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Nature and Sources of Biodiversity and Nature
Conservation Law and Policy in the MENA Region

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1.1 INTRODUCTION

This book examines the laws, policies, and institutions on biodiversity, nature conservation, and the protection of cultural heritage in the Middle East and North Africa (MENA) region.¹ It analyzes the interrelationships between biodiversity, nature conservation, and the preservation of cultural heritage, as well as lessons learned from emerging nexus and integrated approaches to the implementation of multilateral environmental treaties in these fields at regional and domestic levels.

Halting the rapid loss of biodiversity is one of the triple planetary emergencies facing our present generation, the other two being climate change and pollution.² Biodiversity “refers to the different forms of plants, animals, and biological forms of life that make up the ecosystem.”³ The 1992 United Nations Earth Summit defined biological diversity as “the variability among living organisms from all sources.”⁴ All of the elements of the ecosystem are interlinked and depend on each other to survive. For example, without bees, food crops may not grow, which may lead to food scarcity, hunger, and a total collapse of the global food industry.⁵ Similarly,

¹ Twenty countries are typically included as part of the MENA region: Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Syria, Tunisia, United Arab Emirates, and Yemen. Some classifications also include Malta, Sudan, Turkey, and Israel as part of the MENA region. See for example, The World Bank, “Middle East and North Africa” www.worldbank.org/en/region/mena accessed January 25, 2024.

² J. Richardson et al., “Earth beyond Six of Nine Planetary Boundaries” (2023) 9 *Science Advances* 37; see also W. Steffen et al., “Planetary Boundaries: Guiding Human Development on a Changing Planet” (2015) 347 *Science* 736.

³ Damilola Olawuyi, *Environmental Law in Arab States* (Oxford University Press 2022) 245–275. See also Edward O. Wilson, *The Diversity of Life* (Harvard University Press 1992) 1–15.

⁴ Rio Declaration on Environment and Development (adopted June 14, 1992) UN Doc A/ CONF151/ 26 (vol I), 31 ILM 874 (1992). See also Article 2 of the CBD, which defines biodiversity as the “variability among living organisms from all sources and within species.”

⁵ Damilola Olawuyi and Elena Athwal, “Halting Biodiversity Loss and Protecting Nature: The Important Role of International Environmental Law” (*Daily Trust*, May 7, 2023) <https://dailytrust.com/halting-biodiversity-loss-and-protecting-nature-the-important-role-of-international-environmental-law/> accessed January 12, 2024. See also IPBES, “Assessment Report on Pollinators, Pollination

without plants, humans and other life-forms may lack access to the essential sources of nutrition, medicines, and clean air needed to sustain life on earth.⁶ In addition to the intrinsic and ecosystem value of these biological resources in providing pivotal support for the subsistence and survival of current and future generations, such resources also have enormous religious, cultural, recreational, and economic value, especially for diversifying revenue sources through a prosperous ecotourism industry.⁷ The need to preserve and protect the various biological and cultural resources that sustain the ecosystem has therefore remained one of the most fundamental priorities of international environmental law.⁸ Goal 15 of the United Nations Sustainable Development Goals (SDGs) expressly calls on countries to ensure “the conservation, restoration and sustainable use of terrestrial and inland freshwater ecosystems and their services, in particular forests, wetland, mountains and dryland in line with obligations under international agreements” by 2020.⁹ The 2030 Agenda envisages, among other things, “a world in which humanity lives in harmony with nature and wildlife, and other living species are protected.”¹⁰

Yet environmental stresses from the destruction of wildlife habitats, overexploitation of plant and animal species, poaching, use of toxic pesticides, illicit trade in plants and animal resources, and climate change impacts, coupled with gaps in environmental awareness and education, have for many years contributed to rapid biodiversity loss across the world, including in the MENA region.¹¹ Recent studies indicate that society’s activities have pushed biodiversity loss beyond the planetary boundaries needed to sustain life on earth.¹² One alarming study found that earth’s wild mammals comprise less than 10 percent of the total biomass of humans and less

and Food Production” (2016). See also, United Nations Environment Assembly Resolution 3/4 on Environment and Health, which notes that human, animal, and plant health and the environment are interconnected.

