



THE 7<sup>TH</sup> EDITION OF THE INTERNATIONAL CONFERENCE  
EUROPEAN INTEGRATION  
REALITIES AND PERSPECTIVES

## Strategies of Environmental Policy in the European Union

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**Abstract:** Strategies for achieving environmental policy reinforce the principle of subsidiary (delegation of responsibilities of Member States, while European Union outlines only the general objectives to be taken into account) and try replacing the traditional vertical approach, command and control type, by promoting an alternative model for achieving the EU average. One can say that these strategies are a kind of “aids”, which complement standard tools and acting as incentives for the adoption of measures for environmental protection that emphasizes the trend towards an approach based on the principle of volunteering. In the early '70s, was recognized the need and legitimacy of a common environment. In time, will develop a progressive environmental Community law, which includes over 200 directives and regulations. They concern mainly water protection, air quality, protection of flora and fauna, noise, waste disposal. Environmental legislation has a particular characteristic; it takes into account economic aspects.

**Keywords:** environmental protection; European strategy; environmental agreements

Treaties establishing the European Communities did not provide explicit competent environmental community. Dealing with pollution, the rapid growth, Member States have adopted measures at national level. As a transboundary phenomenon, pollution could be controlled effectively only within national borders. In addition, some of the measures adopted by Member States prevented the free movement of goods within the common market. As a result, calls for joint action and pressure for environment have multiplied. In 1972, shortly after the first UN Conference on Environment, European Commission proposed a program of action in this field.

But previous legislation of 1986 had no legal basis in a treaty. Single European Act explicitly gives competent European Community environmental policy. Thus, it will provide a formal legal basis that overall increasing environmental regulation. European Single Act has set three priority objectives of Community policy: an environmental, human health 2, 3 prudent and rational utilization of natural resources (Article 130 R).

Treaty on European Union (1992) formally established the concept of sustainable development in EU legislation. Four years later, the Treaty of Amsterdam has made sustainability a primary goal of the European Union. European Union's future development must be based on the principle of sustainable development and a high level of environmental protection. Environment must be integrated into the definition and implementation of all economic and social policies of the EU, including trade, industry, energy, agriculture, transport and tourism.

First Environmental Action Programmer (EAP) developed by the Heads of State and Government of the Community based on this application is in the very beginning to the Community environmental policy. Although first steps have focused more on repairing damage already occurred, the very first

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principles of prevention set EAP. These principles were partially reversed, enlarged and completed the three ESP's (1977, 1983 and 1987).

By its very nature, sustainable development is the need for accountability and environmental education, and this is reflected by changes in Community policy in recent years, politics marked the transition from an approach based on coercion and punishment, more flexible one, based on incentives.

Thus, to act on a voluntary approach, in order to promote the accountability towards the environment and to encourage the use of environmental management systems.

Environmental policy does not act independently, but reflects the interests of civil society in the direction shown by the creation of numerous environmental movements and organizations. Moreover, in some countries led to the creation and development of political parties "green", with a success in the political arena. Resistance should not be forgotten either - or, better retention and inertia that occurs when environmental objectives appear to limit industrial competitiveness and economic growth, but this only serves to highlight once again the need for a concerted approach to Europe and the need for an active and integrated environmental policies, able to meet the challenges that arise in economic terms. (Sava, 2005, p. 41)

EU environmental legislation may be subject of several articles of the EU Treaty, depending on its major goals. Directives aimed at environmental qualities of products are usually based on Article 100 or (after 1987) on Article 100a, which aims to harmonize Member States' legislation establishing the common market.

EU environmental policy, as was established by the Treaty, aims to ensure environmental sustainability activities through its inclusion in EU sectoral policies, the development of preventive measures, through the principle of "polluter charged" "by fighting the source of pollution, and by assuming joint responsibility.

