

## **The concept of the environment within the framework of national legislations and international conventions**

**Hamdoun Toumi**<sup>1</sup>

<sup>1</sup> Doctor, University: Abu Bakr Belkaid University, Tlemcen, Faculty of Law and Political Sciences, Algeria  
Email: [hamdoun.toumi@univ-tlemcen.dz](mailto:hamdoun.toumi@univ-tlemcen.dz)

**Abstract---**The corporation company is an up to date sort of commercial company which is inserted into the Algerian law with the sake of promoting the ventures and start-up foundations. These companies are characterised by resilience in dealing with procedures and facileness of establishment compared to the traditional corporation ones. According to the law no: 09/22, which comprises the commercial code, the Algerian legislation has added the simple corporation company as a new sort as a kind of economic reforms which the Algerian state witnessed. Also, as push for supporting the start-up foundations inside the commercial and financial center.

**Keywords---**Environment, International Conventions, National Legislation, Natural Resources, Human.

### **Introduction**

Since the creation of man, he has found himself in a natural environment that provides him with his necessary needs and basic requirements of clothing, food and shelter. With the passage of time, man's need for this vital medium with its various living and non-living basic components has increased, and primitive life has turned into modern life that has contributed significantly and seriously to the depletion of natural resources and environmental elements, or changed their nature and function, especially after the emergence of the modern state, and the international race towards progress, prosperity and progress at the expense of the environment.

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All of this has caused serious damage to the environment and its necessary elements, which has called on the international community, individuals, associations and civil society actors within their countries to sound the alarm, alert the authorities and decision-making centers to environmental problems and risks surrounding man, and the need to take the necessary solutions, decisions and measures in order to reduce the various damages that threaten the environment, whether natural or artificial – human – and prepare national, regional and international plans to preserve the stock of natural resources and social and cultural systems, considering that the environment represents a societal value that must be preserved and protected from any aggression that affects it, and enact internal legislation and international instruments and charters for that purpose.

This study came in order to clarify the important and pivotal role played by internal legislation, international conferences and conventions in order to define a clear and accurate concept of the term environment in order to preserve and protect it, determine the responsibilities of individuals, international persons and various bodies and programs interested in this field, criminalize attacks that affect the environment and its elements, take legal mechanisms, measures and procedures in order to punish those who cause harm to the environment, provide the best ways for the safety of the air, sea and land environment, and provide the appropriate and safe environment for human life and the rest of living organisms.

The descriptive approach was adopted to interpret the environmental conditions and the existing practical and legal mechanisms for assigning responsibilities and determining penalties. The analytical approach was also used to dismantle and synthesize the ideas of this study and reach the research results based on realism and objectivity. In this study, I also rely on the comparative approach, especially when studying the issue of internal legislation and even international conferences and agreements, comparing their various provisions and drawing similarities and differences between them.

From the above, the following problems can be raised:

To what extent have national legislation, international conferences and conventions contributed to defining the legal concept of the environment and the scope of its protection?

To answer this question, this research study was divided into two axes. The first axis examines the concept of the environment within the framework of domestic legislation, and the second axis concerns the view of international conferences and conventions on the issue of the environment and its protection.

### **The first axis: The concept of the environment within the framework of national (internal) legislation**

The role of the state lies in the formation and awareness of its people of the need to imbibe a positive environmental culture, by directing and supporting media, training and education, in addition to its legislative, executive and judicial role in enacting laws and decrees related to the protection and preservation of the environment and punishing all violators of the provisions of these legislations, setting practical frameworks and mechanisms for the implementation of environmental plans, establishing effective institutions in the management of waste and pollution removal, determining industrial environmental policies and protecting the environment when preparing development plans.

But before all this work and the mechanisms necessary for the protection of the environment by the State and its central and local authorities, the precise legal concept of the environment must first be defined in order to protect and preserve it. Therefore, various countries have worked hard to enact legislation on the environment and have given different concepts to the environment. Therefore, we will address in this axis the concept of the environment in Algerian legislation and in other foreign domestic legislation.

