

# The Civil Description for Bio Property in World Heritage List

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## Abstract

*The civil description of the biological component means the center of the financial component to the value of the biological component within the marshes. There are two aspects in the statement of the civil description. The first aspect is the description of the subject of the biological component in that it is property in the technical sense of ownership and thus it is formed. Financial transactions are linked to it from the perspective of financial exchange value and the usual civil relations are conducted over it. Or it departs from the transaction in the traditional sense by giving priority to the legal value of the moral inheritance, and thus the transaction is linked to this legal description. Here, the addition of the marshes to the World Heritage List establishes a dialectic within the scope of the internal status of civil descriptions being distinct from the nature of UNESCO's relations and regulations in the nature of the moral heritage of the marshes, including the biological component.*

**Keywords:** *Biological Component, Cultural Component, Natural Component, Physical Interactions, Environmental Site, Marshes, Pollution, World Heritage, Migratory Birds, Local Birds, National Scope, International Scope.*

## Introduction

The center of the biological component is divided between the international relationship, which considers the entire marsh site and all its biological components to be human property and moral heritage.

The second relationship is the national status in internal law, which considers the site of the marshes attached to the World Heritage List to be part of the national territory and includes ownership under the national description.

For the above, the discussion will be a comparison between artistic ownership in the national sense and the legal ownership of the biological component in light of the world heritage concept and the regulations of the World Culture Organization UNESCO[1].

As a result, the statements of both parties about the biological component carry a dual nature regarding the credibility of consideration for that civil description, so that the transfer of the description takes place between the two parties in a reciprocal manner.

### *Definition Biological Elements for Marsh.*

The World Heritage Convention of 2014 and the guidelines issued in connection with it brought together cultural and natural heritage in discussing the subjects subject to protection related to the Convention.

The biological component, in its general sense, consists of bacterial structures, microscopic organisms of unicellular or multicellular species, and other life types of organisms, birds, plants, and algae located within the site attached to the World Heritage List.

The biological component is defined as all forms of life, including the concept of plants[2].

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Others defined it as every natural component of life forms and the physics relationships, interaction, and intermediate changes between organisms and the environment.

Biologists also defined it as the biological component is the living structure of microelements that represent the cellular lifestyle of any living organism.

In general, there are those who differentiate between the natural component and the biological component, considering the former to be broader and including the non-living structures of the environmental site, such as chemical interactions of soil and water and the decomposition of elements, while the biological component relates to microscopic, animal, and bird life patterns, and some even include plants within the scope of life patterns.

We adopt the definition of the biological and biological component, the following definition of the form of life that characterizes patterns of life with simple and complex cellular structures, and for all who combine this description from bacterial forms, microscopic groups, and other animals and birds.

Plants depart from that definition and are classified as a natural, sub-biotic component, as the form of life is linked to a species and not to a form or element.

In general, the biological component enjoys two levels of protection[3]:

The first level: Total protection of the site and the buffer zone, as protection for the entire site attached to the World Heritage List is comprehensive in content for the natural component, the biological component, and all components and relationships of that site indirectly.

The second level: Protection (self or direct), which includes species that are rare or vulnerable to extinction, disappearance, or damage. They are classified under self-protection directed specifically to a specific biological, natural, or cultural subject, where the concept of sustainable protection is achieved that each element enjoys a specificity, such as the possibility of a species being exposed. Of birds to extinction or the disappearance of a cultural landmark or site covered by ideal and sustainable protection as a type of special protection[4].

The relationship of protection to ownership of the biological component.

There is a close connection between the concept of protection for the biological or natural component of sites included in the World Heritage List and the nature and scope of ownership of that site. Therefore, we will talk about the nature and scope of ownership in more detail.

Nature of ownership: What is known about ownership is that it is either private, whether it is individual (separated) or shared between two or more people, or ownership is public and belongs to the state.

