

INTERNATIONAL LAW PROBLEMS OF THE NATURAL RESOURCES REGULATION.

Kramchinskaya A.P.

Tyumen State University, Tyumen, e-mail: nastya_kramchinskaya@mail.ru

Scientific Supervisor: Poletaeva O.B. - Candidate of Philological Sciences, Associate Professor of the Foreign Languages and Intercultural Communications Department for Law and Economics of the Institute of State and Law, Tyumen State University, Tyumen.

The depletion of natural resources is one of the global environmental problems of humanity. Moreover the problem of depletion of natural resources has been becoming increasingly important each year. It is connected both with the awareness of the fact of their limitations and with the intensity of the increasing consumption.

Florence Heredia, a specialist in the natural resources law, said: «Every phase of the mineral industry, from extraction of the resources to the commercialisation of the minerals, is bound to be regulated by international laws and principles...». I think this is absolutely true. There is a need to regulate by means of international laws not only the mining industry, but also all activities related to natural resources.

All natural resources fall under two main categories: renewable and non-renewable resources. Renewable resources are those that are constantly available (like water, solar energy) or can be reasonably replaced or recovered, like vegetative lands. This type of resources is less in need of the international legal regulation because they can be replaced or they will be restored. In my opinion, the protection of this type of resources can be regulated by the laws of the country.

Another thing is with non-recoverable resources. I would like to pay special attention to non-renewable resources. Non-renewable resources are those that can't easily be replaced once they are destroyed. Examples include fossil fuels. Minerals are also non-renewable because even though they form naturally in the process called the rock cycle, it can take thousands of years, making it non-renewable. Some animals can also be considered non-renewable, because if people hunt for a particular species without ensuring their reproduction, they will be extinct. This is why we must ensure that we protect resources that are endangered.

As for animals, the international treaties on the protection of the animal world can be grouped into two groups: treaties aimed at protecting the fauna as a whole (for example The Convention on Biological Diversity 1992, Convention on International Trade in Endangered Species of Wild Fauna and Flora 1973 etc.) and treaties protecting the same population

(International Convention for the Regulation of Whaling 1946, Agreement on the Conservation of Polar Bears 1973).

All these international acts exist independently; there is no one international document where all acts regulating the protection of animals as a whole and of some species separately would be fixed. I see the need to systematize international treaties and conventions into a single "International Code for the Protection of Animals", for example.

Today there exists the International Environmental Law. International Environmental Law is concerned with the attempt to control pollution and the depletion of natural resources within a framework of sustainable development.

It is a branch of the public international law - a body of laws created by states for states to govern problems that arise between states. The object is relations of the subjects of the international law regarding the protection and reasonable exploitation of the environment for the benefit of present and future generations of people.

However, this is a very general concept, which essentially includes a set of non-formalized international treaties and conventions. It is not a specific code, such as the criminal one, in which there are sections, articles, paragraphs.

In my opinion, it is necessary to systematize international treaties and conventions into a single document: an international document on the protection of limited (non-renewable) natural resources.

In this document, we need to make sections on individual natural resources: minerals, fossil fuels, soils. The first section should include such conventions as: Convention on the Regulation of the Development of Antarctic Mineral Resources 1988, United Nations Convention on the Law of the Sea 1982, Agreement on cooperation in the study, exploration and use of mineral resources 1997 and so forth. In the second section we can include: International Convention on Civil Liability for Bunker Oil Pollution Damage (BUNKER) 2001 etc.

Soil is a non-renewable resource. Its preservation is essential for food security and our sustainable future. This section may include: United Nations Convention to Combat Desertification, particularly in Africa (UNCCD) 1994, Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal 1989 (because hazardous wastes harms the soil) and so on. This "code of international ecology" can be supplemented with sections on flora and fauna, water bodies and other natural resources that require protection. Also, this document can be supplemented not only by conventions and treaties, but also individual articles. It is a very difficult and long process of creating this international document, over which various legislators of different countries might work.

Thus, speaking of the international legal regulation of the development and usage of natural resources, it should be noted that the effectiveness of such regulation depends on the implementation of international legal norms by the state that participates in the relevant international treaty.

Therefore, to improve the effectiveness of legal regulation, it is necessary to improve lawmaking and create an effective mechanism for the enforcement of international legal norms. The scarcity of natural resources is a very important global problem that needs to be addressed by the whole world. And every year this problem becomes more and more vital.

That is why it is necessary to create an international document that would regulate the use of natural resources on Earth.

Bibliography:

1. <https://whoswholegal.com/news/features/article/32789/international-law-trends-natural-resources-integral-perspective/>
2. <http://www.eschooltoday.com/natural-resources/types-of-natural-resources.html>
3. <http://unimelb.libguides.com/internationallaw/environmental>
4. <http://www.fao.org/resources/infographics/infographics-details/en/c/278954/>
5. <https://fedsoc.org/commentary/publications/environmental-regulation-and-natural-resource-management>
6. https://en.wikipedia.org/wiki/List_of_treaties_by_number_of_parties