

LEGAL CONSIDERATIONS REGARDING THE IMPACT OF THE ECONOMIC FINANCIAL CRISIS ON ENVIRONMENTAL PROTECTION

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Abstract

Though the recent global crisis started in the advanced economies, most emerging markets came under pressure; it seemed that no country, especially those most interconnected, was immune from tremendous economic strain. Now, as the crisis abates, there is an emerging consensus that something needs to be done. A better safety net is needed to enable countries with good policies to insure against bad outcomes, especially when they are innocent bystanders caught up in a financial turmoil. The International Monetary Fund took another step toward meeting this need by enhancing its country insurance facilities. Following on from earlier reforms, the International Monetary Fund Executive Board decided to extend the safety net to a broader set of countries with sound policies and economic fundamentals, making the contingent financial support more tailored to the members' needs and circumstances.

Key words: financial crises, environmental protection, pollution control programs, environmental authorities, environmental impact assessment

INTRODUCTION

Two years have passed since the financial crises erupted, and we have only started to realize how costly it is. The economic downturn is of unprecedented dimensions because all global economies are in deep recession and we do not know when the downturn will bottom out. But the economic crisis must not divert us from a commitment to environmental protection.

Environmental management accounting serves as a mechanism for identifying and measuring the full spectrum of environmental costs of current production processes and the economic benefits of pollution prevention or cleaner processes, and to integrate these costs and benefits into day-to-day business decision-making. For the last decade, corporate environmental accounting has gained increased importance in practice, of which cost accounting receives most attention. Limits of traditional financial and cost accounting methods to reflect efforts of organizations towards sustainability and to provide management with information needed to make sustainable business decisions have been broadly recognized. Information on environmental performance of organizations might be

available to some extent, but, decision-makers of internal company, as well as those in public authorities, are seldom able to link environmental information to economic variables and are crucially lacking environmental cost information. As a consequence, decision makers fail to recognize the economic value of natural resources as assets, and the business and financial value of good environmental performance.

MATERIAL AND METHODS

The article reports on the economic loss and benefits during crisis for enterprises in Romania regarding environmental protection. Under the background of the current financial crisis I would like to study in the present article the ecological environment under financial crisis and find out the effect of financial crisis on ecological environment protection. The economic increase shall follow green investment, green construction and green growth. Under financial crisis, Romania shall protect ecological environment by the ways of people's awareness on environment, circular economy instead of linear economy and improvement of environment industry.

It states that the growth of chemical industry is characterized by higher energy consumption and environmental pollution. It is also noted that the economic crisis affects the chemical industry making many plant productions stopped or shut down. Also offered are the ways for handling chemical industry and environmental production during economic crisis. In the financial crisis, some enterprises in pollution control, expansion to mention the quality of time and profit margins (Cohen, B., Winn, M. I., 2007).

The general decline in the current market prices, and many products, even more than 50 percent decline, businesses can take advantage of this opportunity to mention the implementation of expansion of quality, pollution control, a dramatic decline in the cost of pollution control means that the improvement of economic efficiency of enterprises. Again, you can also win the national and local investment. More importantly, companies solve environmental problems, you can move forward with ease, go all out faster and achieve development in leaps and bounds (Cohen, B., Winn, M. I., 2007).

There are enterprises which have already started to implement the development of pollution control, expansion to mention quality programs, taking the organization to carry out environmental laws and regulations, staff education and training in pollution control technology, proactive solutions to environmental problems left over to carry out ecological restoration projects (Barbier, E., 2009).

In the financial crisis, some local leaders more clearly see the local economic development in the weak links. For a long time, some enterprises to varying degrees, inadequate environmental protection facilities, "three wastes" emissions exceeding such issues as expansion of these enterprises have also worked to mention quality, pollution control programs, and even ready to control costs, but are worried that shutdown will affect the economy effectiveness of environmental law enforcement agencies, therefore, prefer to accept the punishment, they were reluctant to stop production, causing delays in the implementation of pollution control programs. In the international financial crisis, the production and operation of these enterprises have been temporarily affected, but to carry out expansion to mention quality, pollution control and provided a good opportunity (Cohen, B., Winn, M. I., 2007). First, the enterprises have enough time, can concentrate on implementing pollution control programs. Second, you can save the cost of treatment (Barbier, E., 2009).

In the financial crisis, the most devastating loss of these small enterprises are basically in a paralyzed state, in order to solve regional environmental remediation and not the whole government, the rally has created objective conditions for a serious problem. At the same time, also contributed to part of the business turned to the development of high-tech industries and environmental protection industries.