⁶ W. G. Fernando, “Plants: An International Scientific Open Access Journal to Publish All Facets of Plants, Their Functions and Interactions with the Environment and Other Living Organisms” (2012) 6 *Plants* 1, 1–5.

⁷ For example, Saudi Arabia’s Vision 2030 identifies ecotourism – such as viewing wildlife and visiting important natural and cultural sites – as a tool for economic diversification. See also Oman’s Vision 2040 and the United Arab Emirates’ National Ecotourism Project, which emphasizes the preservation of natural and cultural heritage as tools for tourism and other ecosystems services. Qatar has also announced its priority to develop ecotourism destinations. See “MoECC, Qatar Tourism to Develop Ecotourism Destinations” (*Qatar Peninsula*, November 19, 2023). See also Anthon Garcia, “Growth of Ecotourism in the Middle East” (September 20, 2023) <https://economymiddleeast.com/news/growth-of-ecotourism-in-the-middle-east/> accessed January 12, 2024.

⁸ See Chapter 2.

⁹ United Nations General Assembly (UNGA), “Transforming Our World: The 2030 Agenda for Sustainable Development,” Resolution adopted by the General Assembly on September 25, 2015, UN Doc A/ RES/70/1.

¹⁰ Ibid. See also UNEP, Biodiversity and Health Resolution adopted by the United Nations Environment Assembly on March 2, 2022, UNEP/ EA.5/Res.6.

¹¹ Olawuyi (n 3) 245–275, see also UNEP, *Environmental Outlook of the Arab Region: Environment for Development and Human Well-being* (UNEP 2010) 287–290.

¹² Richardson et al. (n 2).

than 4 percent of that of domesticated animals.¹³ These studies highlight how biodiversity loss and land degradation are taking place at an unprecedented rate, and the urgent need for legal responses to enhance biodiversity and nature conservation. The devastating impacts of the COVID-19 pandemic have also accentuated calls for a more balanced relationship with nature and all elements of the ecosystem in order to reduce the rising scale of pandemics and zoonotic diseases – that is, infectious diseases that are transferred from animals to humans – in areas where they did not exist before.¹⁴ Furthermore, the rapid loss of biodiversity has also been highlighted as a threat to the realization of several human rights, including the right to life, right to food, and right to health.¹⁵

Halting the threat of biodiversity loss is a particularly urgent imperative for the MENA region, arguably more so than any other region in the world. The MENA region is often categorized as a biodiversity hotspot, meaning that it contains “at least 1,500 species of vascular plants found nowhere else on Earth, and has lost at least 70 percent of its primary native vegetation.”¹⁶ The region is home to more than 5,000 recorded species of plants, more than 10,000 species of animals, and 5 of the world’s 34 internationally recognized biodiversity hotspots.¹⁷ Key habitats such as the marshes and wetlands of the Jordan Valley provide critical stopover points for around 500 million migratory birds each year. Furthermore, countries in the Gulf Cooperation Council (GCC) and the Mashreq host diverse landscapes such as mountains, inland and coastal plains, sand deserts, and wetlands that are home to over 5,500 endemic plant species.¹⁸ Similarly, the MENA region is home to rare animal species, such as the Queen of Sheba’s gazelle, Arabian oryx, Arabian tahr, Arabian wolf, Asiatic jackal, Arabian camel (dromedary), Arabian leopard, striped hyena, and birds such as the Arabian bustard and honey buzzard.¹⁹

However, due to the impacts of climate change and rapid urbanization, the rise in construction activities, poaching, unsustainable agricultural practices, conflicts,

¹³ L. Greenspoon et al., “The Global Biomass of Wild Mammals” (2023) 7 *Proceedings of the National Academy of Sciences of the United States of America*. See also R. J. Scholes and R. Biggs, “A Biodiversity Intactness Index” (2005) 434 *Nature* 45–49.

¹⁴ IPBES, *Workshop Report on Biodiversity and Pandemics of the Intergovernmental Platform on Biodiversity and Ecosystem Services* (IPBES Secretariat 2020) 2–5.

¹⁵ See UNEP, “Environmental Rule of Law: Tracking Progress and Charting Future Directions” (UNEP 2023) 104–105. See also Council of the European Union, “Council Conclusions on EU Climate Diplomacy: Accelerating the Implementation of the Glasgow Outcomes” (February 21, 2022).

