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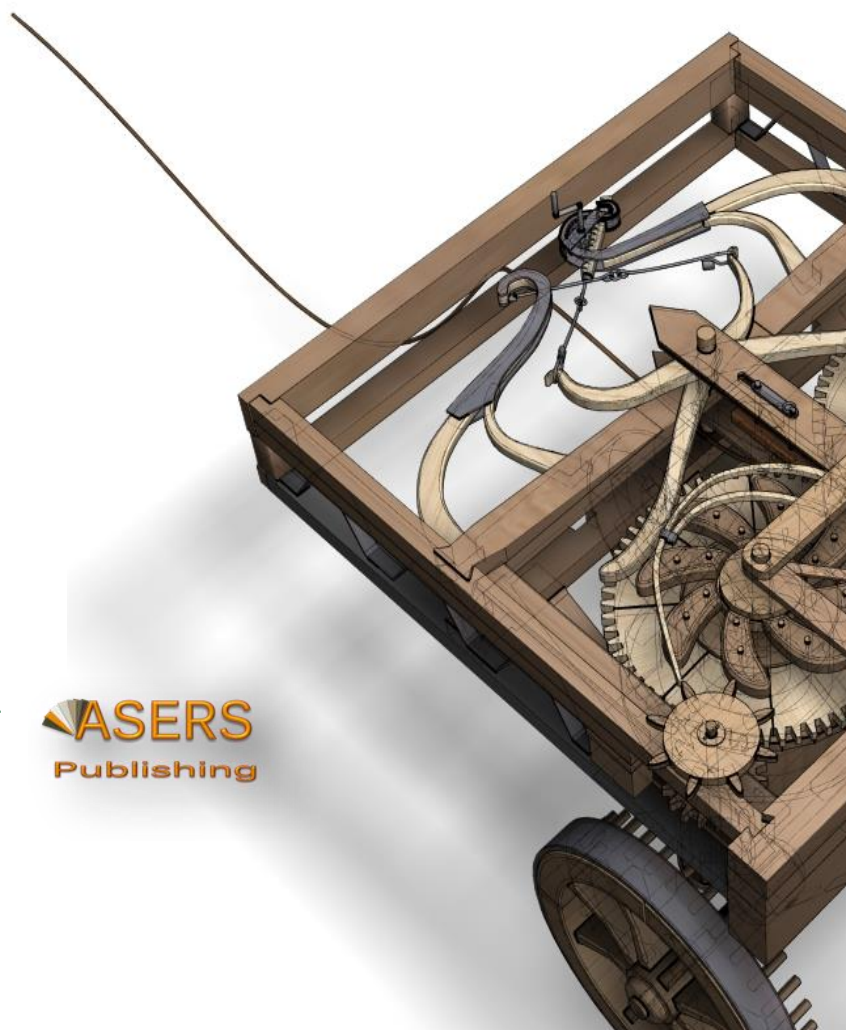
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Journal of Environmental Management and Tourism is an interdisciplinary research journal, aimed to publish articles and original research papers that should contribute to the development of both experimental and theoretical nature in the field of Environmental Management and Tourism Sciences.

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The Extent of Considering Environmental Crimes as a Manifestation of Economic Crimes

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Abstract:

The damage caused by environmental crimes may be hidden, but it greatly impacts life. Environmental violations are increasing in light of the great impotence that may characterize the legal systems to confront such crimes. At the international level, the legislation also has little effect because of the continued expansion of the circle of environmental crimes. On the other hand, economic crimes face great interference from the concerned authorities. If we look at these crimes, we find that environmental crimes are more dangerous, not less or perhaps more than them, which opened the door to the question of the possibility of considering environmental crimes within the range of economic crimes to obtain the quality of strict legal procedures applied in the framework of environmental crimes, this is in order to achieve an effective response to environmental crimes. The study explained and treated it by achieving legislative and legal approaches between environmental and economic crimes. The study concluded that environmental offences should be prosecuted similarly to economic offences, just as economic crimes attracted the legislator's attention to developing legislation compatible with the seriousness of environmental crimes.

Keywords: criminal law; environmental crimes; economic crimes; environmental protection.

JEL Classification: K32; K19; K10; Q56; R11.

Introduction

Environmental Economic crimes constitute illegal offences that target a state's economy and monetary policy and have a damaging effect on public funds and the state's financial system. It also plays a major role in draining the state's resources due to the astronomical costs needed to address its repercussions.