Within the scope of ownership of the natural (biological) or cultural component, ownership has a peculiarity characterized by the fact that the component does not give the characteristic of exclusivity in a way that establishes the possibility of material disposal of the subject and place of ownership. Rather, the place must be preserved in a sustainable manner by seeking and providing means and modes of protection for the natural and biological component in all possible ways[5].

One of the manifestations of this preservation is removing the natural and biological component from the idea of exclusivity to the concept of sustainable conservation and from the effects of private and governmental ownership to the vastness of the global impact by making it a heritage, property, and manifestation of humanity, so that the meaning of ownership in the artistic form is not achieved through the methodology of controlling the owned money and obtaining everything the owner wants from it. Physical or legal actions[1].

Therefore, the natural and cultural property on the World Heritage List has the following elements:

The aspect of ownership is the preservation of the biological, natural and cultural components.

2-0 Sustaining that preservation by giving it the highest legal value in terms of importance on the human level for the whole of humanity due to the specificity that exists in the subject matter that is the subject of that ownership.

The scope of ownership: The biological, natural or cultural component, or the individual urban patterns and rare breeds available in these environmental sites as a whole, has a global and comprehensive human scope, such that the connection between the national concept of ownership and the human character of the features of the site or the natural, biological and cultural component is dissolved, so that what is withdrawn from its exceptional character is taken from one generation to the next[6]. .

Thus, the importance from the perspective of history or science, or the rarity or originality from the anthropological or anthropological point of view, is through merging with a natural appearance or a single pattern resulting from the mixing of human or natural effort into a distinct composition on the human level.

Thus, the scope of natural, cultural and biological ownership includes[7]:

- The circumstance of non-recurrence of the biological component, such as organisms that are vulnerable to extinction, makes the legal character inseparable with the importance of their real existence in nature, because with extinction they cease to exist. Transferring the scope to the international character addresses the gaps in national protection.
- Releasing inclusiveness from national specificity to human universalism in accordance with the nature of humanitarian consideration.
- Consideration values from the point of view of science, history, or anthropological and anthropological sciences prevail over material value.

Therefore, the financial value stems from consideration and not the market values of evaluation, supply and demand, so that the consideration of the biological location in the wet areas of the marshes is the basis of that ownership without the reciprocal concept of financial compensation. So consideration and human value are the origin and basis of that financial value.

The technical appearance of legal ownership.

There is a relationship in the difference in the status of the biological and cultural component between the stage prior to its inclusion in the World Heritage List and the stage following its inclusion in the concept of World Heritage.

The stage of considering the application for admission requires time for evaluation to determine acceptance or rejection by the World Cultural Organization, Unesco.

In conclusion, the idea of the state's national sovereignty over its territory and the technical appearance of ownership is where most countries consider it public property of the state. This description does not stem only from the legal understanding, but rather from the general national legislative policies, and the prevailing social idea is not accustomed to the human nature and the idea of consideration and importance within which the biological component is classified, and even in general. Items and sites attached to the World Heritage List[8].

So, the evaluation stage requires the provision of a set of conditions and requirements that qualify the candidate site in preparation for its inclusion on the World Heritage List. At this stage, the site is within the following property descriptions[9].

*First* - dual ownership that combines the description of public ownership by the state and potential ownership, which is international, if the annexation request is accepted.

*Second* - Preservative ownership: This is the ownership in which the site or the nominated natural or biological component is under evaluation by the competent committees to determine the description of the site and the availability of the conditions and appropriations stipulated in the World Heritage List and the guidelines of the Convention.

*Third* - Humanitarian ownership: This is the ownership that results after the site is accepted into the World Heritage List.

Therefore, the description of the natural, cultural, moral or legacy component is a regulatory alternative to the technical descriptions of property approved in private laws such as the Civil Code and the Antiquities Law such as antiquities or property. Thus, the scope of the World Heritage List terminology is broader and more general than the detailed laws.

