

# THE LEGAL SYSTEM FOR ENVIRONMENTAL PROTECTION AS A PREREQUISITE FOR ACHIEVING SUSTAINABLE DEVELOPMENT

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## Abstract:

*Sustainable development is considered one of the means to increase human well-being, but what has happened is the opposite, where development has become one of the means that contributed to the depletion of environmental resources and the creation of pollution within it. Such a development can be described as a development that benefits the economy more than the environment or people, it is an “economic development” and not an “environmental development” that benefits from environmental resources and exploits them to serve the economy, which has led to the emergence of many problems.*

*Therefore, it is necessary to recognise the regional and international efforts to promote sustainable development in the Arab region with the aim of providing a clean, safe and sustainable environment for future generations through the implementation of development policies characterised by the integration of the environmental element and the balance between the priorities of economic growth.*

**Keywords:** *Environment, Local and international environmental efforts, Sustainable development.*

## INTRODUCTION:

The subject of the environment, its corruption and its rehabilitation, requires the consideration of scientists and researchers. It is not only a matter of monitoring pollution, calculating its rates and explaining its risks, but also of the need to explore ways of protecting the environment in order to achieve sustainable development (Ben Ahmed Abdel Moneim, 2009, pp. 01-02). The concept of environmental protection has crystallised through two main trends. The first was adopted by the Western world and was based on achieving a balance between environmental protection and development. The second was adopted by the countries of the Third World, including Algeria, where it was based on opposition to the Western approach to environmental protection as a new form of denying these countries the right to development. Although it is unfair to deny the importance and vitality of the development choice for the countries of the Third World in order to achieve strategic social and economic interests, the effects of this choice adopted by the countries of the Third World have been disastrous both for the environment and for development (Wanas Yahya, 2007, p.01).

Algeria is one of the countries that has recognised the importance of preserving the environment and has developed strategies to protect it and reduce its problems, since the establishment of the first environmental protection agency known as the National Council for the Environment in 1974, followed by the preparation of the legal framework for the environment in 1983 with the issuance of the Environmental Law 83/03, and the adoption of the National Action Plan for the Environment and Sustainable Development in 2001 (Sami Zaabat and Abdel Hamid Merghit, 2015, p.02). At the same time, the growing interest in environmental issues and their protection as an economic and social priority led to the adoption of this initiative by a number of international organisations, most notably the United Nations, starting with the holding of a special conference on the environment and development, known as the United Nations Conference on Environment and Development (Ahmed Lami, 2013, p.89).

The environment is everything related to all natural or artificial elements that affect human life (Jean Marc LAVIEILLE, 1988, p.07). Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs, taking into account the environmental, social and economic dimensions (Draft Law No. 118/2006, p.04). The transition to a more environmentally sustainable and socially inclusive economy is a reorientation

of growth to ensure that economic, social and environmental dimensions are given equal importance in the setting of objectives.

To achieve this framework, it will be necessary to translate the concept of sustainable development into practical policies and to ensure that the three dimensions are addressed. Environmental challenges are inextricably linked to social challenges and must be comprehensively addressed together (International Labour Office, 2013, p.07).

With this in mind, the question we seek to address in this study is: What are the requirements for building a sustainable environmental system? And what are the indicators to measure it?

To answer this question, the study covers the following two main points:

1. Conceptual analysis of the environment in a sustainable way.
2. A framework of global indicators as a blueprint for sustainable development.

**The first axis: conceptual analysis of the environment in a sustainable way**

The relationship between the environment and development has long been debated. The issue is complex and intertwined as it encompasses social, economic and political issues based on the need for development on the one hand and its increasing (negative) impact on the environment on the other, especially with scientific and technological progress (Kamal Maaify, 2016, p.49). Therefore, it is necessary to define the meaning of both environment and development.

**First - General concepts about the environment:**

There are several and different definitions of the environment. The environment in its general sense is the spatial milieu in which humans live, including natural and human phenomena that affect and influence humans (Aqeel Hamid Jaber Al-Helu, et al., 2013, p.45). Thus, the intended meaning of the environment is addressed linguistically, terminologically and legally.

