

SPECIAL LIABILITY FOR ENVIRONMENTAL DAMAGE CAUSED IN AN INTERNATIONAL CONTEXT

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ABSTRACT: *The legal regime for civil liability for environmental damage has developed in a changing way, and in recent decades it has developed, in particular, to damage caused at sectorial level in an international context. The legal mechanism for liability for environmental damage has been extended to cover sources of pollution, pollutants and the way in which damage is repaired, leading to the establishment of a common right in this area.*

In this paper, we will present and analyse the main international legal instruments which are incidents in the field of civil liability for environmental damage occurring in an international context. These legal instruments indicate those causing environmental damage as active and consequently responsible for repairing the damage caused, thus providing a strong incentive to avoid environmental damage.

In this context, we will highlight the overall aim of international environmental instruments, of fully repairing the damaged natural resources and related services and returning them to the state they would have been had the environmental damage not occurred.

The study shows the continuing concern of the international community for identifying legal mechanisms to ensure that environmental damage is repaired and its victims are restored to their rights.

The basic principles of civil liability for environmental damage occurring in an international context are also analysed, with an indication of the mechanism of limited liability and the mechanism of full liability.

KEYWORDS: *ecological damage, polluter, objective liability, international environmental liability.*

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