¹⁶ Critical Ecosystems Partnership Fund, “Biodiversity Hotspots Defined” www.cepf.net/our-work/biodiversity-hotspots/hotspots-defined accessed January 12, 2024.

¹⁷ *Ibid.*

¹⁸ Iyad Abumoghli and Adele Goncalves, “Environmental Challenges in the MENA Region” (UNEP) https://wedocs.unep.org/bitstream/handle/20.500.11822/31645/EC_MENA.pdf?sequence=1&isAllowed=y accessed January 25, 2024.

¹⁹ For a list of rare flora species in the MENA region, see Appendix I of the Convention on the Conservation of Wildlife and their Natural Habitats in Countries of the Gulf Cooperation Council (adopted December 30, 2001, entered into force April 2003).

and political instability, and a lack of comprehensive conservation laws and practices, among other factors, the MENA region has lost more than 95 percent of its natural habitats, resulting in accelerated loss of nature and biodiversity across the region.²⁰ In Morocco, for example, studies show that more than 1,700 plant species are endangered or threatened with extinction, while more than 600 animal species face the risk of extinction.²¹ Similarly, critical habitats such as mangroves, seagrass beds, and coral reefs in the Arabian Gulf are endangered, while several endemic species in the region are assessed as threatened with extinction in the International Union for the Conservation of Nature (IUCN) Red List.²² Estimates indicate that 17 percent of the endemic mammals in the region could become extinct before 2050 due to climate change and other factors.²³ Similarly, the increasing destruction of cultural sites and theft of cultural artifacts by militant and terrorist groups raise key concerns across the region.²⁴ Given the high potential for scarcities and exacerbated resource-driven conflict in biodiversity hotspots, MENA countries face an urgent task to halt biodiversity loss.²⁵

Despite the grim reality of the rapid loss of biological and cultural resources across the MENA region, the clear and comprehensive legal frameworks needed to halt and address the loss have not been forthcoming in many parts of the region. The absence of quality, accessible, and reliable statistics and indicators on the status, trends, and programs carried out to advance the conservation of biological and cultural heritage remains a key hindrance to monitoring progress.²⁶ For example, only a few MENA countries actively update the status of biodiversity programs through the Convention on Biological Diversity (CBD) clearing-house mechanisms. Similarly, biodiversity education is still at an alarming stage of infancy across

²⁰ Rajaa El Kassab, “Biodiversity in the Arab Region” www.greenpeace.org/static/planet4-mena-stateless/2022/08/qdd732cb-biodiversity-in-the-arab-region-rajaakassab.pdf. See also Abumoghli and Goncalves (n 18).

²¹ El Kassab (n 20) 3–4.

²² Earth’s Endangered Creatures, “Endangered Mammals of the Middle East” www.earthsendangered.com/continent.asp?gr=&view=&ID=8&nogroupall= accessed January 25, 2024. See also Sana Hussain, “Qatar’s Iconic Arabian Oryx at Risk from Plastic Pollution” (*Doha News*, March 4, 2021) www.dohanews.co/qatars-iconic-arabian-oryx-at-risk-from-plastic-pollution/ accessed January 25, 2024.

²³ In Yemen, for example, seven of the mammal species in the country face the risk of extinction, including the Queen of Sheba’s gazelle, Arabian oryx, Arabian tiger, and the Asiatic cheetah. El Kassab (n 20) 3–4. See also Alaaeldin Soultan, Martin Wikelski, and Kamran Safi, “Risk of Biodiversity Collapse under Climate Change in the Afro-Arabian Region” (2019) 9 *Scientific Reports* 955.

²⁴ Andreas Dittmann and Hussein Almohamad, “Devastation of Cultural Heritage and Memory in Syria and Iraq: Component of a Multi-level Provocation Strategy?” (2015) 5 *International Journal of Humanities and Social Science* 11, 30; A. Al-Azm, “The Threat to Cultural Heritage in Times of Conflict and Its Dynamic Relationship with Gulf Society” in M. M. Rahman and A. Al-Azm (eds), *Social Change in the Gulf Region* (Springer 2023) 271–286.