**A- The broad linguistic and terminological definition of the environment:**

Linguistically, there is no single broad definition of the environment that determines its multiple scopes, due to the interrelated relationship between living beings and the medium in which they live, and the various factors of influence and impact at all levels. On this basis, there is a slight difference in the linguistic definition of the environment between the Arabic, French and English languages.

In Arabic, the verb 'طبيعة' means to dwell, to descend and to stand, and the noun derived from the verb is 'البيئة' (the environment). Arab linguists have therefore used the terms "البيئة", "الباءة" and "المنزل" (the dwelling) as vocabulary.

In the French language, the term "environment" is considered a new word and the French Larousse dictionary has included it in its vocabulary to express the set of natural and artificial elements necessary for human life. The French dictionary Petit Robert defines the environment as "the set of natural (organic-chemical-biological), cultural and social conditions that can influence living beings and human activities".

The term "environment" is used in English to refer to the surrounding conditions that influence the growth and development of a living organism or group of living organisms. It is also used to express the difficult conditions such as air, water and land in which humans live. In addition, it is used to describe the medium, environment, or place that surrounds a person and influences his feelings, morals, and thoughts (Ahmed Lakhali, 2015, pp. 24-26).

The linguistic meaning of the term "environment" refers to the place and home, as in the expression "He made a dwelling for him", meaning that He prepared it for him, accommodated him, and enabled him to dwell in it. The noun "environment" (البيئة) and "dwelling" (الباءة) are used to refer to the place where a people settle, whether it is in a valley or at the foot of a mountain. The term "dwelling" (المباءة) is also used to refer to the place where camels sleep or rest (Abdullah Mohammad Hano, n.d., p.02).

From a terminological point of view, the environment means the vital surroundings or medium for living beings. It was logical that more attention should be given to defining the terminological meaning. In fact, there are many definitions that have been mentioned in foreign, especially English, terminology, which define the concept of environment based on the actual use of each of the different environmental terms. The term "environment" (Environnement) is referred to as the setting or surroundings that surround the living being, as well as the set of factors that influence the growth



and development of the living being. In scientific terminology, the environment is defined as “the space in which humans carry out their various life activities and which includes all living beings, animals and plants with which humans coexist” (Hichem Bashir, 2011, p.10).

The environment is described by another group of scientists as “the medium surrounding the human being, including all material and non-material aspects, both human and non-human”. The environment means everything outside the human being and everything that surrounds him from existing things. The air that the human being breathes, the water that he/she drinks, the land on which he/she lives and cultivates, and the living or inanimate objects that surround him/her are elements of the environment in which he/she lives, which is considered the framework in which he/she practices his/her various lives and activities (Alaa Al-Dhawi Basita and Hisham Bashir, 2013, pp. 18-19).

Regarding the definition of the environment in legal terminology, the pens of jurists have not agreed on a unified definition of the environment, which is mainly due to the different perspectives of researchers. The legislator himself gives several definitions of the same term, because of the different legal fields in which he legislates, whether civil, criminal or administrative.

The scientific and industrial developments that have dominated the world in recent years have given the environment a value of great importance, which has led some countries to emphasise its legal importance in their constitutions, as the supreme document of the State. In this context, we find the Greek Constitution of 1975, since article 24 of it includes the legal protection of the natural and cultural environment.

In this area, it should be noted that the main relevant laws do not follow the same trend in clarifying the elements that make up the term “environment”, as some of them greatly expand it, while others greatly restrict it (Mohammad Khaled Jamal Rustam, 2006, pp. 11-12).

The definition of the environment in the Iraqi Law No. 03 of 1997 states that it is “the physical, chemical and biological medium surrounding living beings” (Law 03/1997).

The environment is the living and physical surroundings, which includes living organisms such as humans, animals and plants, and everything that surrounds them, including natural habitats, air, water, soil and the solid, liquid, gaseous or natural radiation materials, as well as the fixed and mobile structures built by humans (Law 42/2014).