All descriptions of ownership are established artistically based on the universal exception to the importance of beauty, creativity, or distinct and unique formation by virtue of science, history, anthropology, or anthropology, in a way that is cut off with an uninterrupted privacy for itself, without any other element or location[10].

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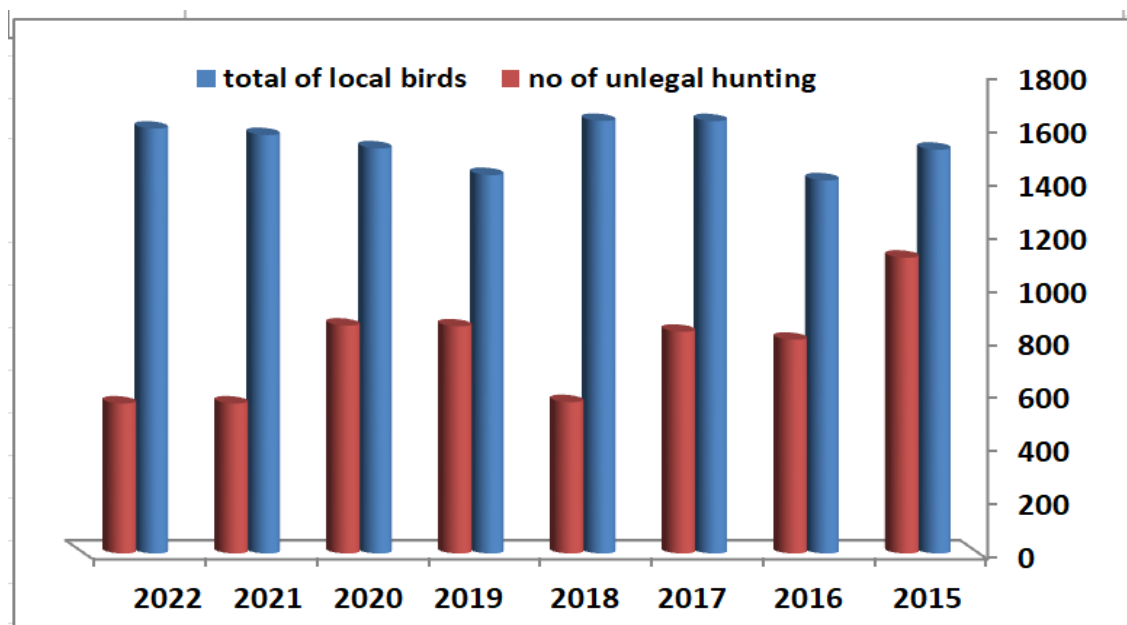
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#### *Above Is the Third Group*

1/2 Table of statistics on cases of poaching of local birds hunted in the Al-Sanaf Marsh in Iraq / southern Iraq / Dhi Qar Governorate / Suq Al-Shuyoukh city, for five years[15].

