ASJP Algerian Scientific Journal Platform

Afak For Sciences Journal
Issn: 2507-7228 – Eissn: 2602-5345
https://www.asjp.cerist.dz/en/PresentationRevue/351



Volume: 09/ N°: 02 (2024), P 119-131

The Effects of Establishing Liability Arising from Maritime Environmental Damage

Ben ammar abdelhalim *
Laboratory: Human Rights and Fundamental Freedoms
Abou Bakr BELKAID university – Tlemcen.
abdelhalim.benammar@univ-tlemcen.dz

Naziha Kherbouche
Laboratory: Human Rights and Fundamental Freedoms
Abou Bakr BELKAID university – Tlemcen.
naziha.kherbouche@univ-tlemcen.dz

Abstract ;

The issue of environmental damage, its compensation, and the restoration of affected areas ranks among the most critical concerns addressed both internationally and nationally, particularly given the backdrop of rapid technological and industrial advancements. Of notable concern are the escalating maritime activities, encompassing transportation, shipping, maritime investment, and exploration, which have a profound impact on the environment, especially maritime ecosystems. These activities, affecting both surface and deep-sea environments, are intricately linked to the well-being of humans, plants, and wildlife. Consequently, nations worldwide grapple with the adverse effects of environmental degradation, particularly in maritime regions, exacerbated by emerging risks and industrial activities that threaten underground resources and aquatic ecosystems. Recognizing these environments as a shared heritage, there is a growing awareness of the long-term repercussions that transcend generations, underscoring the imperative of safeguarding the right to a clean and healthy environment for present and future inhabitants, both internally and externally.

Given the extensive and severe impact of environmental damage, especially in maritime areas, characterized by its scale and long-lasting consequences spanning decades, as well as its transboundary nature resulting from pollution in seas, oceans, rivers, and other water bodies, contemporary legal frameworks have acknowledged the need to assign responsibility for harmful actions irrespective of their origin. These frameworks have instituted penalties to address such responsibility, encompassing diverse forms of compensation for detrimental activities. These measures are implemented either internationally, in accordance with established principles of international law, or domestically, through national legislation. This constitutes the focal point of our research, which aims to delve into the concept of environmental responsibility, delineate its various manifestations, assess the approaches adopted by Algerian lawmakers, and elucidate the processes involved in determining and evaluating responsibility, along with their ensuing implications.

Article info

Received
24 January 2024
Accepted
05 March 2024

Keyword:

- ✓ Responsibility
- ✓ Environmental Damage
- ✓ Effects
- ✓ Penalties Resulting from Responsibility.

* Corresponding author

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

Introduction :

The issue of marine environmental damage, its compensation, and the restoration of affected areas are among the most critical topics discussed both internationally and nationally. This is particularly pertinent given the rapid technological and industrial advancements, especially in maritime activities such as transportation, shipping, maritime investment, and exploration. These activities, visible in various practices conducted on marine surfaces and in depths, have profound implications for human, plant, and animal life, leading to significant adverse impacts on marine ecosystems. Moreover, they give rise to new risks and industrial activities that threaten subterranean resources and aquatic environments. Considering that these environments represent a common heritage for humanity, the long-term consequences of their degradation inevitably affect future generations. Thus, safeguarding their right to a clean and healthy environment is essential for ensuring peaceful and secure living conditions at both domestic and international levels.

Given the far-reaching and enduring consequences of environmental damage, both broadly and specifically within marine ecosystems, and its transboundary nature, particularly evident in the pollution of seas, oceans, rivers, and water bodies, modern legislation has acknowledged the need to assign responsibility for harmful actions regardless of their origin. Such legislation has prescribed penalties for such actions, which materialize in various forms of compensation, whether at the international level in accordance with international law or domestically through national legislation.

What are the implications of establishing and assigning responsibility in cases of maritime environmental damage? This question will be explored by examining the ramifications of such damage on marine ecosystems and its civil repercussions, as well as how it has been addressed through the determination of criminal liability and its consequences.

Chapter 01: **Compensation: Definition, Basis, Forms, and Assessment**

1st Issue: **Definition and Basis of Compensation for Damage**

We will study the topic of compensation, elucidating its legal aspects, beginning with defining compensation and delineating its legal nature. We will then explore the different forms of compensation and how it is determined.

