A comparative analysis of the environmental law of the Silk Road economic belt from the international perspective

Li-Na Fa

1Department of Economics and Management, Shanghai University of Political Science and Law (SHUPL), Shanghai, China

*Corresponding author: falina12@163.com

Abstract. Environmental law, as a regulatory means to protect the environment and curb pollution, is of great significance. Four representative countries on the Silk Road economic belt, Russia, Italy, Kazakhstan and China, are selected as the objects of analysis, and the advantages and disadvantages of environmental protection laws and regulations of various countries are analyzed by comparing the environmental laws and regulations of various countries. Russia attaches importance to the cultivation of the cultural atmosphere of environmental protection. Italy effectively combines its own national conditions to carry out legislation, and Kazakhstan's environmental laws cannot be implemented. China's environmental law places emphasis on theoretical norms. It can be seen that whether environmental law plays a role depends not only on the improvement of the legal system, but also on the matching measures such as enforcement and supervision. The application is complete. Environmental law is formulated based on the unique national conditions of our country and does not have externalities. Therefore, it is of great significance to develop international environmental law, especially by signing international environmental treaties to share advanced experience in environmental legislation and law enforcement. This paper uses the method of comparative analysis to study environmental law from the international perspective. It is found that no matter what the national conditions are, a good environment protection atmosphere, the implementation of environmental law in place and international environmental exchange and cooperation are important ways to improve the environmental law of our country. At the same time, strengthening international cooperation is also an effective way to improve the ability of international environmental risk prevention.

1. The first section in your paper
The Silk Road has been an important economic and commercial trade route linking Asia, Europe and Africa since ancient times, bringing economic growth to all countries along the route. President Xi Jinping proposed the "New Silk Road Economic Belt" and the "Maritime Silk Road in the 21st Century" in September and October 2013 respectively, which are collectively referred to as the "The Belt and Road". The objective of "The Belt and The Road" is to make new breakthroughs in areas such as infrastructure construction, energy cooperation, and integration of regional economy and internationalization of CNY by learning from each other through regional cooperation in many countries. While the Silk Road has drawn much attention, the environmental problems have also become increasingly serious. The problem of environmental pollution has always been a rather heavy, regional and global issue. Therefore, how to form a coordinated strategy to protect the environment is
a key focus requiring strong attention while developing a regional economy. Therefore, it is necessary to study and compare the environmental laws and policies of countries along the Silk Road.

2. A comparative analysis of the environmental law of the four-nation in the Silk Road

In comparison with the basic environmental laws of various countries, one can find that the most comprehensive environmental and cultural development can be described as the Russian Federation Environmental Protection Law established in 2002, and the law is constantly being improved since it was established in 2002. For example, Article 73 states: “Organizational leaders and experts rich in decision-making responsibilities in conducting economic and other activities that generate or may have adverse environmental impacts should be trained in environmental protection and ecological safety.” From many of its provisions, it can be seen that Russia attaches great importance to the issue of building environmental culture. Through various forms, Russia has the knowledge of ecology and environment as small as individuals and enterprises.

Italy has also done very well in environmental protection. As a member of the European Union, the legislation on environment is very large in consistency with the EU. However, it also relatively combines the actual environmental pollution in its own country with the establishment of environmental law. Law of Pollution Prevention and Waste Treatment, Law of Protection of Natural Environment and Unified Environmental Law are all Italian basic environmental laws. We can see that Italy has harsh penalties for the destruction of the environment and the indiscriminate discharge of waste. Specifically speaking, Italy has a firm prohibition against all commercial activities at the expense of damaging the environment, emitting pollutants and wastewater. If there are similar business projects, it will be required to restore the original appearance of the environment; moreover, it may be forced to stop. We can also look through the legislative development of environmental water resources utilization and pollution prevention in Italy. As can be seen from Table 1, since the 19th century, Italy's legislation on the environment has shown a marked improvement. From one-sided environmental problems, it has risen to contacts with the Fiscal Law and the Law of Water Resource Conservation, The new subdivision of the Environmental Law, which provides a good theoretical basis and guidance for law enforcement and supervision.

| Time  | Relevant Laws                                    | Main Contents                                                                                                                                 |
|-------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 1966  | Prevention and control of air pollution         | Monitoring objects for controlling pollutants include sulfur dioxide, carbon monoxide, nitrogen oxides, particles, metals, PM10, PM2.5, ozone and so on. However, because the law has very little provision for fines, it has not been well executed in the early years. |
| 2003  | Link the environment law with the finance law   | It is prescribed that in terms of environmental protection, the budget can be prepaid, making environmental protection expenditure can account for about 1% of the GDP.                                      |
| 2006  | Establish the community's law on water policy   | The decree divides Italy into eight river basins, each of which has its own management plan, which is enforced and supervised by the regulatory agencies in its region.                                 |
| 2006  | Surface water pollution and water quality deterioration instruction | Determine the prescribed emissions of nitrate, heavy metals and other pollutants.                                                            |
| 2009  | Water resources and environmental protection    | It has been established that the internal management agencies of the basin area must jointly implement the management plan with the local governments. |
However, there are also some shortcomings: Despite the promulgation of environmental laws and regulations, due to the independence of local governments, the central regulations are not implemented completely. In addition, the law enforcement agencies also have problems in loose management. The environmental violations in Italy have occurred from time to time [1].

