, invigorated the conversation and expanded it to reach citizens who would not normally be concerned with environmental decision-making.[83] In this sense, the waste management crisis triggered a new level of awareness and engagement among Lebanese citizens and allowed for the emergence of new policy actors in this scene. In light of the absence of consensus on national policies (including waste management and refugees) by central government, municipalities were forced to have to respond to growing local needs with little power and capacity to do so.

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[81] Abi Khalil, S., & Bacchin, V. (2015). *Lebanon Looking Ahead in times of Crisis: Taking Stock of the Present to Urgently Build Sustainable Options for the Future*. Publication. Oxfam.
[82] United Nations High Commissioner for Refugees (UNHCR). (n.d.). UNHCR Syria Regional Refugee Response. Retrieved from http://data.unhcr.org/syrianrefugees/country.php?id=122.
[83] Kingston, P. (2013). *Reproducing Sectarianism: Advocacy Networks and the Politics of Civil Society in Post War Lebanon*. New York , NY: Suny Press.

Municipalities in Beirut and Mount Lebanon had to act upon the piling up of garbage in their localities. The next chapter starts with setting the context for decentralization in Lebanon looks at the role and capacity (both technical and financial) of Lebanese municipalities in providing local level solutions for a national crisis such as the waste management crisis.

CHAPTER IV

DECENTRALIZATION AS A POLICY OPTION

This chapter looks briefly at the history of decentralization in Lebanon. It then moves to present the role, capacities and regulatory framework of local governments in managing waste during the crisis. This will allow us to better understand the process that the selected municipalities went through in deciding, planning and implementing the policy solution at the local level.

A. Types of Decentralization

Decentralization in public management literature is the process of transferring authority and responsibility from central to local level administration and/or semi-public administration and/or the private sector. Decentralization has been applauded by some scholars as a mechanism to improve public participation, state accountability, responsiveness to citizens' needs and overall development. It has occupied an important position in development and political literature and demands for reforms.[84] In a report by the World Bank, Manor (1999) explains that decentralization has been considered as an option for all types of governance structures: democratic, transitioning to democracy or autocratic. It has also been utilized in systems that are extremely centralized or with some elements of decentralization, and is not dependent on the strength of civil society or the

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[84] Fritzen, S. A., & Lim, P. W. (2006). *Problems and Prospects of Decentralization in Developing Countries*. Draft Paper.

political leaning of political parties.[85] Before moving forward, it is important to define decentralization.

There are different typologies of decentralization and one of the most commonly used specified four main types of decentralization. The first is administrative decentralization that entails the transfer of responsibilities related to policymaking, planning and management of public services to different levels of the government, through deconcentration or delegation.[86] Deconcentration refers to the creation of regional offices that carry out and implement central policies and decisions. Delegation represents the transfer of some decision-making power from the central level to a form of local government. The second form is fiscal decentralization, which refers to local governments' ability to generate their own income, diversify income sources and manage their financial resources allowing them to, eventually, become financially autonomous from central government.[87] Market decentralization is the third type in which the private sector is allowed to perform and provide public services that were formerly controlled by the government. In other words, it allows the private sector to carry out functions that were exclusively the responsibility of the government.[88] Finally, political decentralization refers to the transfer of decision-making from the central to the local forms of government, and represents the devolution of power to elected local

[85] Manor, J. (1999). *The Political Economy of Democratic Decentralization*. World Bank: Washington DC.
[86] World Bank. (2012). *Administrative Decentralization*. Publication. Retrieved from: http://www1.worldbank.org/publicsector/decentralization/admin.htm.
Fritzen, S. A., & Lim, P. W. (2006). *Problems and Prospects of Decentralization in Developing Countries*. Draft Paper.
[87] Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).
[88] Ibid.

governments by increasing citizen participation and attempting to make these local governments more accountable.[89] For their part, Turner and Hulme's (1997) typology looks at geographical and functional considerations to determine the nature of the transfer of authority.[90] Regardless of the typology used, decentralization is considered as a way to improve transparency as well as a means to diminish corruption by increasing the accountability and thus performance of those in power.[91] It is also praised for bringing policy makers closer to their citizens and creating room for a more responsive policy making process.[92] To achieve decentralization, particularly political decentralization, it is important to factor in the need to ensure capacity at the local level and the role that central government needs to play in providing policy and strategy direction, in defining standards for service provision, in transferring information and lastly, in designing monitoring mechanisms. Most authors agree that decentralization cannot happen if there is central opposition to the process of decentralization.[93]

However, the discourse has shifted since the early 1990s, particularly upon the move from decentralization concepts and theories to implementation and results. In fact, though evidence suggests positive outcome of decentralization on service delivery, the causal effect is believed to be linked to the policy reforms that

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[89] Litvack, J.I., Ahmad, J., & Miller, R. (1998). *Rethinking Decentralization in Developing Countries*. Report. World Bank.
Rondinelli, D. A., & Nellis, J. R. (1986). Assessing Decentralization Policies in Developing Countries: The Case for Cautious Optimism. *Development Policy Review, 4*(1), 3-23. doi:10.1111/j.1467-7679.1986.tb00494.
[90] Turner, M. M., & Hulme, D. (1997). *Governance, Management and Development: Making the State Work*. Macmillan Press LTD.
[91] Mookherjee, D. *Political Decentralization* (Doctoral dissertation, Boston University). Department of Economics.
[92] World Bank. (2004). *World Development Report: Making Services Work for the Poor.*
[93] Fritzen, S. A., & Lim, P. W. (2006). *Problems and Prospects of Decentralization in Developing Countries*. Draft Paper.

accompany decentralization rather than to decentralization itself.[94] Many critiques

against decentralization argue that though decentralization might seem as a

straightforward and simple notion, it is in reality a complex context-specific issue

that may be implemented through different means, especially in developing

countries where state institutions are weak and contested.[95] In his framework,

Hutchcroft (2001) explains that in certain cases where leaders have substantive

power, decentralization could be a tool to demote democratic processes and

strengthen already existing patron-client exchanges and as such it may increase

corruption at a local level by creating new autonomy for local elites at the cost of

the general local population.[96] In this case, decentralization could expand and

reinforce existing patron networks through consolidating their power at the local

level with the local elite and expand legitimacy of the local elite in finding interest-

driven solutions to citizens' problems. The decision to decentralize is therefore a

highly political one, involving interests of many stakeholders such as national and

local leaders, economic interest groups, as well as external actors. Consequently,

strategies for decentralization should be built on existing dynamics, interests and

resources and how changes caused by decentralization would affect the policies,

institutions and people.[97] Instead, current trends have transformed decentralization

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[94] Bardhan, P. (2002). Decentralization of Governance and Development. *Journal of Economic Perspectives, 16*(4), 185-205. doi:10.1257/089533002320951037

[95] Okidi, J. A., & Guloba, M. (2006). *Decentralization and Development: Emerging Issues from Uganda's Experience.*
Conyers, D. (1983). Decentralization: The Latest Fashion in Development Administration? *Public Administration and Development*, 3(2), 97-109.

[96] Hutchcroft, P. D. (2001). Centralization and Decentralization in Administration and Politics: Assessing Territorial Dimensions of Authority and Power. *Governance, 14*(1), 23-53. doi:10.1111/0952-1895.00150
Saito, F. (2001). Decentralization Theories Revisited: Lessons from Uganda. *Ryukoku RISS Bulletin 31*
Fritzen, S. A., & Lim, P. W. (2006). *Problems and Prospects of Decentralization in Developing Countries.* Draft Paper.

[97] Ibid.

into a goal in itself and a mechanism to counter citizens' loss of trust in governments and preserve existing powers within an 'eroding centralized system'.[98]

B. Contextualizing Decentralization in Lebanon

The Ta'if Agreement of 1989 acknowledged the need to rebuild the country came at the expense of state and institutional building at the end of the civil war.[99] It set the basis of the power-sharing structure among the political elite. The Ta'if agreement stated that "'Lebanon shall be a single and united state with a strong central authority" and called to set a framework for decentralization to ensure proper representation, without specifying the scope or type of decentralization in question.[100] The agreement also placed veto powers in the hands of the political elites and distributed decision-making processes among them to ensure that no group would command the others, increasing in that way dependency of the state on political elites and former war lords.[101]

Since the late 1990's, many non-governmental organizations and politicians worked on drafting policy frameworks for decentralization in Lebanon,

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[98] Hutchcroft, P. D. (2001). Centralization and Decentralization in Administration and Politics: Assessing Territorial Dimensions of Authority and Power. *Governance, 14*(1), 23-53. doi:10.1111/0952-1895.00150
Fritzen, S. A., & Lim, P. W. (2006). *Problems and Prospects of Decentralization in Developing Countries*. Draft Paper.
[99] Frangieh, S., & Salti, N. (2010). Case Study: Lebanon. In *Peace and Development Democratization, Poverty Reduction and Risk Mitigation in Fragile and Post -Conflict States* (pp. 78-101). Montreal: Institute for the Study of International Development, McGill University.
[100] Al Ta'if Agreement. Article III A.1
Mikawy, N., & Melim-McLeod, C. (2010). *Lebanon Local Governance in Complex Environments Project Assessment* (Rep.). Cairo: United Nations Development Program.
Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).
[101] Frangieh, S., & Salti, N. (2010). Case Study: Lebanon. In *Peace and Development Democratization, Poverty Reduction and Risk Mitigation in Fragile and Post -Conflict States* (pp. 78-101). Montreal: Institute for the Study of International Development, McGill University.

none of which has been adopted.[102] The 1998 municipal election was the first in 35

years and was considered as a potential stepping stone on the decentralization

process. Most recently in 2014, the former president of Lebanon Michel Sleiman

launched a draft bill prepared by a technical committee headed by former Minister

of Interior and Municipalities, Ziad Baroud.[103] The draft law included a wider scope

for regional councils (Mouhafaza), improved transparency measures through e-

government and the use of ICT, institutionalized public participation mechanisms.

The law focused on the fiscal and financial framework to allow local and regional

governments to function.[104] However, demands for decentralization are often

framed under the notion of federalism, by the political elite. Federalism in Lebanon

refers to the creation of sectarian-based, autonomous states, with loyalties to

sectarian elites. For most Lebanese, this contradicts the very essence of Lebanon's

value of coexistence and unity and the fear of fragmentation and the 'unknown'.[105]

> "the fear of federalism and awake the 'specter' of the country's division
> into sectarian cantons—a narrative closely associated to the civil war and
> the desires of some political groups to operate autonomously within their
> self-administered territories. Such a narrative is stigmatized by many who
> view it as a threat to the idea of the consociational political structure of
> Lebanon where power is shared at all levels of government by different
> sectarian groups. Thus the central-regional-local debates in Lebanon are

[102] Democracy Reporting International. (2017, April). *Reforming Decentralization in Lebanon: The State of Play* (Publication). Retrieved from http://democracy-reporting.org/wp-content/uploads/2017/05/BP-80-Reforming-Decentralisation-in-Lebanon-The-State-of-Play-en.pdf

[103] Abou Jaoude, R. The Daily Star. (2014, April 3). Sleiman launches long-awaited bill to decentralize government. Retrieved from http://www.dailystar.com.lb/News/Lebanon-News/2014/Apr-03/252126-sleiman-launches-long-awaited-bill-to-decentralize-government.ashx

[104] Democracy Reporting International. (2017, April). *Reforming Decentralization in Lebanon: The State of Play* (Publication). Retrieved from http://democracy-reporting.org/wp-content/uploads/2017/05/BP-80-Reforming-Decentralisation-in-Lebanon-The-State-of-Play-en.pdf

[105] Frangieh, S., & Salti, N. (2010). Case Study: Lebanon. In *Peace and Development Democratization, Poverty Reduction and Risk Mitigation in Fragile and Post -Conflict States* (pp. 78-101). Montreal: Institute for the Study of International Development, McGill University.