Firstly : the concept of compensation for maritime environmental damage

At the outset of the topic, we will define compensation linguistically and terminologically, as well as its legal nature and basis. Then, we will discuss the various forms of compensation and how this compensation is determined.

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

The term "compensation" is derived from the verb "compensate," meaning to give something in return for something else, or to take something as a replacement. In legal terminology, compensation is defined as the financial equivalent that one must provide for causing harm to another in person, property, or honor. It also refers to rectifying the damage suffered by the victim.

Compensation differs from punishment, which aims to hold the perpetrator accountable for their actions and deter others. The purpose of compensation is to restore the balance disrupted by the occurrence of damage and return the victim to their state prior to being harmed. Initially, compensation was a consequence of individual civil liability but has evolved into a specific legal obligation, obtained by the victim regardless of who caused the harm. This represents a new connection between compensation and damage, related to social solidarity.

Compensation is the optimal means to mitigate and alleviate the impact of damage, if not entirely eradicate it, as its purpose is to restore balance in relational dynamics. The direct damage suffered by the victim is the subject of compensation because the aim of compensation is to restore equilibrium in interpersonal relationships.

The principles of liability requiring compensation have been addressed by national legislation, incorporated into international law, and derived from it.

Secondly: How to assess compensation and its basis

The issue of estimating the amount of compensation for maritime environmental damage and its consequences is a significant matter. Several questions arise regarding the issue of compensation due to its effects on both individuals and states, especially considering that environmental damage can have long-lasting effects, spanning generations and affecting entire countries or even continents, given the nature of the environment in which the damage occurs, particularly aquatic environments manifested in oceans, rivers, and water bodies extending across continents, intertwining and spreading.

1. **Compensation for material environmental damage**: Financial compensation is provided for damages incurred by individuals in their financial affairs. This compensation covers losses suffered and profits foregone by the victim, according to the general principles in national civil legislations, including Algerian civil law under Article 124 and subsequent articles. The compensation must be commensurate with the damage suffered by the victim, whether probable or improbable. It includes both actual losses and foregone income, including future income loss suffered by the victim.

2. **Compensation for physical environmental damage**: Individuals

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

may suffer physical harm as a result of environmental damage, such as water pollution affecting their daily water supply or inhaling air contaminated with toxic emissions from factories or maritime facilities, or due to residing near or within a specific maritime environment. Consequently, compensation is required for bodily harm, resulting in financial loss and affecting health, compensating the victim for any injuries suffered, whether partial or total. It's worth noting that the right to compensation for physical damage transfers to the heirs of the victim as part of the estate.

3. **Compensation for non-material environmental damage**: Non-material damage refers to harm that does not affect the individual's financial affairs but targets their abstract moral standing. Non-material damage takes various forms, including damage to social status such as honor, reputation, or privacy, as well as emotional and psychological distress.

4. **Compensation for environmental damage as a means of livelihood**: Environmental habitats, geographic areas, or aquatic environments may be damaged, such as water bodies being polluted by oil spills. For instance, the Public Prosecution in Kuwait, in the Ahmadi Governorate, directed charges against "Tetoukin Jima" as the captain of the tanker "Nohol Maru," which caused internal water pollution in Kuwait due to the failure to maintain the left tank valve number (2) of the tanker, resulting in the leakage of crude oil into the sea. They were fined three thousand Kuwaiti Dinars.

However, judicial authorities, at various levels, may consider these methods or approaches as mere indicative factors to be used when assessing compensation in lawsuits brought before them, rather than being binding in any country.

2nd Issue: Forms of Compensation and Assessment Methods

The compensation aimed at rectifying damage resulting from the violation of international law is not singular but diverse. It can take the form of either specific performance or monetary compensation.

1. **Forms of Compensation**:

A- Specific performance: When pollution occurs, it not only affects individuals or their property but also harms elements of the natural environment such as water, air, and soil. It disrupts ecological systems. If the polluter is proven responsible, they are obligated to rectify the damage caused by pollution. This rectification is achieved through specific performance.

Specific performance refers to the restoration of rights, properties, or legal and

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

factual positions to their pre-damage state by the responsible state under its international obligations according to the rules of international law. Although the judge is not obliged to order specific performance, it is necessary if requested by the creditor, as it is the most effective means of compensation. It leads to complete repair of the damage and is more common in contractual obligations, where it is often feasible to compel the debtor to perform specifically. However, in cases of tort liability, its scope is limited because specific performance is only possible where the wrong committed by the debtor takes the form of an act that can be undone.