## **First: The concept of the term environment in Algerian jurisprudence and legislation**

### **1. Linguistic and idiomatic definition of the environment:**

The origin of the term – environment – in the Arabic language – *Boa* – and its meaning – resolved and established. The name of the environment is synonymous with - *al-ba* or home – that is, housing or the comprehensive medium. The origin of the word in the English language is the conditions surrounding the human being. In French, it means external conditions or place.<sup>1</sup>

In terminology, the environment means "the medium or field of different dimensions in which man lives and is influenced by it."<sup>2</sup>

### **2. Jurisprudential definition of the environment:**

Some jurisprudence, headed by the jurist – Jean Marc LAVIELLE – defined the environment in its expanded concept as "the various elements that exist in the biosphere and the ecosystem, which is the system in which all living things coexist, in addition to the atmosphere, and the subsequent air and gases, as well as the water elements of oceans, lakes and rivers ... Etc., in addition to wild natural phenomena such as forests, terrain and deserts ... Etc.", while the jurist "kiss" saw that the environment includes in addition to natural and industrial elements, cultural and natural heritage such as monuments and rare images.

### **3. The concept of environment in Algerian legislation:**

The Algerian Environment Law No. 03/10<sup>3</sup> adopted the expanded concept of the term environment. Article 4, paragraph 7, stipulated that "the environment consists of abiotic and vital natural resources such as air, water, land, subsoil, plant and animal, including genetic heritage and forms of interaction between these various resources, as well as natural and urban places, landscapes and landmarks."<sup>4</sup>

The Algerian legislator came up with an organic definition of the environment because through this definition it relied on the components, images and forms of the environment.<sup>5</sup>

This expanded definition came to grant greater protection to various types of environment, land, sea and air. The same previous article stipulated that it is considered a crime to harm the air environment "to introduce any substance into the air or atmosphere, due to the emission of gases, vapors, fumes, liquid or solid particles that cause damage and dangers to the living framework." The Algerian legislator enacted many legislations aimed at protecting the air environment.<sup>6</sup>

Air pollutants are defined as "gaseous, solid, liquid or vapor impurities, emitted from various installations for periods of time that may cause damage to public health, animals, plants, materials or property ...".<sup>7</sup>

Paragraph 10 of Article 04 of the aforementioned Law No. 03-10 stipulates that "the introduction of any substance into the aquatic medium that would change the physical, chemical or biological properties

<sup>1</sup> Mohamed Boudour, The concept of the environment and its most important types in Algerian legislation, *Journal of World Politics*, Volume 06, Issue 02, December 2022, pp. 540-541.

<sup>2</sup> Wanasa Jedi, Criminal Protection of the Aerial Environment, Comparative Study, PhD Science Thesis, Faculty of Law, Muhammad Khidr University, Biskra, 2016/2017, p. 22.

<sup>3</sup> Law No. 03-10 on Environmental Protection and Sustainable Development of July 19, 2003 Official Gazette No. 43 of July 20, 2003.

<sup>4</sup> Boualem Bouzidi, An attempt to define the concept of environment in Algerian law, *Journal of Truth*, Adrar University, Issue 23 December 2012, p. 359.

<sup>5</sup> Mohamed Boudour, op. Cit., P. 542.

See also: Lakhel Ahmed, The Legal System of Environmental Protection and Economic Development, Dar Homa, Algeria, 2015, p. 39.

<sup>6</sup> Examples of such legislation include: Executive Decree No. 93-195 of 10 February 1993 regulating the discharge of smoke, gas, odors and solid particles into the atmosphere and Executive Decree No. 06-02 of 7 January 2006 regulating maximum values, alarm levels and air quality targets in the event of air pollution.