The Jordanian Economic Criminal Law reflects the increased global interest in this type of crime; however, it differs from other legislation in that it contains more significant provisions than standard penal codes that list and describe crimes and their associated penalties. One of the most prominent characteristics of this law is that it defines economic crime in a way that does not limit it to a specific group of crimes. Instead, it defines economic crimes as those crimes that cause harm and violation to public funds and the national economy.

1. Research Background

Hence, the researcher will use this aspect to determine whether environmental crimes could be considered economic crimes and to what extent. This idea was inspired by environmental crimes being on the rise and negatively influencing all living beings, including people, animals, and plants, and public health. It also negatively impacts the economy since it compels the government to spend much money trying to reverse its serious repercussions. Bearing in mind that the researcher is more interested in preventing damage to the state's economy due to the repercussions of these crimes than in discussing economic gain. However, this requires strict provisions and legislation in criminal laws to combat environmental crimes.

2. Methodology

This study seeks to clarify issues that demonstrate that these crimes are economic offences that must be combated to prevent their further spread and to keep the legislation that addresses them from falling far short of the minimum level of protection that the legislator intended. The researcher studies this topic through the following sections: Section One: The definition of economic and environmental crimes. Section Two: the similarities between environmental crime and economic crimes. Section Three: the consequences of considering environmental crimes as economic crimes.

3. The Concept of Economic and Environmental Crimes

This section addresses the concept of economic crimes and environmental crimes:

3.1 The Concept of Economic Crime

Economic crime has a wide range of definitions, and like other legal concepts, it has developed considerably through time. However, they are all heading in the same direction. These definitions include one of the most crucial ones: "An illicit act or omission punishable by law that produces damage and has an external appearance that violates the state's economic policy and the credit system. Furthermore, it is conducted by a person who has a legal capacity. Some define it as "every act or omission that would prejudice the integrity of the economic structure, as expressed by the peremptory rules of the economic system included in the criminal penalty".

Others defined it diversely, saying that it includes "those crimes included in texts criminalizing acts that result from the protection of economic activity, regardless of whether the criminal provisions were contained in a separate law "economic penal Law" or they were included in several separate texts regulating economic activities" (Nayel 1990, 13). These definitions provide that these offences directly or indirectly target and undermine the state's economic activity. It is mandated by laws or other texts that address the state's economic system. Therefore, economic crime is governed by all the texts that criminalize actions that would harm public funds, industrial, agricultural production, consumption of goods and services, and dealing with them, such as legislation related to catering, industry, agriculture, trade, insurance, transportation, companies, cooperative societies, taxes, customs, financial market and banks (Nayel 1990, 14; Al-Billeh 2022).

The types of economic crime vary according to the number of economic activities or the economic interests these crimes infringe on. These types include:

1. Classic economic crimes: ordinary crimes with economic effects, such as theft, embezzlement, forgery, bribery, extortion, fraud and tax evasion.

2. Globalized economic crimes: These are modern economic crimes that vary from society to society depending on their economic systems and level of civilized development. The globe has experienced rapid development due to globalization, the growth of the network of international interactions, and new activities that reflect new categories of economic crimes. Everything that threatens wealth, distribution, trading, manufacturing, circulation, and consumption of commodities and services, as well as environmental wealth, including plants, mineral treasures, and marine wealth, falls under this category of economic crimes. These economic crimes include: sabotaging and defrauding agricultural lands, burying nuclear waste in the ground or the sea, and disposing of industrial waste. Moreover, the crimes of producing and cultivating natural drugs at the expense of agricultural lands, manufacturing and trading drugs by chemical means, unfair competition such as counterfeiting and counterfeiting consumer products and trademarks, and monopolizing goods. Cybercrimes include bogus operations, forgery and theft of information and data, penetration of privacy and espionage to sabotage or profit.

These crimes are the most serious since they impact the state's economy and economic policy. It is well known that economic activity dominates daily life, so any harm inflicted on it will adversely affect several parties. Besides, it is one of the fundamental practices of the state, which defines its economic doctrine (capitalism, socialism, or social doctrine). The consequences of these crimes may extend to successive generations. These

offences could have long-lasting impacts on the major companies' national economy and fiscal status because they could trigger catastrophes and financial crises such as the one the globe is experiencing now. Additionally, it can have societal repercussions that put the lives of those who work for the government and its institutions in danger.

On the other hand, the illicit business activities of some major corporations, such as multinational corporations, and their influence over the domestic and global economy, may occasionally worsen the severity of these crimes. This reality has caused numerous states and organizations to recognize the threat it poses and take action to address and combat it using various strategies.