Harb, M., & Atallah, S. (2015). Lebanon: A Fragmented and Incomplete Decentralization. In *Local governments and public goods: assessing decentralization in the Arab world*. Ras Beirut: The Lebanese Center for Policy Studies.

often fraught with these fears that tend to justify the centralization choice and demonize decentralization and autonomy of regional and local councils".[106]

We can argue that political and administrative decentralization is not a process that is encouraged by the political elites out of fear of losing their authority and control over localities. Given the government's weak management capacity, it has been claimed that it cannot transfer authority before re-asserting its central authority so that unity and cohesion are not compromised.[107] In fact, over the past years, the gap between different localities as well as the increasingly poor performance of central government in public service provision has driven the call for decentralization. Some may argue that the notion of decentralization is being pushed on the agenda by civil society as part of international donors' own objectives to achieve political decentralization; On the other hand, some suggested that the political elite in the country has adopted the notion of decentralization as a potential solution for existing problems to appear to want change, and therefore alleviate pressure and counter demands for better service delivery.[108] "Most decentralization efforts in Lebanon have amounted to a de-concentration of central government decision-making to territorial regional management units, administered

[106] Harb, M., & Atallah, S. (2015). Lebanon: A Fragmented and Incomplete Decentralization. In *Local governments and public goods: assessing decentralization in the Arab world*. Ras Beirut: The Lebanese Center for Policy Studies.

[107] Republic of Lebanon, Office of the Minister of State for Administrative Reform. (2001). *Strategy for the Reform and Development of the Public Administration in Lebanon*.
Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

[108] Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).
Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

by appointees from the central government".[109] When 'decentralization' happens in Lebanon, it comes from the need to control opposing groups and to instill greater authority at the regional and local level. It places representatives of the existing central structure at the local level. This has resulted in allowing the political elites to expand their influence and interests at a local level.[110] In light of the current structure and system and the absence of efforts to push towards decentralization and the lack of will from the political elite to partake in any reform initiative, municipalities have become tools that reflect central networks and interests at the local level. Any attempt to break that cycle is faced with lack of technical capacity and high dependency on the political elite to release public funds.[111]

C. Capacity of Lebanese Municipalities

A 2001 report by Office of the Minister of State for Administrative Reform (OMSAR) explains that Lebanon's structure of public administration is highly concentrated at the central and autonomous agencies level where very limited authority is delegated to local governments.[112] The current administrative structure in Lebanon is based on a four-tier system delineating lines of deconcentrated

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[109] Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

[110] Harb, M., & Atallah, S. (2015). Lebanon: A Fragmented and Incomplete Decentralization. In *Local governments and public goods: assessing decentralization in the Arab world*. Ras Beirut: The Lebanese Center for Policy Studies.

Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).

Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

[111] Frangieh, S., & Salti, N. (2010). Case Study: Lebanon. In *Peace and Development Democratization, Poverty Reduction and Risk Mitigation in Fragile and Post -Conflict States* (pp. 78-101). Montreal: Institute for the Study of International Development, McGill University.

[112] Republic of Lebanon, Office of the Minister of State for Administrative Reform. (2001). *Strategy for the Reform and Development of the Public Administration in Lebanon*.

authority and responsibility: The central level; the regional level (Muhafazat

headed by a Muhafiz, or governor); the sub-regional level (Qada, led by a Qa'im

Maqam); and the local level comprising municipalities (Baladiyyat, led by the

mayor)[113]. The basic mandate of the 1,108 municipalities in Lebanon is defined by

the Municipal Code (118/1977) and managed by the Ministry of Interior. It includes

the establishment, management and implementation of projects related to

infrastructure, waste collection and cleanliness, as well as other services (health,

housing, sewage, schooling…).[114] As part of the efforts to improve the role of

municipalities in local development and decision-making, different suggestions

were brought forward to reform the Municipal code but these are yet to be

discussed in Parliament.[115] The existing Municipal Code, however, specifies that

municipalities are local administrations that undertake community related functions

within their geographic area, and are financially and administratively autonomous.

The code describes the criteria for the establishment of a municipality: has a

population of at least 300 people and an annual estimated revenue exceeding 10,000

Lebanese pounds, or 6 USD.[116] Indeed, the current law gives municipalities the

authority to undertake all work normally handled by the central government. This

has resulted in the creation of small municipalities that, more often than not, have

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[113] Harb, M., & Atallah, S. (2015). Lebanon: A Fragmented and Incomplete Decentralization. In *Local governments and public goods: assessing decentralization in the Arab world*. Ras Beirut: The Lebanese Center for Policy Studies.

[114] The Lebanese Center for Policy Studies. (2015). *About Decentralization in Lebanon*. Beirut. Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

[115] Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

[116] Blue Plan, Regional Activity Center. (2000). *Policy and Institutional Assessment of Solid Waste Management in Five Countries*.

limited budgets. This limits their ability to employ staff or cover the cost of developmental needs within the locality.[117] A report by the Lebanese Center for Policy Studies from 2012 suggests that almost 400 municipalities in Lebanon only have one employee, another 400 municipalities have poor or non-existent municipal administration, and 87% have less than 6 employees.[118] Additionally, at least 70% of existing municipalities are small and represent a population of 300 to 4000 citizens.

To counter their small size, municipalities may aggregate into unions or federations that are composed of a number of municipalities and are established and dissolved by decrees issued by the Ministry of Interior. Unions' prerogatives include the provision of services of common interest to all member municipalities including projects related to roads, sanitation, waste management, organization of transportation, and economic development.[119] The union's decision body is the Council of the Union and cannot supersede the jurisdiction of its member municipalities. The unions also have specific sources of income: a) 10% of the revenues of the member municipalities; b) a percentage from municipalities benefiting from a common project; c) contributions from the government and; d) grants, loans and revenues from municipal land.[120] Unions have no fiscal autonomy

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[117] Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).
[118] The Lebanese Center for Policy Studies. (2012). *Decentralization in Lebanon.*
The Lebanese Center for Policy Studies. (2015). *About Decentralization in Lebanon.* Beirut.
[119] The Lebanese Center for Policy Studies. (2012). *The Role of Regional Administrations in the Context of Decentralization.*
Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf
[120] Blue Plan, Regional Activity Center. (2000). *Policy and Institutional Assessment of Solid Waste Management in Five Countries.*

and cannot create separate taxes from those imposed by the member municipalities and as such have become dependent on the Independent Municipal Fund (IMF) for their budget.[121]

Going back to municipalities, the 1977 Decree-Law in Lebanon states that municipalities have the authority to manage a number of tasks or project that has a public character or utility within the geographical area of the municipality.[122] In terms of financing, municipalities have but a few options to generate funds. The main sources of municipal budgets are collected through municipal fees, fees collected on behalf of municipalities by the State and disbursed through the Independent Municipal Fund. Other sources include aid, grants and loans as well as fees from municipal property rents and fines. Though their share of the IMF is 30%, the less than perfect collection of direct municipal fees – due to a fear of upsetting local constituency – has made the IMF their main source of revenue.[123]

Over the last few years, the IMF has been at the center of major controversies. In fact, before reaching municipalities and unions, the IMF undergoes a number of deductions that do not benefit all municipalities. These deductions include fees for villages with no municipalities, civil defense, salaries and wages as well as waste management.[124] The remaining amount to be distributed is therefore minimal compared to the actual amount required by the municipalities and unions to cover their scope of work. Additionally, the government continuously

[121] The Lebanese Center for Policy Studies. (2012). *The Role of Regional Administrations in the Context of Decentralization.*
[122] The Lebanese Center for Policy Studies. (2012). *Decentralization in Lebanon.*
[123] Ibid.
[124] Ibid.

modifies the allocated amounts for disbursement, making the transfers

unpredictable and unstable and leading to any planning process becoming almost

impossible.[125]

Although the decision-making process in a municipality lies with the

municipal council that is elected by public voting, there are at least five ministries

and government agencies managing the municipal sector: The Ministry of Interior

and Municipalities, the Court of Account, the Civil Service Board, the General

Directorate of Urbanism at the Ministry of Public Works, and the Ministry of

Finance. We can also add the Mouhafez and the Qa'im Maqam.[126] The involvement

of these units has taken away some of the authority that is granted to municipalities

by law; The lack of human capacity has also rendered municipalities dependent on

these organizations for most technical services.[127] When it comes to waste

management, Decree 8735/1974 assigns solid waste management to the

municipalities, and therefore adds numerous governmental institutions to the

process of decision-making, including the Ministry of Environment, the Council for

Development and Reconstruction, and the Office of the Minister of State for

Administrative Reform, rendering the decision-making, planning and

implementation processes even more challenging.

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[125] Atallah, S. *The Independent Municipal Fund: Reforming the Distributional Criteria.* (Publication). Beirut: Lebanese Center for Policy Studies. Retrieved from http://www.lcps-lebanon.org/publications/1331312295-imf-policybrief-eng.pdf
[126] Harb, M., & Atallah, S. (2015). Lebanon: A Fragmented and Incomplete Decentralization. In *Local governments and public goods: assessing decentralization in the Arab world*. Ras Beirut: The Lebanese Center for Policy Studies.
[127] The Lebanese Center for Policy Studies. (2012). *Decentralization in Lebanon.*
Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

At the onset of the waste management crisis, municipalities have had to bear the pressure of responding to the growing needs of more than 1.5 million registered Syrian refugees as well as to citizens' needs not to mention the complete lack of national level policies as well as the government's refusal to transfer funds from the IMF to municipalities since 2002.[128] The crisis left municipalities alone to deal with housing refugees, providing basic services, and mitigating conflict.[129] The following chapter presents cases from three municipalities that had to come up with ways to counter the waste management crisis.

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[128] Atallah, S. (2015, October). "Liberate the Municipal Fund from the Grip of Politicians." *The Lebanese Center for Policy Studies*. Retrieved from http://www.lcps-lebanon.org/featuredArticle.php?id=52 United Nations High Commissioner for Refugees (UNHCR). (n.d.). UNHCR Syria Regional Refugee Response. Retrieved from http://data.unhcr.org/syrianrefugees/country.php?id=122.
[129] Abi Khalil, S., & Bacchin, V. (2015). *Lebanon Looking Ahead in times of Crisis: Taking Stock of the Present to Urgently Build Sustainable Options for the Future*. Publication. Oxfam.