It has also been defined by the United Nations Environment Programme as “the set of natural and social resources available at a given time to meet human needs” (Alaa Al-Dawi Basita and Hisham Bashir, 2011, p.19). It should be noted that in 1998, the European Commission recorded 600 complaints related to environmental issues (Sandrine Mal Jean-DUBOIS, 2000, p.15), so we must develop programmes and projects to preserve the environment.

Finally, we can see from the above that there is a clear overlap and harmony between the linguistic, terminological and legal meanings of the word “environment”, since in the previous meanings of the environment, the latter is considered to be the place where man lives and lives, although within intertwined circles, as the house is an environment, the neighbourhood is an environment, the city is an environment and the country is an environment, until we reach the mother environment, which is the Earth.

Scientists, however, disagree on what the natural element is, and for them it is environmental science (knowledge of the economy of nature, and monitoring the relationship of an animal to its organic and inorganic environment, including in addition to all its good and hostile validity, with animals and plants directly related to it).

However, the majority of writers consider that the elements of the environment are not only limited to the natural elements, represented by the sum of the natural components in whose existence man has no role, as their existence precedes the existence of man on earth, such as water, air, soil, plants and animals, but also include the elements that man has built in order to control nature (Zankana, 2012, pp. 30-31). Accordingly, the environment is the main field that has emerged under a double influence (Jean-Claude MASCLET & Michel BARNIER, 1997, p.01).

**Second - International environmental efforts to achieve sustainable development:**



Sustainable development is considered to be one of the most important issues to be focused on in recent times, and the basic purpose of sustainability can be summarised as reducing the impact of the built environment on the natural environment in order to ensure a high quality of life for future generations. Sustainable development is not a new phenomenon, but has existed since ancient civilisations and is therefore a phenomenon that has been defined by both ancient and modern declarations of states.

#### **A. Ancient international declarations on sustainable development:**

Sustainable development is not a new phenomenon of interest, as concern for the environment and the conservation and development of resources was one of the goals sought by people in ancient civilisations. There is clear evidence of this in the patterns of agriculture and irrigation that prevailed in Mesopotamia (modern Iraq) and in the ancient Egyptian civilisation, and it was also prominent in the writings of Greek philosophers such as Aristotle and Plato, in addition to references in the heavenly books, which urged a balanced relationship between human activity and the natural environment in which man lives. The observer of the discourse of the Holy Qur'an notes the extent of the interest in nature, its elements and its balance, as well as the earth and its living beings, in addition to the noble prophetic hadiths that call for the wise use of the earth's resources, such as water and pasture, and reject waste and extravagance.

It was not until the second half of the last century that interest in this issue took on a methodological approach, when, in parallel with the emergence of a social demand for environmental protection, research groups began to look at the existing relationship between activities and the question of the transfer of natural capital to future generations. This issue had already emerged at the beginning of the twentieth century, with the Canadian Committee for Environmental Conservation raising the issue in 1915, and the International Union for the Conservation of Natural Resources, founded in 1948, issuing a report on the "Declaration on the Conservation of Nature Worldwide" in 1950, which is considered to be the forerunner of the current approach to reconciling the environment and the economy.

The document focused on the conservation of nature, but it was the preference for a new message that defined the change that had occurred in the defenders of nature conservation, as the contradiction between the conservation of nature and economic development had disappeared, and the concept of sustainable development was established on the basis of this analysis, recognising the existence of a close relationship that unites the economy with the environment. Thus, the first report of the Club of Rome, entitled "Enough of Growth", published in 1970, presented the hypothesis of the environmental limits of economic growth, which caused a stir between the environmentalists who advocated zero growth and the advocates of growth at any cost.

The first attempt to reconcile the two tendencies was made at the United Nations Conference on the Human Environment in Stockholm in 1972, where the concept of sustainable development, formulated by scientists such as Ignacy Sachs and Maurice Strong, was born.

They placed at the forefront of their concerns a development model that respects the environment, pays particular attention to the effective management of natural resources, and makes economic development compatible with social justice and environmental protection.

The approach adopted by these people is highly voluntaristic and institutional, where interventions in the following four areas make it possible to achieve the three objectives represented by economic growth, social justice and environmental protection: control of the use of resources, use of clean technologies that manage the production of waste and the use of pollutants, sensible localisation of economic activities, and adaptation of consumption patterns to environmental and social constraints, i.e. prioritising needs over demand.

