

INTERNATIONAL COOPERATION IN THE ENVIRONMENT FIELD

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Abstract

International cooperation is based on the need for the development and protection of the environment, which cannot be achieved except through the partnership of Nations of the world. Awareness of the danger of degradation, destruction of environmental elements scored both nationally and worldwide, the protection and preservation of the environment priorities.

The establishment of international cooperation in the field of environmental protection is a must, and the international law constitutes the main instrument of bilateral cooperation, regional and planetary states and international organisations in order to identify some forms and ways to contribute to the prevention of pollution and protection of the environment.

Keywords: *environmental protection, pollution, international cooperation.*

JEL Classification: *Q52, Q57*

1. Introduction

The greatest problems of the world today cannot be solved unilaterally, but in some States, due to the fact that the problems we face are of a transboundary nature, affecting several States at the same time.

A big issue that deviates on all peoples is represented by the pollution of the environment through pollution means the alteration of natural components through the presence of some foreign components, called co-pollutants, as a result of human activity that causes by their very nature, through the strength and through time as acting, harmful effects on health, creates discomfort or impedes the use of components of the environment are essential to life. (World Conference of the United Nations Organizations, 1972).

Environmental pollution has appeared once with the man, but has grown and diversified as the evolution of human society, reaching one of the important concerns of specialists in various fields of science and technology, and State Governments, of the entire population of the Earth. This because the danger posed by the increased pollution and grows unceasingly, requiring urgent measures nationally and internationally, in the spirit of ideas for combating pollution.

The problem of pollution combating and stabilization factors with impact on the environment and even the continuation in good conditions of life on the entire surface of the Earth, made the states to cooperate among themselves to resolve them. [Bran et al, 2013]

The first factor that acted in such direction was "cross-border" nature of many forms of pollution. The idea that none of the components of the environment know no borders, it was generalized through the Stockholm Declaration which States the obligation of States that through the activities carried out within the limits of its territory under their jurisdiction, not to cause damage to the environment of other States or in areas beyond any one jurisdiction.

But not only transboundary environmental pollution components has led to cooperation between States, but also the need for the adoption of joint actions for the protection of such coponente over which two or more States exercising sovereignty and jurisdiction, through the development, implementation and monitoring of appropriate regulations, together with the adoption of joint measures on technical, economic and financial.

2. Cooperation in the environment field – a brief history

"International organisations (World regional times) began to inquire into the manner of environmental protection and conservation issues relatively late, in the late '60s. However, since the beginning of the 20th century, a number of militants or naturiști (printers that Swiss zoologist Paul Sarasin) were concerned with, in a slow, but gradually becoming more and more significant for the establishment of permanent structures with international activities in this field ". [Duțu, 2004]

At the 8th International Congress of Zoology, in 1908 zoologist Paul Sarasin has proposed the creation of an International Commission which would constitute the framework for discussion on the protection and conservation of nature. The first provisional Committee for the universal protection of nature came from his own initiative and was reunited for the first time on 18 august 1908, in Basel, Switzerland.

The Berne Conference of 1913 brought together 19 countries and was organizing a mission large international meetings.

The First International Congress for the nature protection, desfășurat in Paris in 1923, was inciting approaches for the establishment of a permanent international structure. "Cooperation policy, economic, social, cultural, etc. between States is carried out either in conventional relationships, mainly bilateral, either in an institutional framework through the establishment of international organizations, which would serve in some different fields (General Organization) or only in one (specialized organizations)". [Țarcă, 2009]

Then followed the establishment of an International Office for nature protection in Brussels in 1928. In 1932 he organized the 2nd International Congress. Later, in 1948, the United Nations Educational, scientific and Cultural Organization has sponsored the creation of the International Union for conservation of nature and resources.

It is important that protection and stressed the preservation of the environment, at the planetary scale, has become a permanent concern for the United Nations since 1968.

The deployment of the first Conference of u.n. Environment Conference in Stockholm, capital of Sweden had as a result the adoption of a declaration containing 26 principles relating to the environment and to development, developing an Action Plan that contains 109 recommendations and resolutions. According to the latter, UNEP (United Nations Environmental Programme) organizes annually, on June 5, world environment day, considered to be the largest celebration of action beneficial to the environment. Each year a different theme is chosen for the event and a location that is unrelated to the topic in question. Concerns for the environment and advancing them from 1972 onwards. If Stockholm climate change are brought into the discussion, declarative without problem to be specifically identified and without trying to find a viable solution, in the '90s, things change.

International cooperation on environmental issues is not easily achieved whereas the negotiations in this area relate to the essence of the interests of each State and many times it is difficult to come to a common ground in that direction. Therefore, it appears necessary to increase urgently the role of international organizations in promoting the interests of the environment. Principle 25 of the Declaration: "States should ensure that these international organizations to play a key role in the coordinated, effective and dynamic in the preservation and improvement of the environment". [Duțu, 2007]

The existence of an adequate institutional support is necessary both for the elaboration and adoption of legal norms which govern international cooperation on the protection of the environment, and for ensuring observance of and their fulfilment.