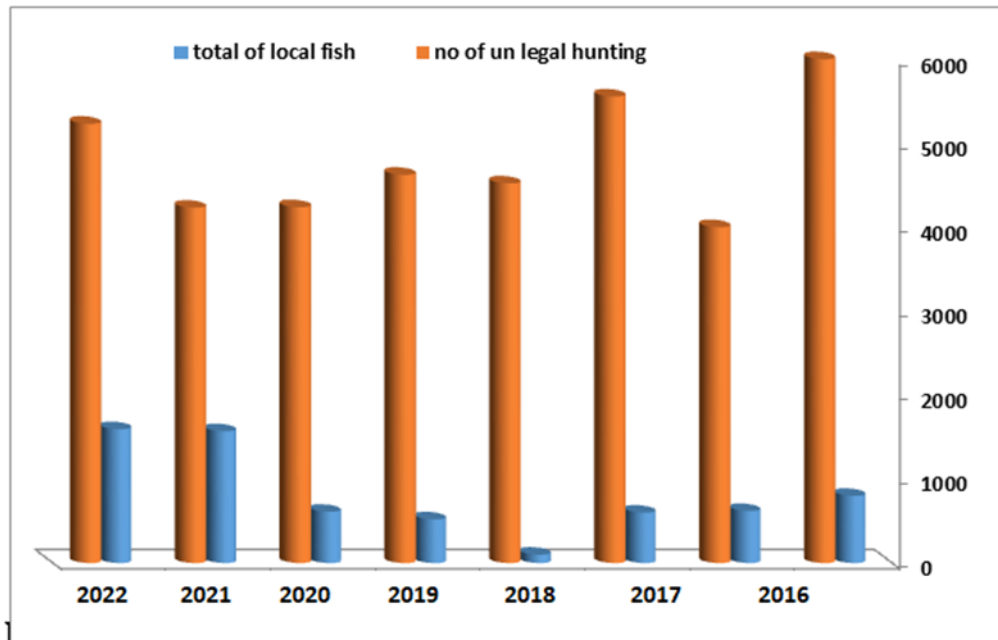
no of illegal hunting	total of local birds	no of local birds	year
1110	1515	16	2015
802	1400	20	2016
832	1622	15	2017
568	1623	18	2018
852	1420	16	2019
855	1520	16	2020
563	1570	16	2021
563	1594	16	2022



2/2 A statistical table of cases of overfishing of local fish caught in the Al-Sanaf Marsh in Iraq / southern Iraq / Dhi Qar Governorate / Suq Al-Shuyoukh city, for five years[15].

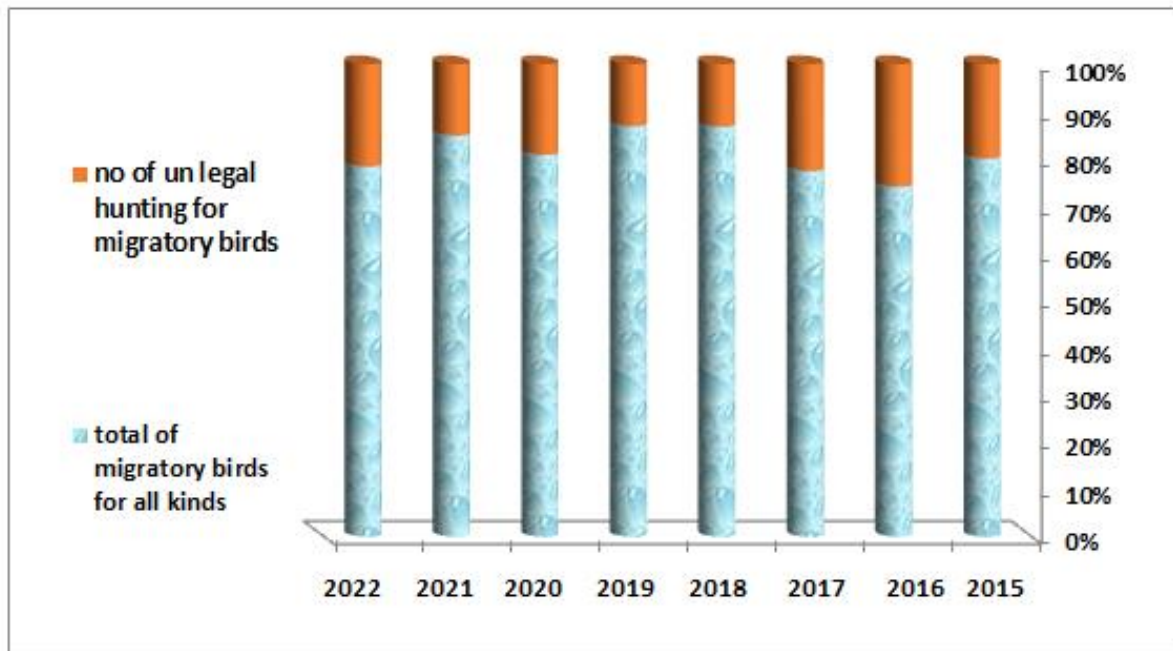
no of un legal hunting	total of local fish	year
6000	800.000	2015
4000	620.000	2016
5555	600.100	2017
4520	100.100	2018
4623	520.000	2019
4238	610.000	2020
4231	1570	2021