As for Algerian law, the Algerian legislator has established several mechanisms within environmental protection laws for restoring the situation to its original state before environmental damage occurs. Referring to Law 10/03, Article 105 allows the judge to restore places to their original state if a facility is used without obtaining the required license specified in Article 19 of the same law. Law 19/01 obliges waste producers or holders, if they are unable to dispose of or utilize their waste, to ensure the removal of these waste in an environmentally rational manner. The law also penalizes violations of waste disposal regulations and unauthorized waste disposal or treatment.

B-Monetary Compensation:Monetary compensation refers to the payment of a sum of money by the responsible state as compensation for damages resulting from its unlawful actions that caused harm to others. It may be the sole form of compensation or an additional or complementary compensation to specific performance, which the violating state commits to under the provisions of international humanitarian law, especially when specific performance is not sufficient to repair the existing damage.

Monetary compensation must be full, meaning that the amount payable must be equivalent in value to the restoration, whether the monetary compensation is in lieu of or in addition to specific performance.

Regarding the damages covered by monetary compensation, they include both material and moral damages, whether direct or indirect, when they are proximate and a natural consequence of the unlawful act.

Monetary compensation also includes interest and lost profits when necessary. The affected party can claim either or both forms of compensation in full.

C- Reconciliation (Satisfaction): Reconciliation refers to the responsible state's action of not ratifying acts issued by its officials and authorities. Examples include offering a diplomatic apology, dismissing the responsible employee, or subjecting them to trial.

Resorting to reconciliation can occur regardless of whether the unlawful act

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

resulted in material damages. There should be no correlation between reconciliation and the absence of material damages because reconciliation is no less important than other forms of compensation and may sometimes exceed them in significance.

It is worth noting that repairing damage through reconciliation may involve several combined measures, such as compelling the violating state to offer an apology, punish the perpetrator of the harmful act, and provide financial compensation.

Chapter 2: Accountability Resulting from Criminal Liability

1stIssue: Legal Attribution of Criminal Liability

Environmental crime necessitates the application of criminal liability principles, defining criminal liability in positive laws as: "The individual's accountability for their criminal act, subjecting them to the punishment prescribed for their act in criminal law after committing the criminal offense." It also defines it as: "The obligation to bear the consequences imposed by criminal law for the commission of a crime."

At the international level, international criminal responsibility can be defined as the obligation of an individual to bear the consequences of their criminal act by committing an international crime that threatens international peace and security, deserving punishment by the international community.

The purpose of criminalizing various forms of pollution, in general, and maritime pollution in particular, is manifested in the legislature's desire to protect environmental elements, not merely to criminalize certain criminal actions but also to prevent endangering environmental elements.

Furthermore, there is a possibility that the criminal outcome may not be achieved within a certain timeframe, necessitating environmental legislation to criminalize pollution regardless of achieving the material outcome.

First: Holding the legal entity accountable for the legal entity

The criminal liability of legal entities has witnessed legislative development, leading to significant jurisprudential debate, with opinions divided between supporters and opponents of holding legal entities criminally liable.

A crime committed by a legal entity deviates from the principle of specialization, as it is the entity that possesses legal or moral personality when committing it.

Legal entities pose a criminal threat, especially in the field of environmental pollution, where the crimes they commit are more dangerous and significant than those committed by natural persons, whether at the national or international level. Environmental crimes, especially air, water, and radioactive pollution with nuclear waste, can be committed by any ordinary

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

individual, but when committed by legal entities, they carry a particular danger due to the increased damages affecting a large sector of the victims.

Legal entities vary, including general and specific entities, regional and institutional entities, as well as public and private entities. They are subject to different legal rules, objectives, means, and activity methods. Therefore, identifying legal entities subject to criminal accountability is essential.

01/ In comparative legislation:

The British legislation is considered one of the oldest legal frameworks that adopted criminal liability for legal entities, which was the result of a judicial trend that affirmed this liability. Criminal liability for legal entities in England is considered a product of judicial interpretation, where the criminal responsibility of legal entities for crimes related to environmental pollution and public health damage was established. The English law for environmental protection in 1980, concerning the protection of marine environments from oil pollution, explicitly held legal entities criminally accountable in its second article.