Establishment of a collaboration and international cooperation in this domain is claimed from several points of view. Thus, humanity today is far from knowing about totut environment, current and foreseeable damage but also that remedies should be adopted. Secondly, the problem of pollution and deterioration of the quality of the environment knows no boundaries, a number of phenomena, such as decreasing class ozone, greenhouse effect, etc. affects the whole of humanity. All these require permanent and extensive studies, the collaboration of researchers from several countries and the coordination of research in question. Constant surveillance of the environment and evaluate the data obtained are operations that involve a cooperative effort at international and regional levels. These activities require a continuity in cooperation structures can be ensured only through the permanent institutions. This widget works is required to prevent damage to the environment, but also for ensuring control over application of the rules.

In close connection with the permanence and the environmental condition is evolution and enhance cunoștințelor in the area advertisement updating of regulations adopted, their application control and continuous international cooperation institutions within the playwright. A genuine solution to the problems of the environment lies in the management of resources, in order to be effective such a discharge must take place at the international level and at all times, meaning that it cannot take place outside of international cooperation.

"All these organizations of environmental protection carried out environmental research activities, periodical exchange of information, monitoring, management of natural resources". [Bran et al, 2013]

In order to facilitate institutional cooperation at European level, the countries belonging to the European Union is firmly committed to harmonise legislation, including in the areas of environmental protection with European standards.

Cooperation will have as aim countering the deterioration of the environment and in particular: the effective control of pollution levels, the information system on the State of the environment; combating cross-border, regional and local pollution of air and water; ecological restoration; the production and use of energy in a sustainable manner, efficiently and effectively from the point of view of the environment, safety of industrial plants; classification and safe handling of chemicals; water quality, in particular transborder waters; reducing the amount of waste, recycling and disposal of their safe implementation of the Basle Convention; the environmental impact of agriculture, soil erosion and chemical pollution; protection of forests; biodiversity conservation.

"Institutional cooperation in relation to the environment is expressed especially through a network of intergovernmental international organizations". [Dutu, 2007]

These networks have a plenary Assembly that does not have regulatory powers and are discussing issues that fall within its competence and shall adopt regulations which bind the organisation and its various organs, and in some cases can have a major influence on the evolution of the law and in exceptional cases does a body which can take decisions binding on the Member States, for example, The UN Security Council, has adopted resolutions concerning the regulation of certain aspects relating to the protection of the environment, or the Economic and Social Council has a key role in international cooperation for development in this respect represents a central forum for discussion of global economic and social topics.

These structures shall be added and a number of subsidiary bodies with powers for specific aspects, they are frequently in the mode of the treaties or recommendations in this area. In this case we can talk about the UN Commission on environment and development; Council for cultural cooperation within the Council of Europe, having a character, others, such as the United Nations Environment Programme are made up of individual members of the Secretariat of the World Organisation.

The importance of awareness of the environmental dimension of our existence, and extinguishing arrangements relating to environmental protection and the implementation of sustainable development policies have determined that protecting the environment is a primary goal in both States as well as international cooperation. The main instrument for the promotion of this type of cooperation is the environmental diplomacy or ecology.

The current situation underlines the international affirmation of global governance, the world turns quickly into a social space, under the influence of economic and technological forces, and developments in a region of the world can have profound consequences on the individuals or communities from across the globe. This notion of "global governance" is defined as "a continuous process through which conflicting interests or differences can be reconciled and have and can organise joint action in this respect may include formal institutions and arrangements that can strengthen the fulfilment of such objectives as well as formal arrangements. It is a comprehensive process, dynamic and complex interactive decision". [Dinu, 2003]

In one instance, this institutional phenomenon which characterizes the international community, as it relates to the role of the United Nations system and its specialized agencies in the formulation and direction of taxation strategy, and initiating the settlement process globally.

In a narrow understanding this concept refers to a community of States presenting joint programs, which essentially concerns a common interest, different in some particular points of the state interests.

There are two types of such intergovernmental organizations depending on the voting system adopted. So are those who develop their activity according to a formal system of legal egalitarianism - one state, one vote (General meeting of U.N.O. or O.M.C) and those that operate under the weighted voting system (based on various criteria, such as, in the case of the World Bank, in relation to the contribution of donor States with power reserved by the five permanent members of the Security Council of U.N.O.). [Duțu, 2004]

In recent years the tendency manifests itself as in the case of organisations using the majority voting procedure, to prefer the use of the consensual procedure. Some organizations provide for votes given the importance of status in terms of surface, the weighting of the demographic age contribution times.