Economic crimes have a hazardous impact as they can cause a recession, the spoilage of the country's vast economic resources, a loss of opportunity, the reduction of economic productivity, and, on the other hand, an increase in unemployment, poverty, economic recession, and an underground economy (Morshedi and Gholami 2019, 278-285).

Similarly, Environmental Crimes also have a hazardous impact on the human and natural levels; that is, they endanger plant and animal life, human life and health. The European Union Agency for Criminal Justice Cooperation ranks environmental crime as the fourth largest criminal activity in the world (United Nations 2022, E/CN.15/2022/NGO/5). Thus, their hazards to humanity will be revealed later in this research.

3.2 The Concept of Environmental Crime

According to Fiqh, "It has two complementary concepts, namely, the biological environment, which includes everything related to the human life in terms of reproduction and heredity, and the relationship of man with living creatures, animals and plants that live on one level. The natural environment includes water resources and waste and their disposal, insects, soil, land, dwellings, air, purity or pollution, weather, and other natural characteristics of the environment (Malkawi 2008, 27)." The Jordanian Environmental Protection Law defines it as "The medium that includes biota and non-living organisms, the materials it contains, the surrounding air, soil, and the interactions of any of them, and the facilities or the activities in which a human carries out (Article 2 of the Jordanian Environmental Protection Law 2006)."

Environmental crime is: "The behaviour that violates an obligation protected by a criminal sanction that causes a change in the properties of the environment in a voluntarily or involuntarily, directly or indirectly, that leads to damage to living organisms and living or non-living resources and affects the human normal life practice" (Malkawi 2008, 33). Some define it as "Positive or negative acts, whether intentional or unintentional, by a natural or legal person that damages or attempts to harm an element of the environment, whether directly or indirectly" (Hilal 2005, 36).

Environment crime is defined by the United Nations Economic and Social Council as "Every change in composition or natural state of affairs takes place under the direct or indirect influence of humanitarian activities and violates certain uses or activities that could have been done in a normal situation" (Boumediene 2018).

Although there is no universally accepted definition of "environmental crime," it is frequently understood as a collective term to describe illegal activities that harm the environment while attempting to benefit specific people, groups, or businesses through the exploitation, destruction, trade, or theft of natural resources, including serious crimes and transnational organized crime (UNEP, 2016).

The researcher thinks this definition encompasses all of the components of crime similar to common crime, making it broader. Additionally, it explains the offender's legal status, the type of offence, and the interest that is violated and for which the legislator has granted criminal protection. Here it is necessary to refer to the types of legislation related to the protection of the environment and its elements, which are of two types:

- Legislation dedicated to the protection of the environment, such as Environmental Protection Law No. 52 of 2006, Air Protection System No. 28 of 2005, Marine and Coastal Environment Protection Regulation No. 51 of 1999, Natural Reserves and Parks System No. 29 of 2005, Hazardous Waste Management and Handling Instructions, Use Control Instructions Substances that deplete the ozone layer.

- Legislation relating to the environment: traffic law, public health law, mining system, pest control system, agriculture law, natural resources regulation law, water authority law, penal code, bird and wildlife protection system.

Similar to other crimes, environmental crime is based on three pillars, namely; legit, which indicates the text of criminalization; the second is physical; and the third is the necessity to assign responsibility to a particular person, expressed in criminal intent or error resulting from negligence (UNEP, 2016). The similarities between the two types of crimes will be addressed in this study, meaning that some environmental laws may refer to certain

economic crimes or that some economic laws may clarify the association between the environment and the economy, thus, some environmental crimes may be regarded as economic crimes.

4. The Similarities between Environmental Crimes and Economic Crimes

The researcher argues that environmental crimes are comparable to economic crimes in terms of the crime's components, the material results of both, and the fact that both include an attack on public funds. The researcher in the following subsections investigates these features:

4.1 The Similarity between the Elements of Environmental Crimes and Economic Crimes

These pillars include the physical pillar and the moral pillar.

First: The physical pillar:

Environmental crime is similar to all crimes in terms of the presence of the physical element, which takes both positive and negative forms.

- The positive form: It is manifested in the actions that are prohibited by law such as: polluting, burning, pouring waste in unspecified places, and cutting down trees.

- The negative form: Refraining from complying with the regulations of the law, such as refraining from installing filters to purify the smoke of factories and refraining from installing emissions measuring devices.