²⁵ UNEP (n 15) 153–154.

²⁶ Ibrahim Abdel Gelil, “The Sustainable Development Initiative in the Arab Region: Third Progress Report” (Council of Arab Ministers Responsible for the Environment 2011) noting the “general lack of coherent environmental information and information systems in the region.”

the region. Currently, only very few universities in the MENA region have dedicated law courses that advance knowledge and capacity on biodiversity law and policy. According to the findings of recent regional conferences on environmental law, one key reason for this slow pace of environmental legal education is the absence of an authoritative text that unpacks the nature and guiding principles of biodiversity and nature conservation law and policy in the region.²⁷ While there are many journal articles and book chapters that survey and analyze various aspects of biodiversity law and policy in the MENA region, a clear, comprehensive, and book-length exposition of the normative underpinnings, value, and best practices on biodiversity and nature law and governance in the region has yet to emerge. This book fills this gap by providing an analytical examination of best practices in the design, application, implementation, and enforcement of biodiversity and nature conservation law and policy in the MENA region.

The book introduces readers to the latest legislative developments on biodiversity, nature conservation, and the protection of cultural heritage in the MENA region, including the applicable legislation and institutions, as well as lessons learned from emerging innovative and bottom-up approaches to their implementation across the world. It also explores larger questions on legal and institutional frameworks that can help address broader issues of fragmentation, gender-based exclusions and inequality, inadequate stakeholder engagement, lack of transparency, limited access to environmental information, and lack of comprehensive domestic legislation, and how they stifle the nexus and integrated implementation of biodiversity and nature conservation treaties and the equitable sharing of the benefits derived from biodiversity and nature in the region.

This chapter provides a conceptual overview of the nature and scope of biodiversity and nature conservation law and policy in the MENA region. Section 1.2 provides an overview of the different sources of law that underpin biodiversity and nature conservation law and policy in the region. It discusses the character, status, and force of the different sources, including the interrelationships between them. Section 1.3 outlines the overall aim and structure of the book.

1.2 SOURCES OF BIODIVERSITY AND NATURE CONSERVATION
LAW AND POLICY IN THE MENA REGION

Conservation is “the protection and preservation of plants, animals, and other biological and cultural resources for the benefit of current and future generations.”²⁸ Therefore, biodiversity and nature conservation law is that branch of environmental

²⁷ Salam Al-Zahrani, “Conference on Law on Biodiversity, Nature Conservation, and Cultural Heritage Protection in the Middle East and North African Region” (March 2, 2023) www.kas.de/en/web/rspno/veranstaltungsberichte/detail/-/content/conference-on-law-on-biodiversity-nature-conservation-and-cultural-heritage-protection-in-the-middle accessed January 12, 2024.

²⁸ Olawuyi (n 3) 248–249.

law that provides the general legal framework for the protection of plants, animals, and other biological and cultural resources that make up the ecosystem from overexploitation and abuse.²⁹ While biological diversity focuses mainly on natural heritage and species such as plants, animals, and humans in the ecosystem, cultural diversity refers to the wide range of “generational values, shared beliefs, customs, practices, objects, and artistic expressions” that are relevant to the overall smooth functioning of our world.³⁰ Due to their vital roles, and their interdependencies, addressing the common and multiscale threats to the conservation of biological diversity, cultural diversity, and conservation of all aspects of the ecosystem, through a nexus and integrated approach, has become an important aspect of international law for the last several decades.³¹ Since the Stockholm Conference in 1972, we have seen the adoption of a wide range of multilateral treaties relating to biodiversity, nature conservation, and the preservation of cultural heritage.³² Biodiversity and nature conservation law is therefore an amalgam of a wide range of interrelated legal regimes relating to environmental protection, trade, investment, land use, human rights, biosafety, and energy, among others.³³

Since the adoption of the CBD in 1992, the discipline of biodiversity and nature conservation law and policy has developed incrementally worldwide.³⁴ Initially, it emerged as a tool to curb the overexploitation and degradation of biodiversity. Laws focused on conserving specific threatened species, though a general approach was still rare. The continued loss of key species created urgency for targeted protection. In the second phase, there was acknowledgment that conserving biodiversity and species requires preserving natural habitats and cultural heritage.³⁵ Laws shifted to integrate species and habitat conservation efforts. Currently in the third phase, the nexus and integrated management of biological and cultural resources to advance sustainable development has become a major concept in law, embedded

