



ROMANIAN REGULATIONS IMPACT ON THE HUMAN RIGHT TO A HEALTHY, PROSPEROUS AND ECOLOGICALLY BALANCED ENVIRONMENT

Elena IFTIME^{1*}

[1] “Ștefan cel Mare” University of Suceava, Romania, Faculty of Economics and Public Administration, e-mail: elenai@seap.usv.ro

Abstract

The topic that we are discussing in this study addresses to a scientific area of a great complexity, timeless, namely human rights. We insist particularly upon the human right to a healthy, prosperous and ecologically balanced environment. It is a right with a tremendous impact on life, health, equilibrium and on the sustainable development of the human community, seen in its two dimensions: the collective dimension (global) and the individual dimension related to each and every human being on the planet. We place our approach in the context of a more general legal framework of the human rights which was molded in time on three generations of human rights, the actual right under discussion belonging to the third generation. These are rights of human solidarity with a force of expression and a special physiognomy, because are training the efficient cooperation of the states and of the persons to whom these are addressed to, for giving shape and meaning to the individual-community relations which arise and evolve in the contemporary world. Through the light of the proposed objectives, we aim the consecration in legal terms and the exercise of the human rights to a healthy environment as it appears in the light of recent Romanian regulations, doctrinal debates and solutions of the judicial practice. When appropriate, we make referrals also to the regulations of international law (traditional) or to the norms of Community law to which the Romanian regulations are in harmony.

Keyword: human right, Romanian regulation, sustainable development.

JEL Classification: K32

*Corresponding author: Elena IFTIME , E-mail: elenai@seap.usv.ro



I. Three generations of human rights

We focused our attention on this topic of an increased complexity and of a special sensitivity because it is addressed to a cardinal issue for life, health, equilibrium and sustainable development of the human community, seen in its global dimension (collective) but also the individual one, reported to each member of this community.

The approach of this issue in all its complexity and extension of its problematic, are requiring first of all some general considerations concerning human rights, including, with a special form of expression and force, the human right to a healthy environment, prosperous and ecologically balanced.

We start from the idea, crystallized in the international law, especially if we consider the international law of human rights, that “the international society must treat global human rights in a fair and equally manner. Taking into account the national and regional differences but also the historical, cultural and religious variety the states have the duty to promote and protect all human rights and freedoms regardless of their nature and the generation these belong.

The evolution in time, of the human rights legal framework led to the shaping of three generations of human rights. The first generation brings together civil and political rights based on the principle of equality and non-discrimination. Are inherent rights of each human being, which the man is entitled to claim.

Correlated with these rights there are also the obligations of the states to grant them and guarantee.

This class of rights shapes the legal personality of the man, being called subjective rights (Iftimie E., 2013, pp.72-73). More specifically, are part from the first generation of human rights: the right to life; right to physical and moral integrity; right to health; right to freedom of creation; right to freedom of movement; of association; the right to equal protection before the law; the right to political participation and leadership of political affairs, the right to freedom of thought and conscience; right to citizenship, etc.

The second generation of human rights gathers the economic, social and cultural rights which in their exercise require the positive intervention of the state by creating the social and material conditions in order to achieve them. I mention for example: the right



to work, the right to rest; the right to social security; right to education; right to information; the right to the cultural life, etc.

The third generation of human rights covers as an extending area, those rights which require in achieving them, the states' intervention but also of the international community as a whole. These are known as human solidarity rights and came more recently in the practice of the international life. Are rights of a collective nature, related to the existence and the manifestation of the human community as it is perceived on a global scale. The most important rights pertaining to this generation give concreteness and expression to some demands of peace and security, to the need for development, the imperative of a healthy environment, prosperous and ecologically balanced. These rights belonged less in the field of regulation and enforcement of positive law, because there wasn't always reached an agreement on some international instruments capable to ensure fully the legal ground of their achievement. With all these, we can notice a tendency of shifting the international law issues from the individual human rights to the collective human rights. If we will compare the Universal Declaration of Human Rights (1948) with the African Charter of Human and Peoples rights (1981) we can easily see that while the first document with universal vocation places man in the center, the second document with regional vocation adds also the collective subject of right, namely the peoples. Because the rights of human solidarity and shared responsibility although imply the human being, are better high lined at the community level of socio-economic and political life.