Similarly, the American judiciary played a significant role in establishing the rules of criminal liability for legal entities. Several judicial rulings, such as the decision of the New Jersey court in 1825 imposing a fine on a company that constructed a road over a navigable river, thus obstructing navigation, and the verdict of the New York court in 1958 against the company Fertrappers Candien for breach of trust, affirmed this liability. Subsequently, the American legislature adopted this idea and issued several legislations explicitly establishing criminal liability for legal entities, such as consumer protection laws and regulations governing the production and distribution of hazardous materials. The American legislature also recognized the criminal liability of legal entities for environmental pollution crimes, especially in laws related to water and air pollution protection.

Egyptian legislation: The Egyptian legislature adopted the principle of holding legal entities accountable for environmental pollution crimes through Law No. 4 of 1994 concerning the environment, in several articles including 32, 40, 87, 93, and 97.

02/ In Algerian legislation: The Algerian legislator included the dissolution of legal entities as part of complementary penalties in the Penal Code. Additionally, the dissolution of legal entities and their prohibition from conducting activities, even under different names, directors, board members, or managers instigating the dissolution of the legal entity, require the liquidation of their assets while preserving the rights of others acting in good faith. Moreover, security measures such as asset seizure and closure of establishments may be taken against legal entities, either

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

temporarily or permanently, under specific conditions.

For criminal liability of legal entities in crimes of maritime environmental pollution, the following conditions must be met:

1. Committing the crime for the benefit of the legal entity: This condition is imposed to limit the liability of legal entities for crimes committed by their representatives if done for their personal gain. Given the importance of this condition, most legislations that establish liability for legal entities include it explicitly. Therefore, if the legislator does not explicitly require this condition, the actions performed by natural persons for the benefit of the legal entity or the actions constituting the crime must have been carried out to serve the interests of the legal entity. The natural person acts to gain profit or avoid harm, and the interests of the legal entity resulting from the commission of the crime may be material or moral, current or future, direct or indirect. Thus, the failure to meet this condition entails not holding the legal entity accountable for the crime committed by its representatives if done for personal gain, for the benefit of another person, or for the benefit of the legal entity.

B/ Committing the Crime by the Legal Entity's Agent or Representative:

This condition is crucial for distinguishing between the criminal liability of legal entities and the liability of natural persons who may commit acts related to the entity's activities. The perpetrator of the act must be the legal representative of the entity, represented by its natural agents.

Based on the above, criminal liability can be attributed to the legal entity, taking into account its nature when assessing the penalty imposed. Due to the impracticality of applying certain penalties and the nature of the legal entity, it cannot engage in activities except through natural persons who represent it and act on its behalf. They are, in essence, the hands that work and the minds that think for the entity. For the liability of the legal entity to be established, the crime must have been committed by one of the individuals representing it, managing it, acting for it, or on its behalf.

Crimes may be committed using the resources provided by the legal entity to those managing it. This supports the link between the actions of its agents and the resources placed at their disposal by the legal entity for their work.

For the legal entity to be held accountable for acts or actions committed in its name, several conditions must be met:

- The legal authorization of the actor.
- The actor's actions fall within the scope of the authorization.
- The actor's actions occur while performing work and using the

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

resources provided by the legal entity under its authority.

First Requirement: Legal Allocation of Criminal Liability

Liability for environmental damages in general, and maritime damages in particular, is not like other types of liability. There are several aspects that distinguish it, whether in terms of defining its elements, the nature of the persons bearing it, or the national and international legal rules governing that liability.

As a result of the increasing economic activities and the proliferation of various companies since the Industrial Revolution, the idea of criminal liability for the actions of others and the criminal liability of legal entities has found strong support and applications in both national and international courts.

Firstly : Regarding natural person:

Multiple environmental protection laws have addressed the concept of identifying the person responsible for harmful acts in environmental crimes, generally and maritime specifically. They have indicated the owner or operator of the facility, who may be the head of the establishment, one of its managers, or someone directly involved in its management.

The manager is the natural person responsible for managing the affairs of the legal entity. Most environmental legislations address the manager as the primary and direct responsible party for managing the establishment that caused environmental damage. The manager must respect and implement environmental laws and regulations.

The manager's responsibility is divided into two categories: personal liability and indirect liability for the actions of their subordinates or others.