Second: The moral form

Economic crimes are major offences that occur as soon as the offender engages in the physical act that causes the crime to occur, without first needing to inspect the presence of the moral component that is assumed to be there beforehand (Nayel 1990, 16).

This is what we perceive regarding the occurrence of environmental crimes, which are established on the physical pillar as the availability of the moral motive or the intent is presumed (Hilal 2005, 43) due to the danger and significant impact of these crimes, which cannot be addressed by saying that the moral pillar is not available.

4.2 Similarities in Terms of the Physical Consequence of Environmental Crimes

Environmental crimes have similar physical repercussions to economic crimes in terms of outcomes. However, the physical outcome does not necessarily require the completion of the physical element because it is conceivable for there to be a temporal divergence between the action and the physical result, such as with the crime of pollution, whose damages may subsequently return to humans, animals, and plants. However, the result should be achieved in some crimes, such as cutting down trees. The researcher argues that there are more negative effects of cutting trees than just physical cutting. These effects show up later in the impact on the quality of the air, on the threat to tourism, and on the aesthetic side, all of which may be caused by the proliferation of cutting operations, giving it the potential to be dangerous.

4.3 Both are Offences over Public Property

At the outset, we must understand the concept of public property. Nobody can deny the significance of public property in serving society, and the nation for sustainable development since protecting public funds requires much work to accomplish these lofty goals.

Public property is all real property or movables owned by the State or public juridical persons, allocated in fact or law for the public benefit (Article 60 of the Jordanian Civil Law No. (43) of 1976).

It may sometimes be called state property. Civil laws have defined it in all comparative legislation. The Syrian legislator defined public property as movable and immovable property belonging to the state, cooperative societies, popular and trade union organizations, funds deposited in ports, airports, free zones and customs warehouses of all kinds, and all funds deposited with the state (Paragraph 2 of Article 1 of the Jordanian Economic Crimes Law No. 20 of 2004). Any attacks against them are considered crimes, and among these crimes are the so-called crimes of damaging public property (Badra 1998, 226).

However, the definition of the Qatari legislator highlights the environmental elements in the definition, as he defined them as the immovable and movable property that belongs to the State or to public legal entities that are de facto dedicated for public benefit or under law, decree, Emiri decree or Cabinet resolution (Article 1 of the Qatari Public and Private Property Law No. 10 of 1987). In addition, the same law deemed the following as public state property (Article 3 of the Qatari Public and Private Property Law):

- a) The seashore until the farthest distance the tide waves reach with a shore sanctuary for a distance of ten meters.

b) Lakes, ponds and salt marshes are linked to the sea, with the reserve of the piece of land surrounding them for a distance of ten meters.

c) Land exposed to the low tide water of the sea, ponds, swamps, water canals, and channels that no one had previously owned.

d) Roads, streets, lanes and public squares.

e) Lines and means of transportation and public land, sea and air transport.

f) Ports, harbours, marinas, docks, marine basins, bays, navigation channels, and dams.

g) Water canals, streams, underground and aboveground water channels, and water tanks intended for general distribution.

h) Telephone and telegraph wired and wireless public communications networks, electricity networks intended for public lighting, public radio and television transmission networks, and tools, equipment and installations.

i) Fortification, defence and land installations in areas of fortifications, arsenals and military camps, weapons and war material, warships, vessels and boats.

j) Real estate and real estate by destination are allocated to the Emiri council, the ministries, government interests and public legal entities.

k) public museums, monuments and libraries.

l) Mosques and Friday Prayer Mosques are subject to the provisions of Islamic law relating to the endowment.

This leads us to the conclusion that public property includes money as well as anything that can be valued or sold to be converted into money, such as land, sand, stones, water, and any hidden fisheries, treasures, or minerals, as well as any material or human wealth that has been invested in it using public funds to achieve one of the state's lofty goals. For instance, defining a field or activity to serve the nation and its citizens in one of those areas necessitates the state to pay financial costs; as a result, this field or activity is considered state property, must be maintained and protected, and appropriate laws must be enacted to regulate spending and the activity itself and to hold those who tamper with it accountable.

The elements that make up the environment are the same elements of public property. Therefore, economic and environmental crimes constitute an assault on public property. Therefore, given this justification and the subsequent considerations in light of their connections to the concept of public property, the researcher does not see what prohibits environmental crimes from being classified as economic crimes. The researcher based his justifications on the following reasons:

- The Jordanian Economic Crimes Law has defined economic crimes as crimes that cause damage to the economic status of the Kingdom, breach public trust in the national economy, currency, stocks, bonds or traded securities, or are related to public funds (Paragraph A of Article 3 Jordanian Economic Crimes Law, 2004). In addition, the same law considers the crimes stated in the Penal Code as economic crimes if they cause damage to the economic status of the Kingdom, such as fire and vandalizing public water facilities (Paragraph B of Article 3 Jordanian Economic Crimes Law, 2004).