The financial crisis to the environmental challenges at the same time, in a sense, also brought opportunities for environmental protection. Financial crisis, but also improve our environment around the illegal enterprises, industrial restructuring has created favorable conditions. Objectively speaking, in the current structure of county economy, there are many small-scale, backward technology, science and technology content is not high "homemade" enterprises, these enterprises are in the state to fend for themselves, a considerable part of the installation of pollution control facilities is not "waste" directly efflux phenomenon is widespread. The environmental protection system, construction of spiritual civilization as an important political work, the core is to promote the construction of ecological civilization (Barbier, E., 2009).

At present the most important task of environmental protection system that is thoroughly implement is to expand domestic demand, growth, structural adjustments and improve people together, more attention to energy conservation, to accelerate the pace of economic restructuring, vigorously develop the circular economy and green economy, urban and rural and regional environmental protection, and continuously improve quality and efficiency of economic development and sustainable development capacity; adhere to the people first, optimizing the development, construction of ecological civilization, and to protect

environmental safety; requirements observe and analyze the global perspective, grasp the handle with a development perspective, from the strategic planning solution.

Since the last year financial crisis struggled the economic development around the world into crossroads, brought the civilization to replace the traditional ecological civilization and the revolutionary transformation of China's economic development will inevitably lead to profound changes. As the economy changes, it would be China's environmental protection cause some new issues (Cohen, B., Winn, M. I., 2007).

How to use the financial crisis means to promote the development of the transformation, to solve a large number of legacy and emerging environmental issues, and promote steady and rapid economic development is a major issue we must face. Environmental protection system, construction of spiritual civilization, should focus on the major issues to work creatively. We must vigorously carry forward the concept of ecological civilization, spiritual civilization construction firm grasp of the environmental protection system.

Environmental protection system to firmly grasp the spiritual civilization construction of ecological civilization overall, in close connection with the actual work of the environmental protection department responsibilities and to vigorously promote and further enhance the sense of mission and responsibility, to be an ecological civilization, advocate, leader and practitioner efforts to protect Ecological Environment Good, to promote harmony between man and nature. Fourth, focus on promoting environmental protection work of the Centre, the historic change in advancing the environmental effect to play a spiritual civilization. All departments and units to build spiritual civilization through the great efforts to fully mobilize the broad masses of cadres all the enthusiasm, initiative and creativity to further strengthen the cadres and workers of the ideals, beliefs, and will fully stimulate passion and vitality, morale and motivation, make a strong spiritual force at work in the environmental business to play a dynamic role.

Environmental protection is a practice of protecting the environment, on individual, organizational or governmental level, for the benefit of the natural environment and (or) humans. Due to the pressures of population and our technology the biophysical environment is being degraded, sometimes permanently. This has been recognized and governments began placing restraints on activities that caused environmental degradation. Many Constitutions acknowledge the fundamental right to environmental protection and many international treaties acknowledge the right to live in a healthy environment. But complete environmental protection seems

impossible at this current global position. Also, many countries have organizations and agencies devoted to environmental protection. There are International environmental protection organizations, as the United Nations Environment Programme (United Nations Environment Programme, 2008).

Environmental protection has become an important task for the institutions of the European Community after the Maastricht Treaty for the European Union ratification by all Member States. The EU is already very active in the field of environmental policy with important directives like those on environmental impact assessment and on the access to environmental information for citizens in the Member States (Cohen, B., Winn, M. I., 2007).

The late twentieth century has witnessed an unprecedented increase in legal claims for both human rights and environmental goods. Never before have so many people raised so many demands relating to such a wide range of environmental and human matters. And never before have legal remedies stood so squarely in the centre of wider social movements for human and environmental protection. It is likely that legal historians writing in the twenty-first century will look back on the last quarter of this century as the period in which both environmental law and human rights reached a kind of maturity and omnipresence. In recent years law-making activities in these areas, at both the international and domestic level, have been marked not only by speed and proliferation, but also by remarkable innovation. Like human rights, environmental law houses a hidden imperial ambition; both potentially touch upon all spheres of human activity, and claim to override or trump other considerations.

In addressing the link between human rights and the environment, this paper aimed to evaluate the role of environmental rights in the overall landscape of environmental protection and human rights. In particular, it seeks to survey the current state of affairs, analyze emerging trends and problems, and gesture toward future developments.

RESULTS AND DISCUSSION

To sum up, all levels of government and environmental authorities should seize opportunities, meet challenges, and seize the opportunity to strengthen environmental protection for achieving sustainable economic and social development make a difference.

First of all, we should seize the opportunity to strengthen environmental management tools, not owe a new account. In the state has increased investment, stimulating domestic demand at a macro level, the project construction will be the emergence of a climax, which requires

environmental protection departments at all levels of government and remain sober, can not afford to accelerate the project construction weakened environmental protection, and can not afford to ignore the security and good growth fast development.

