

Republic President,
Pursuant to the constitution provisions,
What has been approved by the People's Assembly in its session held on 16/4/1423H
and 26 June 2002
Promulgates the following:

Chapter One Definitions

Article 1:

The following terms, in field of this law application, shall bear the meanings shown against each of them:

Council: Environment Protection Council.

Minister: State Minister For Environment Affairs.

Authority: Public Authority for Environment Affairs.

Environment: The surrounding in which creatures whether human beings, animals or plants live and covers water, air and ground and whatever affects those surroundings. Environment Pollution: Every or any quantitative or qualitative change by act of pollutants in the physical, chemical or biological features of an element or more in the environment elements that results into damage that threatens health of the human being, his life and creatures or the health or safety of natural resources.

Environment Protection: A set of regulations and measures that guarantee continuous environment balance and its growth integration, preserve a sound environment fit for enjoying life and benefiting from resources and properties in a perfect way.

Chapter Two Objectives Tasks

Article 2:

The Public Authority for Environment Affairs established by legislative decree No.11 *for* 1991 shall be subjected to the provisions shown in this law.

Article 3:

The Authority shall enjoy the jurisdiction personality, financial and administrative independence and shall be reporting to the Minister.

Article 4:

The Authority aims at setting the basic rules of environment safety and its protection from pollution,

and it shall undertake, for this purpose, the following tasks in cooperation and coordination with the competent public bodies:

1. To reckon the outstanding environmental problems, participate in the scientific researches and studies necessary to manage them and seek to limit the rising of other environmental problems in future.
2. Set the public policy for environment protection, prepare the national strategy necessary thereto and develop it and set the plans and programs to carry it out within the framework of the state public policy.
3. Develop the environmental public awareness through various means to introduce the importance of preserving environment, its safety and sound environmental resources.
4. Gauge environment elements and follow up on them through the laboratories accredited by the Council. Method of laboratories assessment and accreditation shall be determined.
5. Prepare the specifications and standard criteria for environment elements and set principles and measures necessary to assess the environmental effect.
6. Conduct researches and studies relevant to environmental affairs, support them and assess the risks resulting from the use of various materials that threaten environment safety.
7. Monitor activities of environmental effect at the public and private bodies to verify the extent of abiding by the standard environmental specifications and accredited criteria.
8. Set the instructions, terms and environmental specifications necessary for the agricultural, commercial, industrial, housing, developmental and other projects and the set-vices related thereto to abide thereby and accredit them as a part of the prior terms for the licensing of any of them or the renewal of their licenses.
9. Set the principles of handling harmful and dangerous items on environment, classifying, storing, transporting, damaging and disposing of them, determine the items banned from entry into the Syrian Arab Republic pursuant to a system issued under the provisions of this law.
10. Set the principles for the initiation of natural protégés, national parks and their terms and supervise them in light of their facts and features.
11. Work on establishing environmental surveillance networks and operating them.
12. Prepare an environmental databank, organize it and follow up on its development.
13. Prepare environmental emergency plans.
14. Issue printed materials relevant to environment.
15. Prepare, legislations, regulations and studies that guarantee maintaining environment of all various elements and manner of its development.

16. Study reasons of soil erosion and desertification and propose appropriate solutions thereto.
17. Take necessary measures to ban the entry of any wastes to the Syrian Arab Republic or their dumping in it.
18. Set the instructions to classify waste, determine degree of its risks and mechanism of its treatment.

Article 5:

The Authority shall work on cementing the relations of the Syrian Arab republic with the countries, authorities and regional and international organizations in matters, affairs and agreements related to the preservation of environment.

Chapter Three Authority Formation and Management

Article 6:

The Authority shall be managed by a board of directors and a general manager.

Article 7:

The board of directors shall consist of
The Minister-Chairman.
Authority general manager- member & vice-chairman
Managers of the authority central department- Members.
Head of Authority Syndicate Committee- Member.

Article 8:

The board of directors shall exercise all works that lead to the achieving of the Authority's objectives within the limits of laws and rules in force particularly;

1. Propose the regulations related to the Authority and propose amending the existing Ones.
2. Propose the Authority's budget draft.
3. Propose the distribution of the appropriations allocated to the budget and its branches.
4. Approve the bringing of Arab and foreign experts and contract therewith according to the regulations in force
5. Execute the public policy, regulations and policies that the council issues or approves.
6. Follow up on carrying out the tasks entrusted to the Authority as stipulated in Article 4 and issue the deeds necessary to carry them out.

