

# Ecological offenses as type of ecological legal relationship

The work performed  
by students of the  
LSofNS-202 group:  
Diana Galiakhmetova  
Alyona Dautova  
Daria Reshetova  
Asel Dyusembayeva

## **Goal:**

to reveal offenses in the sphere of environmental protection and to show by what laws they are regulated.

## Tasks:

- **1.** to find out that ecological legal relationship are.
- **2.** to reveal the crimes arising in the sphere of environmental protection.
- **3.** to study laws which regulate ecological legal relationship.

- The **relevance** of a research is that ecological the right as the industry of Russian law represents the system of the precepts of law governing the public relations on preservation, reproduction and studying of the surrounding environment and also on rational use of natural resources.

Environmental protection and rational use of natural resources is recognized as one of the strategic directions of policy of Russia. Modern conditions impose new requirements to legal regulation of the relations in the sphere of the environment - the independent industry in the legal system of the Russian Federation.



- In the ecological right as the industry of the right the rules of conduct of people following from objective laws of the nature and corresponding to operation of these laws are fixed.
- A subject of the ecological right are the public relations arising in the field of interaction of society and the nature concerning use of natural resources and environmental protection.



# General characteristic of ecological legal relationship

- Ecological legal relationships are the relations between subjects concerning preservation and restoration of the environment, rational use of natural resources and prevention of negative impact on the environment.



## Signs:

- means legal communication between social subjects;
- evolves from rules of law;
- represents communication between persons by means of the subjective rights and legal duties;
- is the strong-willed relation because in order that it arose, the will of its participants is necessary;
- it is protected by the
- state and makes a basis
- of the state coercion.



- **Ecological legal relationship have the following structure:**
- object;
- subject;
- contents.
- **Object of ecological legal relationship are:**
- lands, subsoil, soils;
- surface and underground water;
- atmospheric air, ozone layer of the atmosphere and near-earth space.

- **Subjects of ecological legal relationship are:**
- citizens, legal entities, foreign citizens, persons without citizenship, public authorities of the Russian Federation, territorial subjects of the Russian Federation, local governments and officials.
- **Content of ecological legal relationship are** the rights and duties of subjects of these legal relationship.

# Ecological crimes as type of ecological legal relationship.

- Ecological crime is the guilty socially dangerous act (action or inaction) encroaching on the environment and its components, a intelligent use provided by the criminal law also are forbidden it under the threat of punishment



- **Proceeding from features of a subject to encroachment, all ecological crimes are divided into four groups:**
- **1) ecological crimes of the general character:** violation of the rules of environmental protection at works; violation of the rules of the address of ecologically dangerous substances and waste etc.
- **2) the crimes encroaching on protection and rational use of a subsoil:** damage of the earth; violation of the rules of protection and use of a subsoil etc.



- **3) the crimes encroaching on protection and rational use of fauna (fauna):** violation of veterinary rules; illegal production (catch) of water biological resources etc.
- **4) the crimes encroaching on protection and rational use of flora (flora):** violation of the rules, the plants established for fight against diseases and wreckers etc.



# Types of punishments for commission of ecological crimes

penalty



arrest



corrective works



obligatory works



restriction of freedom



## Conclusion

- In conclusion it should be noted that every year the number of ecological offenses increases.
- Synthesis of experience of nature protection prosecutor's offices allows to draw a conclusion on need of further improvement of their activity, strengthening by the highly qualified personnel owning ecological, legal and economic knowledge, of appropriate hardware.

# List of sources

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- Стеблов А.Л. Экологическое право РФ и ЕС: [Электронный ресурс] URL: <http://be5.biz/pravo/e005/index.html> (дата обращения: 11.04.2019)
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# Pictures

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- <http://greenparty.ru/news/1766/> (pic.2)
- <https://naviny.by/sites/default/files/dym.png> (pic.3)
- [https://assets.aspeninstitute.org/content/uploads/2014/10/iStock\\_000036453968\\_Medium.jpg](https://assets.aspeninstitute.org/content/uploads/2014/10/iStock_000036453968_Medium.jpg) (pic.4)
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- [https://st.depositphotos.com/1007989/3205/i/950/depositphotos\\_32058361-stock-photo-crying-earth-due-to-pollution.jpg](https://st.depositphotos.com/1007989/3205/i/950/depositphotos_32058361-stock-photo-crying-earth-due-to-pollution.jpg) (pic.6)
- <https://www.1obl.ru/upload/medialibrary/fe1/fe138dcc10c19a0a0b15ab6526d2e11c.jpg> (pic.7)
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**Thank you for your attention!**