

ACTIONS UNDERTAKEN BY THE EU IN THE FIELD OF ENVIRONMENTAL PROTECTION

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Abstract

Over the last decades, the EU has tried and is still trying to advance environmental standards around the world by implementing a wide range of environmental legislation.

Through the care the European Union is giving to the environment, the aim is to make the economy greener and to protect nature, health and the quality of life of all people living on the territory of the Union.

Multiannual action programs for the environment are the ones that set the framework for future actions in the field of environmental protection. The implementation of these programs is fundamental.

Keywords: *greening, environmental law, sustainable development, pollution.*

The relationship between man and nature has started from the state of symbiosis, and with the evolution of man and the ever-growing desires for development it has degenerated into a conflict relationship. The evolution of the relationship is shaped in the form of three phases: symbiosis relationship, neutrality relationship, conflict relationship.
[1]

Socio-economic development has led to the development of models of perception and interpretation of the environment, of the relations between man and the environment. At both national, European and international level, it is desirable to make environmental protection more effective.

The world became aware of the pollution phenomenon only in the mid-20th century, when the consequences began to look increasingly alarming: urban smog, acid rain, increased greenhouse effect, the thinning of the ozone layer, serious deterioration of water and soil quality, All of which dramatically affect life. People who have become victims of their own actions have begun to assume responsibility towards the environment in which they live [2].

Looking at European legislation, we see a unification of the environmental provisions, whether we are talking about Environmental Codes, such as France and

Sweden, whether we are talking about introducing environmental crime into the criminal code, as is the case with Spain, Latvia and Canada [3].

The European Union, in order to help people affected by pollution, introduced measures meant to:

- Ensure the provision of clean drinking and bathing water;
- Improve air quality and reduce noise;
- To reduce or eliminate the harmful effects of chemicals.

Multiannual action programs for the environment are the ones that set the framework for future actions in the field of environmental protection. Their implementation is fundamental.

Environmental competences are found in Art. 11 and art. 191-193 of the Treaty on the Functioning of the EU (TFEU). Here are provisions on air, water, waste management and climate change.

The subsidiarity principle limits the scope of competence to matters such as fiscal matters, landscaping, land use, water resource management, choosing the energy sources and the structure of the energy supply.

The main principles on which European environmental policy is based are: the precautionary principle, the prevention, the correction of pollution at source, and „the polluter pays” principles.

The precautionary principle [4] may be invoked when there is scientific uncertainty about a possible risk to human health or the environment from a particular action.

For example, when there are doubts about the possible dangerous effects of a product, when uncertainty persists after an objective scientific assessment, the distribution of the product may be forbidden, and even a withdrawal from the market could be issued, in order to avoid health damage.

As a rule of general application, the precautionary obligation is used in any field of human activity that may harm the environment and is of importance in determining the culpability of the person who is to respond to the deeds that caused the damage. [5]

Thus, it was shown that a person is liable when in a situation of uncertainty or doubt about a risk with grave consequences on the community they not take a precautionary attitude. [6]

The "polluter pays" principle is implemented through the Environmental Liability Directive (ELD) aimed at preventing or remedying environmental damage (protected natural species, habitats, water and soil). When we say the natural environment [7], we say demography, fauna, flora, geographic environment, etc. All these factors configure and influence all the components of the law.

Human life and health depend on the entire atmosphere, the hydrosphere, the lithosphere and the biosphere, as well as on the actions of the society, which include the civilization of technology, economy, culture, art, etc.

The scope of the Directive has been extended three times to include the management of extractive waste, the operation of geological storage sites, and the safety of oil activities respectively.

In April 2016, the European Commission adopted a Report on the experience gained by Member States in the application of the Directive, and an Action Plan was drawn up on the basis of the Directive.

Environmental action programs

Environmental Action Programs have been created by the European Community Treaty to ensure the sustainability of environmental protection measures.

Since the Maastricht Treaty, environmental protection has become a priority for the EU.

Since 1973, the Commission has launched multiannual environmental action programs (EAP), which set forth future legislative proposals and future objectives for the European Union's environmental policy.

In 1986 the Single European Act was adopted, which came into force in 1987 and added a new chapter on environmental protection in the founding Treaty of the European Community.