- The legislator classified economic crimes as those offences that constitute an assault on public funds, however, he adds flexibility in the law for other common forms of such crimes. As I indicated previously, environmental crimes are economical since they attack public funds.

4.4 Environmental Crimes Pose a Risk and Damage

In the same way that other forms of criminal crimes in the Penal Code inflict damage and risk (Hilal 2005, 41), environmental crime is comparable to economic crime. The legislator has added these conditions to environmental crimes to protect the diverse environmental factors because of their significance in endangering a specific threat. The point of criminalizing it is the danger because the environment's characteristics make it difficult to deal with things normally, like not naming a specific victim or describing the harm he has induced, its scope and complications, or the number of people who may be affected by it now or at any time in the future. Therefore, the legislator focused on criminalizing the abstract act simply because it threatens the public and sometimes private interests (Malkawi 2008, 73).

The researcher will address the concepts of risk and damage when talking about the crime of polluting the environment.

However, it should be noted that the magnitude of some of the damages caused by environmental crimes should be emphasized. For example, according to statistics, two billion people worldwide drink tainted water

because they lack access to potable water. Due to this, 25 million children die suddenly yearly, 800 million individuals are exposed to malaria, and an additional 300 million contract schistosomiasis (Malkawi 2008, 73).

It is also necessary to look at how the environment and the economy interact. Due to the general harm that environmental crime does to the economy, there is a connection between the two. Environmental crimes encompass everything that could result in major environmental and humanitarian crises and disasters, impacting social and economic security. Additionally, the security, safety, and life of humans are also put in danger due to the wide-ranging threats resulting from it. When the destructive war machine bombed certain economic and environmental sites like dams, irrigation systems, and agricultural areas, and dumped poisonous materials into the water, for instance, the impacts of environmental crimes on the economic side could be noticed (The watchful eye of environmental crime 2009).

The impact can also be seen in the astronomical costs incurred to alleviate the impacts of environmental crimes, which threaten economic growth, damage the wealth of plants, animals, and the oceans, and impact distribution, production, trading, and consumption. For example, when environmental crimes destroy agricultural lands, bury nuclear waste underground, or pollute the sea, this has an impact on the economy both directly and indirectly because it necessitates astronomical costs to remedy it, which prevents placing those costs in the necessary aspect for sustainable development (EPA Law Enforcement and Compliance Report 2005).

The Jordanian legislator mentioned this in the Environmental Protection Law, where Paragraph B of Article 11 states: "Anyone who performs any of the acts mentioned in Paragraph (a) of this Article B shall be penalized, and the causes of the violation shall be contaminated within the period specified by the court. In case of urgent or hazardous contamination reported by the environmental inspector, and if the violator fails to remove his violation, the Ministry or whoever it delegates have the right to engage with the decontamination, the expenses shall be covered by the rule breaker, and (25%) shall be added to the administrative expenses in case the decontamination was overdue. The violator shall be subject to a penalty of a fine that is not less than fifty dinars and not more than two hundred dinars for each day in which he fails to remove his violation overdue."

Paragraph A states, "It is prohibited to dispose and collect any substances harmful to the safety of the environment, whether solid, liquid, gaseous, radioactive or thermal, in water sources". This is what the Jordanian Court of Cassation ruled, in that the municipality collects, burns and tampers waste to preserve public health and takes precautions to prevent the spread of epidemics. It has the right to demand the cause of these wastes for what it spent (Jordanian Cassation Court decision, Bar Association magazine 1985, 1205).

This procedure illustrates how environmental criminality affects the economy and how expensive it is to eliminate the causes of pollution. It also demonstrates how the environment affects the economy in terms of the cost of environmental degradation or the amount of monetary damage if the environmental deterioration can be quantified in terms of damages (Qutb, 2009). For example, the World Bank estimated the cost of environmental degradation in Jordan to be 205 million dinars annually or more than 3% of the country's GDP.

Finally, it should be noted that jurisprudential attempts to include environmental crimes within economic crimes. Among these attempts is economic criminal jurisprudence, which counts environmental crimes within its enumeration of economic crimes (al-Hariri 2009): money laundering crimes, environmental crimes and disrupting its balance, and electronic crimes that take place through the computer and the Internet.