5231	1594	2022
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3/2 Statistical table of cases of poaching of migratory birds caught in the Al-Sanaf Marsh in Iraq / southern Iraq / Dhi Qar Governorate / Suq Al-Shuyoukh city, for five years[15].

no of un legal hunting for migratory birds	total of migratory birds for all kinds	year
523	2100	2015
852	2435	2016
623	2138	2017
325	2135	2018
325	2153	2019
512	2158	2020
685	3851	2021
652	2359	2022



### *The Relationship of Legal Ownership to Valuable Objects.*

The concept of a valuable thing is limited to its being unique in the universe, such that there is nothing similar to it.

The sites, biological and biological components, and natural structures are an exception to what is available globally and are therefore valuable according to international standards, even if this is not the case according to national standards.

The component value elements are based on the following[13]:

- Value is not linked to the uniqueness of the universe, but rather reaches the point of being unrepeatable in imposing reality, such as a bird or a species being subjected to a certain possibility of extinction.
- Value is not only a consideration in light of privacy, exception, or importance, but rather the idea of self-existence.
- The value in the global scope includes the aspect of optimal and sustainable management, and therefore the purpose of determining that value character is not the idea of a financial transaction that takes place by simply mentioning the name of the element, while the purpose of that in the World Heritage List is to indicate the exceptional legal character of the element or site attached to the World Heritage List. .

Optimal management proceeds according to plan

Protection

the site

Statistics

Risks and threats. But management has future plans



The scope of protection and optimal management is determined based on the value classification, so management is 100%.

Responsible for fully maintaining and classifying successful management

Specialized Scientific Management: It includes committees for identifying damages, diseases, threats, and treatment methods.

Logistics management: It is a form of ideal management whose mission is to provide the logistical requirements (equipment) necessary for the site and its biological or natural components.

Supervisory management: It is the management based on monitoring the work of previous departments and verifying the performance of their tasks.

There is a problem in the legal understanding and roles of responsibility between the national bodies that embrace the elements and the biological environmental site attached to the World Heritage List and the global scope of optimal management[8].

#### *Conflict Over the Organization of The Biological Component.*

The conflict is divided between two axes.

The first axis: legal restrictions

There is a confusion between the permissibility of the same behavior and the restriction linked to the World Heritage List. The permissibility of hunting nationally gives a connection to the permissibility of hunting for all types of birds, without specification for locally rare species or migratory birds.

This is called the permanent restriction of existence, and it differs from the circumstantial restriction, such as prohibiting hunting during the breeding season for birds and fish. This is called the circumstantial restriction of the ban, and it is linked to a part that differs from the first ban, in addition to the circumstantial being temporary and not sustainable[12].

The reason for the first ban is permanent, which is the importance of the species or bird being protected, while the reason for the temporary ban is the breeding season.

Here, the concept of national description in our example (hunting) intersects with its restrictions between inside and outside.

The second axis: Socio-cultural restrictions: This axis is related to the cultural situation, as international aesthetic standards for natural and biological models and the fact that it constitutes an exception may be considered a manifestation of disobedience to God, like some statues in archaeological sites.

The local importance is not the international importance. The tribal groups and the local population do not view the marshes and wetlands with any importance. Therefore, destruction of environmental sites and overfishing in these sites are widespread in a way that truly threatens these components[3].

So the form of knowledge is different and is reflected in the performance of residents in those locations.