The *acquis* comprises approximately 200 legal instruments covering a wide range of sectors, such as air and water pollution, waste management and chemicals, biotechnology, radiation protection and nature conservation. Member States must ensure that an environmental impact assessment was carried out before approving certain development projects in public or private sector. Despite the significant improvements that have occurred, especially in reducing air and water pollution, the *acquis* needs to develop further. In the new environment action program identifies four priority areas: climate change, nature and biodiversity, environment and health, and natural resources and waste.

A strategy should include several elements:

- to express a major;
- to establish a means by which to meet that objective;
- produce measurable results.

On 12 December 2003 European Council approved the European Security Strategy 'A secure Europe in a Better World'. The EU has managed to produce a document that provides a coherent picture of security threats and European political reactions. What is new is the new European strategy analysis broadened and enhanced security environment at the same time:

- more attention to the effects of globalization;
- awards for "old" and "new" forms of terrorism;
- proliferation of weapons of mass destruction has been redefined as the largest potential, but not the only threat;

#### *A. Sustainable development*

In addition to promoting economic and social progress and a high level of labor employment, the European Union has set itself the objective of achieving balanced and sustainable development. This

objective was enshrined in the Treaty of Amsterdam by the 15 member states and was seen as a key aspect of Community law to be adopted in negotiations with the 10 new members, the candidate. Environmental policy is therefore of great importance not only in the EU 15 but will continue to be so and in an enlarged Union of 25, then 27 Member States.

The common goal of sustainable development is defined in detail in the chapter on environmental policy of the EC Treaty (art. 174): "The Community shall preserve, protect and improve the environment, protect human health, will use natural resources prudently and rationally and promote international measures to deal with regional or international environmental problems. European Union Sustainable Development Strategy was adopted in 2001, the international working meeting in Gothenburg (Sweden), the long-term strategy that focuses on sustainable development policies in the fields of economic, social and environmental protection and had a significant appreciation in the coming years. But the concept of sustainable development is now in EU environmental policy since May and just PAM separates the independent strategy in 2001. This development framework identified four priorities:

- 1) climate change and energy use "clean" (is energy sources that do not harm the environment);
- 2) public health;
- 3) the responsible management of natural resources;
- 4) transport systems and land use.

To treat these priorities have been established three lines of action, the structure and efficient strategy for sustainable development and at the same time, complement each other. These include:

- A proposal that affects several sectors
- B. measures to achieve long-term goals
- C. revisions progressive degree of implementation of the strategy.

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These include:

- a. proposal that affects several sectors,
- b. measures to achieve long term objectives,
- c. revisions progressive degree of implementation of the strategy, each of which is developed by a set of measures to create the proper action and result in operational and practical application of sustainable development.

### *B. The promotion of NGOs active in environmental protection*

This program is based on Decision 466/2002/EC of March 2002, works as a financial instrument and is re-renewal of an earlier program, lasted three years (1998-2000). The new program covers the period 2002 -2006, has a budget of 32 million Euro and encourages systematic participation of NGOs in the development of Community environmental policy and supporting small local and regional associations that contribute to the implementation of the *acquis communautaire*. Its role is accomplished by providing incentive grants (grants) to NGOs active in environmental protection, based on proposals submitted by them.

Criteria for grants and follow priorities 6th EAP promotes environmental education and supporting the implementation of EU environmental legislation, and amounts paid covers 70% of the organization over the last two years for NGOs in MS and 80% for candidate countries. This program works as a financial instrument and encourages systematic participation of NGOs in the development of Community environmental policy and supporting small local and regional associations that contribute to the implementation of the *acquis communautaire*. Its role is accomplished by providing incentives for financial support to NGOs active in environmental protection, based on proposals submitted by them.