<sup>7</sup> Khaled Mustafa Fahmy, Legal Aspects of Protecting the Environment from Pollution in the Light of National Legislation and International Conventions - Comparative Study - , Dar Al-Fikr Al-Jami, Alexandria, Egypt, 2011, pp. 366-367.

of water, cause risks to human health, harm wild and aquatic animals and plants, and affect the beauty of sites or hinder any other natural use of water." This is an explicit criminalization of aggression against the aquatic environment, and there are many Algerian legislation in this field, including Law No. 83-17 on water, amended and supplemented by Law No. 05-12 and the Maritime Fishing Law.<sup>8</sup>

The Algerian legislature has also criminalized the attack on the wild environment, reserves and forest areas. This is included in the provisions of Articles 59, 60, 61 and 62 of the aforementioned law<sup>9</sup>, and the enactment of penal provisions for these crimes in the Forest Law No. 84-12, the Coastal Protection Law No. 02-02, the Cultural Environment Protection Law No. 01-19, and Law 03-10 ...etc.<sup>10</sup>

Crimes against the soil environment affect the lithosphere and the upper crust of the globe and are defined as "any introduction of foreign objects to the soil that results in a change in chemical, physical or biological properties, affecting the living organisms that inhabit the soil, and the soil loses its value and ability to produce<sup>11</sup>."

## **Second: The Concept of Environment in Foreign Legislation:**

There are various definitions of the environment in various foreign laws and legislations, whether they narrow the concept or expand the scope of this concept, and we will mention, for example, the following legislations.

### **1. The concept of the term environment in French legislation:**

The environment was defined in the French Law on the Protection of Nature of 10 July 1976 as "including nature, natural resources and tourist places and sites", and the concept of the environment was narrowed and made to include nature only in the Law of 19 July 1976 on establishments classified for the protection of the environment<sup>12</sup>.

The term environment was defined by the French Council of State as "a set at a given time of physical, chemical, and biological elements, as well as social factors that can have a direct or indirect effect, instantaneous or to a certain extent, on living organisms and human activities<sup>13</sup>."

### **2. The concept of environment in Egyptian legislation:**

The first article of the Egyptian Law No. 04 of 1994 on the protection of the environment came as "the biosphere, which includes living organisms, and the materials it contains and the surrounding air, water, soil and human installations<sup>14</sup>."

The aforementioned Egyptian law stipulated the need to "preserve and improve the components of the environment, prevent its degradation or pollution, or reduce the severity of pollution<sup>15</sup>."

### **3. The concept of environment in Saudi legislation:**

The environment was defined in Article 1 of the Saudi Royal Dahir No. 34 issued on 28 Rajab 1422 as "all that surrounds man from water, air, land and outer space, and all that these media contain

8 Nasrallah Sanaa, Legal Protection of the Environment from Pollution in the Light of International Humanitarian Law, Master Thesis, Baji Mukhtar University, Annaba, 2010/2011, p. 21.

9 Taous Fatna, The Right to a Sound Environment in International and National Legislation, Master Thesis, Faculty of Law and Political Science, Qasidi Merbah University, Ouargla, 2015, p. 41.

10 Mashri Radia, Criminal Liability of the Legal Person for Environmental Crimes, an intervention presented at the International Forum on the Legal System for the Protection of the Environment under International Law and Algerian Legislation, University of 08 May 1945, Guelma, on 09 and 10 December 2013, p. 03.

11 Mansour Magaji, The Scientific Meaning and Legal Concept of Environmental Pollution, Al-Mufaker Magazine, Issue 05, Mohamed Khader University, Biskra, 2010, p. 110.

12 Lakhel Ahmed, op. Cit., P. 39. Also: Boualem Bouzidi, op. Cit., P. 358. Also: Michel Prieur, droit de l'environnement, Dalloz, Paris, 1991, P01.

13 Hassania Kahi, Lectures in Environmental Law, Hassan University 02, Casablanca, Morocco, 2019-2020, pp. 7 and 8.

Also: Mohamed Boudour, op. Cit., P. 541.