1. Liability of the causer of harm due to personal fault:

   - Material attribution: This involves establishing a causal relationship between the act and the perpetrator. The primary actor is the person who carries out the material elements of the crime as defined by law. In cases of omission crimes, the actor is the one responsible for fulfilling the duty.

   - Contractual attribution: Employers may choose the person responsible for all violations committed by the establishment's workers under the penalty of criminal liability for any violations.

2. Liability of the natural person for the acts of others:

- This is a recent trend establishing objective liability, based on contractual attribution of the crime as a way to assign a specific natural person to commit certain crimes. It argues for the necessity of error and criminal liability in the newly

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

enacted penal laws to hold the same status as criminal intent in traditional criminal laws.

Second Requirement: Penalties and punishments imposed for criminal liability

- Criminal penalties applied to entities and structures:

o Most legislations agree on two types of penalties in the field of environmental damage: sanctions and precautionary measures. 01/ Sanctions: Criminal sanctions range from imprisonment to fines. Some laws impose both penalties simultaneously or either of them.

▪ Imprisonment: This penalty is characterized by severity and is associated with extremely dangerous offenses that result in human fatalities.

▪ Detention: Most legislations recognize detention as a penalty for environmental crimes that cause environmental and health damages leading to permanent disability. For instance, the Algerian Environmental Protection Law for Sustainable Development N° 03-10 of July 19, 2003, in Articles 90, 92, 93, 94, and 95.

B) Financial Penalties : Financial penalties are divided into fines and confiscation.

- Fines : This entails the convicted party paying a predetermined amount to the public treasury as specified in the judgment. Most legislations have leaned towards this direction, including Algerian legislation, due to its economic activity and financial aspect.

For example, the Algerian Environmental Protection Law for Sustainable Development N° 03-10, dated July 19, 2003, in Articles 97, 98, 100, 102, 106, and 104.

- Confiscation : Confiscation is a financial penalty imposed in environmental crimes, intending to transfer ownership of the establishment, structure, or institution to the state without compensation. It replaces the property with that of the state, forcibly depriving the owner. It is considered one of the penalties of a material nature.

Moreover, confiscation diminishes the financial assets of the convicted party, which undermines the resolve of environmental pollution perpetrators and eradicates the causes of the crime.

Secondly: Preventive or Precautionary Measures

Legislations regarding environmental crimes have emphasized precautionary measures alongside the primary penalties for the offense. These measures often have a subsidiary or complementary nature. Examples of precautionary measures in the field of environmental crimes include :

1. Closure of the establishment : This is a severe penalty imposed on natural and

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

legal persons, akin to a death sentence in legal terms. Closure results in the legal termination of the legal entity when it unlawfully deviates from its intended purpose or objective.

While imprisonment deprives a natural person of freedom, closure prevents a legal entity from conducting its activities. It is a temporary precautionary measure and a judicial action, aimed at prohibiting the operation and cessation of establishments that exploit individuals, cause harm to them, or pose a danger to them.

2. Suspension of the legal entity's operations or dissolution : The French legislator adopted the penalty of closure for environmental crimes. The Law N° 60/845, issued on August 5, 1960, concerning air pollution, included closure as an optional complementary penalty for establishments causing air pollution. This was reiterated in Law N° 76/663, issued on July 9, 1976, concerning environmentally classified establishments, amended on July 3, 1982, introducing closure as an optional complementary penalty alongside the primary penalties imposed on operators.

3. Prohibition of activity : This measure entails prohibiting the convicted party from engaging in the activity that caused environmental pollution. This is achieved by revoking, suspending, or canceling the license permitting the activity.

The French legislator accepted this measure in Law N° 72/633, issued on July 2, 1972, concerning waste disposal, where the court was authorized to impose a prohibition on professional activity alongside the penalty of closure of the establishment.

Thirdly : Non-criminal Penalties

Non-criminal penalties consist of administrative penalties with a preventive nature, significantly aiding in mitigating environmental damages. They have demonstrated their efficacy in scientific reality and affirmed their utility alongside criminal penalties. These are adopted by administrative authorities against natural and legal persons, including :

1. Administrative fine: The administrative fine represents a form of administrative penalty in administrative law, being a financial penalty determined and imposed by the administration upon the violator, as stipulated by the legislator.

2. Suspension, revocation, or withdrawal of license : Competent administrative authorities in environmental protection laws can suspend, withdraw, or revoke licenses if it is established that a violation breaches the conditions for carrying out the activity.