### *C. Integrated Product Policy (IPP)*

It is based on a Green Paper on Integrated Product Policy (February 2001) and is the strategy since June 2003, when the Commission adopts communication related. IPP seeks to minimize the damage they're causing some environmental products throughout their life cycle and proposes a voluntary approach to “green products” and close cooperation with stakeholders. PIP is based on a Green Paper on Integrated Product Policy (February 2001) and exists as a strategy since June 2003, when the Commission adopts communication related. IPP seeks to minimize the damage they're causing some environmental products throughout their life cycle and proposes a voluntary approach to “green products” and close cooperation with stakeholders. Basic principles of this strategy are:

- 1) Thinking the product life cycle perspective;
- 2) Market involvement by creating incentives to encourage demand and supply of “green products”;
- 3) Stakeholder involvement;
- 4) Updating and further development;
- 5) Creation of various instruments.

Regarding implementation, have identified two directions:

- Establishment of “framework conditions” - promoting those types of measures and instruments applicable to several different products;
- Create an “product-specific approach” - identifying products most harmful to the environment and developing pilot projects to demonstrate the practical application of PIP benefits. Currently, this strategy is still in development phase and how to promote the objectives of its principles into practice.

Although this strategy is not yet functional, it has great potential to promote an attitude centered on concern for the environment, both by producers and consumers - which, in the long run, can generate the formation of a self-regulating mechanism for selecting the types products on the market, depending on their potential harm to the environment. To ensure the effectiveness of this strategy, the Commission envisages reviewing every three years.

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#### *D. voluntary environmental agreements*

Environmental agreements are a form of co-regulatory role to support the active involvement and accountability to environmental businesses. They are voluntary and are currently used in all Member States at national, regional or local. Among their advantages are:

- pro-active approach from industry
- effective and tailored solutions to problems identified
- the rapid environmental objectives.

Environmental agreements is that strategy in the aftermath of a Commission Communication of July 2002<sup>24</sup> and is a form of co-regulatory role to support the active involvement and accountability to environmental businesses.

Environmental agreements are voluntary and are currently used in all Member States at national, regional or local level, but appear as a new EU - the agreement between the European Commission and European industry federations (Dragos & Velişcu, 2004, p. 24). The novelty is the establishment of a legal framework for the use of voluntary environmental agreements; otherwise we speak of environmental agreements since 1996, when they first outlined their advantages:

- pro-active approach from industry;
- effective and tailored solutions to problems identified;
- rapid achievement of environmental objectives.

Regulating their operation, made the communication of July 2002, sets out three possible types of agreements:

- 1) agreements on its own initiative - refers to industry initiatives in areas where the Commission does not intend to propose regulations and they can support a formal recognition;
- 2) self-regulation - is where the industry choose to regulate a controversial issue to prevent a legislative regulation of the Commission;
- 3) co-regulation: is a type of stricter regulations, the EU established objectives and monitoring requirements and industry decide what measures be taken for this purpose.

Areas where these agreements at Community level may have an important role are: the impact of environmental PVC, integrated product policy, climate change and waste management. Areas where these agreements at Community level may have an important role are: the impact of environmental PVC, integrated product policy, climate change and waste management.

*E. Environmental taxes and fees within the Single Market* Environmental taxes were adopted in 1997 as a way to promote the use of fiscal instruments to increase the effectiveness of environmental policy. These are taxes imposed and the SM (and not at EU level), a strategy that has always been encouraged by the European Commission and involving the use of two categories of environmental taxes:

- the applicable emissions (pollution taxes on emissions aviation noise);
- the applicable products (pesticides tax, excise duties on oil etc.)

Revenues from these taxes are added to the budgets MS and can be used to finance environmental protection activities, but also to reduce other taxes (such as employment taxes). Environmental taxes were adopted in 1997 as a way to promote the use of fiscal instruments to increase the effectiveness of environmental policy. These are taxes imposed and the SM (and not at EU level), a strategy that has always been encouraged by the European Commission and involving the use of two categories of environmental taxes:

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- income from these taxes is added to MS and budgets can be used to finance environmental protection activities, but also to reduce other taxes (such as employment taxes). In this context, the EU strategy is to:
  - collection of MS experiences on environmental taxes,
  - analyze economic and environmental effects of existing taxes,
  - monitoring their effects on the Single Market and Competitiveness
- European industry in order to assess the effectiveness of fiscal instruments and any possibility of their translation to the Community.