Needless to say, regardless of the origin of the concept and the history of its birth, sustainable development has now become widespread, commonly used and diverse in meaning, and has begun to be associated with any development pattern, such as sustainable agricultural development, sustainable industrial development, sustainable human development, sustainable tourism development, etc. (Nawzad Abdul Rahman Al-Hiti and Hassan Ibrahim Al-Mouhandi, 2008, pp. 11-12).



### **B- Recent international declarations on sustainable development:**

Development is a value-laden word and there is no complete consensus on its normative concept. Development can be defined as directed forces and efforts to achieve certain goals, to increase productivity, to improve the course of a context, to enhance the quality of something, to change the structure of something for the better, or to expand options. The concept of sustainable development has emerged only recently, in the second half of the last century, as part of the international awareness of the relationship between people, development and the environment. Sustainable development is development that meets the needs of future generations as well as those of the present, by increasing productive capacity in harmony with population growth and ensuring equal opportunities for all.

All these things can be achieved by always taking the environment into account. Therefore, sustainable development can be considered an ethical and humanitarian issue before it is a social and economic one, because it is a crucial and futuristic issue that controls the conditions of future generations. That is the condition of sustainability. Development programmes whose essence is the depletion of resources and the consumption of natural capital to achieve material gains without considering the fate of future generations are capitalist development programmes that do not belong to sustainable development programmes (Ali Qabousah and Hamza Tayib, 2014, pp. 182-183).

Sustainable development is a comprehensive definition to meet the needs of people in the present and improve their living conditions without compromising the ability of future generations to achieve their goals. It has three interrelated pillars: economic development, social development and environmental protection. The idea of sustainable development was officially endorsed at the Earth Summit Conference held in Rio de Janeiro in 1992, where world leaders recognised the importance of sustainable development, particularly in light of the fact that a large proportion of the world's population still lives in poverty and that there are significant differences in the patterns of resource use between rich and poor countries (Khaled bin Mohammad Abu Al-Lif, 2014, p. 03).


The term "sustainable development" also first appeared in the Brundtland Report in 1987, which stated that "sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (Fanny RAFFAUD, p. 25). It is also defined as natural capitalism, which seeks to reassess the relationship between societies and the environment (Emmanuel RAUFFLET & Diego MENA, 2012, p. 07).

With reference to Law No. 03/01 on the Sustainable Development of Tourism, Article 03 states that "Sustainable development is a pattern of development that ensures choices and development opportunities that preserve the environment, natural resources and cultural heritage for future generations (Law 03/01).

Article 04 of Law No. 03/01 of 19 July 2003 on the protection of the environment in the context of sustainable development also defines it as follows: "Sustainable development is a concept that means reconciling sustainable social and economic development with environmental protection, i.e. incorporating the environmental dimension in a development that ensures that the needs of present and future generations are met" (Law 03/01). The definition of sustainable development is new and revolutionary in development thinking, as it is the first time that economic, social and environmental needs have been integrated into a single definition (Ramy Lotfy Klaoui, 2013, p.13).

Many definitions of sustainable development have been provided in different ways, but the most widely used definition is based on the report "Our Common Future" published during the Brundtland Commission in 1987, as we mentioned earlier, which essentially states that: "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (Moubarak Fatima, 2016, p.13).

Finally, it should be noted that sustainable development has been defined as development that reconciles environmental, economic and social development, creating a virtuous circle between these three poles, being economically efficient, socially equitable and environmentally sustainable. It is development that respects natural resources and ecosystems, supports life on earth and ensures economic viability, without forgetting the social objective, which is manifested in the fight against poverty, unemployment and inequality, and the pursuit of justice (Reida Deeb and Sulaiman Maha,



2009, p.489). Sustainable development has several different indicators and dimensions that can be social, economic and cultural (Law 99-12), which will be examined in the next section.

