

# The Right to a Safe Environment and the Quality of Life

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## Abstracts

With the development in human rights in the world today, the inclusion of a safe environment has been fully adopted with the third generation of these rights. The evolution of this happened through several international conventions. The environmental interest focuses on protection of natural zones and biological diversity. Also, addressing desertification and Ozone's protection. This can be seen also in the Algerian law which sets in Article no 68 that "all citizens have the right in safe environment".

The welfare that humans aim to live in and maintain is related to the level and quality of their environment, therefore each change in weather influences sustainability of immutable natural variables which surrounds us as humans.

This research aims to answer the following question: does the implementation of environmental legislations help to develop the quality in life. Therefore, this paper aims to study the progress in environmental legislations and its relation to economic development and quality of life. The paper follows a descriptive method in order to explore these relations.

**Keywords:** Environmental Safety, Quality of Life, Environmental Legislations, Algeria.

## 1 Introduction

The 1972 International Conference on Environment and Human Development began as a landmark in the environmental right to a sound environment. Environmental conferences followed and perceptions of the importance of environmental problems and their impact on development changed. In order to guarantee this right, most of the environmental legislations started to provide protection from pollution and ensuring a healthy environment, in order to achieve the concept of quality of life in a way that guarantees a decent life for the person as a center for sustainable development.

## **2 Focus of this Paper**

This paper seeks to study environmental legislation in Algeria and quality of life. Based on three axes:

1. *Legislative development of the environment in Algeria*
2. *Status laws and quality of life*
3. *Integration of environmental and economic aspects and their role in achieving quality of life*

## **3 Literature Review**

### **3.1 Legislative Development of the environment in Algeria**

The environment is internationally defined as: "Everything that surrounds human beings affects the health of the environment. The entire city includes its homes, streets, rivers, wells and beaches. It also includes the food, drink, clothing, weather, chemical, etc. It focusses on having a clean environment free from disease-carrying germs and from all the different pollutants, whatever their source. "

As it is the center or spatial area in which a person lives affected and affects it, in all that this field includes elements and data whether natural or human data contributed to the human existence of Buildings, farms, etc.

### **3.2 International Environment Conferences**

A number of international conferences were held under the auspices of the United Nations, which laid the cornerstone of international law for the protection of the environment. They also contributed to the development of the rules of environmental law at the national level for various countries. The following are main conferences that influenced the movement of environment towards quality of life.

*a. Stockholm Conference, 1972, Sweden* The first conference to raise the slogan "Only one land" included the declaration of the environment "Declaration of the human environment" approved by most countries except China, and a program of work, which included a large number of recommendations focused on the need to preserve the environment for humans, Has been crowned with the first principle: the fundamental human right to liberty and equality, and conditions conducive to life in an environment that allows it to live in dignity and well-being, and that the human being has a duty to protect and improve the environment for present and future generations. In addition to the emphasis on sustainable development and environmental protection. It is not enough to achieve development at the level of developing countries, but it must be sustainable by preserving the natural resources of the environment in such a way as to guarantee its future generations. As well as the provision of a new human right where the President of the International Institute for Human Rights announced the development of a third generation called the rights of solidarity and includes the following rights:

- The right to development
- The right to an ecological and balanced environment
- The right to peace
- The right to the common heritage of humanity.

*B. Rio de Janeiro 1992.* The United Nations Conference on Environment and Development, known as the Earth Summit, held in Brazil in June 1992, is the most important international event in the field of environmental protection and the development of environmental law. Which resulted in the adoption of the Rio Declaration, in which the basic principles of environmental law were enshrined. The right to live a healthy and productive life in harmony with nature, as well as the neglect of the right of future generations to development, just as present generations ensure the fulfillment of social and environmental needs. This can only be achieved by integrating the environment into development and the principle of popular participation. Environmental issues are best addressed with the participation of all citizens concerned with environmental protection, ...

### **3.3 Environment in the Algerian Constitution and its Status Laws**

Attention to the environment has been translated into the constitutions of several countries after the ratification of the conventions on the environment, where it began to include a special text dedicated to the right of the human being in a healthy environment, including the Algerian Constitution and the laws of the status of the environment:

a. Algerian Constitution: The text of the environment in the Constitution of 1976 in the seventh section entitled pollution control and environmental protection where the emphasis was placed on the preservation of the ocean and the preservation of the health of the population. Environmental protection tasks have been entrusted to the National People's Assembly in the area of legislation. Following the amendment of the 1996 Constitution in 2016, the Algerian legislator expressly stated the right of citizens to a sound environment in article 68 thereof. The State has expanded

In order to ensure a healthy and balanced environment free from disease and epidemics in accordance with article 66, paragraph 2, the State shall ensure the prevention and control of epidemic and infectious diseases.