Jordan has also tried to include environmental crimes within economic crimes. For example, some environmental crimes have been included directly or indirectly within some economic legislation that aimed to protect economic aspects, such as Article 386-388 of the Jordanian Penal Code No. 16 of 1960, which specified that "Any person who cheats in materials allocated for human or animal consumption or in medicines or drinks or industrial, agricultural, or natural products, which is prepared for sale is subject to punishment." Article 449 of the same law also stipulated that "Whoever cuts or spoils existing cultivation, trees, naturally existing or man-planted shrubs, or other non-fruitful plants; whoever intentionally releases animals on such plants with the intention of destruction; shall be punished." Several Articles also include penalties towards aggression over public property, cause damage to agricultural equipment and environment" (Articles (443, 447, 448, 449, 452, 451, 454, 455) of the Jordanian Penal Code).

Another example is Law No. 12 of 1968 regulating the affairs of natural resources, which includes environmental crimes, such as sabotage or deliberately damaging an irrigation project (Article 61). Taking properties or transferring them without the authority's permission (Article 62). Allowing water to leak and cause damage to roads, buildings, projects or funds (Article 63).

The Agriculture Law also includes provisions regarding the offences of overgrazing, dumping trash, waste, solid, liquid, or radioactive waste, or any other materials that pollute the environment on land that is forested,

burning or removing trees, forest shrubs, and wild plants without a permit, and removing or destroying rare and endangered fruit trees.

Even though Jordanian environmental law has evolved quickly to keep up with advancements in various industrial and technological fields, to protect the environment and cooperate with the appropriate international and regional bodies, extensive legal protection of the environment needs to be provided for in the text of the Constitution. Additionally, the country's legislators still need to establish a unique system for compensating for environmental damage. The aggregation of these flaws impacted how well environmental law worked and how it was applied (Emar and Abu Issa 2021, 1850-1860; Almanasra, *et al.* 2022).

The researcher opined that it is reasonable to consider environmental crimes as economic crimes due to the previously mentioned association between them and economic crimes and jurisprudential attempts to treat them as such. At the same time, there is nothing to prevent the legislator from treating them. Just as the legislature has put legislation regarding economic crimes, the seriousness of environmental crimes prompts the legislature to set provisions to confront these crimes.

5. Consequences of Considering Environmental Crimes as Economic Crimes

First, we must discuss the grounds for and effects of adopting the provisions of the Economic Crimes Law.

A. The necessity of swift criminal procedures

The Code of Criminal Procedure provisions often permits the prosecution, investigation and trial procedures extension. Consequently, the intended benefit of applying legislative texts in economic and environmental crimes of extreme danger that cannot be tolerated is not achieved. The long wait is because of the litigation procedures in exchange for the danger they pose.

The effects of these crimes must be reduced by taking immediate action as soon as feasible. If we do not do that, the breadth of impunity increases, and the environment and its constituents will continue to deteriorate due to the slow adoption of essential remedies. Moreover, therefore, we find in the economic penal laws or the laws of economic crimes what fills this gap and creates the speed necessary to take punitive measures, such as the Prime Minister's authority to refer them to the State Security Court under the powers granted to him under the provisions of the State Security Court Law (Paragraph B of Article 6 of the Jordanian Economic Crimes Law).

B. Environmental crimes are major offences that take place as soon as the perpetrator does a physical act that causes the crime to exist, without the need to first look for the availability of the moral component that is presumed to exist. Additionally, failing to demand proof of the moral component that could obstruct the efficient implementation of environmental legislation and influence the degree of environmental protection necessitates that it be regarded as an economic crime. For economic crimes the assumption of the moral element is sufficient, and it does not mean that it is assumed that it does not exist, but rather to be lenient in proving the availability of this element, unlike ordinary crimes (Nayel 1990, 16, Alkhseilat, *et al.* 2022).

C. In terms of penalties, the penalties included in the legislation related to the environment often need to be revised, and there is no room for discussion. However, once those legislations are reviewed, it can be observed intuitively that they are often penalties similar to those imposed on violations and almost devoid of most penalties that deprive freedom.

Generally speaking, to achieve effective economic and social progress, and achieve the public interest and the individual interest at the same time, a good, balanced and non-polluting environment must be provided, and an effective penal system must also be created to protect the environment (Malkawi 2008, 20; Al-Khawajah *et al.* 2022).

