

Abstract

This study examined the subject of civil liability for uncommon nuisances of neighborhood resulting from pollution of environment in Palestine, in light of the legislations governing the rules of civil liability (Civil Code No. (36) for the year 1944, and its amendments for the year 1947, and the Mejallah), and environment related legislations, mainly the Palestinian Environmental Law No. (7) of the year 1999, and comparing such legislations to those of the neighboring countries, such as Jordan. The objective of this study is to illustrate the importance of creating a special legal regime of civil liability for nuisances of uncommon neighborhood caused by environmental pollution, especially that environment-related legislations did not address this issue as required, another objective is to demonstrate the possibility of adaptation and development of the general rules of civil liability commensurate with the nature of the environmental damage.

The subject of the study has been addressed through two chapters; the first chapter illustrates the legal nature of civil liability for nuisances of uncommon neighborhood caused by environmental pollution, by dealing with the nuisances of uncommon neighborhood and the pillars of civil liability for uncommon environmental damage, and the legal basis for such liability.

The second chapter deals with the legal implications of civil liability for nuisances of uncommon neighborhood caused by environmental pollution, represented by displaying of ways to compensate for this damage, and the mechanisms for assessing compensation, in addition to addressing the civil liability claim for environmental damage, and the possibility of having insurance for civil liability arising from such damage.

The study ends with a conclusion with the results and recommendations that has been reached.