CHAPTER V

CASES FROM MUNICIPALITIES

This chapter presents three cases of municipalities (Choueir, Bikfaya and Beit Mery) that responded to the 2015 solid waste management crisis using different options. As mentioned in Chapter two, the municipalities were selected based on a set of criteria including geography, socio-economic conditions and political context. Each case will describe the process from the beginning of the crisis at the local level until the beginning of the implementation of the selected solution, from three different perspectives: political influence, technical capacities and financial resources of the municipality in question. This will allow us to better understand where municipalities fit within the decentralization discourse, especially when it comes to the particular context of the crisis.

Given the timeframe of the study, solutions were still in the process of being implemented and the actual results of these solutions could not be assessed. It is therefore important to mention that the study will not look at the entire implementation process nor would it analyze the end results and actual impact of the solution. Rather, it will focus on examining the phases leading up to the actual implementation of the solution, namely:

1. **Deciding on the Solution**: This looks at the decision-making process in terms of policy options debated. It analyzes the pros and cons of each policy option, and considers how one particular option was eventually

selected, the stakeholders involved and the public's responsiveness and reactions to the different options and selected solution.

2. **Planning and Implementing the Solution.** This examines the phases that led to the start of the implementation of the selected solution as well as the perceived impact that the solution had on the local, regional and national levels.

A. Choueir / Ain Al Sindianeh

1. The Context

Located 28 kilometers from Beirut, Choueir is one of Metn's most famous villages. It has a long history of being a destination for leisure and an attraction for tourists spending their summers in Lebanon. Choueir hosts a number of large hotels that used to cater to the incoming tourists and is rich with its green spaces and pine tree forests. The village has a high percentage of its residents residing outside of Lebanon for which it organizes an annual "Immigrants' Festival". At 1200 meters above sea level, Choueir has 4,999 registered voters with 15 members within the municipal council. Similarly, to the majority of Metn villages, Choueir is predominantly Christian.[130] Choueir is not part of any union of municipalities.

Choueir is the birthplace of Antoun Saadeh, founder of the Syrian social nationalist party, and to this day, a party stronghold. In recent years, Choueir has gained more attention due to the appointment of its former mayor, Elias Bou Saab,

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[130] Localiban. (2008, January 25). Choueir - Ain Es Sindianeh. Retrieved from http://www.localiban.org/article4506.html

as Minister of Education. This meant that the Minister had higher leverage over public services and thus higher influence in Choueir.

2. *The Proposed Solution*

At the start of the crisis, the Choueir municipality called upon its residents to avoid the piling up of waste and the 'no-solution' model that was spreading fast across Beirut and Mount Lebanon. It was agreed that the most suited alternative for the town was sorting waste at households, processing it and sending it to the different treatment centers across the country. The municipality started an awareness campaign including door-to-door visits and online videos. The general response rate exceeded 90%, among Choueir residents, according to environmental activists living in Choueir.[131] Residents were aware of the importance of sorting waste at the source and abided by the process. However, a few months down the line, the municipality stopped collecting the sorted waste, claiming that they could not find land suitable for the secondary sorting phase as well as the treatment of organic waste into compost.

This was not the first time the issue of land got in the way of a sustainable solution in Choueir. According to interviewees, Choueir participated, around ten years ago, in a debate with surrounding municipalities to find a sustainable solution for domestic waste management for the fifteen towns that they represented, which were not part of the Metn Union of Municipalities. Seeing as Choueir was the largest town among these towns, it was expected that it will host the plants for the

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[131] Choueir Public Hearing Meeting. (2016, June 14). Observer Notes.

secondary sorting and composting. The agreement fell apart when Choueir could not secure a large enough land, and the other municipalities were not ready to bear responsibility for waste generated by the bigger towns.

Going back to the waste management crisis, after the start of the awareness campaign, residents started hearing about a new 'solution' to manage Choueir's waste. It was later announced via Facebook that the solution was the I8 – 1000 General Incinerator, designed by the UK-based Inciner8. The incinerator was imported by the Minister of Education and former mayor of the Choueir Municipality, Elias Bou Saab, resident and registered voter of Choueir. The incinerator was placed close to a dairy plant, on a privately owned plot following negotiating with one of the landlords who owned less than 50% of the land.

In general, incinerators used for thermal treatment of waste are known to emit dioxins and furans if the process is not well controlled and up to the standards specified in the Stockholm Convention. In fact, Minister Fadi Abboud, who later turned out to be the person responsible for importing the incinerator, described the specifications of the incinerator. Fourth generation incinerators have been claimed to have a substantial decrease over older generation incinerators in terms of emissions of dioxins, micro particles and pollutants when burning at over 850 degrees Celsius and with the necessary cleaning systems for water, air and ash, including filters and cyclones.[132] Minister Abboud insisted on the safety of these incinerators by stating developed countries, specifically Germany and Japan, as

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[132] Winn, H. South China Morning Post. (2013, May 3). Is the New Generation of Incinerators Really Safe? Retrieved from http://www.scmp.com

wide users of incineration for waste management. However, experts are convinced that the incinerator is in between first and second generation incinerators and that basic requirements for safe incineration start with the temperature within the different compartment, the continuous feeding and the required filters and cleaning systems, all of which were not compliant in the Choueir incinerator.

Many residents found the solution problematic for many reasons: The first was linked to the sudden availability of land at the disposal of the municipality to use for the incinerator, when it had not found land for the sorting and composting process. The second was linked to the technical specifications of the incinerator itself and the absence of any mechanisms to ensure the required levels of safety for the incineration process. The third problem was the fact that the incinerator had been imported as an industrial oven and did not go through the legal measures dictated by the law, namely an environmental impact assessment.[133] Another controversial element that was stated by residents was the lack of transparency in the decision-making, planning and implementation process, as the incinerator had been imported by Minister Abboud, who, instead of placing it in his hometown to solve the solid waste crisis, convinced Minister Bou Saab to place it in Choueir. These elements were topped by rumors about a marketing move that had started with municipalities for the agent, 'General Instruments',[134] to import fifty incinerators to the country and place them in different regions.

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[133] Naharnet Newsdesk. (2015, October 29). Report: Waste Incinerator Admitted as Industrial Oven, Start Works in a Week. Retrieved from http://www.naharnet.com/stories/en/193114
[134] General instruments is an import/export company. The company is owned by 3 individuals linked to the SABIS school network that was brought to Lebanon by Elias Bou Saab, Fadi Abboud and Elie Sawaya, the newly elected mayor of Dhour Choueir.

This led to a series of reactions from different stakeholders: a few activists launched a campaign, '@MannaKibshma7raka' (meaning "we are not a scape goat" in Arabic), along with a petition (that very few from Choueir signed due to pressure) and presented complaints to the Ministry of Environment, the Ministry of Public Health and the Ministry of Interior and Municipalities. On the other hand, the landowners filed a lawsuit against the Choueir municipality at the Summary Court,[135] that responded by closing down the incinerator. Meanwhile, the Ministry of Environment also ordered halting all activity until an EIA is conducted. Minister Bou Saab and fellow Minister Abboud launched a media war to discredit the Minister and the Ministry of Environment, holding them both responsible for the 'lack' of standards and regulations in environmental monitoring. Environmental experts replied by stating the Minister of Environment's decision no. 8/1-2001, which sets 'national standards and criteria regarding air pollutants and liquid wastes generated by classified establishments and wastewater treatment plants'.[136]

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[135] محكمة القضايا المستعجلة

[136] Directorate General of Environment. (2004, December 2). *Official Report on the Work Progress of the Directorate General of Environment between 1999 and 2003*. Official Gazette, No.64. Retrieved from http://test.moe.gov.lb/Documents/OfficialreportDGoE19992003.pdf

Due to public pressure and continued legal action, the Choueir

Municipality started the EIA process and contracted GeoFlint, an environmental

consulting firm, to conduct the study, as shown in Figure 2.
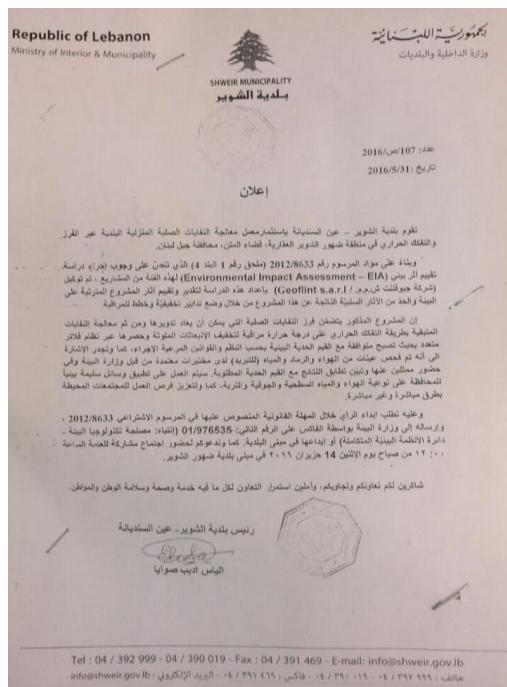
Figure 2: Choueir Municipality's announcement for the environmental impact assessment.

GeoFlint had to request support from Apave, being the only company that

could conduct the necessary tests on air safety to check the nature and levels of

toxins emitted by the incinerator. The EIA process was presented to the public at

the Choueir municipality during a public hearing session, on June 14, 2016.

Attendees included residents of Choueir and environmental experts from the town,

who have been following the issue as well as media outlets.[137] During the meeting,

residents expressed their frustration at the lack of transparency as well as accurate

and complete information throughout the process. They asked about links to

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[137] Kontar, B. (2016, June 24). "جلسة استماع" لسكان ضهور الشوير: لا للمحرقة... نتائجها يرفضان والمشنوق وبوصعب.
Retrieved from https://goo.gl/l6Yg8b
Choueir Public Hearing Meeting. (2016, June 14). Observer Notes.

political and financial interests. Additionally, they objected to the fact that the municipality was pushing for the incinerator solution while other options were clearly much more environmental, safe and available.[138]

Meanwhile, the incinerator was operated at intervals without the consent of the Ministry of Environment. Filters were produced locally to make up for the absence of any post-incineration safety mechanism to prevent the emission of harmful gases. In fact, the incinerator was imported and set up without any of the connected filters. Two of these filters were later produced by FinCorp Engineering, an engineering company based in Choueir, owned and chaired by the vice mayor, Habib Moujaess.

It is important to mention that the Choueir municipality planned to compensate Minister Bou Saab the cost of buying the incinerator, which amounted to around 300,000 US Dollars as interviewees mentioned.[139] However, until the time of the interviews, the Choueir municipality had not paid for the incinerator and all public statements of both parties continued to stress on the fact that it was a donation, especially given the levels of public opposition.