14 Mohamed Boudour, op. Cit., P. 542.

15 Boualem Bouzidi, op. Cit., P. 370.

from inanimate matter, plants and animals, and various forms of energy, natural systems and processes and human activities<sup>16</sup>."

#### **4. The concept of environment in Iraqi legislation:**

The Iraqi Law on the Protection and Improvement of the Environment No. 27 of 2009 defines the environment in the fifth paragraph of Article 2 of it as: "The surroundings of all its elements in which living organisms live, and the effects arising from human economic, social and cultural activities<sup>17</sup>."

#### **The second axis: The view of international agreements on the issue of the environment:**

Since the beginning of the second half of the twentieth century, international efforts have been concerted to protect and preserve the environment and its components and essential elements in order to serve the normal life of man and various living organisms. Many international conferences and regional and global agreements have been held in this field.

#### **First: International Conferences and the Concept of Environment:**

If the primary goal of the various international environmental conferences is to protect and maintain a balanced environmental environment, the ultimate goal of these conferences was, above all, to give the accurate and comprehensive concept of the environment accepted by most of the participating international delegations from different countries, organizations and international actors working within the framework of the environmental field and ensuring its protection.

#### **1. 1972 United Nations Conference on the Humanitarian Environment:**

Regulation No. 2398 was issued on 03 December 1968 by the United Nations General Assembly, including the call for a global conference on the environment, and more than three years later this conference was held in Stockholm, Sweden, from 05 to 16 June 1972 under the slogan – Only One Land<sup>18</sup>.

The conference gave an expanded concept of the environment, and stipulated that "the environment is the set of natural, social and cultural systems in which humans and other beings live and from which they derive their increase and perform their activity."<sup>19</sup>

This definition broadened the concept of the environment and considered it a stock of all natural resources that humans have no part in its formation and social sources, which are all human achievements within the environment.<sup>20</sup>

UNEP has followed this path and defined the environment as "the set of natural and social resources available at a given time in order to follow human needs".<sup>21</sup>

Prior to that, the Educational, Scientific and Cultural Organization, during its international conference in Paris in 1968, defined the environment as "all things outside man that surround him, directly or indirectly, and all this includes all activities and influences that have an impact on man and his behavior, and on the natural, family and social conditions that he is aware of through the various means of communication available to him, as well as the heritage of the past."<sup>22</sup>

UNCED United Nations Conference on Environment and Development

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16 Elham Kharchi, Lectures in Administrative Control, Faculty of Law and Political Science, Mohamed Lamine Dabbaghin University, Setif 02, 2016, p. 47.

17 Abdul Sattar Younis Al-Hamdouni, Criminal Protection of the Environment, A Comparative Study in Topical Rulings, Legal Books House, Egypt, 2013, p. 60. Also: Mohamed Boudour, op. Cit., P. 542.

18 Hajar Arooj, International Mechanisms to Confront Environmental Threats, Researcher Journal of Academic Studies, July 2018, p. 657.

19 Salah Abdel Rahman Abdel Hadithi, The International Legal System for the Protection of the Environment, Human Rights Media Publications, Lebanon, First Edition, 2010, p. 14.

20 Lakhal Ahmed, The Legal System for Environmental Protection and Economic Development, Dar Homa, Algeria, 2015, p. 36.

21 Lakhal, A. (2015). The legal system for environmental protection and economic development. Houma Publishing. (p. 36)

22 Lakhal, op., Cit., P. 37

The United Nations Conference on Environment and Development was held in Rio de Janeiro, Brazil, from June 3 to 14, 1992, and was known as the Earth Summit. It aimed to reach an international consensus on protecting international integration into the global environment. The Commission on Sustainable Development (CDD)<sup>23</sup> was established, the Framework Convention on Climate Change, the Convention on Biological Diversity, the Declaration of Principles on Forest Management, and the issue of environmental security was raised.<sup>24</sup> Accordingly, this conference supported the Stockholm Conference and affirmed the expanded concept of the environment, with international negotiations to conclude agreements on each element of the environment, such as climate, water and air ... etc.