**The Second Axis: The Framework of Global Indicators as a Plan to Achieve Sustainable Development.**

Sustainable Development Indicators help to assess the progress of countries and institutions in achieving sustainable development effectively. This leads to the adoption of many international and national decisions on economic, social and environmental policies. These indicators reflect the success of countries in achieving sustainable development (Boumdin Tashma, 2016, p. 246). The latter includes several aspects, such as the environmental aspect, where the dimensions intertwine to form an integrated combination that serves the overall goals of sustainable development.

**First, international attention to the dimensions of sustainable development:**

Through this element, we will try to identify and define each dimension of sustainable development, mainly represented in the economic, social and environmental dimensions.

**The first branch: Sustainable development at the economic level.**

The economic dimension is based on the possibility of achieving economic efficiency that makes it possible to maintain the quality of human life without harming the environment. This requires relying on a fair, solidarity-based, responsible and highly ethical economy. This can be explained by stopping the waste of natural resources, which means a radical change in consumption patterns to make them compatible with environmental requirements. This includes the consumption by countries, especially developed countries, of animal products threatened with extinction, as well as the need for continuous reduction of energy and natural resource wasting consumption through improved efficiency and lifestyle changes.

In addition to reducing the individual's share of consumption of natural resources, because what is observed today is the significant disparity in the individual's share of consumption of natural resources between developed and developing countries, where in developed countries it is many times higher than in developing countries. An example of this is the consumption of energy from oil, gas and coal, which is 33 times higher in the United States than in India. In terms of resource distribution, this also means making the opportunities for access to resources, products and services more equal for everyone in society. This equality helps to stimulate the economic development and growth needed to improve living standards.

Finally, to promote a responsible economy, which is the work of reconciling the economic performance of institutions with ethical principles, such as the protection of the environment and the preservation of social relations. Prices of goods and services should reflect the environmental and social costs of their life cycle. In this regard, industrial institutions are more responsible than others with regard to the issue of establishing a responsible economy to achieve sustainable economic development by relying on recycling waste from repairs instead of production (Boussaid Tassadit, 2015, p. 38).

In this regard, we note that traditional economists have distinguished sustainable development from economic growth and development, which did not include the ideas of environmental sustainability that have attracted the attention of environmental economists. Environmental, resource and life scientists have also pointed out that it is the biosphere that needs to be sustainable, and they are primarily concerned with the protection of biodiversity and genetic diversity, while considering growth to be a necessary thing that can help prevent environmental degradation. They point out that economists need to pay more attention to environmental and ethical aspects, and some even propose the sustainability of the international division of wealth and its redistribution in order to make sustainable development a reality at the global level (Boumediene Tashma, 2016, p. 232). Therefore, the essence of development is to find methods that are compatible with spatial areas and their characteristics and features (Mustafa Jalil Ibrahim Al-Zoubaidi, and Ammar Khalil Ibrahim Al-Zoubaidi, 2009, p.04).

This dimension refers to the relationship between nature and human beings, and to the promotion of human well-being and improved access to basic health and education services, as well as the fulfilment of minimum standards of security and respect for human rights. In this framework, the



Executive Director of the United Nations Development Programme defines sustainable human development as development that not only generates growth but also distributes its benefits promptly, renews the environment rather than destroying it, empowers people rather than marginalising them, and increases their choices and opportunities and their capacity to participate in the decisions that affect their lives.

According to this perspective, human development relies heavily on the participation of all members of society. It can be said that it is development of the people, for the people and by the people. Developing people means investing in human capabilities and expanding the range of goods and services available to them, whether in education, health or skills, so that they can work productively and creatively. Development for people means ensuring that the fruits of economic growth are widely shared. Development by the people means giving everyone the opportunity to participate in it, and the most effective form of participation in the market is through the acquisition of productive and remunerative employment.

Sustainable human development is concerned with intra-generational and inter-generational equity, enabling present and future generations to realise their full potential without neglecting the actual distribution of current opportunities. It would be strange to be deeply concerned about the well-being of future generations not yet born, while ignoring the plight of the poor of today. The social dimension of sustainable development also requires a stabilisation of population growth, because continued population growth over a long period of time and at rates similar to the present one has become costly, as it puts severe pressure on the use of natural resources, resulting in increased production of liquid, gaseous and solid waste, which means depletion of resources and deterioration of the natural environment.