At the time of the interviews, the incinerator was moved to a different location due to citizen mobilization and zoning of Choueir.[140] Later in August 2016,

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[138] Choueir Public Hearing Meeting. (2016, June 14). Observer Notes.
[139] Ibid.
[140] Municipality of Choueir. (2010, February 27). *A Message from the Municipality about Zoning and Utilization of Precious Land of Shweir*. Retrieved from http://www.shweir.com/baladieh.htm#Zoning_and_utilization_of_precious_land%202010

the municipality started using the incinerator before the issuance of the final EAI results.[141] The below diagram summarizes the process in Choueir.
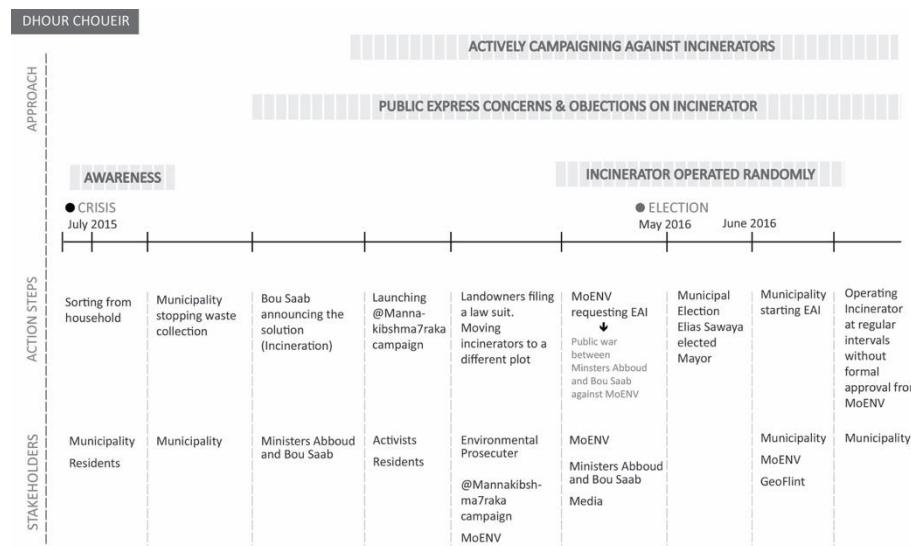
3. The Analysis

As mentioned earlier, throughout the course of the waste management crisis in Choueir, two options were presented: The first, getting resident approval and responsiveness, which included sorting, treatment and recycling of waste; while the second, a heat treatment initiative by Minister Bou Saab that was implemented without being presented or discussed and which resulted in complications at the local and national levels.

a. Technical Capacity

One of the main attributes of Choueir is the technical capacity of its residents. In fact, Choueir is known to be a town that has the highest numbers of

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141 منا. كبش المحرقة (n.d.). Retrieved from
https://www.facebook.com/MannaKibshma7raka/?hc_ref=PAGES_TIMELINE&fref=nf

higher education holders in the country, with high levels of economic immigration

for key positions and in diverse sectors from Choueir mainly to the Americas,

Europe and the Gulf according to an interviewee.

In terms of environmental capacity, the Choueir municipality has created a

committee for environmental issues, led since 2010 by municipal member Dr. Sally

Zgheib, Ph.D. in Environmental Sciences and currently working with the World

Bank.[142] On another note, a number of environmental experts are residents of

Choueir, among which university professors in Environmental Sciences and Policy

as well as environmental practitioners and professionals.[143] Additionally, Choueir's

high response rate to the call for sorting waste from the source and households

reflected high levels of environmental awareness among non-expert residents.

In fact, residents stated their surprise when the new solution was

announced, while the first option (sorting from the source, treatment and recycling)

had already been launched. They also expressed frustration at the fact that Choueir,

a leading town in environmental awareness and conservation had to resort to

outdated techniques that have been questioned at many stages in the development

of environmental sciences and management practices.[144] The turnout of residents as

well as the objections voiced by environmental experts and non-expert residents of

Choueir during the public hearing meeting that took place in Choueir on June 14th,

clearly showed that the decision was not reached through public consultations nor

did it mirror the specific knowledge and capacity of Choueir residents in

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[142] بلدية الشوير.Retrieved from http://www.shweir.gov.lb/index.php/municipality/council
[143] Choueir Public Hearing Meeting. (2016, June 14). Observer Notes.
[144] Ibid.

environmental issues and environmental management.[145] It was evident that the municipality, through its members and community, had a good command of environmental regulations set in place in Lebanon and the fact that no proper study of the incinerator's impact on the environment had not been submitted prior to the closing down of the incinerator by the Ministry of Environment is not a reflection of a lack of technical capacity within the municipality.

b. Financial Resources

In light of the budgetary restrictions faced by municipalities in Lebanon, one could assume that any option to solve a problem would either reflect the financial condition of the municipality or attempt to look into bringing additional investment through donor funding or private sector involvement.

In the case of Choueir, the investment cost of importing the incinerator was equivalent to a year's budget for Choueir from the IMF.[146] According to Localiban, in 2014, Choueir calculated around 500,000,000 Lebanese Pounds (or the equivalent of 330,000 US Dollars) in revenue from the IMF, while the cost of importing the incinerator, without filters and excluding operating cost, started at 300,000 US Dollars. Though the incinerator was presented as a donation from Minister Bou Saad, interviewees repeated that the plan was for the municipality to refund the cost of the incinerator to Bou Saab. This meant that the Choueir municipality was the sole 'investor' in the incinerator and therefore all risks would fall back on the municipality, another issue that generated many questions among

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[145] Choueir Public Hearing Meeting. (2016, June 14). Observer Notes.
[146] Localiban. (2008, January 25). Choueir - Ain Es Sindianeh. Retrieved from http://www.localiban.org/article4506.html

Choueir residents and experts. Why was the municipality willing to pay such a large price when other feasible solutions were most cost-effective and better adapted to the needs of Choueir? If Minister Bou Saab was investing in a solution, why make the municipality pay back the investment cost and bear all the associated risks?

c. Political Influence

After examining the case of Choueir, few elements link the decision on a solution to political leverage and interests. The first element emerges from the lack of transparency in the decision-making process. Residents of Choueir asked the municipality to explain the reason for choosing to stop the established sorting and recycling solution and move forward with the incinerator, without consulting with the public. This became even more suspicious when linkages to Minister Abboud were made and rumors of that the Bhersaf / Saqiet Al Misk Municipality, the Minister's hometown, did not agree to the incinerator option given its negative impact.[147] If that option did not have a negative impact, why didn't the municipal council in his hometown opt to use it? When that happened, it was clear that Minister Abboud convinced Minister Bou Saab of the incinerator option. Abboud and Bou Saab were part of the same political party and were linked to common business interests. The latter, given his previous role as mayor and as a highly influential person, pushed the incinerator solution forward with the municipal council in Choueir.

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[147] MannaKibshma7raka. (2016, July 4). In *Facebook* [Status Update]. Retrieved from https://www.facebook.com/MannaKibshma7raka/posts/629539767221630:0

The second element relates to the process of deciding which option would suit the context of Choueir. Up until the Minister's announcement regarding the incinerator, the public had participated, to some extent, in the decision-making process. However, the decision to choose the incineration solution over other alternatives was made by one individual representing the central authority, a Minister, who only reached out to the residents and stakeholders involved after the decision was taken.

One additional element that was taken into account is the assumption that not all residents were necessarily registered voters, therefore the issue of accountability of the actual decision maker was loose. In other words, up until the moment when the decision maker's interests were put on the line, residents could be involved in the decision-making process. Their participation was not as necessary after the decision was taken as they did not represent any accountability mechanism nor could they influence the decision maker's leverage and status within the Choueir constituency.

To summarize the Choueir / Ain Al Sindianeh case, it is clear decision-making was linked to a central figure, Minister Bou Saab. The selected option affected Bou Saab's interests and was therefore adopted by the municipal council. This confirms the lack of autonomy of locally elected governments within the power-sharing system. The process did not include any mechanism for citizen participation and was countered with a locally led campaign. The case highlights the Ministry of Environment's role in imposing compliance with procedures, showing a potentially positive role it could play. Unfortunately, the Ministry's lack

of authority and capacity to monitor resulted in the incinerator being operated even before the official approval. The case also shed light on the need for clear environmental standards that would facilitate the design of adequate solutions at the local level. Municipalities are not equipped to design suitable solutions without a clear and comprehensive framework for waste management. The Choueir case is particularly interesting because the solution did not reflect the available local technical expertise.

B. Bikfaya / Mhaydseh

1. The Context

A typical Metn village, Bikfaya is dense with pine tree forests. Located on the side of the mountain at 900 meters altitude and 25 kilometers from Beirut, Bikfaya is considered a suburban area. The village constitutes a major summer destination, and its Naas hill has a history of hosting a number of hotels that were highly sought after. Bhannes hospital, located in nearby Bhersaf village, which shares the same natural attributes, is renowned center established to treat pulmonary and respiratory diseases thanks to its green surroundings. Bikfaya has a registered voters base of 5732 to elect a 15-member municipal council according to data from 2010. Its 2014 revenues from the IMF amounted to 521,088,000 LBP (equivalent to 347,392 USD).[148]

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[148] Localiban. (2008, January 23). Bikfaya - Mhaiydseh. Retrieved from http://www.localiban.org/article4501.html

The village is the stronghold of the Gemayel family, one of Lebanon's most prominent political families. Starting with the founder of the Kataeb (Phalanges) party, Pierre Gemayel, who served as member of Parliament and Minister. His 2 sons, Bachir and Amin, served as Presidents of the Republic, and his grandsons, Pierre and Sami, also served as MPs and Minister. His granddaughter, Nicole Gemayel, was elected as mayor of Bikfaya during the last municipal elections, on May 15th, 2016.

2. The Proposed Solution

Like most municipalities, the Bikfaya municipality found itself in the middle of mountains of waste littering its streets. Nicole Gemayel, founder of BiBikfaya, a community-based organization working to revive Bikfaya through cultural and social activities, launched an initiative to encourage sorting waste from the source.[149]

Gemayel involved a number of experts in the process, among which Arc En Ciel (AEC), a national non-governmental organization and one of the few organizations that have been working on recycling waste and developing an integrated waste management system in Lebanon since 2010.[150] In 2015, AEC became one of the key stakeholder in responding to the waste management crisis by providing municipalities with the technical support to effectively manage their waste and creating awareness and educational programs for municipalities and

[149] Bi Bickfaya. (n.d.). In *Facebook* [Fan Page]. Retrieved from https://www.facebook.com/BiBickfaya/
[150] Arcenciel, Agriculture and Environment. (n.d.). Retrieved from http://www.arcenciel.org/agriculture-environment/

citizens across the country.[151] Together with the municipality, Gemayel called on residents to start sorting from their households and launched an awareness campaign at the headquarters of the Kataeb party in Bikfaya. AEC would start collecting the recyclable waste in Bikfaya as an initial step to remove waste piles from the streets.[152]

When AEC became overwhelmed because of the crisis, Gemayel recognized that it is possible to design a sorting plant in Bikfaya.[153] So the municipality, in partnership with external experts and AEC, initiated the plan of the plant that would process waste from Bikfaya, Mhaydseh, Bhersaf and Sekyet El Misk. According to interviewees, the plant would cost up to 100,000 USD for equipment and would be implemented through investments by private sector entities, namely Technica, owned by Tony Haddad and located in Bikfaya, as well as Neemat Frem.