### **3. Johannesburg Summit 2002:**

The summit was held in South Africa from 26 August to 4 September 2002 in accordance with the United Nations General Assembly Regulation No. 55/199 of 20 December 2000. The summit was a real beginning of the stage of global environmental governance and the launch of programs to fight poverty, maintain public health and address the problems of climate, energy, water, agriculture, health and biodiversity ... etc. The expanded concept of the term environment was embodied in the decisions and actions initiated at the Johannesburg Summit.<sup>25</sup>

During this year, the environment was defined by the First Islamic Conference of the Ministry of Environment as "the gift of God Almighty who created it to meet the human needs of life. Individuals, communities and countries must protect it and develop its natural resources, including air, climate, water, sea and plant and animal life. In no case may any pollution or fundamental change in the elements of the environmental system disturb its balance."<sup>26</sup>

Although these were the first three conferences that established the expanded concept of the environment, successive international summits and conferences in the field of the environment prevailed on the same approach, but on the other hand, they worked to conclude and sign many international and regional agreements and treaties that focused on a specific aspect of the environment and worked to protect it and codify the penalty for harming it.

### **Second: The role of international agreements in protecting the environment:**

Many regional and international agreements have been concluded aimed at protecting and preserving the environment and punishing the perpetrators of serious violations. The most important of these agreements are:

#### **1. International conventions on the protection of the marine environment:**

Examples include:

##### **A. London International Convention for the Prevention of Pollution by Petroleum Oil at Sea 1954:**

This Convention was concluded in 1954 and entered into force on May 26, 1954. It was amended in 1962, 1969 and 1971 after the recommendations of the International<sup>27</sup> Maritime Organization. This Convention established substantive rules regarding the discharge of petroleum into seawater and its conditions. Any violation of these rules and conditions was considered prohibited and punishable (Article VI of the Convention).

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<sup>23</sup> Hajar Arooj, op. Cit., P. 659.

<sup>24</sup> Bin Al-Nawi Aisha, Global Environmental Governance as a Mechanism in Achieving Food Security, Journal of the Researcher Professor, Legal and Political Studies, Volume 07, Issue 01, June 2022, p. 286.

<sup>25</sup> Ibn al-Nawi Aisha, op. Cit., P. 287.

<sup>26</sup> Lakhai Ahmed, op. Cit., P. 37.

<sup>27</sup> Ahmed Naguib Al-Rashidi, Rules for Combating Marine Pollution, Egyptian Journal of International Law, No. 33, 1977, p. 186.

### **B. Geneva Conventions on the Law of the Sea of 1958:**

Four international agreements were concluded during the First United Nations Conference on the Law of the Sea in Geneva in 1958.<sup>28</sup> Article (24) of the Convention on the High Seas stipulated the prevention of marine pollution resulting from the discharge of petroleum from ships and oil pipelines. Article (25) of the same Convention stipulated the radioactive pollution and pollution resulting from other harmful substances. As for the provisions of the Convention on the Continental Extension, it included the necessary measures to be taken to protect the marine environment and its safety<sup>29</sup>.

### **C. Brussels Convention of 1979:**

The 1979 Brussels Convention on Intervention on the High Seas in Cases of Petroleum Pollution granted coastal States the right to take necessary action, measures and prevention on the high seas in the event of, or the likelihood of, petroleum pollution.