²⁹ See Elisa Morgera and Jona Razzaque (eds), *Biodiversity and Nature Protection Law* (Edward Elgar 2017) 1–10; Daniel M. Bodansky, “International Law and the Protection of Biological Diversity” (1995) 28 *Vanderbilt Journal of Transnational Law* 623; William J. Snape, *Biodiversity, and the Law* (Island Press 1996) 1–10.

³⁰ See The UNESCO Universal Declaration of Cultural Diversity (adopted November 2001), which highlights the importance of culture and cultural diversity to present and future generations.

³¹ Olawuyi (n 3). See also, M. G. Bastos Lima and U. Palme, “The Bioeconomy–Biodiversity Nexus: Enhancing or Undermining Nature’s Contributions to People?” (2022) 2 *Conservation*, 7–25.

³² Olawuyi (n 3).

³³ See Guillaume Futhazar, Sandrine Maljean-Dubois, and Jona Razzaque, “Introduction: Setting the Scene” in Guillaume Futhazar et al. (eds), *Biodiversity Litigation* (Oxford University Press 2020) 8–10. See also Morgera and Razzaque (n 29).

³⁴ Désirée McGraw, “The Story of the Biodiversity Convention: From Negotiation to Implementation” in Philippe Leprestre (ed), *Governing Global Biodiversity: The Evolution and Implementation of the Convention on Biological Diversity* (Ashgate 2004) 7–10.

³⁵ See Aphrodite Smagadi, “Analysis of the Objectives of the Convention on Biological Diversity: Their Interrelation and Implementation Guidance for Access and Benefit Sharing” (2006) 31 *Columbia Journal of Environmental Law* 243, 253.

in many regional and global instruments.³⁶ The need for such harmonized efforts has assumed greater significance and urgency with the adoption of the UN SDGs. SDGs 12, 14, and 15 emphasize the need to protect various aspects of biological diversity. SDG 11.4 specifically highlights the need to protect the world's cultural and natural heritage; SDG 17 also underscores the need for enhanced partnerships – globally, regionally, nationally, and locally – as a required step for attaining all of the SDGs, including those on biodiversity and nature conservation. SDG 17.14 specifically encourages all stakeholders to enhance cooperation and policy coherence for sustainable development.³⁷ The important roles of nature and nature-based solutions as tools for economic diversification (bioeconomy), climate action, and integrated health management have also become important. For example, recent studies, including reports of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Service (IPBES),³⁸ have underlined the urgent need for a nexus approach to ecosystems governance as a framework for the coherent, holistic, and integrated implementation of biodiversity and nature conservation treaties to address fragmentations and to advance all of the associated SDGs.³⁹

Biodiversity law has therefore progressed from urgent species-specific protections to a more holistic view linking conservation to habitats, cultural heritage, bioeconomy, and broader sustainable development priorities.⁴⁰ Generally, there are three key sources of biodiversity and nature conservation law and policy in the MENA region: international law, domestic legislation, and judicial decisions and scholarly publications.

1.2.1 *International Law on Biodiversity and Nature Conservation*

International law governs relations between sovereign nations. International biodiversity and nature conservation law is therefore a field of international law that regulates the behavior of states and international organizations with respect to the protection and conservation of plants, animals, and other biological and cultural resources. As recognized in Article 38 of the Statute of the International Court of Justice, the major sources of international law, and by extension international

³⁶ J. Maradza et al., “Perspectives on the Applicability of Nexus Thinking to Private Protected Areas: A Case Study of Mokolodi Nature Reserve, Botswana” in J. Saarinen, B. Lubbe, and N. N. Moswete (eds), *Southern African Perspectives on Sustainable Tourism Management* (Springer 2022). See also Damilola Olawuyi, “Sustainable Development and the Water–Energy–Food Nexus: Legal Challenges and Emerging Solutions” (2020) 103 *Journal of Environmental Science and Policy* 1.