It should be noted, that among the three generations of human rights there is a strong and permanent bond. Under the current conditions of the international life evolution is becoming increasingly obvious that the rights from the first generation (civil and political) can't be promoted effectively and efficiently capitalized by the rights from the second generation (economical, social). And the second generation's rights can't be guaranteed independently by the mechanisms and ways to implement the rights of the third generation (human solidarity rights). That is why, their investigation and capitalization must beware of exaggerating the importance of some rights over others, of challenging the character of some or other of the rights promoted or protected by the norms of law. Otherwise it could be affected the very concept of "human rights, its application in the practical life of each state and the international relationships".

Of course, the requirements and the methodology of the scientific research can lead to other classifications (In the legal doctrine it is estimated that analyzing in terms of



general nature the documents adopted in time, the human rights can be grouped into four categories: economic and social rights; natural right; civil rights; political rights. For details see D. Marinescu, *Tratat de dreptul mediului*. Ed. a IV-a Edit. Universul Juridic, București 2010, p.276) or sub classifications, without overshadowing the importance and role of some rights. For the human being and for the human collectivity as a whole, each right and human freedom has its own significance because it responds to some well defined social and human demands.

I made this brief overview of the main categories of human rights because the vigor and consistency of these marks decisively the valences of the human right to a healthy, prosperous and ecologically balanced environment, on which we intend to insist in the followings.

II. Nature's protection: right and duty

The conservation, sustainable development and nature protection are some major issues of the contemporary world which involve the efforts of each state and also concerns at a global scale.

In equal measure, nature's protection, implicitly of the man must be regarded as a right that the planet and each human being can claim it as long as there are fulfilled the obligations related to this right. We make this specification because also in what concerns the human rights to an environment which should assure his fundamental rights, there must be uphold the necessary side of the legal report. As with any other social and political activity of the human, the rights and obligations are presupposed mutually because "while the rights are expressing the individual freedom, the duties are expressing the dignity of this (See The Preamble to the American Declaration of the Rights and Duties of Man, adopted in the International Conference of American States in Bogota 1948)".

Man is a "natural" and social being, at the same time because it can express and individualize only in a natural and social determined framework. During its evolution "has gained various degrees of freedom, but not the right to act according to its wish" (Iftimie E., 2013, pp.261). Therefore in its manifestation in the natural and social framework, man must take into account firstly the objective laws which are governing the nature and society. At the same time he should respect the interests and aspirations of the other people of the internal and international community to which he belongs.



The human behavior is therefore the subject of some assessments and social reactions and it can be appreciated only in comparison with the standard provided by the various norms which govern human's life in nature and society. These are rules of: religious, moral, political and legal type. In relation to this standard are the human rights "those essential gifts of nature, to which no one may can affect" as were defined suggestive and impressive by J. J. Rousseau. When these human attributes are legally enshrined, protected and guaranteed by the coercive force of the state, these acquire a legal nature, which distinguish them from other attributes which man acquires and carries them in the social life.

Among the rights of legal terms we find human attribute to live and manifest in an environment which can ensure the exercise of its fundamental rights: the right to life, health, decent living, to be protected against the risk factors, the right to free movement. Seen as an ecosystem in tight connection with nature, the man does not represent the ultimate value which should be protected. Under this regard it is necessary the "unanimous recognition and guarantee of the fundamental right to a healthy environment (Marinescu D., 2003, pp. 277)".

But freedom of expression and human action in the nature is not unlimited. From shaping the nature and exploitation of its components to meet the needs of material and spiritual life, man must not be dominated by the temptation of destroying the nature, to dominate it without checking the affordability degree of these tests. That is because "the nature has enough to give to the man, but not enough for his greed."

Under the assumed freedom, to do anything he wants in the environment in which he lives, the human has favored the emergence of some risk factors for the health of the Earth and life, in general. Interfering sometimes hastily and irrationally to obtain immediate economic benefits, the man can disrupt the natural order and the balance of the living environment. Moreover living in a consumer society whose laws and economic incentives are inappropriately exploited there are excesses of any kind, including in the field of conservation, protection and sustainable development of the environment. The efforts made for the economic growth to which is added the industrial competitiveness often leads to "the use of natural resources beyond their period of regeneration, which entails a heavy cost, a price which increases as fast as the consumption itself (Făiniși F., 2005, pp.10)."

