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The Concept of Absorbent Environmental Damage in the Context of Civil Responsibility: A Practical Legal Study in the Wetlands of Iraq's Three Major Marshes

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ABSTRACT

The research revolves around the idea of assimilation in the sense of assimilating and integrating contractual responsibility within the scope of tort responsibility that causes damage, which is called the first responsibility. The second responsibility is that which is arranged by the existing or competent government or that is entrusted by virtue of legal care, management, and preservation of the environmental site. The study evaluated four locations inside Iraq's southern marshes: the Hammar marsh, which has two sides, western and eastern, resulting in two sites (A and B); the third location, the so-called central marshes, which is group (C); and the fourth location, Al-Hawizeh Marsh, which is group (D). The theorical, scientific analysis is carried out within the scope of the types of assimilation between the components of the environmental site of water, air, and soil in all layers that include concentrations of heavy elements in a manner that changes the acceptable natural amount, such as soil elements, as well as pollutes the water by poisoning or harms the compositional balance of the air. These components (water, soil, and air) are tacked and determined in light of their connection to each other in the environmental site. The damage assimilation is personified by taking samples that determine the forms of pollution. The damage was shown with examples of damage in the first dimension, and the pattern of absorption in the second dimension was used to infer guilt in the second dimension.

1. INTRODUCTION

Environmental damages are distributed in the sense that they exist between the geographical component with all of its elements and the legal description of the types of those damages that are based on international standards in determining the acceptable ones according to normative foundations and fixed classifications, so that the minimum amount of damage is definitely determined by a specific name, such as pollution, and between the upper and wide limits, to be in front of environmental disasters [1].

Environmental damage has been defined in a variety of ways, all of which revolve around the disruption of the natural components of the environment, including its biological elements and assets [2]. It was stated that pollution that affects the environmental components of soil, water, and air by causing radioactive contamination or other sorts of pollution is considered environmental damage [3].

Others define it as a shift from the natural equilibrium of the environment to levels of pollution that are hazardous to the biological component as well as the types of plants and organisms that exist in that medium [4]. Environmental damage is also defined as the disruption of natural structures of geographical environmental elements such as water, soil, and air, which results in damage to biological life in general, including plants, animals, and other microbes.

In modern countries, organisational work is based on administrative division and the declaration of areas for collaboration that lead to the formation of an administrative court to settle any dispute over these legal powers [5].

Field work carried out by people or corporations from construction activities such as building on sites next to marshes is one sort of direct contamination. The chemical components of building materials have an impact on the soil and water of the marshes, especially when large concentrations of these elements are obtained [6].

Therefore, assimilating damage defined as follows: the environmental damage that occurs by giving priority to the legal responsibility for managing the environmental site over the actual scientific cause of the damage, so jurisdiction prevails over the source of the real damage in the first dimension of absorption.

In this regard, in the case of retrospective damage, if it is proved that the real cause was absorbed and assumed full management responsibilities for the environmental site, but his detrimental activity was absorbed by those positive site-based management responsibilities [7].

Accordingly, there are two types of assimilation: administrative assimilation (first form) and retrospective assimilation (second form), which is the actual assimilation. There are numerous examples of this, ranging from the broad to the specific areas of private civil relations, such as selling, for example, the International Culture Organization's mistake in receiving the environmental site in light of the provisions of adding the marshes to the World Heritage.

In general, the current study is preoccupied with the administrative preoccupation of assimilating damage because we are dealing with a specific date in managing the site and

the age of the damage. In addition, the tasks are divided between management, protection, purification, prevention, guidance, and many others, and they all fall on the shoulders of the environmental site administration, whether they are a contractual connection with the state, or a pure private relationship, arising from sole ownership of the geographical place, which includes the environment and which contains a pattern of environmental harm.