Article 9:

The general manager shall be named by a decree upon the proposal of the Minister. He shall be a holder of a degree in environmental, engineering, medical, chemical, economics or law sciences.

Article 10:

Authorities and tasks of the General Manager:

The general manager shall directly supervise work progress in the Authority. Issue instructions and administrative orders, follow up on the board's decisions and represent the public authority before others and jurisdiction.

2. He shall conclude deals and exercise the authorities' payment orders and liquidity according to the provisions and laws of the financial systems of the public authorities in force of administrative nature.
3. By the end of each year. He shall submit a general report on the environmental situation in the Syrian Arab Republic.
4. Propose the names of directorate managers and branches of the Authority. The minister shall issue a decision recruiting each of them.

Article 11:

Financial resources of the Authority shall consist of:

1. Appropriations allocated thereto in the State General Budget.
2. Money of Environment protection & support fund.
3. Any other revenues approved by the cabinet.

Chapter Four The Minister/ His tasks

Article 12:

The Minister, in addition to the prerogatives granted to him under this law, laws and regulations in force shall undertake the following prerogatives:

- I. Present drafts of public policies and plans relevant to environment protection to the Council.
2. Control the implementation of laws and regulations relevant to environments
3. Form technical consultative committees in agreement with the concerned bodies and define its tasks.
4. Form environmental subsidiary committees in agreement with the concerned bodies and define their tasks.
5. Supervise the technical, administrative and financial activity aspects of the Authority and he shall have the right to issue the decisions, circulars and instructions within the limits of observed laws.

Article 13:

The Minister shall be assisted in his work by:

1. An administrative and technical apparatus.
2. Non-full time consultative committee of known expertise representing the public and private bodies interested in environmental affairs.

Article 14:

A special heading shall be created under the title “State Ministry for Environment Affairs” in the expenses statement schedule attached to the State General Budget.

**Chapter Five
Environment Protection Council.. .Formation/ Tasks**

Article 15:

Environment Protection Council shall be initiated and formed as follows:

Deputy Premier for services affairs	President
State Minister for Environment Affairs	Member
Interior Minister	Member
Health Minister	Member
Finance Minister	Member
Minster of Agriculture & Agrarian reform	Member
Housing & Utilities Minister	Member
Electricity Minister	Member
Minister of Petroleum & Mineral Resources	Member
Minister of Local Administration	Member
Minister of Information	Member
Minister of Tourism	Member
Minister of Education	Member
Minister of Transportation	Member
Minister of Social Affairs and Labor	Member
State Minister /Acting for Technology Transfer & Technology	Member
Minister of Industry	Member
Minister of Irrigation	Member
Head of State Planning Authority	Member
Head of the General Union for Labor Syndicates	Member
Head of Women General Union	Member
Engineers Representative	Member
Head of Craftsmen Union	Member
President of Aleppo & Damascus chambers of industry	Members
Authority’s General Manager	Reporter

This council shall replace The Higher Council For Environment Safety stipulated in legislative decree No.11 for 1991.

Article 16:

1. The council shall convene once every two months and whenever the need calls for this upon an invitation of the president or his deputy in case of his absence. The meeting shall be legal if attended by majority of members provided that the president or his deputy one of them.
2. The Council shall issue its decisions by majority of votes or unanimously. In case of equal votes, the president shall have the casting vote.
3. The Council shall have the right to invite experts, consultants or any person to the meeting to be enlightened with their opinions on matters presented thereto without their having the voting right.

Article 17:

The Council shall carry out the following tasks and prerogatives:

1. Approve the public policy for environment protection, its national strategy thereof, special plans and programs within the public policy of the state,
2. Decide on and approve the specification and standard criteria of environment elements and pollution.
3. Approve the regulation and terms that must be met in the industrial installations and other activities that have harmful effects on the environment or that lead to disorder in their balance.
4. Take decisions prohibiting, suspending or imposing restrictions on operating and installation or activity deemed to be causing harm to the environment or disorder in its balance.
5. Decide on and approve the instructions, decisions and executive charts necessary to execute the provisions of this law and regulations issued pursuant thereto.
6. Approve the emergency plans to encounter the environmental crisis.
7. Consider the matters related to the environment presented by the Minister to the Council.
8. Submit an annual report on the environmental situation to the cabinet.