3. Seizure or prohibition of the use of hazardous machinery or substances : Environmental protection authorities can take necessary decisions to seize or

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

prohibit the use of machinery, equipment, or substances if they pose environmental or health risks.

Conclusion:

The issue of determining liability for maritime environmental damages and assessing their consequences has emerged as a significant concern for accountability and compensation, attracting international attention and prompting cooperation within the global community to achieve international environmental security. This is intricately linked to both environmental preservation and international stability.

In order to safeguard environmental rights, which have become a focal point of contemporary international law advocated by the United Nations across its various agencies and structures, efforts have intensified both domestically and internationally to mitigate maritime environmental damages. This has involved the negotiation of numerous regional and international agreements, with their provisions subsequently incorporated into national legislation, aiming to mitigate environmental harm and uphold what is now termed international environmental security—a modern paradigm that integrates security as a holistic concept with comprehensive measures for protection and prevention, addressing underlying causes and indicators of insecurity.

On one hand, there is the concept of the environment, encompassing the surroundings and their diverse elements, where living organisms, including humans, interact with and are influenced by their surroundings.

Ensuring the notion of environmental security in its contemporary context involves providing essential protection for the maritime environment against serious infringements, combating various forms of maritime pollution, and compensating for damages resulting from such infringements through diverse means and methodologies.

Similar to other modern legal frameworks, Algerian legislation acknowledges the significance of protecting and preserving the maritime environment. Its environmental laws and internal regulations underscore the importance of safeguarding the maritime environment, establishing deterrent measures, and affirming responsibility for those causing harm, irrespective of the nature or characteristics of the perpetrators. This is aimed at safeguarding individuals' right to reside in a healthy and clean environment, a principle enshrined in the recent Algerian Constitution.

References

1. Al -Munjid in Language and Media, Edition 26, Dar Al -Mashreq, Beirut, 1986, p. 538.
2. Al -Munajjid Al -Abjadi, Eighth Edition, Dar Al -Mashreq, Beirut, 1986, p. 722.
3. See the website, www.islammessage.com

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)

4. Ammar Assistants, International European Colonial Responsibility, Master of International Law and International Relations, Institute of Legal and Administrative Sciences, Algeria, 1986, p. 213.
5. See Article 42 of the draft law responsibility of states.
6. Another team of jurisprudence believes that the literary satisfaction is usually represented in an apology or the expression of regret for literary damage only, see Muhammad Samer Abdel Hamid and others, General International Law, University Publications House, Alexandria, 2003, p. 278.
7. 1.-Walle Ali Al-Safo, Definition of Criminal Responsibility, WWW Rights .uomosul.edu.iq. The date of the visit 14 5103/05/05
8. (Dr. Abdul HGGI Suleiman Suleiman, Essential introductions in international criminal law, previous reference, p. 099) 3 (Fayza Younis Al -Basha, Organized Crime, Arab Renaissance House, Cairo, 5115 p.
9. Dr. Salim Samoudi, Criminal Responsibility for the Moral Person) D, a comparison between Algerian legislation and French legislation (, Dar Al -Huda, Algeria, 5118, p. 5
10. Article 17 of the Algerian Penal Code.
11. Dr. Muhammad Hassan Al -Kandari, Criminal responsibility for environmental pollution, Arab Renaissance House, Cairo, 2006, p. 176.
12. Dr. Basma Abd al -Mu'ti Abd al -Fattah al -Hourani, the criminal responsibility for the pollution of the environment in Jordanian laws and international covenants, p. 162.
13. Adel Maher Al -Alfy, Criminal Protection of the Environment, Comparative, Maher Al -Alfi, Adel, Criminal Protection of the Environment, Comparative Study, p. 291
14. Ahmed Shawqi Omar Abu Khatta, Equality in Criminal Code, Arab Renaissance House, Cairo, 1998 p. 2334
15. . Badria Abdullah Al -Awadi, a brief study of environmental legislation in the countries of the Arab region, a study that prepared for the Judicial role conference in developing environmental law in the Arab region held in the State of Kuwait. 2002
16. (Rami Youssef Mohamed Nasser, Criminal Responsibility for the Leader for Economic Crime, previous reference, p. 85.84

Attribution - Pas d'Utilisation Commerciale - Pas de Modification 4.0 International (CC BY-NC-ND 4.0)