Based on the above survey, there is an overlap that occurs according to scientific calculations in deciding environmental damage, such as pollution, in both administrative and retrospective assimilation, and it is carried out with questions about what scientific criteria should prevail between management's failure in the causation of pollution and the causation of the source as an actual element. Therefore, the current study aims to study the concept of assimilation in the sense of assimilating and integrating contractual liability within the scope of tort liability that results in damage, referred to as the first responsibility, and the second responsibility, which is defined as that which is arranged by an existing or competent governmental or international establishment or that is entrusted by virtue of legal to care for, manage, and preserve the environmental site.

2. ASSIMILATION IN THE ENVIRONMENTAL DAMAGE STRUCTURE

There is no doubt that there is a scientific aspect represented by those physical and chemical relationships between the basic environmental components of water, soil, water and air, and the links between the biological components of animals and other bacterial structures and microorganisms present in that component. As a result, a heavy element or radioactive material that interacts with the environment is a subject of interaction or association. Therefore, the assimilation occurs by saying that the participation between the elements in achieving damage as a result of the interaction occurs in which the assimilation occurs for a specific reason from a certain element or pollutant such as ionising radiation [8].

In general, the introduction of elements to the environmental component may change the effect of radiation, so it is within the acceptable limits of pollution, or it could be said within the range of the level that does not affect the biological or health conditions that continue to be consumed or mixed with that environment that is the subject of pollution. Thus, assimilation is the name given to the process of collecting the elements and seeing their interactive effects and influences on the environmental component, so it gives priority to an element that produces environmental damage or pollution over other elements [9].

So where does this assimilate damage fall in the structure of environmental damage in general? And the answer is that we say that the assimilating damage is at the heart of all environmental damage because studying the effects of the elements and each pollutant can be said to determine the pollution, as the relationships of the elements end by saying that one element in itself prevails over other elements. In other words, there is a way to look at the scientific evidence for environmental damage, and then we look at the administrative actions that took place at the environmental site to show that it was done.

In sum, all types of environmental damage and their descriptions are based on the expectation of their occurrence or not; the direct, indirect, current, and possible; and as a whole, a description of them goes by the name of the assimilating damage when discussing the element producing it, that is, the damage in its assimilation capacity. As a result, pollution in the environment site becomes a cause of harm, which is determined by the impacts of that damage on the plants and biological components present in the marshes' wetlands. In the careful examination of environmental damage, it serves as the focal point.

A ruling that causes damage, whether it's compensation, a performance in kind or a report of solidarity with the damages, it's possible to work with the idea that all other damages are important.

The stages required to understand the scientific formulas to clarify what is meant by assimilation include the following: the location, the samples taken, the materials and subjects to be studied in the samples, the chemical and physical reactions producing those materials through the analytical work of the samples, and the chemical and physical reactions producing those materials through the analytical work of the samples. The damage to the environmental site's components is determined by collecting samples and calculating the elements and their concentrations using formulae and equations that frequently involve fixing variables and adding others using particular formulas [10].

In other words, we figure out the cause of the environmental damage when we absorb the damage. The types of damage are the result of the investigation we did about the cause within the scope of the assimilating damage, which is cut by the percentage of the impact each element had on the occurrence of pollution so that one or more elements are more important than others in saying which caused the damage environmental.

3. CONDITIONS FOR ACHIEVING ENVIRONMENTAL DAMAGE

The conditions are divided according to the scientific aspect of the elements in the environment, the subject of pollution or damage, and the administrative aspect related to the competence assigned to the management of the environmental site. To demonstrate this, we will enumerate the elements and then try to link these conditions in the context of showing the means of proving the absorption within the scope of the fulfilment of the conditions for the assimilating damage:

3.1 The occurrence of environmental damage

Talking about environmental damage necessitates saying that its existence is inevitable from an actual (realistic) point of view. There is an accuracy in saying the effect of the damage, as either it is present in the reality tablet as the death of a number of aquatic organisms due to pollution of some kind. Then it is an existing, specific, and realistic damage, so it is called "actual" because it is visible and present, already verified [11].

Environmental damage is also considered real if there is a scientific premise, such as the accumulation of heavy elements in the water that is scientifically proven that their continued presence in the water will decompose into other elements that constitute pollution by their decomposition into other elements. Because its scientific foundations are in place, the damage will be done in the future [12].