Therefore, significant progress must be made to stabilise population growth, as the limits of the earth's capacity to sustain human life are unknown, and population pressure is an increasing factor in the destruction of green spaces, soil degradation, and overexploitation of wildlife and other natural resources (Hassuna Abdel Ghani, 2013, pp. 35-36). This is because its ultimate goal is to focus on social justice, ensuring transparent democracy, sustainability of institutions and cultural diversity (Ismaili Khadija and Ammoun Al-Ghaalia, 2013, p.17).

Regarding the environmental dimension, it refers to the extent to which natural and environmental resources can meet current needs without degradation, depletion, or pollution, except to the extent that it does not threaten future generations. The idea of environmental sustainability is based on leaving the country in a good state for future generations. If a person maintains their activity and performance without depleting natural resources or wasting the natural environment, that activity is naturally sustainable. This is achieved by reducing the consumption of natural materials and using materials that are fully recyclable after consumption and are renewable, and collecting them without harming the environment or depleting its resources, with a recycling rate of 100%, while preserving the energy and renewable capacity of its reserves and protecting the environment (Naif bin Nayel bin Abdulrahman Abu Ali, 1432, p.48).

Environmentally sustainable development depends on the responsible management of natural and human resources to meet the needs of the present generation while preserving the interests of future generations. This is the challenge facing individuals and communities, which requires significant efforts to raise awareness among the population about this issue (Abdullah Hassoun Mohammad et al., 2015, p. 349).

### **Second - The legal value of indicators for measuring sustainable development.**

In this section we will attempt to identify the various indicators for measuring sustainable development, as these indicators help to assess the extent to which countries and institutions are effectively achieving the goals of sustainable development. These indicators revolve around the recommendations of the United Nations Agenda for the Twenty-First Century in the areas of social, economic, environmental and institutional indicators.

#### **A- Social and economic indicators for measuring sustainable development**

By social indicators, we mean creating the conditions for countries and people to achieve social equality, a fair distribution of wealth and the eradication of poverty. Two indicators have been chosen



to measure the extent to which countries are achieving social equity (the percentage of the population living below the poverty line and the extent of the gap between the richest and poorest groups in society).

They also contribute to the achievement of adequate health care for all members of society, especially in remote and rural areas, with control of endemic and epidemic diseases resulting from environmental pollution (life expectancy at birth, maternal and infant mortality rates, and primary health care).

In addition, education, which is considered to be one of the most important human rights, as it is the most important means of achieving sustainable development for any modern society, by redirecting education towards the ways and areas of development, increasing training opportunities and raising awareness among the poor classes of the importance of education. Indicators to measure the progress of education in countries include: (the literacy rate, the degree of retention of students in the educational process, and the percentage of government spending on education and scientific research).

The economic indicators include issues of economic structure and patterns of production and consumption in countries, including economic structure, where the economic performance of countries is evaluated through: (GDP per capita, countries' trade balance, the ratio of external and domestic debt to national income of poor countries, and the extent of aid provided by rich countries). In addition to production and consumption patterns, most countries have shifted to consumerist and unsustainable production patterns that waste resources, especially on the part of the major industrialised countries. Production and consumption indicators are measured by indicators such as "the intensity of resource use in production, per capita energy consumption, waste generation and recycling, and transport availability" (World Summit, 2002, pp. 63-64).

#### **B- Environmental and institutional indicators for measuring sustainable development.**

Environmental indicators are located in the atmosphere, where there are many important issues related to the atmosphere and its changes, including climate change, ozone depletion and air quality. The impacts of these issues are directly or indirectly related to human health and the stability and balance of the environmental system. There are three main atmospheric indicators:

The first indicator is climate change, which is regulated by the United Nations Framework Convention on Climate Change and the Kyoto Protocol. The second indicator is the depletion of the ozone layer, which is monitored through the consumption of ozone-depleting substances and is governed by the Vienna Convention and the Montreal Protocol. The third indicator is limited to air quality, which is measured by the concentration of air pollutants in the outdoor environment of urban areas.