The plant would be able to process, through sorting and compression, all recyclable material and carton. Throughout the process, the municipality and its partners, BiBikfaya and the Kataeb Party, worked on an extensive awareness campaign, inviting Bikfaya's residents, experts, media and all interested stakeholders to the Bi Clean plant, to respond to some repeating concerns about hygiene and process. In March 2016, the Bi Clean facility was launched by the chief of the Kataeb Party, Sami Gemayel, with wide media coverage, as shown in

[151] Arcenciel, Agriculture and Environment. (n.d.). Retrieved from http://www.arcenciel.org/agriculture-environment/
[152] Abou Nader, P. (2016, August 26). Elnashra. Retrieved from https://goo.gl/PbUcdh
[153] Ibid.

Figure 3.[154] Two months later, Nicole Gemayel, was elected mayor of Bikfaya in the 2016 municipal elections.

Figure 3: Chief of ktaeb party inaugurating the bi clean sorting plant in Bikfaya, in March 2016.

Critics referred to the plant's non compliance to environmental procedures set by the Ministry of Environment, most importantly the fact that it did not undergo an EIA, before starting operations. According to interviewees, even though the Ministry of Environment sent a notification to the municipality in Bikfaya to comply with existing environmental regulations, MP Sami Gemayel publicly questioned the ministry's doubts, explaining that in times of crisis, initiatives like Bi Clean ought to be encouraged. However, it is important to highlight that no mention of the EIA incident in Bikfaya could be found in the media.

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[154] Sami Gemayel Inaugure l'Usine de Tri de Déchets à Bekfaya. (2016, March 15). Retrieved from http://greenarea.me/fr/117832/sami-gemayel-inaugure-lusine-de-tri-de-dechets-bekfaya/

At the date of development of this thesis, the challenge faced by Bi Clean as managing the residual waste including organic waste and non-recyclables, mainly nylon and Polyethylene Terephthalate, also known as PET. For the time being, non-recyclable waste constitutes more than 20% of residual waste and has been conserved within the premise of the plant and organic waste has been disposed of by sending it to animal farms in the area.[155]

The municipality has been waiting for the central level solution or for a suitable local level solution, which could include a transformative process of waste to energy through incineration. However, and due to the general public's reaction to and negative perception of incineration in other towns like Choueir, the municipality in Bikfaya has not decided to go in that direction. The following diagram summarizes the process in Bikfaya.

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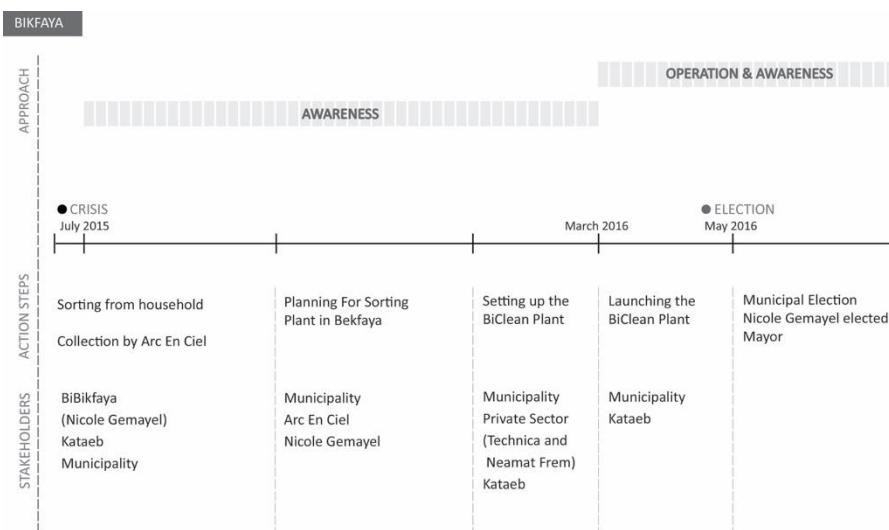
[155] Kontar, B. (Spring 2016). The Only Way is Out (Beyond Magazine, Ed.). Retrieved from https://issuu.com/beyondmag/docs/beyond_magazine_issue_20_spring_201

3. *The Analysis*

The process in Bikfaya has been praised by many as slow and cautious, trying as much as possible to avoid any pitfalls that the unknown field of waste management could bring along. It is important to mention here that Bikfaya was the most challenging case to document, especially when it came to details about cost and involvement of different stakeholders at the technical and financial levels.

a. Technical Capacity

Throughout the decision-making process, planning and implementation, the role of Nicole Gemayel was clear. Though she is no expert in the issue of waste management, she made sure that suitable stakeholders were involved and consulted, and that the public was informed, educated and supportive. This was clear by the involvement of AEC as well as other experts (possibly Ziad Abi Chaker and Antoine Bou Moussa) in the design of the processing plant.

Nonetheless, this did not compensate for the absence of any effort to follow the procedures set by the Ministry of Environment. Evidently, given its complete absence from any sources, the issue did not cause a major debate. One explanation was the leverage that the Gemayel family had within the Bikfaya community.

b. Financial Resources

As mentioned earlier, the financial model of the Bikfaya solution was not clear nor discussed. However, interviewees estimated the cost of setting up the

plant at 100,000 USD. The sources of financing were not clear, however, we did get

confirmation that Technica, a privately-owned robotic business operating from

Bikfaya, was one of the contributors as part of their Corporate Social Responsibility

program.[156]

c. <u>Political Influence</u>

Overall, the political influence in Bikfaya is very straightforward. Being

the birthplace of the Gemayel family and the founders of the Kataeb party, the town

has been the family's fief of power, including most municipal councils since the

creation of the party. In the case of Bi Clean, the Gemayel family's role is strongly

visible through the involvement of the party and Nicole Gemayel, former President

Amin Gemayel's daughter and current Member of Parliament and chief of Kataeb

Party Sami Gemayel's sister. Throughout the phases of the process, Nicole

Gemayel played a key role in every step from initiating the solution and the

decision-making, planning and involving the Kataeb party leading up to the

solution's implementation. She then ran for mayor and won the municipal elections

as a result of public support to her role in the waste management crisis.[157]

The involvement of the Kataeb party does not come as a surprise in the

waste management crisis. In fact, historically, the party has defended the concept of

decentralization through federalism as one of its core principles.[158] In a statement

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[156] Biclean Waste Management Plant in Bikfaya. (n.d.). Retrieved from http://www.technicaintl.com/social-responsibilities/environmental-initiatives/biclean-waste-management-plant-in-bikfaya/

[157] نيكول الجميّل: أنا مرشحة لرئاسة بلدية بكفيا وفخورة بكتائبيّتي. (2016, April 23). Retrieved from https://goo.gl/C2P2Hy

[158] تاريخ الحزب. (n.d.). Retrieved from https://goo.gl/JWlJoI

he did at the onset of the waste crisis, the newly elected chief of the Kataeb party, Sami Gemayel said that the only long term solution for waste management in Lebanon was through decentralizing the sector and shifting authority and responsibility to unions of municipalities and municipalities.[159]

The process in Bikfaya was praised by experts as a positive process to design a real solution that could be generalized across the country. According to interviewees, the process is actually an attempt to convince citizens and the government of the need for a decentralized approach to waste management and to governance in general.

Like the Choueir case, the decision in Bikfaya was linked to specific interests, those of the Gemayel family. These lie in the need to prove that decentralization works and to lead the way into a more "sophisticated" approach to waste management and governance. Furthermore, the Municipality's complete indifference to the Ministry of Environment's request to conduct an EIA shows the level of influence that the Gemayel's, as patrons of Bikfaya, have on the town. It also re-emphasizes the need to give the Ministry more authority to enforce and monitor environmental regulations. As a solution, Bikfaya was considered as a potentially successful one. However, many questions remained unanswered as to the model and whether it can be transferred to other towns, independently of the patronage system.

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[159] Sukleen is Blackmailing Lebanon to Steal More Resources: Gemayel. (2015, July 22). Retrieved from https://www.dailystar.com.lb/News/Lebanon-News/2015/Jul-22/307789-sukleen-is-blackmailing-lebanon-to-steal-more-resources-gemayel.ashx

C. Beit Mery

1. The Context

Located in the Mount Governorate and Metn casa, Beit Mery is a village standing 800 meters above sea level and extending over an area of 854 hectares. This mountainous region with vast green spaces and pine forests overlooking the Mediterranean has always been an attractive location for Lebanese and foreign visitors. Some of whom chose to make it their area of residence, especially during the summer season. Historically, and due to its distinguished location, the village has witnessed inflows of inhabitants throughout history and from different civilizations. It is also the home of archeological sites dating back to the Phoenicians' and Romans' eras whose citizens made it their summer resort.

The town is a predominantly Christian one with a very small minority of Druze. Based on 2010 electoral data, Beit Mery has 3,569 registered voters. Its municipal council is formed of 15 members, with budget from the IMF in 2014 amounting to 680,000,000 LBP or the equivalent of 453,000 USD.[160]

Beit Mery is home to one of Lebanon's prominent political families, the Moukhaibers, whose members include a Minister, members of parliament and mayors.

2. The Proposed Solution

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[160] Localiban. (2016, April 4). Beit Meri. Retrieved from http://www.localiban.org/article5952.html

At the onset of Lebanon's waste crisis, and like many municipalities who were left to deal with the 2015 crisis, the Beit Mery Municipality started randomly burning parts of the waste and leaving the other parts to pile up on the streets.[161] Weeks later, the municipality decided to reopen the Monte Verde roadside dumping site, as shown in Figure 4.

Figure 4: Beit Mery Municipality Announces Reopening the Monte Verde Dumping Site

This dumping site, mentioned in a report entitled "*The Preparation of a Master Plan for the Closure and Rehabilitation of Uncontrolled Dumps Throughout the Country of Lebanon*" published by ElArd in 2011, was primarily used for Construction and Demolition waste and prioritized for rehabilitation due to a high risk on human health.[162] The site is part of the Lamartine historical valley in the

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[161] The Ugly Side of Lebanon's Garbage Crisis: Dumping and Burning Garbage in Nature. (2015, August 12). Retrieved from http://blogbaladi.com/the-ugly-side-of-lebanons-garbage-crisis-dumping-and-burning-garbage-in-nature

[162] Earth Link and Advanced Resources Development. (2011, May 27). *The provision of services for the preparation of a master plan for the closure and rehabilitation of uncontrolled dumps throughout*

Metn casa in Mount Lebanon, and is owned by the Beit Mery municipality. It later became known that the dumping site was not only being used to dump waste generated by Beit Mery residents, but adjacent towns as well for additional payment.

Citizens started sharing pictures of the dumping site and its evolution day after day, until an official complaint was filed to the Mount Lebanon Environmental Prosecutor, Claude Ghanem, and the dumping site closed down. However, news travelled about Paul Abi Damis, the site's manager, opening the site at night to allow continuous dumping of waste from different towns.[163]

This scandal led the municipality to launch an emergency plan with Ziad Abi Chaker of Cedar Environmental, 'Beit Mery – Roads without Waste', as shown in Figure 6. The Beit Mery municipality and Cedar Environmental had been in discussion with adjacent towns (Ain Saade, Broumana, Baabdath, Fanar) to set up a sorting and treatment plant with a capacity of 25 tons, that would treat waste generated by these towns.