With regard to the involvement of non-governmental organizations, the intergovernmental character of the great majority of intergovernmental organizations a limited a lot, some organisations such as the Council of Europe and the United Nations have special rules that allow non-governmental organizations to participate in meetings and to submit reports.

3. The international organizations functions relating to the environment

Despite their diversity, functions that satisfy various international bodies in the field of environmental research, mainly aimed at the exchange of information, regulation, control and management of natural resources.

Research function. Research has an important role in the work of institutionalized cooperation. Rarely is cases in which organizations carrying out their research. With regard to the field, research is required when "numerous international law studies or comparative law are preceded by drafting of texts: recommendations, guidelines, proposed laws in various countries". [Duțu, 2004]

In those situations where the research requires major assets, usually states are those that are hires to carry out programmes and the role of the organizations will be to ensure coordination of the duties assigned to it, as well as the dissemination of results.

The function of information exchange. It can be said that all international organizations dealing with environmental protection are interlocking and exchange of inform. In some cases, international institutions realize syntheses of the information received, as for example in

an existing database issues (UN Economic Commission reports for Europe) times out on all the State of the environment (UNEP annual reports).

The regulatory function. This function is exercised by international organizations and consists in the elaboration of new rules proposed for adoption by Member States. Rules adopted may be expressed in the form of recommendations, binding decisions or draft treaties on international fold regulations. These projects can follow the path to meeting international agreements which means that after their establishment by a group of experts, to be subjected to diplomatic conferences, debate and then to adopt them.

"Treaties concerning issues of environmental protection have created their own bodies in order to follow their implementation, the latter frequently being in charge of implementing regulations with the modification of the existing ones, for example the annexes to the Treaty". [Țarcă, 2009]

In this context an important role is the responsibility of drafting technical regulations, ecological standards, which may be of four types, namely: environmental quality standards, these standards fixed maximum permissible levels of pollutants into water, air and land; rules are rules, specifying the quantity of the pollutants concentrations times can be removed from a given source; rules of procedure the procedure to be followed in order to protect the environment, saying a number of specifications for example: imposing a particular type of device. In this case, the rules establish obligations of means: choosing a particular technique in order to achieve the result prescribed; product standards that define either physical or chemical proprieties of a product, whether the rules on cross-compliance, packaging, product presentation, the times specifically at toxic products.

Control function. Control of the rules laid down in this area is frequently carried out by international organizations. This can be accomplished in several ways; can vary from simple police tasks, for example, on the high seas against polluters by international patrols, as do Conference in Canberra on 20 May 1980, on the conservation of the marine fauna and flora of Antarctica, art. 25 the international system by instituting an "observation and monitoring", and until the control provided by the countries addressed international bodies designated for that purpose, reports on the implementation of international rules by the national authorities.

The function of management of natural resources. Constitute the most evolved form of international cooperation in the field of environmental protection. As examples we can mention the management system of mineral resources of the sea provided by fundurilor chapter XI of the Convention on the law of the sea, where the protection of the marine environment represents the priority functions, which must be fulfilled by the bodies

provided for in the document. The activities carried out by any international organization are set out in its constituent Treaty and Treaty of incorporation does not explicitly provided for in these skills, activities may look often and the environment. For example, the World Health Organization may consider environmental issues regarding human health, and the International Labour Organization may deal with environmental issues arising in the workplace.

4. Conclusions

Protecting the environment is essential to the quality of life of present and future generations. Throughout the world, becoming more insistent, it requires the protection of the environment, which is one of the priority concerns of the contemporary. Concerns about preservation of the environment is gaining increasing proportions. These are based on objective data and on damage caused by the environment, whose multiple solutions are directly linked to the intensification of human activities on the various spaces, sustainable development, demographic expansion.

The perception of environmental issues is also in full growth and can take many forms such as concerns for the good of the individual, aesthetic considerations, health, political, ideological and even religious environmentalism becoming, in some ways a new religion of the world.

The environmental protection authorities are obliged, pursuant to powers delegated to them, to create its own information system and establish terms and conditions allowing free access to information and public participation in environmental decisions, to supervise and control the implementation of the rules on the protection of water, air, soil and subsoil, the terrestrial and aquatic ecosystems, the regulations on pesticides and chemical fertilizers, to organise the monitoring of radioactivity to the environment, the right to develop recommendations for integrating environmental policies into sectoral policies and strategies, to impose ecological reconstruction measures, especially the power to impose penalties for non-conformity of the activities of the holders, in respect of environmental protection.

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This paper has been developed within the period of sustainability of the project entitled ***“Horizon 2020 - Doctoral and Postdoctoral Studies: Promoting the National Interest through Excellence, Competitiveness and Responsibility in the Field of Romanian Fundamental and Applied Scientific Research”***, contract number POSDRU/159/1.5/S/140106. This project is co-financed by European Social Fund through Sectoral Operational Programme for Human Resources Development 2007-2013. **Investing in people!**