### **D. 1976 Convention for the Protection of the Mediterranean Sea:**

The Convention for the Protection of the Mediterranean Sea against Pollution was concluded in Barcelona, Spain, in 1976 and was aimed at international cooperation, especially for the countries bordering the Mediterranean Sea, in order to take appropriate measures to reduce pollution in the Mediterranean Sea, respond to pollution emergencies, develop the necessary programs to monitor pollution, determine liability and compensate for damages resulting from violation of the conventions and protocols annexed thereto.<sup>30</sup>

In addition to many other agreements that have contributed significantly at the regional or global level to the protection of the (marine) aquatic environment and maintaining its integrity and balance, such as the International Convention on the Protection of the River Uruguay of 1961 between Argentina and Uruguay, the Regional Convention for the Protection of Lake Léman from Pollution concluded in 1992 between Switzerland and France, the European Convention of 1975 for the Protection of Freshwater and the Prevention of Pollution of International Rivers on the European Continent and the Convention for the Protection of the River India from Pollution and the Conservation of Aquatic Life concluded in 1990, there are about 50 international conventions and 320 regional conventions aimed at preserving and protecting the environment, and many international programs and projects established for this purpose, such as the Arctic Monitoring and Assessment Program of 1991 and the White Paper for European Development on Chemicals.<sup>31</sup>

## **2. International conventions on the protection of the air environment:**

Through the United Nations recommendations aimed at protecting the environment and combating all the dangers surrounding it, the United Nations sought to hold international conferences and conclude binding agreements for its parties. The issue of protecting the air environment was a large part of these efforts, so it concluded and adopted many international and regional conventions and treaties, including the Paris Convention on Civil Liability for Nuclear Damage of 1960, the Supplementary Convention

28 The Geneva Convention on the Continental Extension, which entered into force on 10 June 1964, the Geneva Convention on the High Seas, which entered into force on 30/09/1962, the Geneva Convention on the Territorial Sea and the Subsequent Area, which entered into force on 10/09/1964, and the Geneva Convention on Fishing and Conservation of Living Resources, which entered into force on 20 March 1966.

29 Abdul Hadi Mohammed Ashri, Specialization in the Protection of the Marine Environment and Pollution, PhD Thesis, without publication date, p. 29.

30 Ahmed Abdul Karim Salama, Environmental Protection Law, King Saud University, Scientific Publishing and Printing Presses, First Edition, Riyadh, Saudi Arabia, 1997, p. 157 et seq.

31 Sufian Belmadi, Responsibility for Ensuring Environmental Security, - Persons, States and International Organizations -, Algerian Journal of Security and Development, Volume 08, Issue 15, July 2019, pp. 210-211.

concluded in Brussels in 1963 and the Brussels Convention on the Liability of Operators of Nuclear Ships concluded in 1963.<sup>32</sup>

It also concluded a treaty on the principles governing the activities of States in the use of outer space, the moon and celestial bodies concluded in 1967, and international conventions that explicitly prohibit environmental destruction, such as the 1977 Convention on the Prohibition of Use of Environmental Modification Techniques for Military or Any Other Hostile Purposes (ENMOD), which the United Nations Disarmament Commission played a key role in concluding and which prevented the deliberate destruction of the environment in times of peace or war and at various stages of hostilities.<sup>33</sup>

In the same year – 1977 – the First Additional Protocol to the Geneva Conventions of 1949 was signed, which prohibits the use of means of warfare to damage the natural environment. Article (35), paragraph (03), stipulates that "it is prohibited to use means and methods of warfare that are intended or may be expected to cause widespread, long-term and severe damage to the natural environment." This is confirmed in paragraph (01) of Article (55) of the same Protocol.