Chapter Six
Environment Protection & Support Fund

Article 18:

1. A bank account in the name of “Environment Protection and Support Fund” shall be opened with the Central Bank of Syria in which all grants, donations and money offered by the Arab and international organizations, authorities and funds are deposited in addition to the money allocated by the state to this fund for the treatment of environmental damages and removal of their effects in the Authority’s annual budget.
2. ‘The Minister and the competent management accountant shall jointly effect transactions of this account,

Article 19:

1. Resources of said account in article 18 shall be allocated for the following purposes:
 - Encountering natural crisis.
 - Experimental and lead projects in field of natural resources protection and environment protection from pollution.
 - Transfer of technology for environment protection purposes.
 - Financing of manufacturing samples of equipment, apparatuses and stations treating environment pollutants.
 - Establishing and operating of environment Monitoring networks.
 - Construction of natural protected areas with the aim of preserving the natural resources and wealth.
 - Financing studies necessary to prepare the environmental programs, assessment of the environment effects and set the rates and criteria that need to be abided by to preserve the environment.
 - Participation in the financing of environmental projects conducted by the administrative units and municipalities., to eliminate pollution.
 - Other purposes that aim at environment protection and development.
2. Unexpended amounts by the end of the year shall be carried forward to the next year.

**Chapter Seven
Responsibility and Damage Compensation**

Article 20:

1. The expenses spent from the private account referred thereto shall be liquidated and expended by payment and liquidation orders signed by the Minister and competent accountant. These expenses shall be subject to the control of The Central Body for Financial Control according to the rules and regulation in force.
2. Amounts of liquidity and payment orders shall be paid and action shall be taken on the private account money by cheques or bank transfers signed jointly by the Minister and the competent accountant.

Article 21:

1. State Ministry for Environmental Affairs shall be given financial authorizations by decisions issued by the Finance Minister in the amounts deposited in the aforementioned account pursuant to the provisions of article 20 of the Accountancy System of public authorities of administrative nature issued by decree No.1811 of 26 August 1969. The amount included in the financial authorization shall be considered an additional appropriation for the Public Authority of Environment Affairs that expending takes place within its limits for the purposes shown in article 19 of this law. Unutilized amounts shall be carried forward to the next year by the end of the year.
2. Expenses paid from said special account in article 18 shall be paid during the fiscal year by a total payment order issued by the Minister and accountant on basis of a total list calculated on the appropriates defined in the special account and the amount of payment order shall be considered/Revenue and Expenses.

Article 22:

Without prejudice to the laws relevant to the regional and international waters pollution and the legal provisions related to water resources, the Authority, in cooperation, coordination and participation with the competent authorities, shall protect environment from pollution in relevance with the sector related top water, air, soil and plant and animal creatures and maritime environment.

Article 23:

1. The Authority, in agreement with the Justice Minister, shall set a list in the names of experts specialized in environment affairs of the Ministry Staff or Authority Staff Assistance of experts specialized in environment affairs from state staff who meet the conditions specified by the Minister may be sought to give help in the entry of sites defined by the Authority by virtue of task order issued by the Minister authorizing them of the inspection right and request the support of police, upon need, to testify the violations related to this law, criteria, specifications, terms and other environmental regulations approved by the Council. Their reports shall have the capacity of minutes organized by the Justice authorities after being attested by the Minister. It is impermissible to enter into inhibited houses unless approved by the public prosecutor.
2. The Minister, in agreement with the Justice Minister, shall set a list in the names of experts specialized in the environment affairs to give assistance particularly in the legal expertise related to environment cases.
3. The experts, prior to being listed in the table shall swear the following oath before the head of Court of First Instance at the Center of the governorate they reside in:
I swear by the AL-Mighty Allah that I will carry out my task honestly and Faithfully and I pledge to keep confidentiality of the information.”
4. Fees and remunerations of experts stated in paragraph /1/ shall be defined according to the regulations in force.