This is why human temptations to get maximum benefits with minimum effort on the account of Earth's resources exhaustion must be tempered by social rules with a



compulsory character imposed if necessary by coercive state power. Such rules which have as their object of investigation the social relations which appear and evolve in the sphere of creating, conserving and protecting the environment were adopted around the concept of environmental law, analyzed both through its internal and international dimension. These are rules meant to satisfy the demands of the contemporary world from this field and which involve the internal efforts of each state, of each human being and the concerns on global scale.

The results were materialized in regulations, specially adopted under the idea of nature protection (seen globally) or in different forms of its components adopted at a national or international level. Such rules represent the legal support of this field, coagulated around the idea of the human right to a healthy environment.

III. The legal framework founded on internal and international regulations based on the human right to a healthy and ecologically balanced environment

a) General Considerations.

As shown previous, the human right to a healthy, prosperous and ecologically balanced environment involves in deciphering its coordinates and exercising its own attributes, the international community and every human being on the planet.

But the consecration in legal terms and the exercising of the human right to a healthy environment depends on the health of the environment (the Earth), as it is reflected in its content: the right to live in an unpolluted environment, non-degraded by activities which can affect the environment, the health and the welfare of people, the sustainable development, the right to the highest health level, unaffected by environmental degradation, the right to a healthy work environment, the right to benefit from the sustainable use of the nature and its resources, the right to adequate water and food resources.

At the same time, must be taken into account that the right in question should be correlated with the fundamental obligation of the state to ensure the environmental protection and conservation, environmental restoration, maintaining the environmental balance, creating the conditions for increased quality of life. No less important is “the fundamental and solemn duty of man to protect the environment for the present and future generations (Teodoroiu S.M., 2003., pp.11).” As for the state, the duty we refer to should be seen in its two dimensions, a national and international dimension.



- Internally, the will of the state to protect, develop and preserve the environment is expressed in regulations which govern the internal environmental law reports established between individuals and are related with the defense, development, conservation and environmental protection.
- At the international level, the will of the states to collaborate and cooperate in the protection, conservation, environmental development finds its meaning in the international documents which occur as subjects of international environment.

The internal legal framework of consecration and to exercise the human right to a healthy, prosperous and ecologically balanced environment is supported by internal regulations that each state and its structure develop them. As for Romania, as elsewhere in the world, it can be said that the history of efforts and concerns of nature protection are quite old. The first unwritten customary law rules had as regulation object, aspects such as those linked to hunting, fishing, grazing but especially related to the regime of forests. In the early modern era there have been written extensive regulations such as (The Calimach Code in Moldova-1817, Caragea Code in Wallachia -1818) without taking into account the environmental issues in all their complexity. The negative consequences do not delay to appear under the form of: irrational and excessive exploitation of the lands and the forests, accelerated soil degradation. It was tried to stop these consequences by adopting legal regulations having as a regulation object conserving and protecting the country's wealth (especially the forests). The results are poor so that only after the formation of the nation state and its independence conquest there have been created favorable conditions for industry's and commerce development, thing which intensified the exploitation of the soil and subsoil riches. It has increased at the same time, the need and concern for special regulations and rules to protect, by specific means of law the forests, the fauna, the soil and water.

Among these, have an increased relevance: The Romanian Criminal Code of 1864 (entered into force in May 1865); Rural Police Act (1868); Law on the game (1872); Law on Medical Service (1874) etc. Although concerned the social relations of the most various field which needed a legal framework related to the new realities, the laws provided a solid support for the protection and conservation of the environment. One illustrative example in this way is represented by the Criminal Code (1865) (The article 308, al.1,2; 309; 358; 360 of the Romanian Criminal Code 1865) which incriminated



among other things: hunting in closed parks, poisoning the fish, burning forests and meadows.

Likewise, the first Forest Code (1889) of united and independent Romania, included a thorough regulatory of the acts and deeds for preservation, exploitation and cleaning of the forests. But also in other domains such as: public health, hygiene and public sanitation, systematization of villages and land management etc, there have been adopted modern and complex rules with an antipollution character, designed to protect public health, water, soil, plants, animals.

Are significant also the legislative measures adopted to provide protection against the polluting effects of the intensive oil exploitation imposed by the industrial development.

Nonetheless there were also reactions of the civil society for nature's protection which emerged in the late nineteenth century who trained eminent representative (For the first time, the law included provisions about the expropriation for scientific uses. Article 2 of the stated that: „all the places which present a particular interest for the science shall be entirely expropriated) of: biology, medicine, arts. Representative is also the society for protecting the useful animals and songbirds founded in 1889.