Kazakhstan's overall environmental situation is not optimistic. The most serious problems are air pollution in big cities and heavy industrial centers, pollution of groundwater in Caspian Sea, the serious land desertification and the serious destruction of the ecological environment. Its environmental protection management department is the MEP, which is responsible for the regulation the use of various natural resources and the sustainable development of supervision department. The Law on the Utilization of Underground Resources and Underground Resources, implemented in 2005, strictly forbids the free emission of combustion gases generated from the development of oil to the air, and at the same time, restricts the industrial exploitation of gas. These are important measures taken by Kazakhstan for environmental protection. However, the lack of enforcement and supervision combined with the continuous construction of the market for oil and natural gas has made little effect on environmental protection.

On the basic principle that the principles of China's environmental protection laws are not expressly prescribed, which will cause obstacles for citizens to read, and it is not easy for people to grasp the main points when they read. In the process of judicial practice, the principle can be fully utilized. When the rules are not clearly defined, the principle of law can be used intuitively instead of using it only as a theoretical study of scholars [2]. In the supervision and inspection system of the standard of environmental quality, although China's law on environmental protection has relevant details in Chapter 3, these are merely ornaments and do not have practical maneuverability. Therefore, they are not well instructive in actual economic life. There are also differences in the ways of protection adopted by the two national environmental protection laws. Russia introduced its regulations on protection measures in detail. It provided a detailed list of the classification of environmental standards, legal basis programming and so on, making the compilation and implementation planning more operable [3]. On the contrary, China's demand for environmental quality standards and specific measures are not stated expressly and clearly. At the same time, the environmental quality standards adopted now are too old to catch up with the rapidly rising economic level and the increasingly serious Environmental issues.

Since each country has its own strategy of different cultural factors, political principles and economic development, the environmental protection laws of all countries are certainly established for the environmental legislation within the country, which is not externality so it is not enough to have an effect on international trade. Therefore, many researchers worldwide put forward the new term of global environmental law, which transcends national boundaries and breaks the limitations of the environmental legal system in various countries. Among the numerous studies of global environmental law, Jonathan B. Wiener, a graduate of Duke University in the United States, has been cited his researches the most times. In his article Transplantation of Law and the Growth of Global Environmental Law - The Stone of Other Mountains, he mentioned: “Global Environmental Law deals with the issue of the externalities problem of legal regulation, and the overall risk prevention” [4].

3. The importance and reference significance of the Development of International Environmental Law

From 1970 to 2000, the number of international regulations on environment has increased nearly tripled, from the original 52 to 215. In fact, these international environmental laws and the establishment of global environmental law must constantly draw the essence of the environmental laws of various countries, and it is not a difficult thing for all countries to accept and endorse. And all countries have the reference and standards to perfect their own environmental laws. Therefore, this kind of participation in international environmental treaties forms a non-official and cross-border cooperation between governments. Countries can learn from each other's excellent experiences, share
advanced technologies, and through the domestic environmental legislation, environmental standards will be internalized into the domestic environmental laws and regulations [5].

At the same time, the non-governmental environmental organizations that exist in the world today will inevitably promote and coordinate the establishment of environmental law throughout the world as well as other countries. At the same time, it will also help some developing countries that are not optimistic about the environment, environmental laws are not well-established, and the level of supervision is not stringent enough. The Montevideo program is a successful example. On May 31, 1982, the Environmental Planning Council approved the comprehensive program of periodic reviews of environmental law by Montevideo at the tenth session. It has played an indispensable role in the process of perfecting the environmental law of various countries since then. For example, to help developing countries to improve legal instruments in the field of environment and improve the enforcement of supervision; to achieve the overall goal of regional and even global environmental law coordination; to train the relevant personnel, relevant agencies and other subjects in the skills and knowledge of the environment necessarily; to transmit and teach the knowledge and law relating to the environment in a fixed period of time. Since 2010, Montevideo has embarked on the fourth implementation phase of this program, taking a period of 10 years. The most recent issue of the Montevideo Development and Periodic Review of Environmental Law Program focuses on the importance of harmonization and coordination of international environmental law. It can be seen that sustainable development has always been and will always be a hot topic of global concern, ensuring long-term economic growth and foundation of harmonious coexistence between man and nature.

Equally successful are some of the projects adopted by the Nairobi Conference to strengthen environmental administrative mechanisms and legal systems.

4. Conclusion
Through the comparative analysis of the development and implementation of the four-state environmental law, the environmental laws and policies are the indispensable means to regulate the environmental governance. The environmental protection culture construction and the environmental law enforcement and supervision are the key to the environmental law's ability to play an actual effect. The analysis of the basic law of the environment in Russia brings the enlightenment of China to perfect the construction of the environment and provide a good atmosphere for the implementation of the environmental law. Although it has a relatively complete legal system of environmental protection, it is limited to the problem that the independence of the local government and the execution of the law are not in place. Whether environmental law can play utility is the key to whether to implement the measures in a complete and complete manner. The strengthening of the exchange and cooperation of the international environmental law is an important way to promote the legal progress of the national environment. Through the communication between the international conference of environmental protection and the non-governmental environment-friendly organization, the sharing of successful experience is an important link in the continuous improvement of the environment law in the continuous international society.

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