3.2 Identify the components of environmental damage

Environmental damage is practically within the scope of the natural ecological site. Therefore, it is basically a natural physical component and thus not related to the moral and ethical damage because it is based on nature, specifically the environmental (geographical) component, similar to our topic related to the marshes. Natural and, in sum, the premises of that nature are chemical or physical reactions such as the decomposition of heavy elements in water or their transformation into other forms of gas or other substances that result in a harmful appearance to the environment that we call pollution or total or partial destruction. All of these are considered the exact scientific meaning of environmental damage [13].

Thus, the distinction is made between environmental damage within the marshes attached to the World Heritage List as a specific scientific meaning and between the methodology and mechanism of arranging responsibility in the appearance of absorbing damage (person or international body) [14].

3.3 Scientific statement of the damages' interactions

Experimental scientific damage in the laboratory or elsewhere is considered the most proven damage, as it is subject to established scientific descriptions rather than theoretical abstracts, such as laboratory results. In other words, proving the damage in quality, quantity, and quantity [15].

3.4 Determining the percentage of involvement in the damage

This condition represents the concept of conflict between the causes, leading to the specific result of environmental damage. Therefore, the weighting and preponderance are between one cause and another, and between the introduction of a cause and the mention of another reason that led to the result [15].

3.5 The proper reason for causing the damage

The proper causation for environmental damage is to discuss the scientific introduction and definitive conclusion without considering the possibilities and weightings. in general, that the balance between the realization of the cause and the assertion of other reasons is nothing more than the departure from the scientific reason to the foreign cause in this assumption [16].

In terms of the second hypothesis, the particular appropriate reason implies that there are many reasons, at least two, that may be compared and contrasted to determine which one is closer or more likely to be the cause of the damage. Concerning the inclusion of some arguments inside the genuine scientific rationale while excluding others When assigning those causes to many parties. In other words, to state that they participate in the criminal description if the activity has taken on the character of a crime in line with the norms and ideas of penal laws. then, the notion of solidarity in civil culpability is used [17].

3.6 Assigning responsibility for the damage to one of the parties

The final stage after proving the damage is the stage of restoring the damage, which entails restoring responsibility to a party through other assimilation relationships. The most accurate of which is the jurisdiction, in order to arrange the effects of that damage or (its judgments) on the one who bears its consequences from a legal standpoint [18].

4. METHODS

4.1 Case study

The study examined four sites within the Iraqi marshes that extend southward: the Hammar marsh, which has two sides, the western and eastern, resulting in two sites (A and B); the third site, the so-called central marshes), and this is group (C); and the fourth site, Al-Hawizeh Marsh, which is a shared environmental site between Iraq and Iran due to its basin and water bodies, and this is group (D). Figure 1 shows the marshes under consideration.