Under the direct auspices of the United Nations, the 1980 Hague Convention for the Protection of the Earth's Atmosphere, the 1985 Vienna Convention for the Protection of the Ozone Layer, the 1987 Montreal Protocol and the 1997 Japan Kyoto Convention on the Reduction of Emissions of Gases Harmful to the Environment were concluded.<sup>34</sup>

The most important international agreements related to the protection of the air environment are the United Nations Framework Convention on Climate Change, which was concluded on May 9, 1992 after the recommendation of the United Nations General Assembly, which came on the basis of Regulation No. 45/212 issued in December 1990, which was signed in order to combat climate change and stabilize the concentration of greenhouse gases in the atmosphere at a specific, stable and low level. It approved the principle of sustainable development on the basis of justice for various successive generations and approved the principle of caution – precaution – that is, taking preventive measures and proactive precautionary measures in the face of the causes of climate change.<sup>35</sup>

### **3. International Convention for the Protection of the Terrestrial Environment (Terrestrial):**

The activities of transporting hazardous wastes across international borders, persistent pollutants, chemicals, activities that produce dangerous pesticides, chemicals, activities that produce dangerous pesticides, toxic substances, polluted waste and used water are among the most important factors causing pollution of the terrestrial environment and resulting in a direct impact on the quality of the natural capabilities of environmental systems.<sup>36</sup>

In order to eliminate the causes of damage to the wild environment and the conservation of its resources, many international conventions have been concluded in this context, such as the African Convention on the Conservation of Natural Resources of 1968, the Convention for the Protection of Wet Resources of International Importance of 1971 concluded in Iran, the Convention for the Protection of Cultural and Natural Heritage concluded in Paris in 1972, the Basel Convention on the

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32 Adel Hammoud and Ommer Naima, International Responsibility for Nuclear Pollution, *Researcher's Journal of Legal and Political Studies*, Volume 05, Issue 02, 2020, p. 489.

33 Mohamed Khaled Sabah, *Prosecution of Environmental Destruction before International Courts*, Arab Center for Scientific Studies and Research, First Edition, Cairo, Egypt, 2022, pp. 49-50.

34 Nadia Omrani, The Role of International Conventions and Internal Legislation in the Protection of the Environment, *Al-Fikr Magazine*, June 2017, pp. 318-319.

35 Adnan Abbas Moussa, *Research and Studies in the Developments of International Law*, Arab Center for Scientific Studies and Research, First Edition, Cairo, Egypt, 2019, pp. 87-89.

36 Ahmed Lakhal, *The Legal System for Environmental Protection and Economic Development*, Dar Homa, Algeria, 2015, pp. 141-143.



Transboundary Movement of Hazardous Wastes and their Disposal concluded in Basel, Switzerland, in 1989 and the Convention to Combat Desertification of 1994.<sup>37</sup>

## Conclusion

We conclude from the content of this research study that the term environment has defined a significant conceptual and terminological development, whether with regard to jurisprudential definitions, provisions and rules of internal legislation or international instruments and charters, according to the social and industrial development that societies and political units have known, and the succession of times and the emergence of new activities and modern means and their impact on the environment and its basic elements.

The environment was known in its concept and narrow scope at the beginning of the interest in environmental issues and its protection through unilateral and irregular attempts. It meant the natural environment only, and after increasing interest in the subject of the environment and the search for legal and institutional mechanisms to protect it, the environment was known for its scope and its expanded concept, which included all elements of the natural environment, living and non-living components, the industrial environment, the genetic heritage and various archaeological and historical monuments and sites etc.

The United Nations, through its main organs and specialized agencies, and through the holding of diplomatic conferences, international environmental agreements and development programs, has contributed to defining the comprehensive and accurate concept of the environment in order to protect it, criminalizing aggression against its components, preserving its natural resources, prohibiting environmental pollution, climate change, gaseous emissions, preserving the Earth's atmosphere, and protecting the terrestrial and marine environment and ecological and climatic balances.

Specialized international and regional organizations, in cooperation with the people and actors of the international community, have also sought to establish a unified global environmental system, aimed at narrowing the economic and development gap and gap between the countries of the North and the countries of the South, sharing common environmental burdens and confronting the threats surrounding the international environment, adopting global environmental governance aimed at developing regulatory mechanisms and international criminal rules to rationalize the use of natural resources and regulate economic activities and international transactions harmful to the environment and its main components.

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<sup>37</sup> Nadia Omrani, *op. Cit.*, P. 319-321.

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