As for the consequences of considering environmental crimes as economic crimes, they are as follows:

First: Finding solutions to environmental crimes from an economic perspective.

These solutions include:

A. Using economic instruments among the national measures to protect the environment

The international agreements and conventions on environmental protection usually invite state parties, in conformity with their obligations under applicable international agreements, to consider the use of economic instruments to facilitate the efficient implementation of multilateral environmental agreements (Draft Guidelines on Compliance with and Enforcement of Multilateral Environmental Agreements).

B. Prosecution and penalty

According to this solution, the penalty is wider than its traditional concept: the confiscation of freedom only or simple fines. However, it goes beyond that to exorbitant financial fines, as the United States of America did. The credit for reducing environmental pollution in the United States is due to their decision to prosecute, imprison and incur heavy fines (EPA Law Enforcement and Compliance Report 2005).

C. Criminal conciliation

The conciliatory solution in the field of environmental protection occupies - according to some - great importance among the penal solutions for the protection of the environment, as it is commensurate with the main objective of the legislator to devote the penal protection of the environment. The value of the conciliatory solution is determined by the obligations accompanying this penalty to remedy the damage to the environment and not the extent of what is prescribed as a penalty or a fine.

Second: Applying the provisions of economic crimes to environmental crimes

Among these provisions are the following:

- The Jordanian Economic Crimes Law poses the same penalty on the inciters and accomplices and the original perpetrator of environmental crime (Paragraph D of Article 4 of the Jordanian Economic Crimes Law). Incitement and complicity can be easily imagined in the area of environmental crimes. The researcher believes that providing effective penal protection for the environment requires the punishment of both the inciters and accomplices of environmental crimes.

- Not adopting the minimum sentence. the Economic Crimes Law expressly stipulates: "The court may not consider the discretionary mitigating factors to reduce the penalty to the minimum prescribed for any of the crimes stipulated therein..., and the penalties prescribed for it may not be combined if there are multiple crimes of which any person has been convicted under the provisions of this law)" (Paragraph C of Article 4 of the Jordanian Economic Crimes Law).

The Jordanian Environmental Law has indirectly discussed the idea of the most severe punishment in the area of the environment. It also meant the punishment specified in other laws when it said "the most severe punishment." It stated that: "Whoever violates the provisions of the system and instructions related to the protection of the environment in natural reserves and national parks shall be subject to a penalty of imprisonment for a period that is not less a week and not more than a month, or a fine that is not less than 100 Dinars and not more than 1000 Dinars, or by both penalties. Without prejudice to any severer penalty stipulated in this law or any other legislation" (Article 18 of the Jordanian Environmental Protection Law).

- In terms of the periods of prescription. The period of prescription provisions does not apply to economic crimes committed violating the provisions of the Economic Crimes Law nor to the penalties prescribed (Article 10 of the Jordanian Economic Crimes Law). The researcher believes that such a harsh ruling is imposed by realistic conditions where there are many attacks on the environment and its elements, which calls for the intervention of the legislator with harsh provisions to deter violations that deplete and infringe environmental resources.

- Adopting the retroactivity of laws that violate the general legal provisions and principles that stipulate the law's immediate effect and non-retroactivity unless it is more suitable for the accused. For example, the Jordanian legislator considered this in the environmental legislation when he granted the right to the minister to request from any institution, company, establishment or entity established before the enforcement of the provisions of this law and which engages in an activity that affects the environment, to prepare an environmental impact assessment study for its projects if the protection of the environment required this (Paragraph B of Article 13 of the Jordanian Environmental Protection Law).

Conclusion

Truly, it is not a matter of comparison, which has no room in criminal law, but rather of giving some crimes more emphasis than others to get them dealt with more quickly and with adequate punishment. In this context, we are referring to environmental crimes. Environmental offences should be prosecuted similarly to economic offences, just as economic crimes attracted the legislator's attention and set up regulating legislation for them. Legislation compatible with the seriousness of environmental crimes must be developed, as their effects are no less dangerous than economic crimes, to the extent that we consider it one of them.