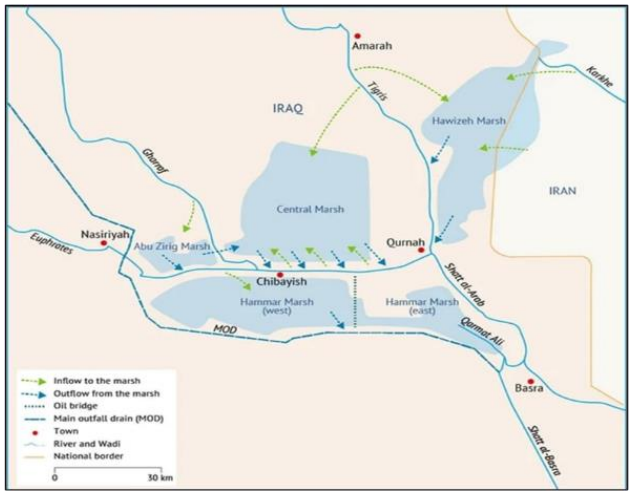

Figure 1. Case study under consideration

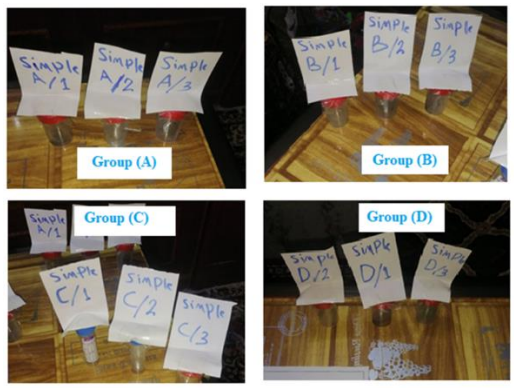

Figure 2. Samples and groups of the current study

4.2 Procedure of the study

The study employed three samples from each site or group under consideration (A, B, C, D). Those samples included (the first sample of dry soil; the second sample of wet or (clay) land not submerged in marsh waters; and the third sample of wet, clayey land submerged in marsh waters) as shown in Figure 2. The samples were used to find out the concentrations of the six heavy metals under study (iron, lead, copper, tin, chromium, and nickel). Also, the absorption rates of these elements and

their effects on water in marshes, sedges, green reeds, and fish must be determined. Accordingly, it can know the percentages of pollution and their effects according to the diagnostic results for the damage caused by heavy elements causing damage.

The results were studied by analytical methods in the biological laboratory and specialised laboratories in the private sector at the Iraqi universities in Maysan, Basra, and Al-Hayat Center in Dhi Qar. It's important to note that the study did not do a statistical analysis of the nature of the descriptive study of damages in the field of legal sciences, specifically damages in the field of civil law.

5. RESULTS AND DISCUSSION

5.1 Rates of heavy metal contamination in Iraq's central and southern wetlands

The war between Iraq and Iran, which lasted eight years from 1982 to 1988, involved the use of a variety of heavy weapons, including rockets and artillery shells. As well as the destruction of a large number of military equipment and mechanisms, thousands of tonnes of mines planted in the areas where wars were fought, and the destruction of dozens of warehouses near marshes in Iraq and Iran in particular.

It is the common enclave between the two warring states, which led to its distribution over the marshes in the form of an impact on the air, soil, water, and plants. It proved its concentration in a way that was harmful to the biological components and natural balance relations in the chemical and physical relations between the natural elements of the ecological site.

As illustrated in Figure 3, the concentration of heavy metals in sample A/3 is higher than the concentrations in samples A/1 and A/2, where this sample exceeded the other samples by 24% and 14%, respectively. Besides, the A/3 sample contained a different number of elements than the other samples, which contained only one. Also, this group notes that the death rate of fish as a percentage of the average estimated quantity of fish was 31%, with the exception of overfishing with pesticides and poisons. Additionally, the rate of absorption in the papyrus plant was between 2 and 5% when compared to the occupied areas of this plant in the research square, which is located in the middle of a 1000-square-meter marsh, whereas it was between 5-8% in the green reeds in the same area in the middle of the marsh under study.

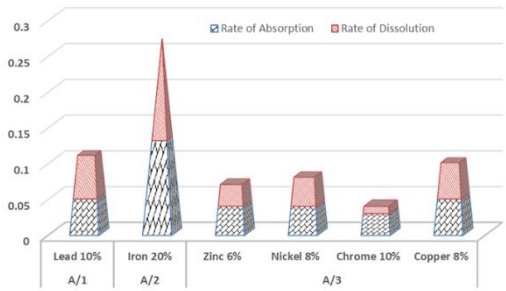

Figure 3. Statistics on the amount of heavy metals polluting wetlands (Group A)

Moving on to Figure 4, which depicted the examination of samples for group B, as previously stated, this group also included three samples. It is worth noting that sample B/3 contains a greater number and concentration of heavy metals than samples B/1 and B/2. It is also noted that the existing elements varied in the results, but iron was the most, reaching 14%, followed by lead with 8%. On the other hand, with the exclusion of overfishing with pesticides and poisons, the death rate of fish was 41% relative to the average predicted capture quantity. The rate of absorption in the papyrus plant was 1–5% on average when compared to the occupied areas of this plant in the 1000-square-meter research square in the middle of the marsh, whereas it was 4–8% on average in the green reeds in the same area of the marsh.