Article 24:

The punishment of one hundred thousand to two million S.P. penalty shall be imposed on the owner of the installation of industrial, economic, development, tourist or service activity or the person in charge of its management if he gets ready of the waste of any type inside the Syrian Arab Republic whether it is solid, liquid or gaseous contrary to the provisions of this law. The punishment shall be inflicted whether the disposal of these wastes has taken place through drainage, throwing, dumping burning or any other from. In case of repetition, the punishment shall be the imprisonment of one month at least in addition to the penalty specified in this article.

Article 25:

1. He who commits any violation proven according to provisions of paragraph/1/, article 23 shall be punished by a penalty often thousand to one million S.P. The punishment shall be doubled in case of repetition for the second time, In case of repetition for the third time and more, the imprisonment shall be from two months to two years in addition to the doubled penalty.
2. The court may order the closing of the shop, installation or establishment violating the provisions covered under paragraph/1/ of article 23, obligate the violator to remove the remnants within the period defined thereto and fine him an amount not less than five thousand S.P. and not in excess often thousand S.P. for each day he fails to remove them after the period defined thereto.

Article 26:

1. Clamor sources and the maximum limits thereof, manner of avoiding them or minimizing them to the allowed limits environmentally shall be defined by instructions issued by the Council,
2. Whoever violates provisions of paragraph /1/ of this article and the instructions issued pursuant thereto shall be subject to a punishment of a penalty often thousand to fifty thousand S.P. and an imprisonment for a period not exceeding one month or one of these two punishments.

Article 27:

1. Owners of factories, installations, workshops and activities that release environment polluting emissions shall have to fix apparatuses thereon to prevent spread of these emissions and control solid particles prior to their release from the factory, installation or workshop in the air to the extent allowed under the instructions issued by the Council for this purpose.
2. He who commits any of the violations covered under the provisions of paragraph /1/ of this article and does not remove it within the period that the Minister decides for him or for the person delegated thereby, the Minister shall have the right to refer the violation to the court that has the right to issue a verdict to close said sites and imprison the violator for a period not in excess of one month and a penalty often thousand to fifty thousand S.P. and obligate him to eliminate the violation within the period defined thereto and fine him five to ten thousand S.P. for each day delay in the removal thereof.
3. The punishment stipulated in paragraph /2/ of this article shall be doubled in case of violation repetition for the second time and in case of its repetition for the third time thereafter the verdict will be three times of the punishment.

Article 28:

The Competent Court will look into the crimes subject to the provisions of this law on urgent basis.

Article 29:

1. he who causes damage to the environment or to creatures by his action or action of others reporting to him or by the effect of things under his custody whether intentionally, negligence, lack of care, cognizance or lack of observance to the legislations and regulations shall be held responsible before the Authority to indemnify same directly to the State Public Treasury for the damage subject to the assessment of the Authority to restore the situation to its previous status. Collection of said indemnity shall be obligatory pursuant to Money Collection Law.
2. The responsibility stipulated in paragraph /1/ of this article is presumptive.

Article 30:

He who participates or assists in the entry of nuclear or radiator wastes into the Syrian Arab Republic shall be temporarily arrested for five years at least and pay a penalty of three to ten million S.P. A verdict of capital punishment if he brings in these wastes with the intention of their throwing, burning, dumping, burning or storing in the Syrian Arab Republic.

Article 31:

Should it be proven that the imported chemical materials are harmful to the environment; their importer is obligated to take them out by a decision from the Minister. They shall be returned to the country of origin in the sense of restoring the situation to its previous status stipulated in article 29 of this law.

Article 32:

The punishments stated in this law do not prevent the application of severer punishments stipulated in any other law.

**Chapter Eight
Transitional Provisions**

Article 33:

The Minister shall have the right to delegate some of his prerogatives stipulated in the laws and regulations in force to the governor.

Article 34:

The installations and activities existing on the date of this law issue shall be given one-year period as of the date of their notification to conciliate their situations with the provisions of this law. The Council may extend this period for two additional years as a maximum for any of these installations and activities upon their request and for justifying reasons.

Article 35:

Provisions of public institutions law No.32 for 1957 and its amendments shall be applicable in whatever no specific text is stated in this law.

Article 36:

Provisions contrary to this law wherever stated shall be cancelled.

Article 37:

This law shall be published in the gazette.

Damascus on 28/4/1423 H
8 July 2002

Republic President
Bashar Al-Assad