#### *F. European environment and health strategy (SCALE)*

Envisages direct causal relationship between the complex and pollution, environmental change and human health characteristics. SCALE is the result of constant concern to the European Commission in this direction and initiated in June 2003, being developed in collaboration with DG Research and DG Environment and DG Research. The novelty of this strategy is centered on children's health - which are the most vulnerable social group most affected by pollution effects - unlike the rest of environmental legislation, which is based on norms and standards for adults (Petrescu-Mag, 2008, p. 15).

#### *G. Thematic Strategy on waste management*

To implement this strategy, the waste has been classified as domestic or industrial. In Romania, only 22% of all waste products are recovered, the majority being eliminated by storage and only 1% is incinerated.

The objective of this strategy is to eliminate the causal relationship between growth rate / resource use and waste production. Identified the following main aspects:

- To formulate a good policy for the prevention of waste is necessary for scientific analysis, the present there are no reliable statistics
- On recycling should focus on materials instead focus on products which have completed their life
- A new debate on the definition of waste
- Need to establish a recycling level common to all Member States.

EU aims to reduce the period 2000-2010 by 20% the amount of waste generated and 50% by 2050. Union policy on waste management involves three complementary strategies:

1. elimination of waste at source by improving manufacturing
2. encouraging recycling and reuse of waste through their recovery points collection facilities
3. reduce pollution caused by waste incineration. This position requires close monitoring because of environmental damage that can be made.

Managing risk and environmental emergencies Extreme manifestations of natural phenomena such as storms, floods, droughts, landslides, earthquakes and more powerful, plus technological accidents (serious pollution, for example) and the conflicts can have direct influence on the life of each person and the society as a whole.

Vulnerability highlights how much the man and his assets are exposed to the various hazards, indicating the damage they can cause a phenomenon. Environmental destruction increases the vulnerability. This varies depending on how the equipment and training of the population.

Classification of disasters in terms of NATO is as follows:

- natural disasters: earthquakes, tsunamis, volcanic eruptions, landslides, floods, drought
- technological accidents: nuclear accident at nuclear power plants, chemical and industrial accidents, plane crash, rail, water, and acts of terrorism.

### **Thematic Strategy on the Urban Environment**

Following the Environment Council meeting in June 2006, was adopted “Thematic Strategy on Urban Environment,” which suggests actions in four priority areas: urban management, sustainable transport, construction and urban design. The measures outlined in this strategy aim to contribute to better implementation of EU environmental policies and legislation at local level by supporting and encouraging local authorities to adopt a more integrated approach to urban management and inviting Member States to support this process.

The evolution of environmental policy and changes made during this time are reflected not only the objectives and priorities, but the number - growing - it’s implementing instruments. Thus, one can speak of the development of three types of tools: legal, technical and economic and financial tools, plus a set of “aids” rather responding to new trends and strategies for environmental protection.

Successive waves of enlargement of the European Union has problems not only political, institutional, economic and social, but also from an environmental perspective, and environmental policy issues addressed by the Union widened considerably. As environmental security issues worsen, can lead to conflicts between states for the following reasons:

- access and control of natural resources;
- decline in living standards and mass migration due to environmental degradation;
- altering power effectively states that environmental degradation due to their geographical;
- pollution across national boundaries;
- global environmental degradation (air, water).

Current threats to environmental security are related to exceeding the carrying capacity of natural conditions by increasing population and proliferation activity. Environmentalists say that people should be able to reverse this trend of undermining their living conditions if they understand this. The fact is, now, that environmental security is a security sector that tends to gain prominence on other sectors.

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