Lebanon. Retrieved from http://www.moe.gov.lb/getattachment/Environmental-Guidance/Environmental-Tips/solide_waste_nov2015/Dumps-Final-Report_270511.pdf.aspx
[163] LBC International Lebanon. (2016, February 8). *7aki Jelis – S03 Ep17 – Beit Mery Waste Dumping*. [Video File]. Retrieved from http://www.lbcgroup.tv/watch/chapter/26253/43286/beit-mery-waste-dumping/en

The alleged problem, as in the case in Choueir, was the availability of land. Among the municipalities involved, the plant was to be built in Beit Mery but apparently no suitable land was found for a plant that would process the waste generated by all five. It was up to other municipalities to agree to take the lead in processing the waste within their geographic limits, but no municipality stepped forward.

Dear Beit Mery Residents

Municipality of Beit Mery

Waste Treatment Plan Execution Program

starting 01/02/2016

within the Project

« Beit Mery – Roads without waste»

In order to protect our children's health, and to preserve public security, the environment and our roads cleanliness:

1. The Municipality shall collect all waste accumulated on the streets. Afterwards, throwing waste within the municipal area of Beit Mery shall be strictly banned.

2. Starting 01/02/2016, contactors shall pass by to collect all waste directly from your houses with mini vans, and transport them to the sorting centre set by the Municipality for this purpose, for a monthly fee of LBP/10,000/, to be directly paid to the contractor against receipt.

3. Any person or group of people may deposit directly his waste at the sorting centre between 7 am and 2:30 pm without the assistance of the contractor and without any charge whatsoever.

4. The Municipality shall, in collaboration with *Cedar Environmental Co.*, sort and recycle all waste within the places specifically served for that purpose. Any citizen may follow the waste transfer, consolidation and sorting operations without any restriction or condition whatsoever.

Figure 5: Beit Mery Municipality announcing the launch of the "zero

The emergency plan took around one month to become operational, and a waste treatment plant was to be set up in Beit Mery for the town's waste without any of the adjacent towns.[164]

Meanwhile, the Naameh landfill was reopened (part of the government's transitional plan). Municipalities were then given the option of re-contracting with

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[164] Tele Liban. (2016, January 20). *Mashakel wa Houloul*. [Video File]. Retrieved from http://www.teleliban.com.lb/replay.php?id=2012&show=1

Sukleen to manage their waste until the new central plan was put in place.[165] Seeing the difference in cost for the municipality, the latter opted to continue with the local treatment plant. In fact, according to the Beit Mery mayor in an interview with the Daily Star, "[t]he town now pays just $62 per ton, as opposed to $149",[166] and the average cost of collection and processing for the Beit Mery municipality was cut by about 60% compared to the original contract with Sukleen.

As the process evolved, a 'Zero Waste' plan for Beit Mery was announced.[167] This meant that all domestic waste generated and collected would be treated to avoid any dumping or incineration, including non-recyclable material such as PET. In fact, in addition to sorting and compressing recyclables, the Zero Waste process by Cedar Environmental included a transformative process of non-recyclables into eco-boards, a patented process by the company, as well as a dynamic composting drum, solving the issue of land availability.

The plant was built on the Beit Mery dumping site, which could not cater for the cluster level treatment plant for Beit Mery and adjacent towns. Interviewees went on to explain that Cedar Environmental did not usually require the municipality to invest in setting up the plant, only in covering the running cost, which includes transportation from households and labor cost.

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[165] Basim F. *The Daily Star* (2016, March 12). Cabinet Approves Opening 3 Landfills to End Trash Crisis. Retrieved from http://www.dailystar.com.lb
[166] Dubin R. *The Daily Star.* (2016, November 9). Beit Mery First 'Zero Waste' Municipality. Retrieved from http://www.dailystar.com.lb
[167] Municipality of Beit Mery (2016, February 11). *Waste Treatment Plan Execution Program.* [Digital Photograph]. Retrieved from https://www.facebook.com/photo.php?fbid=1213325825348948&set=pb.100000146257719.-2207520000.1483993038.&type=3&theater

However, in the case of Beit Mery, and given the fact that the plant was approved as an emergency plan first, it was important to ensure the municipality's commitment, which is why it was asked to pay the cost of the facility. Cedar Environmental invested 480,000 USD in equipment to set up the plant, while the municipality covered the cost for the hangar. The proposal for the plant went through the Court of Accounts (Diwan Al Mouhasaba) for approval. Following that, the municipality initiated an EIA, upon request by the Ministry of Environment, by contracting the environmental consultancy GeoFlint.

Meanwhile, the Beit Mery Municipality launched a series of public meetings to raise residents' awareness about recycling and collect their questions and concerns related to the establishment of a treatment plant in Beit Mery. With the EIA in progress, the Ministry of Environment issued a letter granting the municipality of Beit Mery permission to operate the plant until the EIA results were issued.

Between September and November 2016, the plant had processed 1,021 tons of waste and produced compost that American University of Beirut cleared based on US & Canadian standards and categorized as A/A+ according to European standard for organic agriculture.[168]

It is important to mention that, according to interviewees, the process leading up to the 'Zero Waste' plant in Beit Mery was one of the main elements

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[168] American University of Beirut (2016, November 18). *Environment Core Laboratory Test Report Ref no: ECLI61028-617.* [Digital Photograph]. Retrieved from https://www.facebook.com/photo.php?fbid=1770223679897431&set=a.1379109319008871.107374 1829.100007294476672&type=3&theater

that affected the results of the municipal elections in the town. In fact, though the plan had started with the previous mayor, Lawyer Antoun Maroun, the fact that the dumping scandal occurred during his term, was a determining factor in the municipal elections.

The plan for Beit Mery now is to decide if it would be possible to expand its operations. With several municipalities approaching Beit Mery for collaboration, the municipality is currently looking into finding suitable land and working with Cedar Environmental to design a mechanism that would ensure proper management of waste. The below diagram summarizes the process in Beit Mery.
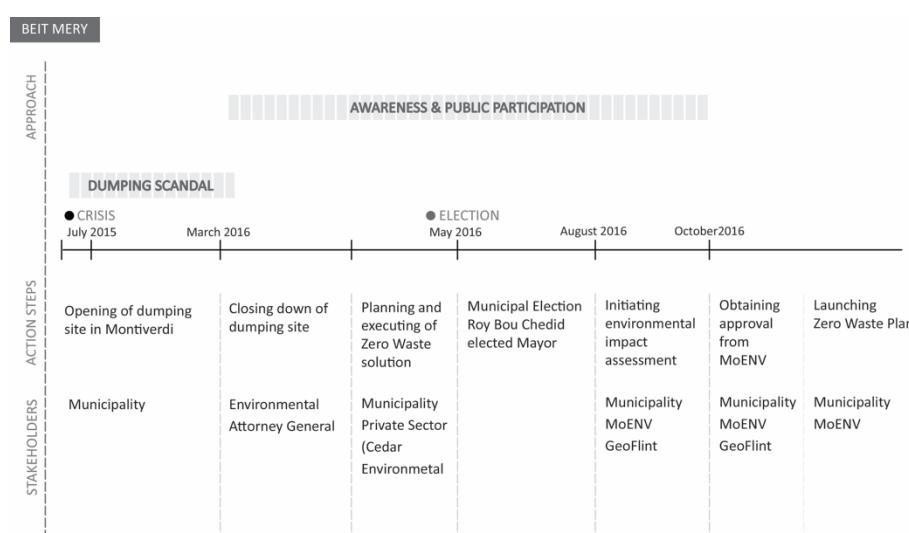
3. The Analysis

Since its announcement, the Beit Mery 'Zero Waste' Plant has been heading environmental news across the country. A lot of hope lies in promoting similar solutions, whether in terms of environmental options or process.[169]

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[169] Chemali, S. (2016, October 27). إيلاف إلبنان: صفر نفايات مسألة ممكنة جدًا Retrieved from http://elaph.com/Web/News/2016/10/1116547.html

a. <u>Technical Capacity</u>

Like the case of Bikfaya, Beit Mery was receiving external support in setting a plan to manage waste. In other words, the involvement of Ziad Abi Chaker, even prior to the waste management crisis, in discussions to start a treatment plant for Beit Mery and adjacent towns, is an indicator of technical capacity, specifically in environmental issues and waste management; a fact that the municipality of Beit Mery capitalized on.

When it comes to internal capacity, it is difficult to assess existing expertise within the municipal council of Beit Mery seeing as no reference to the members' expertise is made on the municipality's website. Additionally, since both previous and current councils were involved in the development of the waste management plan, we could assume that the issue of capacity was catered for upon the onset of the waste management crisis.

One technical issue that differs between Beit Mery on the one hand, and Choueir and Bikfaya on the other, is the fulfillment of the existing regulatory frameworks for environmental issues and municipal code. In fact, among the three cases, Beit Mery seemed to be the only case where the legal process for establishing and operating a waste treatment plant was followed. As mentioned previously, the municipality got approval for releasing the funds from the IMF through the court of accounts, for conducting an EIA and later for operating the plant prior to the finalization of the results of the EIA from the Ministry of Environment. Undoubtedly, the process leading up to the actual implementation of the solution in Beit Mery was highly influenced by processes that were happening

at that period in other parts of the country. The timing of these processes, like the case of Choueir, helped the Beit Mery municipality to avoid shortcomings along the way.

b. Financial Resources

To implement the solution, the Beit Mery municipality tapped into its own budget from the IMF and went through the legal process. It is important to mention that this process contributed to delaying the initiation of the treatment plant.

Going back to the process, the required investment from the municipality was to cover the cost of the facility covering the plant's equipment. In cases where a plant is built outside of a state of emergency, no investment will be required by the local government. According to interviewees, it is important to engage investors, particularly from the private sector, in the process because they would share the risk and bring in the additional expertise that the municipality does not necessarily have.

On the other hand, the municipality was required to cover operating cost, including transportation. This involved collecting additional fees from households, which was not within the municipality' prerogatives. According to interviewees, this could have been challenging for the municipality as there was no flexibility in the mechanisms that it could use to cater for new services it was providing. The municipality resorted to direct payment of fees to the transportation agency that was collecting waste from the households.

c. Political Influence

As mentioned previously, it is evident that Beit Mery learned from other cases, mainly Choueir, to avoid falling into the issue of political interests and agenda. The municipality was quite adamant in involving the residents, key stakeholders and the general public through media and key stakeholders throughout the process of decision-making and planning process, leading up to the implementation of the solution. This is true for the process related to the 'Zero Waste' plan, post-dumping scandal.

In terms of political composition, the municipality of Beit Mery is influenced by the main political parties in the Metn area, with important linkages to the Free Patriotic Movement through the Moukhaiber Family.[170] Without the clear or visible involvement of Member of Parliament Ghassan Moukhaiber throughout the process, it is important to highlight that the 2016 municipal elections in Beit Mery brought together big alliances under one block. The group representing these known political powers, including Lebanese Forces, Free Patriotic Movement and the Murr family, managed to win the elections. According to interviewees, although this alliance increased their chances of winning, they agreed that the dumping scandal was the tipping point in determining the results of the municipal elections.