Among the environmental indicators we find land, which is a very complex and important issue with many ramifications in its relationship with sustainable development. The ways and means of land use are the main determinants of the extent to which states are committed to sustainable development and the application of its principles. Land use requires economic and political decisions with varying degrees of administrative and political responsibility. These decisions may be made at national, regional, local or personal levels.

The environmental indicators also include seas, oceans and coastal areas, as seas and oceans cover about 70% of the Earth's surface. Managing these common areas in an environmentally sustainable way is therefore one of the greatest challenges facing humanity. Maritime and coastal issues relevant to sustainable development include: degradation from land-based activities; unsustainable exploitation of fish and other living resources; marine pollution from shipping and oil and gas projects in coastal waters; protection of biodiversity and fragile ecosystems; and the relationship with climate change, including the effects of sea-level rise.

As for the institutional indicators, they represent the main issues related to the institutional indicators of sustainable development, both in terms of institutional framework and institutional capacity.

With regard to the institutional framework, the process of establishing an appropriate institutional framework for sustainable development applications includes the development of national





sustainable development strategies that aim to integrate social, economic and environmental priorities, and the taking of measures to sign and ratify global conventions.

In terms of institutional capacity, the country's ability to progress towards sustainable development is largely determined by the capacity of its people and the capacity of its institutions. A country's capacity can be measured in terms of its human, scientific, technological, organisational and institutional capabilities, as well as its resource potential. Institutional capacity improves the planning, implementation and monitoring of activities related to sustainable development. An increase in this capacity leads to an improvement in the skills and abilities of the community needed to address critical issues, evaluate policy options and implementation approaches, and understand barriers and constraints (Nozad Abdul Rahman Al-Hiti and Hassan Ibrahim Al-Mahdi, 2008, pp. 27-31). Finally, the idea of sustainability has led to the development of tools for measuring development, which previously focused solely on observing economic growth rates. At the beginning of the 1990s, these were supplemented by indicators of sustainable development, which aimed to cover the environmental, social and economic dimensions.

Sustainable development indicators were developed under the pressure of international organisations, in particular the United Nations. The latter defined several programmes for their formulation, including the United Nations Commission on Sustainable Development that emerged from the Earth Summit, which included about 130 indicators divided into four main categories: economic, social, environmental, and institutional indicators (Huwaydi Abdul Jalil, 2014, p. 220).

**Conclusion:**

In this article, we have discussed the topic "The legal system for environmental protection as one of the requirements for achieving sustainable development". The aim was to achieve sustainable development for present and future generations. On this basis, we divided the research into two main parts. The first part dealt with the conceptual analysis of the environment in a sustainable way. The second part considered the framework of global indicators as a plan to achieve sustainable development.

Through the study we conducted, we extracted a series of recommendations that can be summarised as follows:

1. The need for a binding commitment to ensure sustainable development for present and future generations.
2. Work towards a balance between the needs of social and economic development and the preservation of the environment, while promoting harmony and integration between sectoral policies.
3. The need to integrate the environmental dimension into all social and economic strategies, programmes and projects.
4. The need to empower all segments of society, through appropriate training and access to environmental information, to contribute to ensuring a healthy environment.
5. Intensify efforts to generalize environmental rehabilitation programmes.
6. Adopt a national environmental strategy and the programmes that should result from it for the preservation of environmental systems in all their components and for combating forms of pollution and hazards.
7. The preparation of a national strategy for sustainable development in all its economic, social and environmental dimensions, in order to rehabilitate its economic and social components in such a way as to ensure the protection of our environmental systems for the benefit of present and future generations.
8. The need to develop a comprehensive environmental strategy, including practical steps to reduce pollution, develop and improve institutional capacity, and improve and sustain human and environmental well-being.
9. The need to remedy the shortcomings in sustainable development indicators by providing the political and social will that will prepare the ground for the launch of this development and the launch of a future strategy to develop its indicators, address the imbalances and shortcomings and follow up the implementation of this strategy to ensure the achievement of the required objectives.

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