Second, we must lose no time in urging the polluting enterprises in the environment, and more still the old account. At present, the "homemade" enterprise to cease only temporary, once the economic crisis in the past, these small, extensive investment in the enterprise because of its relatively small, the craft is relatively simple and relatively easy to recover.

Also, because local governments eager to develop the economy in time to make up for the economic crisis caused by the loss of the contradiction between economic development and environmental protection may be more intense. Therefore, all levels of government and environmental protection departments should take advantage of the current strong conditions, effectively increasing pollution remediation efforts to promote local industrial restructuring, promoting enterprise expansion upgrades to mention quality (Dyllick, T., Hockerts, K., 2002).

Right size too small, technically backward, governance hopeless polluting enterprises, resolutely and thoroughly banned, not to shut down the conditions for corporations to stay in rehabilitation and reconstruction and capacity. At the same time, guide business operators to actively cope with economic crisis, seize the opportunity for transfer of industries, develop high-tech industries and environmental protection industries; to meet the national industrial policy, expected to pollution control of SMEs, to help expand the overall size, the use of advanced technology, the implementation of pollution control, to achieve discharge standards to guide the Alliance through a strong integration of resources, the formation of intensive farming. For example, the Asian financial crisis in this particular situation, and environmental protection departments at all levels of government must be in strict accordance with the law, without reducing the access threshold for construction projects, to prevent inconsistent with the state industrial policy of "two highs and a capital" can take the project of machine, given by leaps and bounds after the economic recovery and sustainable development of the formation of environmental barriers (Graff, R.G., Reiskin, E.D...2008).

Accelerating the pace of project construction needs nothing wrong with handling the special matter, which requires the government and relevant departments must strengthen their services and strive to improve efficiency, and must not be for the one-sided pursuit of efficiency to the neglect of quality act. In environmental protection, but can not be used to reduce environmental impact assessment grade or even removed from the

EIA process, arbitrary reduction of environmental approvals and other means to obtain project launched surprise.

Third, we must seriously diminish formalities. Environmental impact assessment, environmental protection examination and approval is a new, expansion, renovation project required strict legal procedures must be carefully handled to maintain its scientific and authoritative (Gray, R., 2009). Even in an economic crisis, a special situation requires handling the special matter, for the construction project to open a "green passage" policy standards and regulations must also be based on facts as the yardstick, can not take opportunism, dishonesty and other "flexible" approach to influence the national macroeconomic policy implementation.

Finally, to strengthen environmental regulation. For the special situation of the construction project, but also to the whole process of the implementation of environmental supervision and strictly enforce environmental protection "three simultaneous" and post-Inspector system to ensure environmental protection facilities and environmental management measures to meet the needs of clean production enterprises to ensure that pollution control facilities for the project put into operation to normal operation in order to achieve by the project, an increase, but not by pollution targets (Pezzey, J., 2008).

CONCLUSION

Energy and the environment present ongoing and sustained challenges to producers, transporters and consumers. It has always been the case and will likely remain so. Some forms of energy are produced from the destruction of molecules. Thus there are environmental impact issues to be dealt with. Other forms of energy require infrastructure that impacts the landscape. Still other forms dam rivers or create nuclear waste. As the future unfolds every so-called "clean" or "green" form of energy also has environmental consequences of one form or another.

I would like to express my belief that there are solutions for environmental protection by establishing a comprehensive, coherent approach that takes into account short, medium and long term issues and concerns as part of a national energy plan. While not yet perfect, the issues identified during the 20th century are more and more being tackled by community after community. Likewise our society has come a long way towards managing our liquid waste. The times when manufacturers, farmers, households and communities poured liquid wastes directly into streams, rivers or other waterways without treatment are well behind us. While perhaps not perfect yet, our society is much better at managing liquid

waste. Now arguably it is time to turn our attention to gaseous wastes, many of which come from energy production and consumption.

Further enhancing the environmental protection system, as citizens we naturally want to protect our atmosphere, earth and water for the future of life on our planet and the quality of life of future generations. All three are finite and we do not want to be the generation that makes our future worse for our descendants than what we received. In the same manner that we have largely and affordably mastered physical and liquid waste because we knew it was wrong for the earth, we can manage gaseous waste. No one chooses to put his or her head over the top of a smokestack or at the end of a car's tailpipe. Emissions of all kinds, from CO₂ to volatile organic compounds (VOC's) to non-organic compounds (NOC's) are unpleasant if not harmful or even fatal under certain circumstances. Currently such emissions enter a finite atmosphere with limited constraints. We can do better and find affordable ways to do so.

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