The case of Beit Mery is slightly different compared to the other two cases in terms of decision-making. As mentioned earlier, it started at a later stage compared to the other two cases and, as a result, adopted a less controversial process. This could explain the absence of a clear political influence, the

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[170] El-Hage A.M.. (2016, April 28). Beit Mery se prononcera pour le retour, ou pas, de la famille Moukheiber. *L'Orient-Le-Jour*, Retrieved from http://www.lorientlejour.com

participatory decision-making process and the compliance with environmental and administrative regulations. The case showed the importance of public participation and autonomy of the municipal council from the political elite to reach a positive outcome at the level of the public's perception of the municipal council and the environmental impact of the selected option.

CHAPTER VI

KEY OBSERVATIONS

The 2015 crisis highlighted the role the municipalities could have in managing their waste, the three cases discussed in the previous chapter offered interesting insights as to opportunities and challenges of decentralization in environmental issues. Regardless of our assessment of the solutions set in motion in Dhour Choueir, Bikfaya and Beit Mery, the following observations build on these cases presented and can be considered as prerequisites should a track for decentralization be put in place.

A. Moving decision-making to the local level

Overall, the incentive for local level policy making was to respond to the waste management crisis. In most cases, municipalities adopted the no-solution option, which resulted in the waste piling up, dumped openly or even burned.

The 2015 crisis presented a multitude of viable options for the waste management problem like incineration or sorting, composting and recycling. In cases like Choueir and Bikfaya, the selection of one particular option was linked to the political dynamic that exists in the town in question. For example, the case of Bikfaya, the municipality pushed for the decision as part of the Kataeb discourse for a decentralization project for Lebanon. In Choueir, the response of the municipality was in light of a decision by Minister Elias Bou Saab who bought the incinerator.

Independently of our assessment of the quality of the solutions selected by both municipalities, the process highlights the influence of the political dynamics rather than citizens' needs and expectations. As observed in an array of studies, it might be true that decentralizing the waste management policy at the local level makes it more effective. However, in the particular case of Lebanon, within the current political system, decision-making remains in the hands of the political leaders and their interests. In that sense and for local policy making to be responsive to citizens' needs and expectations, a shift in dynamics needs to occur to move the actual decision-making process from political leadership to citizens. This could be achieved through an electoral law that enhances direct accountability and representation, both at the central and local level.

B. Improving existing environmental regulatory framework

According to interviewees, the regulatory framework for the environment in Lebanon is a good starting point that allows a decent understanding of environmental principles, regulations and enforcement. The framework includes a number of laws and regulations among which Law 444/2002 for environmental protection and management in addition to sector specific regulations such as law 221 and 241/2001 for Water Management, law 92/2010 that tackles biodiversity and forests, decree 2366/2009 for land resource management, decrees 8006 and 8806/2002 on solid waste management and urbanization respectively, and law 132/2010 on energy.[171] However, that framework faces a number of challenges that,

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[171] Lebanese Ministry of Environment, UNDP & ECODIT. *State and Trends of the Lebanese Environment* (Rep.). (2010).

if remedied, would make it more comprehensive, effective and clear. In fact, Lebanon lacks an integrated strategy and clear standards for selecting and implementing adequate solutions for environmental problems. Existing regulations are fragmented and are not completed by executive decrees and/or implementation mechanisms, making their implementation subject to interpretation.

In an interview with an expert, he referred to the efforts of the Ministry of Environment and environmental experts to develop a draft law for integrated solid waste management since 2005. The draft law did not pass to parliament until 2012. In 2014, another draft law was prepared by the Ministry of Environment and is still unpublished. For experts, these draft laws, regardless of the differences in details, present an overarching strategy, set standards for interventions and define roles of the different stakeholders. They also collect the pieces of the environmental regulatory puzzle in the sense that they group the existing regulations to make one with a holistic approach. Draft laws usually constitute part of the regulatory solution and are followed by executive decrees and implementing mechanisms that ensure the enforcement of the law and the policy set in place. In the cases discussed, one of the main recurrent themes is the absence of knowledge of any existing framework or standards relevant to the chosen solution, leading to the justification of the decision to move forward with one particular option.

Having said that, improving the environmental regulatory framework in Lebanon is a prerequisite for any intervention to deal with waste management in particular, and environmental issues in general, before moving into the question of decentralization. The improvement should start with a faster paced and transparent

policymaking process in environmental issues, followed by clear executive decrees and direct enforcement of the regulations.

C. Empowering the Ministry of Environment to enforce and monitor

The improvement of the regulatory framework for the environment is crucial. However, without an institution capable of following up, monitoring and enforcing, the framework will not be effective nor will it ensure the protection of the environment and citizens. Historically, the Ministry of Environment has faced challenges at the political level by placing the ministry among the least influential public institutions when it comes to national policy and at the institutional level by dedicating the lowest budget among ministries, with a perpetual shortage of staff especially in programs, monitoring and enforcement.[172]

To follow up on the enforcement of regulations, institutions like the Ministry of Environment would need an increase in both human resources and budget. Going back to the crisis, it was not possible to have the Ministry of Environment follow up with every municipality in Beirut and Mount Lebanon to ensure that the initiatives they had adopted to manage their waste, if any, were compliant with existing environmental regulations. For example, 2 out of 3 of the cases discussed in chapter five did not follow procedure when it came to decree 8213/2012, except after public objection in Choueir. The Ministry's response to that case is an indication of the potential role the Ministry can play should be given the authority to enforce and monitor environmental practices. Law 690/2005

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[172] Ministry of Finance. Administrative Classification of Expenditures- 2005 Budget Law Vs 2004 Budget Law. Retrieved from https://goo.gl/nWWGxj
World Bank. (2011). *Republic of Lebanon Country Environmental Analysis.*

enabled the Ministry of Environment to create the environmental police that would have local presence across the country and would ensure the enforcement of environmental regulations.[173] At the time of this paper's submission, the environmental police had not been created yet and still questions about the loyalty of said police or any other enforcing agency are yet to be answered, especially within the overarching patron-client exchanges and nepotism that currently define policy making and policy implementation in Lebanon.

The recommendation at this level is two-fold; on the one hand, it is important to prioritize the environment and make sure it is mainstreamed across all productive sectors and any policymaking process. This could be initiated by the passing of the integrated waste management law and followed by an inter-ministerial committee, including experts in the field. On the other hand, there is a need to support the institutional development process of the Ministry of Environment and allow it to take on the role of monitoring entity. This could be achieved by facilitating the recruitment process and allocating external funding to serve the establishment of the national strategy for waste management in particular and environmental protection on a broader level.

D. Integrating mechanisms that promote transparency and accountability

While developing the cases, one question that came up repeatedly was the issue of residents or voters. The electoral law in Lebanon allows citizens to vote for the municipal councils depending on their town of origin and does not take into

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[173] World Bank. (2011). *Republic of Lebanon Country Environmental Analysis.*

account the town's residents. According to Abdulaziz Hallaj et al., though an established residency is needed to vote for a municipal council and parliament, political parties pushed citizens to maintain their original residency registration even if they are not really residents of that locality. The objective was to maintain a sectarian balance at the national level that would maintain the status quo and interests of political elites within their regions of influence.[174] Though many voters still reside in the town where they are registered, this is not a generalizable fact across the country. These areas, that include most regions of the Metn casa, have witnessed internal migration from different remote regions given their proximity and easy access to the center. This means that many citizens eligible to vote for a municipal council are not residents of that locality, leading to a biased representation of absent landlords rather than actual residents. Therefore, the municipal council's constituency might not be the community directly affected by the local level decisions taken by the council. Consequently, residents might not be able to put pressure on the municipality, especially if they do not have the voting right that ensures proper accountability of the municipal council and members.

Ultimately, the recommendation would be at a policy level, specifically the reform of the municipal electoral law to be based on place of residence rather than place of origin. However, until that is achieved, accountability mechanisms can be integrated with access to information for citizens at the level of municipal decision-making, procurement and budget expenditures. Devolving authority from central government to municipalities on issues should provide citizens and local

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[174] Abdulaziz Hallaj, O., Ababsa, M., Karam, K., & Knox, R. (2015). *Decentralization in the Mashrek Region: Challenges and Opportunities* (Rep.). Platforma. Retrieved from http://www.commed-cglu.org/wp-content/uploads/2014/04/Mashrek-Decentralisation-in-the-Mashrek-region.pdf

stakeholders with all the necessary information to be able to hold municipalities accountable.

E. Building the capacity of local governments

Another important element that became evident from the cases is the need for technical capacity within municipalities. Studies on the state of municipalities in Lebanon showed little capacity to decide and follow up on technical issues.[175] For decentralization to happen, and should decision-making be placed in the hands of local governments, they would require support in understanding elements of environmental protection, adapting solutions to fit their context and engaging stakeholders throughout the process.

In the cases of Bikfaya and Beit Mery, municipal councils had access to external support that allowed them to design adequate solutions for their contexts and follow up on the implementation of the plan.

International donors and development agencies have initiative a number of programs to build municipalities' capacity, especially since the refugee crisis and later with the waste management crisis. These programs should also be set within a broader strategy of institutional strengthening for local governments that tackle different challenges and uses a holistic approach to capacity development.

F. Incentivizing a collaborative mindset among local governments

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[175] Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).

According to studies, most municipalities in Lebanon do not have the resources (institutional, human and financial) to manage their own affairs.[176] This was observed in the three cases presented in the previous chapter. In fact, two of the three municipalities had to act on their own and invest in a solution that exceeded the localities' individual resources, be it in waste processing capacity or financial investment.

A possible approach to maximize efficiency for decentralized policy is to encourage collaboration between municipalities. To achieve this, central government can play an important role in providing incentives, mostly financial, for clustering initiatives at the local level. Existing regulations establish the benefits of collaborative work, particularly in providing additional budgetary incentives for unions of municipalities. In fact, the municipal code allocates specific funds for unions of municipalities to conduct common developmental projects.[177] Additionally, and for environmental protection, the Council of Ministers has issued decree no. 9093/2002, that provides financial incentives to municipalities hosting waste management facilities. According to experts, this decree provides an adequate framework to engage municipalities in collaborative initiatives, especially since one of the main issues in collaboration for waste management has been the unwillingness of smaller municipalities to take on waste from other parts of the region, as was the case with Choueir and Beit Mery during previous collaboration.

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[176] Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).

[177] Ministry of Interior and Municipalities. (2009). Municipal Act, Decree-law no. 118 & its amendments. Retrieved from www.interior.gov.lb/oldmoim/moim/DOC/Municipal_Act_Eng.doc

It is important to highlight that these measures can have a positive impact on decentralizing environmental policymaking. However, they can also be quite damaging if they are used without good monitoring within clear guidelines and waste management standards.