³⁷ See also SDG 15 on biological diversity and SDGs 4.7, 8.3, and 8.9. UNGA (n 9).

³⁸ United Nations IPBES, “Scoping Report for a Thematic Assessment of the Interlinkages among Biodiversity, Water, Food and Health” (March 21, 2021) IPBES/8/3 https://ipbes.net/sites/default/files/2021-05/IPBES_8_3_nexus%20assessment_en.pdf accessed January 25, 2024.

³⁹ Maradza et al. (n 36).

⁴⁰ See Secretariat of the Convention on Biological Diversity, “Global Biodiversity Outlook 3” (CBD 2010) www.cbd.int/gho3/?pub=6667§ion=6711 accessed December 15, 2023; also Bastos Lima (n 31).

biodiversity and nature conservation law, are international conventions and treaties, international customs, general principles of law, and the judicial decisions and teachings of highly qualified publicists.⁴¹

As early as the 1900s, multilateral agreements that recognized how unregulated trade in plant and animal species may impact the environment and its resources began to emerge: for example, the Convention for the Preservation of Animals, Birds, and Fish in Africa, signed in London on May 19, 1900 (1900 London Convention), the first formal agreement on trade-related environmental issues.⁴² Although the 1900 London Convention never entered into force, due to lack of ratification, it started an important conversation on how the unregulated trade in African elephants and game species may lead to their extinction.⁴³ As discussed in Chapter 2, this impetus led to the adoption of a number of legally binding instruments on biodiversity and nature conservation.⁴⁴ The most important of these instruments is the CBD which in Article 1 sets out the three objectives as: the conservation of biological diversity, sustainable use, and access and benefit-sharing.⁴⁵ Each of these objectives are discussed across the book.⁴⁶

As indicated in Table 1.1, several MENA countries have adopted and ratified the CBD and other key multilateral treaties on biodiversity and nature conservation. The rise in international awareness and instruments on this subject has also resulted in the development of regional treaties aimed at enhancing the conservation of the region's rich natural and cultural heritage.

1.2.2 *Regional Instruments*

As indicated in Table 1.1, several treaties have been adopted at the regional and sub-regional levels which aim to protect and preserve flora, fauna, and cultural heritage from all sources of pollution and degradation.

⁴¹ United Nations, Statute of the International Court of Justice, April 18, 1946, 33 UNTS 993. See Olawuyi (n 3) 269.

⁴² International Union for Conservation of Nature and Natural Resources (IUCN), *An Introduction to the African Convention on the Conservation of Nature and Natural Resources* (IUCN 2004) 3–4.

⁴³ Ibid.

⁴⁴ Biodiversity and nature conservation treaties include: the Convention on Biological Diversity (adopted June 5, 1992) 1760 UNTS 79, 31 ILM 818; Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (adopted March 3, 1973, entered into force July 1, 1975) 993 UNTS 243; Convention on the Conservation of Migratory Species of Wild Animals (June 23, 1979) 1651 UNTS 331; Convention on Wetlands of International Importance especially as Waterfowl Habitat (adopted February 2, 1971, entered into force December 21, 1975) 996 UNTS 245 (Ramsar Convention); the United Nations Convention to Combat Desertification (adopted June 17, 1994, entered into force December 26, 1996); International Treaty on Plant Genetic Resources for Food and Agriculture (entered into force June 29, 2004) 2400 UNTS 303; Convention Concerning the Protection of the World Cultural and Natural Heritage (adopted November 23, 1972, entered into force December 17, 1975) 1037 UNTS 151 (World Heritage Convention).

⁴⁵ Arts. 6–8, 10–13 of the CBD, *ibid.* See also Futhazar et al. (n 33) 17–18.

⁴⁶ See Chapters 2, 3, and 9.