But about an environmental legislation in the strict legal sense, we can speak only from the early twentieth century as a reflection of the concern and efforts to ensure a legal basis for nature's protection. It is the time in which the interest for preserving the nature becomes more and more pronounced because it went “from a contemplative attitude of the nature's beauties to an active attitude of taking actions and preventive measure, then fencing (stopping as possible) of the abusive and irrational exploitation of the natural wealth”.

The Land Reform Law and later the natural monuments Protection Act (1930) (Based on this law was constituted a commission of the nature monuments which functions today under the aegis of the Romanian Academy.) are the most significant legal acts adopted in the first half of the twentieth century, sustained vigorously by prestigious naturalists such as: Grigore Antipa, Emil Racoviță, Ion Borcea, Ion Prodan, etc.. The results were immediate when the protection law got into force, in the cases of the Retezat Park and other natural reserves such as: Letea Forest, Slatioara Forest, secular woods Giupalau.

From the data preserved above it is outlined the idea that in the analyzed period (end of the XIX century, beginning of the XX century) the impact of human activity on



the environment was more tempered in comparison with the next period of time, so that the efforts for preserving the nature were sustained by some personalities concerned by the assault on nature and the danger of degradation to which were subjected some natural components. And the steps of scientific nature were founded in some legal regulations such as those mentioned above.

The fight for the protection and conservation of nature, in all the versions and with all the means of time, was strongly influenced by the two world wars (especially by the Second World War) which affected badly the natural resources, especially the forestry ones and the subsoil (oil, coal, etc).

After the World War II, the regulations concerning the environmental problems wear the bear the mark of the new realities: a totalitarian regime planned economic development and so on, things which transformed the protection and conservation of nature in a state issue. At the central level were adopted regulations which will fit the new conditions accompanied by an implementing regulation of these (It was adopted the Decree on Nature Conservation no. 237/1950 under which application has been adopted the approved Regulation by H.C.M 518/1954.). Nature Monuments Preservation Committee was reorganized into the Romanian Academy and at a regional level instead of the regional committees were organized subcommittees to the subsidiaries of Cluj Academy (1955, Iasi 1956; Timisoara 1959). For a better communication and correlation of the central Committee objectives with the regional ones were established regional commissions for guidance and nature conservation.

In this way, beside a legal framework was outlined an institutional system designed to act and solve the problems of protecting nature in all its components. Based on these general regulations were adopted also detailed regulations on the most important environmental elements: water, air, flora, fauna, fossil deposits and caves. It was taken in the account the impact of the industrial development and zooculture on the environment.

The period we have referred to coincides with that in which the international life plan increases the overall concern for the environment's health. The efforts made for the awareness of environmental and preservation of the environment become more pronounced, leading to the adoption by the international structures, especially the UN of some reference documents which draw attention on the onset of the ecological crisis. As a result in the legal life plan, seen from the perspective of the international law and national legislation, the environmental issue and the dangers which threat the planet are a constant top priority on the agendas of the various international bodies. In response to such



realities, the UN formulates the Environmental Statement in the United Nations Conference on Environment in Stockholm (5 to 6 June 1972). The conference triggered a vast movement of adoption and institutionalization of the environmental policies both nationally and internationally. Eight years later, the Declaration's objectives are developed in another document adopted by the UN on 30 December 1980. It is the World Conservation Strategy developed under the auspices of the UN General Assembly. Meanwhile under the influence of the world opinion, the national legislations make substantial efforts to ensure a legal and institutional framework to fight for the protection, preservation and sustainable development of the environment. Romania was among the first countries of the world to react, through a general regulation for protecting the nature, in the context of sharp depreciation of the environment due to some natural phenomena or to some human activities with environmental risk. As shown, it was adopted as a frame regulation the Law no.9/1973 concerning the environment (Being adopted one year later of the adoption of the Stockholm Declaration, the law carries a pronounced character of this one), on which were developed the sectoral regulations of this area such as: soil, water, forests, industry, livestock, etc. By the article 5 of Law 9/1973 it is offered for the first time in Romania a definition of the environment referring to its components and seen as "all the natural factors and of those created by man which are in close interaction and influences the ecological balance and determine the life conditions for a man and for society's development. More specifically, the natural environmental facts, protected by the mentioned law are: the water, air, soil, subsoil, any other terrestrial and aquatic vegetation, nature reserves and monuments. Likewise are protected by the law the environmental components created by man: constructions, human settlements, etc.