#### *Environmental laws:*

Law No. 83-03 of 05 February 1983 on the protection of the environment is the first law dealing with environmental issues. Although it does not contain a clear definition of the environment, it has set goals through the text of its first article, aiming at implementing a national environmental protection policy aimed at protecting natural resources To prevent and control all forms of pollution, and to improve the quality and quality of life. A new mechanism was also introduced in the Finance Act 91-25 of December 1991, which stipulates the pollution of "green collection" imposed by the State, since the right to a clean environment is an absolute right to ensure the contribution to decontamination and to achieve rapid development. And the regulations governing environmental collection. Then Law 03/10 on the protection of the environment within the framework of sustainable development, which dedicated the new direction of Algeria through its attempt to strengthen the complementary relationship between environment and sustainable development. However, under this law, the Algerian legislator limited the components of the environment by saying in the text of its third article: "The environment consists of non-biotic and vital natural resources such as air, air, water, land, subsoil, plant and animal, including genetic heritage and interaction between these materials as well as landscapes and natural features. " The most important principles highlighted by the law:

- Principle of non-degradation of natural resources: natural resources should be avoided, such as water, air, land and subsoil, which in all cases are an integral part of the course of development and should not be taken as isolated in achieving sustainable development.

- The polluter-pays principle: under which any person whose activity or damage to the environment is liable to the costs of all measures of pollution prevention and reduction and the restoration of places and environment to their original state.
- The principle of information and participation: according to which everyone has the right to be aware of the state of the environment and to participate in prior actions when making decisions that may harm the environment.

While the second article of the same law provided for the objectives of environmental protection, especially the promotion of sustainable national development by improving living conditions and working to ensure a sound living framework. In order to achieve a balanced and healthy environment that has become a necessary resource for human life and dignity, but is one of the basic rights to be enjoyed, exercised and defended. The human right to a healthy environment means the right to live in a clean, Pollution of all kinds, the right to development and the balanced enjoyment of natural resources in such a way as to ensure a decent life for human beings that allows for development and well-being, since man is the center and goal of sustainable development and is entitled to a healthy life produced in harmony with nature. As defined objectively and self-defined as follows:

Objectively: the right to a balanced environment as a value in itself and the need to maintain and improve systems and natural resources and to pay for pollution or excessive degradation of their resources.

It is the right to secure a suitable environment for human life, to live in dignity and to provide the minimum necessary quality of the environment that must be defended and guaranteed to every individual. The human being has the right to live in an environment free from pollution and contamination by securing a suitable center for his life.

### **3.4 Status and Quality of Life Laws**

The right to a sound environment is a constitutional principle, which makes it a basic reference to the other environmental legislations that are inferior to the Constitution, which includes the right to the environment and stability in the midst of legal construction. The explicit provision of the environment in the Constitution places the State on the preservation of the environment. However, this right is not only the responsibility of the State but also of individuals to ensure better protection and the quality of life. The latter is a complex term used in all social, natural and human sciences and in its general sense refers to a sense of satisfaction and a sense of well-being and enjoyment under the circumstances in which the individual lives. The quality of life depends on the environment in which the individual lives, the value of this environment, and the environmental responsibility to improve the quality of life based on environmental culture, environmental awareness and participation in all aspects of development. And it has a set of determinants that serve as the general framework for them, the most important of which are:

*Economic determinants:* focus on the economic security of the individual and thus focus on the growth of suitable employment opportunities, with a new philosophy of raising wages in a manner commensurate with meeting the basic needs of man.

*Social determinants:* They are more relevant to human well-being by working to raise the level of social services provided in the areas of health, education, housing, social security ... in order to raise living standards and achieve the maximum investment of human potentials and capabilities in society.

*Environmental determinants:* There is a positive relationship between the quality of life and the environment. The latter is the human environment, which provides it with the elements of survival and the resources necessary to sustain and improve its life. The environment is affected by human activity and by how it exploits renewable and non-renewable environmental resources. And thus show the need to preserve the environment and prevent the deterioration and work to improve and develop in order to be able to meet the basic needs and to provide the opportunity for a better life for current and future generations, and show the most important environmental determinants to improve the quality of people's lives through:

- The availability of adequate living conditions in a healthy environment that allows for a decent and healthy life, especially since the healthy environment represents the most important resource affecting human development and thus improving the quality of life.
- Availability of necessary control over the environmental risks that may result from nature or human action, while working to achieve the ability to control and control the damage that may result.
- To ensure the sustainability of the elements of the ecosystem in order to preserve the rights of future generations and provide favorable human development opportunities by maintaining a stable base of natural resources and avoiding depletion of resources.

### ***3.5 Integration of Environmental and Economic Aspects and their Role in Achieving Quality of Life***

#### ***3.5.1 Environment and Economy***

The economy is not only the production of wealth, the environment is not only a protection of the natural environment, they are equally responsible for the improvement of all humankind. The relationship between them is highlighted through the following points:

- The development of economic activities, increased knowledge and technological progress and the associated increase in the population have led to increased exploitation of available environmental resources, resulting in multiple environmental problems.
- Economic growth has led to the depletion of raw materials, forests, water and air pollution and resources are the main focus of economics and the environment. The economy is about how to make optimal use of available resources and the environment means the pool of resources available at a particular time.
- The satisfaction of multiple and infinite human needs is the goal of economics, which can only be achieved through the exploitation of the resources of the environment.
- An important economic aspect of environmental problems is the cost and benefit side, which must be paid to protect and protect the environment. Therefore, the relationship between economy and the environment is to harness the science of economics in order to optimize the use of environmental resources in all its dimensions to maximize profit and satisfy human needs at the lowest cost. The environment provides the natural resources that are transformed through the process of production and burning energy into consumer goods. Environment in the form of undesirable waste. Causing many environmental problems, especially the problem of climate change.