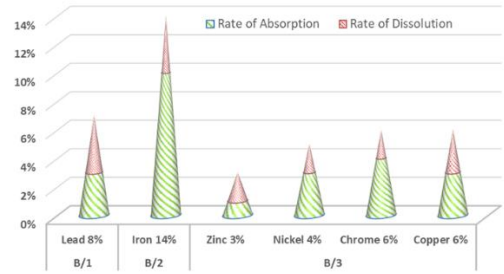

Figure 4. Statistics on the amount of heavy metals polluting wetlands (Group B)

According to Figure 5, which depicted the examination of samples for group C, it is worth noting that sample C/3 contains a greater number and concentration of heavy metals than samples C/1 and C/2. It is also noted that the existing elements varied in the results, but iron was the most, reaching 15% (C/2), followed by lead with 8% (C/1) and copper 8% (C/3). On the other hand, with the exclusion of overfishing with pesticides and poisons, the death rate of fish was 51% relative to the average predicted capture quantity. The rate of absorption in the papyrus plant was 1–10% on average when compared to the occupied areas of this plant in the 1000-square-meter research square in the middle of the marsh, whereas it was 2–8% on average in the green reeds in the same area of the marsh.

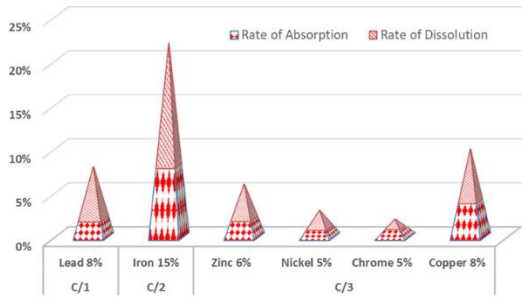

Figure 5. Statistics on the amount of heavy metals polluting wetlands (Group C)

Another group (D) which also included three samples as shown in Figure 6. Accordingly, it is worth noting that sample D/3 contains a greater number and concentration of heavy metals than samples D/1 and D/2. It is also noted that the existing elements varied in the results, but iron was the most, reaching 20% (D/2), followed by lead with 10% (D/1). On the other hand, with the exclusion of overfishing with pesticides and poisons, the death rate of fish was 41% relative to the average predicted capture quantity. The rate of absorption in the papyrus plant was 1–5% on average when compared to the occupied areas of this plant in the 1000-square-meter research

square in the middle of the marsh, whereas it was 4-8% on average in the green reeds in the same area of the marsh.

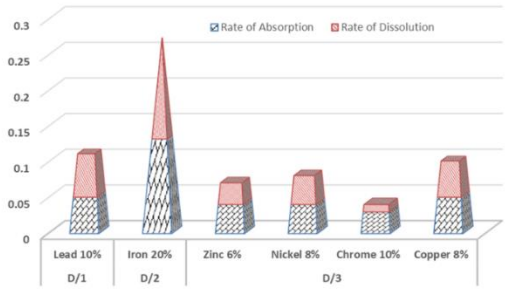

Figure 6. Statistics on the amount of heavy metals polluting wetlands (Group D)

There are specific percentages in the models (A, B.C.D) that say how much of the environment has been harmed. This shows that the environmental damage is based on real scientific calculations, not on guesswork.

Besides, the hidden defect found in the papyrus plant, green reed, and water in the marshes and diagnosed in samples (1, 2, and 3) within the group (A, B, C, D) is caused by pollutants associated with the heavy elements and not within the natural components of the plant and water found in the marshes. The sedge plant, green reeds, and water in the marshes are considered a medium for transporting heavy elements found in the wet areas of the marshes. Because these elements are not observed in direct observation and field vision but are diagnosed in laboratories, they are classified as hidden damage because the use of sedge and green reeds as fodder by farmers is without the possibility of noticing these damages, which has been proven in the samples (1, 2, and 3) within the four sites of the marshes (A, B, C, and D).