After the appearance of the mentioned law the guidance and the coordination of this field was realized at the central level by the National Environment Protection Council founded in 1974. In territory the tasks of this kind were performed by the subordinate committees for environmental protection of the Bucharest Council and the county councils.

After the building and strengthening of a legal and adequate framework the results were immediate.

The protected surfaces have increased and the completed regulations were meant to mitigate or stop the environmental risk factors for the environment and human health.

The transition to the market economy and the exigencies imposed by the new realities after the 1990, have imposed the establishment of a new legal order in accordance



with the principles of democracy and the rule of law. In the area we refer to were adopted some legal regulations and were made institutional mechanisms able to meet the requirements for restoration and protection of the environment and maintaining the ecological balance.

In chronological order and also of the regulation's importance should be mentioned our fundamental law (the Constitution of 1991, revised in 2003) which states among the basic tasks of the state of la, protection of nature seen in all its components in conjunction with the economic issues. In the 1991 version, the Romanian Constitution did not expressly regulate the human right to a healthy and ecologically balanced environment. This right may be identified from the interpretation of the constitutional provisions which belong to the state, in relation to:

- The rational use of the natural resources "in accordance with the national interest" (art. 135 par.2, let. d)
- Reconstruction, environmental protection and maintaining the ecological balance (art.135 par. 2 lit e)
- Developing the necessary conditions for improving the quality of life (art.135 par.2, let f);
- Compliance with the environmental protection tasks, in the exercise of the right to property (art.44, par.7)

The principle of the man to a healthy environment and ecologically balanced results indirectly from the interpretation of the constitutional provisions which sealed other fundamental rights of the man such as: right to life, right to health insurance, the right to a decent standard of living, the right to associate, etc..

But the exercise of the right we are analyzing within the constitutional limits requires an adequate legislative framework, the protection and improvement of the environment representing a duty for all the individuals, natural and legal persons.

This framework was initially ensured by the Law no.137/1995 concerning the environmental protection, adopted on the idea of ensuring a sustainable development in this area. Should be kept in mind firstly the principles and the objectives of the strategy which underlies the normative content of this regulation and namely: the precautionary principle in decision-making; principle of preventing the environmental risks and damage occurrence; principle of conservation of biodiversity and natural ecosystems specific to the biogeographically frame; polluter pays principle; removal with priority of the



pollutants which endanger human health directly and severely; principle of prevention, reduction and integrated pollution control by using the best available techniques for activities which can produce significant pollution; creating the national system of integrated environmental monitoring; sustainable use; maintaining, improving environmental quality and reconstruction of the damaged areas; create a framework for the participation of non-governmental organizations and the public in developing and implementing decisions; development of international cooperation to ensure the quality of the environment. The analysis of the provisions of Law no.137/1995 reveals an undeniable progress in the line of creating a legal framework in order to achieve the environmental principles and objectives, ensuring a horizontal legal framework on which the entire environmental policy is based on, but also sectoral concerns for the different components of this.

Also given the further development of the context in which the principles and the strategic environmental objectives would apply, were adopted numerous detailed regulations meant to restrict (with a tendency to stop) the natural phenomena or human activities with risk of pollution or deterioration of the environment. Among the regulations which have completed and updated the Law no.137/1995 we mention the most important ones: Waters Law 106/1996; Forest Code adopted by Law no.26/1996; Law no.111/1996 on nuclear activities; Law no. 192/2001 on fish stock, fisheries and aquaculture, etc..

In this sequence of rules should be included the provisions of the Romanian Constitution of 2001 revised in 2003, which provides an express regulation and explicit of the human right to a healthy environment. The paragraph 1 of the article 35 states that: "The State recognizes the right of every person to a healthy and ecologically balanced environment." As a guarantee of this right, the paragraph 2 of the same article adds that "The State assures the legal framework for the exercise of this right". Linked to the mentioned right, through the prism of the constitutional regulations it is looping the legal duty for the natural and legal persons to protect and improve the environment (art.35, para.3).

The efforts made in order to integrate Romania in the European and Euro-Atlantic structures determined the adoption in this area of a legislation to meet the assumed commitments. This is explained the adoption of the Government Emergency Ordinance no.195 of 22 December 2005 regarding environmental protection, subsequently approved with some modification by Law no. 265 of 2006 which repealed Law no.137 of 1995. It



is relevant for our approach the art.5 of Law no.265 of 2006 which completes the provisions related to the human right to a healthy and ecologically balanced environment, presenting in details the guarantees that the state offers for this purpose and namely: access to environmental information, right to association in environmental organizations, the right to be consulted in decision-making on environmental policy and environmental legislation, the right to address directly or through environmental organizations for environment protection to the administrative or court authorities, in environmental matters no matter if there was or not a prejudice, the right to compensation for the damage caused.