Perhaps one of the reasons for this decline is the level of abundance of economic well-being. The labor relations associated with fishing, grazing work, and animal husbandry, and the nature of living on domesticated animals to provide food, made damage to the adjacent areas of the marshes a reality resulting largely from the patterns of the economic situation that impose on the local population to do this. Business[6].



In addition to all of this, there are appeals against the World Culture Organization Unesco and its affiliated committees from many national parties, individuals, groups and entities accusing the organization of stealing the national heritage and cultural and natural components from the national territory for the benefit of some countries or trading them on the international market in sales and trade to global mafias.

The model of France and its relationship with the Horn of Africa provides evidence of the waste of those countries' resources, monuments and components of various cultural and natural types, biotic and non-biotic.

#### *The Scope of Will in The Biological Component.*

There is no doubt that the biological component, in the aspect of its preservation and management, represents the relationship between man and his surroundings, so we are faced with a non-specialized connection, such as the relationship of the local population with the environmental site that embraces the biological component.

The specialized relationship represents the management relationship of the entity entrusted with managing the environmental site within the scope specified by the committees and entities associated with the World Cultural Organization, Unesco.

Within the scope of the two mentioned relationships, we are faced with the threats and tasks. In the first, we count the risks and damages, and in the second, the solutions and preventive measures to protect the biological component[14].

In general, the voluntary role includes contracts related to the site, such as contracts for water purification, bird and fish feeds, and monitoring of the chemical and physical properties of water in the environmental site and the surrounding land.

It also includes the voluntary aspect, the biological component of humans, such as

Developmental medium: It concerns the formation of a medium for the propagation of certain types of beneficial bacteria.

Laboratory medium: It is the medium designated for conducting tests and analyzes on specific types of biological components.

Nutrient medium: It is the medium that is prepared to nourish a form of life in a class of biological components. Here, there was a disagreement in jurisprudence regarding the sites included in the World Heritage List. Some stipulate that this protection be focused on the biological component in the appearance of the natural situation in the marshes and wetlands, without including those environments in which humans have intervened[1].

Others from jurisprudence said that the importance of the biological component in all its types is an intrinsic characteristic by virtue of its presence in the environmental site, its connection to that site, or its uniqueness in that connection by virtue of science, history, or exception according to scientific standards, and therefore, according to this opinion, it is considered subject to protection in an intrinsic manner related to the biological component itself. Regardless of its location within or outside the environmental site, they provide the example of migratory birds, which by nature move, and in this way they obtain protection regardless of the geographical and environmental location.

## **Results**

- The biological component includes simple lifestyles of microscopic life or other levels of life for birds and animals in the environmental site included in the World Heritage List.

- Protection of the biological component, either in general, includes the component through the protection of the environmental site that contains it or is linked to the same biological component.
- The reason for protecting the biological or natural component is that it constitutes an exceptional case on the scientific scale from a historical, scientific, aesthetic, anthropological or anthropological point of view.
- Protection of biological property is not based on the idea of exclusivity, on which the idea of ownership is based in the traditional sense.
- Basing the protection of biological and natural components on the idea of consideration and exceptionalism at the global level.
- The biological component resulting from human effort is covered by protection based on the intrinsic characteristic of the same element and class of the biological component.
- The standard of self-protection means violating the privacy of the biological, natural or cultural component.
- The biological component raises a conflict between the national law that embraces the site and its biological components and the international scope represented by the World Organization for Culture and Science, Unesco.
- The contractual relations for the biological component are not based on financial compensation, but rather are based on preserving and developing the biological component.
- Overhunting of local and migratory birds and fish is motivated by profit-making motives for trade, providing livelihood requirements for the local population, or organized crime, especially for rare and exceptional types of biological components.
- Many biologists consider the natural component to be broader than the biological component and different from it, and some biologists consider the biological component to be part of the natural component.
- Biological components are classified on the basis of cellular and biological structures, while natural components are classified into the physical and chemical relationships of the environmental site.

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