The scientific overlap between the effects of harmful concentrations of heavy elements in the soil and their decomposition by natural factors in the water and soil, and their absorption in the marshes by plants and fish, can be overlapping with the causes of other pollutants due to direct human intervention, such as throwing toxic substances and pesticides into the marsh water bodies in an effort to catch fish.

Consequently, there is a clear overlap, but the scientific cut in the statement of the causes and results obtained by the study had a beneficial effect in determining the responsibility for the true cause of pollution.

The drying rates achieved by the system in the marshes of central and southern Iraq between 1980 and 2003 are shown in the Table 1.

The previous regime harmed the marshes and wet areas by demonstrating an utter lack of interest in their natural importance and that they are a natural and legal heritage that represents an important and pivotal stage in the lives of the country's residents, as well as the historical value of the marshes' wet sites and lifestyles, as well as the great diversity of neighbourhoods and natural richness that these wet areas enjoy in the marshes. It is an important natural resource for economic resources since it is rich in numerous natural elements. As well as squandering its tourism value as a result of the wars it fought with Iran, and even the lack of even a passing interest in it, the previous regime's policy was mathematically equal to zero based on restrictions and statistical data, and desalination of the existing conditions in the rates of water immersion and the percentage of drought in the marshes.

Table 1. Possible drying rates in Iraq's Hammar, Al-Hawizeh, and central marshes

Activities of the government	The wetlands have been harmed	Ratio of water immersion	Year
0	6%	95%	1980
0	6%	94%	1981
0	7%	93%	1982
0	7%	94%	1983
0	10%	91%	1984
0	9%	92%	1985
0	10%	93%	1986
0	11%	91%	1987
0	14%	88%	1988
0	14%	88%	1989
0	16%	85%	1990
0	20%	70%	1991
0	20%	70%	1992
0	25%	60%	1993
0	30%	65%	1994
0	27%	60%	1995
0	29%	61%	1996
0	32%	66%	1997
0	26%	65%	1998
0	27%	68%	1999
0	27%	68%	2000
0	44%	45%	2001
0	50%	45%	2002

5.2 The substantial organizational basis for assimilation

Discussing the addition of a site to the World Heritage List entails legal implications that are distributed between the structural administrative aspect and the special descriptions relating to the civil relationship resulting from contracts implemented for a specific purpose within those sites or supervision via agency or prosecution or delegation of supervisory powers on that World Heritage site.

To summarize, if we want to disentangle the patterns connected with the site from an administrative and structural standpoint, we can base our analysis on the following images:

Because the linkage between the inside and outside of the site is broken, we have the domain link dispersed between two images:

(1) International scope: established by the archaeological site's inclusion on the Heritage List and the repercussions of international agreements establishing an organizational framework for the attached site and its associated duties. Following the adoption of the bylaw.

(2) The internal scope is reflected by the withdrawal of the state's territorial dimension from the World Heritage Site as part of the state's regional component and as part of its cultural and archaeological properties that reflect a pattern of civilization, living or moral heritage.

The second connection is the one that relates to the practical features of that link's work in practice, whether through agency, delegation, or cooperation between the international and the domestic, and it is as follows:

a) Direct management of the site through delegation.
b) Administration of the site by proxy or prosecution.
c) Cooperation or rotational management of the site.

At this stage of the research, the forms of organizational assimilation and their relationship to the unique images of contractual financial transactions associated with the World Heritage site, which is the marshes that are the subject of our

research, are supposed to be addressed, just as we discussed the scientific assimilation of damage in terms of physical and chemical relationships, or one of them in a way that achieves this damage regardless of the form of the damage.

Concerning the organizational preoccupation, it is the attainment of administrative responsibility on the part of the entity in charge of the site, even if the direct cause is a special relationship, such as selling fish caught from the site's water body (marshlands) to a person who has been harmed as a result of being a carrier of a hidden defect. such as causing cumulative poisoning. It considers the unique relationship and the way the relationship is connected to the business, as in the preceding example of selling.