G. Capitalizing on local talent

In Bikfaya and Beit Mery, external expertise was crucial in the decision-making, planning and implementation process. In Choueir, one of the main elements that were contested was capitalizing on local talent and expertise within the local community.

In fact, the municipal code in Lebanon does not require municipalities to engage citizens at any stage of the local policy making process. Apart from Article 53 of the municipal act that gives municipal councils the option to form committees from outside of their elected members, it does not mention any mechanism for public participation. [178] In other words, according to the municipal act, committees are the only form of citizen participation, if the council deems them necessary. In general, public participation in local governance is seen as a means to: [179]

- Enhance relationship and transparency between citizens and government,
- Speed the development process and better manage the planning process,
- Engage different groups and ensure responsiveness to their needs,

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[178] Ministry of Interior and Municipalities. (2009). Municipal Act, Decree-law no. 118 & its amendments. Retrieved from www.interior.gov.lb/oldmoim/moim/DOC/Municipal_Act_Eng.doc
[179] Local Government Commission. (2013, September 25). Public Participation. Retrieved from https://www.lgc.org/public-participation/

- Capitalize on existing talents within communities for better resource allocation.

Depending on the issue at hand, different levels of participation may be designed,[180] and could allow the municipality to capitalize on resources for better management.

H. Designing innovative financing schemes for local governments

According to a study launched by the Ministry of Interior and Municipalities, "two thirds of these municipalities have a budget that […] is very minor and does not cover the development needs of these municipalities or cover the financing of local plans, or even cover employee expenditures".[181] To add to that, "the government [has refused], since 2002, to transfer money from the Ministry of Telecommunication to municipalities, in addition to using the Independent Municipal Fund to pay for […] contracts currently charged by Sukleen and other waste collection companies".[182]

In light of the waste management crisis, municipalities had to find not only the solution for the waste, but also ways to finance that solution. So, municipalities had to resort to different financing mechanisms, such as donations, private sector investment, foreign funds… In cases where municipalities went through the central government to claim their budgets, like in the case of Beit Mery, the process was

[180] Linton, B. L. (1998). Public Participation and Local Government: An Analysis of Four U.S. Models. Retrieved from http://www.rti.org/sites/default/files/resources/public_part_paper.pdf
[181] Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).
[182] Atallah, S. (2015, October). "Liberate the Municipal Fund from the Grip of Politicians." *The Lebanese Center for Policy Studies*. Retrieved from http://www.lcps-lebanon.org/featuredArticle.php?id=52

delayed due to bureaucracy and extensive involvement of central institutions in the

process of approval. In other cases where municipalities resorted to private

donations, like Minister Bou Saab's donation in the form of an incinerator, the

process reinforced the patron-client network that already exist in Dhour Choueir

and prevented actors from pursuing legal measures, fearing that these would affect

their relationship with the Minister.

Several options for reforming access to financing for municipalities have

been suggested but in reality the issue of financing remains complicated, especially

in a decentralization mindset promoting equal opportunities. Haas and Antoun

suggest a dual financing approach, where central government continues to allocate

budgets to municipalities through the Independent Municipal Fund, after reform,

and an added layer focusing on revenue generation for municipalities, allowing

increase of local revenue and sustainability.[183] Mechanisms for revenue generation

can include community crowdfunding for specific programs and initiatives, public-

private partnerships to increase capacity and share investment and participation in

establishing social enterprises, transforming local issues into opportunities for

solutions, increased investment and community engagement.

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[183] Haase, T. W., & Antoun R. (2014). Decentralization in Lebanon in *Public Administration and Policy in the Middle East* (pp. 189-213).

CHAPTER VII

CONCLUSION

In the previous chapters, this thesis presented the different elements that have influenced local level solutions for the waste management crisis that struck Beirut and Mount Lebanon in July 2015. After the introduction and research methodology, Chapter three outlined the policymaking process in Lebanon, particularly in environmental issues and highlighted the link between patron-client networks and the policymaking path. Chapter three also described the waste management crisis up to the calls for decentralization as a solution. Chapter four explored different frameworks for decentralization before putting it into the Lebanese context from a political perspective as well as a technical capacity for implementation by municipalities. Chapter five presented cases from three municipalities and the process that led to the adoption of solutions for the waste management crisis. The process was examined through elements related to political influence, technical capacities and financial resources within each of the three localities. Based on the three case studies, Chapter six outlined key observations that were repeated throughout the study as prerequisites for decentralization in Lebanon. The current chapter will derive learnings at the levels of policy process within the patron-client networks, current role of municipalities and prospects for decentralization in Lebanon.

I. The Policy Process

This thesis linked the fractured policy process in Lebanon to the patron-client networks that exist in the country. As a result of the civil war, public institutions are weak and unable of formulating, implementing or monitoring policy. Consequently, citizens turn to patrons, who on the other hand, are highly influential and contribute, through their representation in central and local governments, to the weakening of public institutions. These dynamics can be applied to all sectors, including environmental issues. While there has been some progress in the environmental regulatory framework, we learnt that the policy process is never complete. Patrons use the formal policy process as a mechanism to show their willingness to renegotiate their authority and interests, and often reach agreements outside of that process. The waste management crisis and the need for an integrated and sustainable policy solution provide additional evidence that the policy cycle is fractured in favor of patrons' interests.

B. The Role of Municipalities

This thesis argued that the challenge with policy making and implementation at the central level is reflected in the different layers of governance, be it regional or local. As mentioned in Chapter three, the governance structure at these levels is a representation of the same networks that exist at the central level. In most cases, attempts to bypass these networks at the local level have failed. The case of the waste management crisis in Lebanon put local level initiatives on a fast track to bypass municipalities' dependence on THE central government and the political elite. This included bringing foreign funding, private investment and

external capacity. However, many elements could not be remedied. First, even at a local level, decision-making is centralized and, similarly to the central level, linked to particular interests and agendas. Second, in the absence of a national strategy and capacity, the only thing that mattered was removing all waste from the streets. This meant that any option was a potential solution, and with little technical knowledge, high political stakes and no accountability mechanisms, municipalities' response was not regulated and as a result, ranged from random dumping in remote areas and burning waste to complete non-action. Third, high engagement of central government and corruption in the management of municipal funds as well as municipalities' inability to create alternative revenue streams limited their access to budgets and their ability to move forward with suggested solutions.

C. The Prospects of Decentralization

July 2015 was, for many, a chance to push the decentralization agenda forward, liberating country and citizens from the status quo that has taken over Lebanon since the end of the civil war. Though the protest movement did not influence national policy in matters of environmental management, the general climate was one of extreme hope and possibilities for local governments and communities to prove that decentralization can work, outside of the realm of power sharing and clientelism.

When it comes to decentralization, the cases do not provide enough evidence that it is a viable option. On the contrary, the thesis presented evidence that it is not. Decisions, power and resources are still linked to the political elite and as such, decentralization in the three municipalities would not be possible.

Having said that, and considering the fact that the selected municipalities represent a larger number of municipalities that share similar attributes, the conclusions related to decentralization and the waste management crisis could be generalized to other municipalities and possibly other issues across the country.

Although patron-client exchanges have become the norm in policymaking and service provision, citizens are slowly becoming aware of the impact of exchanges on their daily lives. The 2016 municipal elections came at a critical time and showed in many towns that citizens did not approve of how the previous municipal councils handled the waste management crisis. However, this thesis showed that a rising level of awareness and legislative reforms are not enough to change the policy making process in Lebanon. That would require a structural change at the level of the political elites and their link to policy making and implementation. Further research should look into mechanisms to strengthen state-society relationship over patron-client exchanges and to provide an answer to whether decentralization is a viable policy option outside the current governance structure.

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ANNEXES

A. Interview Guide

Background situation	• What was the situation like? • Why did it escalate? • How did the public react to the crisis?
Option selection	• What were suggested options? Pros and Cons • Who suggested the options? What was their role in the locality? • Which stakeholders were supporting/opposing the suggested options? • Were the options communicated? To whom? How? • Was the public informed of the different options? • If yes, what was their position? • If not, why? • Why was the decision taken at that specific time? Not before not after?
Decision making process	• How did you decide to go through with that particular option? • What were elements that contributed to the decision? • Why that option? • Who were stakeholders involved in the decision making process? • What was their position vis-à-vis the suggested option? Why? • Was there any opposition? What were the reasons for that opposition? Who were opposing stakeholders? How did you deal with the opposition? • What were mobilization strategies that were developed to decide on an option? • How did the public react to that option? Was there any mobilization strategy for the public?
Implementation	• Did you develop an implementation plan? • What were needed resources (HR/Financial)? • What were available resources? • Did you have the capacity to implement a initiative? Why didn't you implement it earlier? • Did the available resources affect the implementation plan and process? How? • Describe the implementation process. • What were challenges? • Who were stakeholders involved in the implementation process?

	• What was their position vis-à-vis the implementation process? Why? • Was there any opposition? What were the reasons for that opposition? Who were opposing stakeholders? How did you deal with the opposition? • How did the public react to the implementation process? Why?
Perceived impact / result	• Do you think the implemented option was the most suitable for the town? • Did it solve the issue? • Where did you succeed? Where did you fail? • If you could back in time, a year back, would you recommend the same option or another one? Which? Would you recommend a more centralized policy? • How did this affect the results of the municipal elections?
National Level Additional	• Are you aware of the local level solutions in Bikfaya and Dhour Choueir? • Why do you think they moved to local level initiatives? • Why did they decide at that specific time? • Do you think they had the capacity to implement a local level option? • If so, why didn't they move to that initiative earlier? • Was it an appropriate option for the region and the crisis? Why? • Where did they succeed? Where did they fail? • Why THESE municipalities? What makes them different?

B. List of Stakeholders Interviewed

Actor	Organization
National and Local Government	
Berj Hadjian	Ministry Of Environment
Habib Moujaess	Choueir / Vice Mayor
Patrick Richa	Advisor To Kataeb Mp
Sally Zgheib	Choueir / Member Of Municipality
Sabine Ghosn	Ministry Of Environment
Charles Saba	Advisor To Kataeb Mp On Waste Management
Activitsts	
Fida Riachi	Khonchara
Raja Noujaim	Environmental Activist
Nizar Ghanem	Youstink Movement
George Azar	Badna Nhaseb Movement
Mohammad Ayoub	Nahnoo
Experts	
Ricardo Khoury	Environmental Expert
Ziad Abi Chaker	Cedar Environmental
Antoine Abou Moussa	Environmental Expert
Samar Khalil	Environmental Expert
Gilbert Doumit	Governance Expert
Media	
Bassam Kontar	Environmental Crisis Unit / Journalist

C. List of Meetings Attended

- Public Hearing Meeting, organized by Choueir / Ain Al Sindiyeneh Municiality.
  June 14, 2016. Dhour Choueir.

- Waste Management for North Metn Municipalities General Meeting, organized by municipalities outside of the Metn Union.
  June 14, 2016. Bolonia Municipality.

- Conference on Waste Management Strategies, organized by Beirut Madinati.
  June 29, 2016. Beirut.

- Conference on Strategic Policies for Waste Management, organized by Nahnoo. July 26, 2016. Beirut.