TABLE 1.1 *International conservation agreements ratified and acceded to by MENA states*

Treaty	MENA states (ratification/accession)
International	
Convention on Biological Diversity	Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Palestine, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen
Convention on Wetlands	Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Sudan, Syria, Tunisia, United Arab Emirates, Yemen
Convention on the Conservation of Migratory Species of Wild Animals	Algeria, Djibouti, Egypt, Iraq, Jordan, Lebanon, Libya, Mauritania, Morocco, Saudi Arabia, Somalia, Syria, Tunisia, United Arab Emirates, Yemen
Convention on International Trade in Endangered Species of Wild Fauna and Flora	Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen
The UNESCO Convention for the Protection of the World Cultural and Natural Heritage	Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Palestine, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen
Regional and subregional	
Kuwait Regional Convention on Protection of Marine Environment and Protocols	Bahrain, Iran, Iraq, Qatar, Kuwait, Oman, United Arab Emirates, Saudi Arabia
Regional Convention for the Conservation of the Red Sea and Gulf of Aden Environment	Djibouti, Egypt, Jordan, Saudi Arabia, Somalia, Sudan, Yemen
African Convention on the Conservation of Nature and Natural Resources of 1968 (and revised in 2017)	Algeria, Djibouti, Egypt, Sudan, Tunisia. Signatories only: Libya, Mauritania, Somalia
Convention on the Conservation of Wildlife and their Natural Habitats in GCC Countries	Kuwait, Saudi Arabia, Bahrain, Qatar, United Arab Emirates, Oman

Source: Compiled by author. Prepared using information from the United Nations Treaty Collection website, <https://treaties.un.org>, accessed January 12, 2024.

The regional instruments are discussed extensively in Chapter 2 and they include the Kuwait Regional Convention on Protection of Marine Environment and Protocols (Kuwait Convention) and its protocols; the Regional Convention for the Conservation of the Red Sea and Gulf of Aden Environment (Jeddah Convention); the Convention on the Conservation of Wildlife and their Natural Habitats in

GCC Countries (GCC Wildlife Convention); and the African Convention on the Conservation of Nature and Natural Resources of 1968 (and revised in 2017) (African Convention).

In addition to these binding international and regional biodiversity and nature conservation law instruments, a number of nonbinding declarations and strategy plans have emerged at the regional level that provide foundations for the development and application of biodiversity and nature conservation law and policy in the MENA region. These include:

1. The 1991 Arab Declaration on Environment and Development and Future Prospects: which contains a commitment by all Arab countries in the MENA region to work together to preserve the biological diversity of the region and guarantee the conservation of land, marine, and freshwater resources.⁴⁷ It also encourages states to develop policies, legislation, and education initiatives aimed at the preservation and conservation of natural heritage from harmful environmental effects and calls on countries to introduce environmental subjects into syllabi and curricula at all levels of education.⁴⁸
2. The 2001 Arab Declaration to the World Summit on Sustainable Development: which enshrines the commitment of Arab countries in the MENA region to work together to preserve the ecosystems and biodiversity of the region. It also recognizes the need for states to maintain the unique cultural and religious heritage of the region and to utilize it to achieve sustainable development.⁴⁹
3. The Strategic Plans of the Arab League Educational, Cultural and Scientific Organization (ALESCO). ALESCO is a specialized institution of the League of Arab States,⁵⁰ established to promote, preserve, protect, and conserve tangible and intangible Arab cultural heritage, and to foster coordination among Arab states in the fields of education, science, and cultural heritage.⁵¹ ALESCO provides training to heritage conservation specialists across the region and promotes the restitution of stolen or missing cultural heritage items.⁵²

Although these soft law instruments are aspirational and not legally binding, they have prompted the development of a wide range of domestic laws and policies designed to enhance the conservation of nature and cultural heritage in MENA countries.

⁴⁷ Arab Declaration on Environment and Development and Future Prospects (September, 10 1991) UN Doc. E/ESCWA/ENVHS/1992/1, para 2.

⁴⁸ Arab Declaration on Environment and Development and Future Prospects (n 115), para IX.

⁴⁹ Arab Declaration to the World Summit on Sustainable Development (2002), preamble and para 1(6) www.hlm.org/img/documents/Arab_Declaration_Sustainable_Dev.pdf accessed January 25, 2024.

⁵⁰ ALESCO was established pursuant to Article 3 of the Arab Cultural Unity Charter of 1964.

⁵¹ See ALESCO, “About Us” www.alecso.org/nsite/en/component/content/article/814-who-are-we-v2?catid=63&Itemid=220 accessed January 12, 2024.

⁵² Olawuyi (n 3) 269.