### ***3.5.2 Environment, Sustainable Development and Quality of Life***

Environment and development are not separate challenges, they are inextricably linked, and their objectives cannot be separated. If the environment is the conditions surrounding man, development is the latter's endeavor to develop its natural conditions. Therefore, development cannot continue on the basis of deteriorating environmental resources, nor can the environment be protected when development does not take into account the costs of environmental damage.

Although economists and law differed on the relationship between the environment and economic development, they agreed that pollution could never be prevented, and there was no clean or pollution-free environment. The complementary relationship between them has also led States to strengthen their cooperation in the field of environmental protection and preservation through concerted efforts at the national and international levels.

The interdependence of environment and development is manifested through natural resources in their multiple forms. If over-utilized, this will lead to deterioration of environmental conditions. For years, free resources such as air and water have been considered to have no reciprocal market value, which has led to the uncontrolled consumption of these resources. However, their economic outlook has changed after damaging the living organisms, including human beings, as a result of pollution. As pollution causes a significant degradation of this value, resulting in high costs associated with pollution treatment or prevention. As for the nature of the relationship between environment and development, the higher the rates of development, the greater the environmental problems. The more environmental problems, the lower the development rates due to the increasing costs associated with the development process. Pollution of the environment leads to many economic damage, which can hamper economic and social development processes.

Environment and development are mutually compatible and interdependent. Development should be appropriate to the culture, place and time of social systems, including a set of policies and actions to move society to a better position, using environment-friendly technology as a key factor in balancing the building Natural resources and the destruction of human rights, in light of national and international policies to maintain this balance over a specified period of time.

### ***4 Synthesis of Literature***

After adding to the concept of development several factors, especially the social factors accompanying economic growth and seeking to continuously improve the quality of life, the concept of development is extended to sustainable development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs, And future development. Therefore, the first item in the concept of sustainable development is to try to balance the economic and environmental system without depleting natural resources, and thus allows the addition of two new dimensions of development:

- The qualitative dimension of the concept of development, which includes environmental quality and its relation to quality of life.
- The time dimension of development includes long-term development.

The development of environmental integration is aimed at achieving two main goals. The first is to transform natural resources into permanent resources for the longest period of time for future generations to preserve their rights and to build man with a mentality and ideology that rejects greedy consumption and respects creativity in balancing welfare and environmental requirements.

Sustainable development is a developmental pattern characterized by rationality and rationality. It is based on economic and social development on the one hand and conservation of the environment on the other, thus complementing it as it is the way to ensure a quality of life for the present and future generations. It is the driving force for advancing progress while respecting the human right to live in a clean and appropriate environment. There is no development without environmental protection, and the environment is not conducive to development. All this is done by rational planning for resource management.

The development depends on the natural resources and their continuation depends on the continuation of the latter, and raising the level of social services works to maximize the potential investment of human potentials and human resources in the community, which are necessary and necessary for development to accelerate their success and continuity, More than their dependence on capital, and the man with high productivity, which receives a sufficient amount of education and who enjoys good health and lives in a comfortable home with sufficient guarantees that ensure the quality of life in the present and future, and Which contributes positively to the community building and development and thus increase welfare.

## **5 Discussion and Conclusion**

The issue of the quality of life raises several legal, economic and social problems because of its importance in human life as the focus of sustainable development. The most important results and recommendations reached:

- The environment is a national responsibility, so it is the responsibility of all and not only the responsibility of the state.
- Human beings have a fundamental right to freedom, equality and adequate living conditions in an environment that allows for a decent life and well-being.
- Quality of life depends on the environment in which the person lives and the extent of his awareness of its importance and contribution to its protection.
- Law No. 03/10 provides the general framework for the legislative effort aimed at establishing the main axes of environmental policy in Algeria.
- Despite the constitutional amendment of 2016 and the non-issuance of new environmental laws, Law 03/10 remains the specific law of environmental legislative policy in Algeria.
- Development in countries is not limited to the economic and social aspects, but rather is based on the integration of the environmental, social and economic aspects as the environment is the physical environment in which development is achieved.
- The right to a healthy environment is a human right and is linked to various fields. By activating it legally, nationally, nationally ... human well-being and economic well-being will be improved.
- The relationship between environment and sustainable development requires that people live in a safe and secure environment, especially after the development of technological means. The activation of this relationship requires addressing the various problems and

obstacles that face them, while working to develop a national legislative system deterrent to protect the environment.

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