We cannot end this brief presentation of the Romania regulations which are substantiating the human right to a healthy and ecologically balanced environment without mentioning the recent regulations which freshened the Romanian legal landscape in this field. Also have implications in what concerns the deciphering of human rights content to a healthy and ecologically balanced environment especially with the new provisions of the Civil Code and the new Code of Civil Procedure and criminal law, where and when it raises issues concerning the sphere of regulation of these law branches.

IV. Conclusions

The human right to a healthy, prosperous and ecologically balanced environment has in present its consecration both in internal regulations as well as in international ones. In the light of these takes shape the very peculiar physiognomy of this right, borrowed from the human rights of the third generation to which it belongs. These are rights of human solidarity which involves the efficient cooperation of the states for giving shape and meaning to the individual-community relations which appear and evolve in the contemporary world. This right belongs along two lines: the individual and the collective one. If we analyze the mentioned right in terms of his legal consecration and of the ways of achieving, it appears as an individual right. But equally, the human right to a healthy and ecologically balanced environment it is a collective right (social) and for its achieving are necessary great efforts and strategies of the members of the human community.

The exercise of this right, in a state of legality and morality has a crucial importance for life, health, balance and sustainable development of the human society viewed in its overall size, the collective and the individual one reported to each person. Human attribute to live and manifest in an environment which would assure the exercise of its rights does not lead to a unbounded freedom of expression. Any human right should be correlated with the obligations which give shape and meaning of a legal relationship



specific to the environmental law. Therefore the right in question must be correlated with the fundamental obligation of the state to ensure the protection and preservation of the environment, environmental restoration, damaged ecological balance, creating the conditions for increased quality of life. No less important is the fundamental duty, sacred of man to protect the environment for the future generations. Of course, the exercise of this right and fulfillment of the correlative obligations need an adequate legislative framework, with national, regional and global roots. At present such a framework shapes a more pronounced contour within the regulations of each state but also regulations which are the fruit of world community efforts.

V. Conclusion

Et has saepe nonumy impedit. Pri et fabulas eleifend, an posse exerci commune ius, facilis iracundia mnesarchum vim an. In pri doctus dolorum constituam, his an tale summo. Eius animal nec at, feugiat perpetua cum ex. Et has saepe nonumy impedit. Pri et fabulas eleifend, an posse exerci commune ius, facilis iracundia mnesarchum vim an. In pri doctus dolorum constituam, his an tale summo.

Et has saepe nonumy impedit. Pri et fabulas eleifend, an posse exerci commune ius, facilis iracundia mnesarchum vim an. In pri doctus dolorum constituam, his an tale summo. Eius animal nec at, feugiat perpetua cum ex. Et has saepe nonumy impedit. Pri et fabulas eleifend, an posse exerci commune ius, facilis iracundia mnesarchum vim an. In pri doctus dolorum constituam, his an tale summo (Surname1, Surname2, 2000).

Et has saepe nonumy impedit. Pri et fabulas eleifend, an posse exerci commune ius, facilis iracundia mnesarchum vim an. In pri doctus dolorum constituam, his an tale summo. Eius animal nec at, feugiat perpetua cum ex. Et has saepe nonumy impedit. Pri et fabulas eleifend, an posse exerci commune ius, facilis iracundia mnesarchum vim an. In pri doctus dolorum constituam, his an tale summo.

References

1. Făiniși F., *Dreptul mediului*, Editura Pinguin Book, București, 2005, pp.10
2. Iftime E. *Teoria generală a dreptului*, Editura Didactică și Pedagogică, București, 2013, pp.72-73
3. Iftime E., *Dimensiunea juridică a răspunderii sociale, în Teoria generală a dreptului*, Editura Didactică și Pedagogică, București, 2013, pp.261



4. Marinescu D., *Tratat de dreptul mediului*. Ed. a IV-a Edit. Universul Juridic, București 2010, pp.276
5. Teodoroiu S.M., *Răspunderea civilă pentru dauna ecologică*, Edit. Lumina Lex. Buc. 2003.,pp.11.