

IS THE ROMANIAN CIVIL CODE TENDING TOWARDS GREENING? (II)

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ABSTRACT: *Not only the environmental legislation but also the criminal and civil one, represent firm instruments of environmental protection, through the attributions and responsibilities established in environmental issues but also through the responsibilities they establish in the prevention and compensation of ecological damages.*

In the last period, against the backdrop of increasingly aggressive environmental degradation, we are witnessing the development of legislation that establishes liability for damages caused to the environment, both under public law and civil law.

From the perspective of civil law, legal liability is a matter of compensation for damages caused to life, health and human integrity or to the property of victims of ecological damage as a result of people behaviour.

We pointed in the first part of our study that the current Romanian Civil Code does not include enough regulations regarding the environment and due diligence on the environment, or regulations that require compliance with subjective rights and requirements related to prevention, precaution and other principles aimed at environment protection. But it offers some specific tools in the field of ecological damage compensation.

During this paper we will try to point out some shortcomings of this civil legislation, such as, for example, those related to the principle of prevention and precaution, but also aspects regarding the obligation to inform the public in relation to the traded products and the services offered through the documents civil legal.

KEYWORDS: *precautionary principle; ecological damage; obligation to inform; civil liability.*

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