The idea that environmental crimes are a type of economic crime is not new. Nevertheless, both the researcher and jurisprudence agreed with this viewpoint. At the same time, this opinion called for giving environmental crimes more relevance, which cannot be achieved through different texts in different laws that may occasionally conflict and may only sometimes be enough to provide protection. Instead, environmental crimes require urgent intervention to reduce and mitigate their effects. Sometimes we may realize that these laws need to be revised to ensure essential environmental protection or that the relevant authorities need to apply them correctly. The researcher supported this opinion by comparing the shared traits of environmental and economic crimes and identifying their common denominator, particularly because the legislator in the economic crimes law allows space for the implication of such crimes. This is on the one hand, and the other hand, some jurisprudence

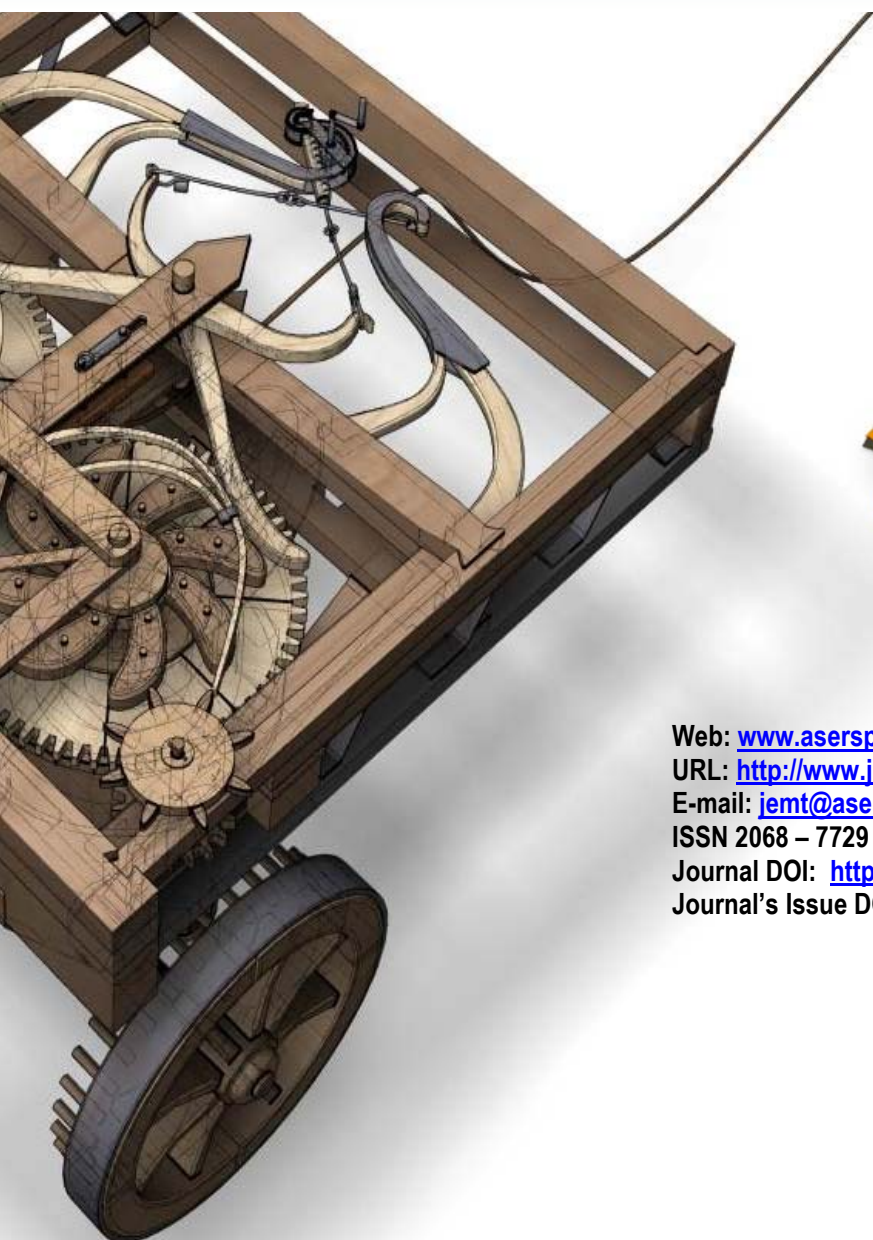
considers that some environmental crimes are economical. Some crimes, particularly those that attack public resources, share the same characteristics as environmental crimes.

In this context, the researcher does not aim to come up with new crimes but rather tries to attribute the characteristics and provisions of economic crimes to environmental crimes since the provisions of the latter include features and advantages that ensure effective penal protection if they are applied in the field of environmental crimes, such as The periods of prescription, the liability of the legal person, not considering the minimum limit and other provisions mentioned by the researcher. Therefore, the researcher suggests that to grant the environment and its constituent parts the proper judicial protection and to prevent or lessen attacks on them, consider environmental crimes to be economic crimes and apply their rules to environmental crimes.

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