From an organisational standpoint, it is necessary to gain a grasp of how damage is absorbed. Initial Hypothesis: Defeat the notion of direct and pernicious organisational accountability. This is a transgression of the principle of considering the person who caused the damage as directly causing the damage, such as the special relationship in the images of the hidden defect. So, we reach the point in that transgression of looking at the matter civilly to the authorities responsible for managing the site (the marshes), for example, without considering the person who caused the damage as direct or causing the damage, regardless of the possibility of subsequent recourse to them.

Second, civil liability is established between the person responsible for site management and the contractor. In this scenario, the party responsible for contract implementation is involved with the site, such as purifying it of pollutants, adding biological patterns, or altering the environmental component. Also, adding colours of algae or organic materials to the site, thus breaching the contractual obligation and failing to perform the contract in the manner specified in the contract. This particular colour represents the party responsible for managing the site's relationship, with the work of the relationship connected to the breach of the contractual obligation in the manner specified for contractual liability.

This is in reference to the fact that a balance between scientific and organisational assimilation of damage is possible within the scope of experience that reduces damage patterns, particularly if foreign causes are avoided, such as the crime targeted for polluting the site or the elimination of the biological component available on the site, or others, such as wars and their effects or natural environmental conditions such as earthquakes. Furthermore, various types of damages, such as the appearance of harm to the site or to third parties, fall beyond the formal definition of civil liability.

5.3 Legal competence prevails over a particular relationship

In the absence of precise competence on the detailed topics of the works related to the environmental site, the aforementioned organisational aspects in the advanced requirements of the research pass the horizon and the field of accuracy and scientific practical detail. If you try to list all of the obligations in detail in the marshes that are on the World Heritage List, the total of the special relationships of sale, investment, rent, or management will be absorbed into the jurisdiction. This means that the jurisdiction is comprehensive of tasks and a foundation for civil liability for damages in a final way, without a probabilistic description.

To go into greater detail about those specific activities, they can be divided into two categories:

1. Bring leeches or food to the aquatic ecological site (the marshes).
2. Carrying out security tasks such as protecting the site from external tampering and environmental crime.
3. Assisting those in charge of the location with transportation, lodging, and food.
4. Placement of signs, signs, and inscriptions indicating the location and contents of the environmental site.
5. Receiving visitors and guests for scientific research, tourism, observation, or supervision and evaluation.
6. Provide extraordinary periodic and emergency administrative or scientific reports to third parties.
7. Seek the assistance of international and internal external experts based on the needs of the environmental site.
8. Compile a financial analysis of the site's expenses and functional requirements in accordance with its nature.
9. Any additional activity that is not directly related to purely scientific activities and is only concerned with the administration of the environmental site.

The second category includes jobs that are strictly scientific or laboratory in nature.

1. Pollution from the environmental site is removed.
2. The biological component is weighed and counted.
3. Plant propagation or culture of specific species or biological components.
4. Incorporating treatment patterns for illnesses linked to the environment.
5. Acts of speculative genetic modification.
6. Natural cross-pollination between biological and plant strains.
7. Recognizing the many types of chemical and physical reactions that occur in the presence of contaminants.
8. Investigating the biological component's perceived abnormalities of cells.

Within the scope of each of the two groups, the in-depth competence required to perform any of the tasks represented by models is considered, assimilating the unique relationship and determining the administrative body's responsibility, the uniqueness of the original environmental site, or the individual contractually entrusted with the task of the subject of an exception contractual obligation.

And that connection between the original commitment and contractual subordination is due to the unique nature of cultural property in its original state, as it is a moral heritage belonging to all humanity in addition to the private ownership belonging to the state, which is the reason for the site's inclusion on the World Heritage List.

Indeed, the origin of the international role's value is found in the legal description's transgression of the horizon of the World Heritage Sites to the human dimension, thereby achieving absorption by the jurisdiction by establishing a level of commitment by the administration based on the environmental site designated as World Heritage.