In 1990, the European Environment Agency and the European Environment Information and Observation Network were created. [8]

In 1992, the EU signed the Maastricht Treaty (TEU) [9], which entered into force in 1993. This Treaty gives the Parliament of Europe a more important role by introducing the co-decision procedure.

In 1997, the Treaty of Amsterdam (entered into force in 1999) was signed to make the concept of sustainable development an important principle of the Community. [10]

In 2001, the Gothenburg Conference takes place, where sustainable development becomes a long-term European strategy. The European Union Strategy for Sustainable Development (EUSSD), which is committed to adopting environmental and social economic policies, is adopted. The EUSSD was revised in 2006. [11].

The Kyoto Protocol enters into force in 2005, and in 2009 the Lisbon Treaty [12] was signed to tackle climate change.

2010 presents two important moments, namely the Europe 2020 Strategy and the UN Summit in Cancun.

The Europe 2020 Strategy [13] focuses on sustainable growth based on environmental protection and biodiversity protection.

Some of the points set out in the Cancun Summit in Mexico are: maintaining global warming below 2 degrees Celsius, reducing greenhouse gas emissions, implementing the "Green Climate" Fund to support developing countries.

In 2013, the Council and the European Parliament adopted the 7th EAP for the period until 2020 entitled "Better living within our planet."

Current Politics of the United States In the field of the environment is based on this 7th Environmental Action Program.

This program is intended to prolong environmental actions up to 2050.

"In 2050, we will live well within the ecological limits of the planet. Our prosperity and the healthy environment come from an innovative, circular economy where nothing is wasted and where natural resources are managed sustainably and biodiversity is protected, assessed and restored. "

This program identifies three main objectives:

- Protecting, preserving and enhancing the EU's natural capital;
- Transforming the Union into an efficient, ecological and economic resource
- Protecting EU citizens against environmental pressures.

This program is the responsibility of both the EU institutions and the national governments.

Horizontal strategies

In 2001, the EU introduced its Sustainable Development Strategy (SDS) to complement the Lisbon Strategy previously adopted to promote the growth of jobs with an environmental dimension.

The Sustainable Development Strategy was renewed in 2006 to combine the internal dimension of sustainable development with the international one.

The European 2020 Strategy for Growth aims at 'smart, sustainable and inclusive growth'.

In 2011, the EU committed itself to tackling the decline of biodiversity and the degradation of ecosystem services by 2020. (EU biodiversity strategy).

Environmental impact assessment and public participation

Some projects with an environmental impact, such as the construction of highways or an airport, are subject to an environmental assessment. (EIM).

Plans on land use, transport, energy, waste, are also the subject of a similar process called Strategic Environmental Assessment (SEA).

Public consultation on such plans is essential. Public consultation is due to the Aarhus Convention, a multilateral environmental agreement under the aegis of UNECE (The United Nations Economic COMMISSION for Europe), which entered into force in 2001 and to which the EU and all its Member States are parties.

This Convention is the basis for democratizing the process of environmental protection, enhancing transparency and public participation in environmental decision-making. [14]

International cooperation on the environment

The European Union is a party to numerous global, regional or sub-regional environmental agreements that aim at nature protection and biodiversity, climate change and cross-border air or water pollution.

At the 10th Conference of Parties to the Convention on Biological Diversity held in Japan in 2010, the EU helped to reach an agreement on a comprehensive strategy to halting the loss of biodiversity by 2020.

The European Union also participated in the decision on the elaboration of global sustainable development targets for all states, which was adopted following the „Rio + 20” Conference on Sustainable Development, held in 2012.

The European Union also participated and set standards for international climate negotiations under the United Nations Framework Convention on Climate Change (UNFCCC).

The EU has also adhered to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Conclusions

We can note that, against the background of climate change and globalization, the EU has adopted a number of normative acts necessary in order to protect the environment and quality of life and sustainable development.

A clean environment, based on a rational use of resources, is needed to ensure the health and well-being of the population.

The national actions of deliberative and executive structures supplemented with judicial powers in the field of the environment of the judiciary were also inspired by the international models of institutionalization.

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