The manifestation of that assimilation:

i. Saying that the jurisdiction is preferred over the specialist in determining culpability in the event of environmental damage, and that the jurisdiction is unique and original in this case.
ii. Saying jointly entails increasing the percentage of responsibility placed on the specialist and decreasing it on the other party, so that the specialist's obligation is shared with the other party, with the specialist bearing the

greatest responsibility and the partner bearing the least.

iii. Transfer of responsibility between the internal party (the national state) and the external party (the international party), with a statement of responsibility that included the inability of the national state that is geographically incubated for the environmental site to take into account aquatic biotypes. This is a frequently occurring misperception.

It must be noted in this field that the issue of law arises from the jurisdiction and adaption of the civil summons. The prerequisites for consideration provided in the civil pleading, the procedures for moving the case, and the appeal periods are all legal issues that the Court of Cassation must address in the event that the lower courts fail, as are the subject and scope of jurisdiction. One of the law's issues is whether cutting it was originally within the administrative judiciary's jurisdiction or whether it was established through the Court of Cassation's oversight in the event of a breach of a legal obligation establishing tort liability or a breach of a contractual obligation establishing contractual liability for the entity based on environmental site management, maintenance, and protection.

6. CONCLUSIONS

1. Within the extent of the environmental sites connected to the World Heritage List, including the marshes, specificity is reached in determining culpability for environmental harm. The existence of the national element (the country inside its sovereign territory) and the international element (UNESCO) connected to the environmental site symbolises this privacy, and the site's regulatory procedures are described as a result. By overlapping between the parties who are based on the site with full management, care, development, protection, and purification of the environmental site from pollutants in the provisions of partial relations, the simple licencing of enterprises (such as fishing) by private parties, people, or organisations is structured in such a way that it violates a legal duty.
2. While assimilation is a fixed aspect of the legal organisation represented by the tasks assigned to the national or international authority, its elements and characteristics drawn from the administrative division of labour and contracting roles within its scope require the provision of conditions and elements. It also has a practical vision, which can be realised only by studying the assimilation concept and elucidating those requirements and elements.
3. The special connection based on breach is based on violating a contractual duty, such as violating the hidden defect guarantee on a quantity of weeds saturated with pollutants harvested from marsh water bodies and marketed as animal feed. It is not recognised as a relationship that constitutes a breach of the contractual commitment from the standpoint of absorbing harm. Rather than that, we are attempting to transcend the entity's obligation for the environmental site. Establishing the extent of the damage is critical to determining and establishing that person's or group's liability.
4. By relying on the concealed defect in creating the commitment and ensuring its sufficiency from a civil standpoint, the entity's commitment to the site becomes formally unworkable. This intersects with Article Nine (first, second, third, and fourth) of the Iraqi Environmental Protection and Improvement Law, which declares the site-based entity's commitment to be unique and indivisible.
5. The involvement is determined by determining the entity's responsibility based on this environmental site, regardless of the type of liability transferred from a harmful act committed by a third party or the damage withdrawn from a contractual relationship due to a breach of one of its obligations, as long as it is established that the harmful act is the responsibility of that party.
6. After establishing and identifying the actuality of the damage, there is a sequence in the assimilation indicated by proving the natural—the actual—to determine its organisational or jurisdictional assimilation. Thus, it is acceptable to assert that establishing the actual harm inflicted by demonstrating natural assimilation of the damage is a prelude to shifting responsibility to the organisation responsible for site management.
7. Transferring duty from one party to another, or from one contractual or tortuous form to another, whether contractual or tortuous, is not considered to be on the part of the party responsible for site management. And the second component depicts the damaging conduct, which results in a conversation between them about the good, with the added caveat that the good frequently revolves around the same party, while the transfer occurs between two distinct parties.

Involvement Contractual responsibility is taken over by the original responsibility of the person who runs the site. This person is the Environment Council or the Governorate Council for the protection and improvement of the environment.

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