

# THE ENVIRONMENT POLICY IN THE POST-ADHERING COUNTRIES

Romeo IONESCU  
Dunarea de Jos University, Galați, Romania

## Abstract:

*The paper deals with the impact of the European environment policy on the Member States. For the beginning, we analysed this policy as a horizontal one under the sustainable development.*

*The next step was to present the new approach for the European environment policy including the 6<sup>th</sup> Environment Action Program. Some specific institutional actors support the synergetic character of the environment policy and insure the achieving of its objectives under the European Commission and the Environment General Direction.*

*The European environment policy is use as a success example. The latest enlargements of the E.U. represent an example of good environment management, as well.*

*Nowadays, the environment protection becomes one of the most important challenges to the world.*

**Key Words:** *Environment Action Program, environment policy's instruments, environment strategy*

**JEL Classification:** *Q53, Q56*

## I. Introduction

The environment problem appeared on the European agenda at the beginning of the '70. The next step was to create a distinctive environment policy as a response to the Rome Club signal connected to the decrease of the natural resources and to the water, air and land pollution. In 1972, the European Environment Policy was implemented and it became one of the most important European policies, nowadays.

The importance of the European Environment Policy is not dimensioned by its specific funds (which are less that those of the regional or agricultural policies). It became a European horizontal policy in which the environment protection represents a compulsory aspect for other European policies, as well.

The main element of the European environment policy is its sustainable development strategy which allows this policy to connect to the global environment protection tendencies, according to Rio and Johannesburg summits and to Kyoto Protocol. More, this implication in the international environment progresses transforms the E.U. into a global promoter of the sustainable development.

The sustainable development represents the need of responsibility and education under environment protection. As a result, the European Environment Policy passed from a policy based on restrictions and penalties to a most flexible policy based on incentives. It is the way to a voluntary action in order to support and to apply new environment management systems. The environment policy isn't independent; it reflects the civil society interest which is support by a lot of environment movements and organisations. More, some countries have green political parties which have a real success on the political arena, as well. On the other hand, there are some voices which consider that the environment objectives limit the industrial efficiency and the economic growth. These are the reason for a common environment policy and for a European active and integrate environment policy which has to be able to face to the economic and other challenges, as well.

## **II. A new approach for the European environment policy**

### **2.1. Key moments**

In 1973, was elaborated the 1<sup>st</sup> Environment Action Program (1973-1977) as a mix of average term programs and a strategically approach which emphasized the need of water and air protection and which contained a sector approach for the pollution elimination.

In 1978, was adopted the 2<sup>nd</sup> Environment Action Program (1978-1982), which was structured on the same priorities like EAP 1 and which was a renewing of that EAP 1.

The European Commission created the General Direction for Environment Policy in 1981. It was responsible for managing and insurance the environment policies implementation and for specific legislative documents' initiation. As a result, the environment policy became complex and correlated to other common policies.

In 1982, was adopted the 3<sup>rd</sup> Environment Action Program (1982-1986) which reflected the influence of the internal market development in order to equilibrate its objectives with market objectives, as well. More, this action program marked the pass from a qualitative approach of the environment standards to one based on the pollutant emissions.

The European Single Act (1986) gave a legal basis to the environment protection under the Rome Treaty. The 4<sup>th</sup> Environment Action Programme (1987-1992) was adopted next year. It prepared the framework for a sustainable development strategy using promotion of the preservation of the environment and the natural resources, as well.

The 5<sup>th</sup> Environment Action Program (1993-1999) was adopted in 1992. It marked the pass from a framework based on command and control to another one based on fiscal and economic instruments and on partners' consulting. More, this action programme transformed the sustainable development into an environment strategy. The Maastricht Treaty extended the role of the European Parliament in environment policy's development.

Under Amsterdam Treaty (1997) the environment policy became European horizontal policy. As a result, the environment problems had to be analysing in all sector policies, as well.

The 6<sup>th</sup> Environment Action Program (2001-2010) identifies four priority areas of the environment policy for the next 10 years:

- the climate change and global warming;
- the nature protection and biodiversity;
- the health connected to the environment;
- the natural resources' preservation and the offalls' management.

The Gothenburg Conference (2001) adopted the sustainable development as a long term European strategy which concentrates the economic, social and environment sustainable development policies.

An important progress was the European Environment and Health Strategy (SCALE-2003) which is based on the complex and direct connection between pollution, environment changes and human health, The new aspect of this strategy is its focus on the children' health.

### **2.2. Present situation**

The legal framework of the European environment policy is based on the Articles no. 6, 95 and 174-176 of the Treaty. The article no. 174 presents the objectives of the environment policy and its aim: the insurance of a high environment protection according to the different situations across the E.U. The article no. 175

identifies the legislative procedures and establishes the manner of adopting decisions about the environment policy. The article no. 176 allows Member States to adopt more severe standards. The article no. 95 implies the legislation harmonization connected of health, environment protection and consumer protection in the Member States. At least, the article no. 6 promotes the sustainable development as a European transversal policy and supports the environment protection into the European sector policies.

More, there are 200 of adopted directives, regulations and decisions which form the horizontal and sector legislation about the environment protection. The horizontal legislation covers those regulations which are focused on the information transparency and circulation, decisional process' facility and a greater implication of the civil society in the environment protection (for example, Directive 90/313/CEE about the free access to the environment information or the Regulation 1210/90/CEE about the implementation of the European Environment Agency). On the other hand, the sector legislation covers the sectors of the environment policy: the offals' management, phonic pollution, water pollution, air pollution, nature and biodiversity preservation, land protection and civil protection, as well.

The European environment policy is supported by specific institutional actors which are able to prepare, to define and to implement this policy and which are consulted to the Member States' governments, different industrial organisations, nongovernmental organisations and think tanks. They support the synergetic character of the environment policy and insure the achieving of its objectives under the European Commission and the Environment General Direction. This direction was created in 1981 and covers the elaboration and the implementation of the environment policy. Its role is to initiate and to finish new specific legislative acts and to monitor their implementation in the Member States, as well. More, the Environment Council of Ministries represents a part of the European Council and it meets several times a year in order to coordinate the environment policies in the Member States. In 1973, the European Parliament implemented the Environment Committee in order to initiate new regulations of environment and consumer's protection.

The Economic and Social Committee has a consultative role in making decision process and it relieves the generality of the environment protection policy.

The Regions Committee has a consultative role and covers the implying of the regional and local authorities in making decision process. The environment problems are object of the 4<sup>th</sup> Commission, together with the spatial planning and the urban and energy policies.

The European Environment Agency from Copenhagen is focused on the collecting, managing and supplying environment information to the resolvers and the public. They imply the environment monitoring and the discovering all problems which can appear. The European Environment Agency is focused on:

- supplying environment information in order to adopt the political decisions;
- promoting of the best practices connected of new technologies and the environment protection;
- supporting the European Commission to disseminate the environment researches' results.

Connected to the European Environment Agency, was created the Environment Information and Observation Network (EIONET) which connects the national information networks from the Member States.

The decisions about the environment protection are adopted according to the article no. 175 from the Treaty, which means:

- the vote of a qualified majority in the European Council and in co-decision with the European Parliament;
- the unanimity vote in the European Council and with the consulting of the European Parliament about the fiscal problems and the measures connected to the territorial planning, land uses, water resources' management and the measures which affect the energetic policy.

The objectives of the present European Environment Policy are the following:

- environment quality's preservation, protection and improvement;
- human health protection;
- natural resources prudent and rational use;
- promoting measures on the international plan in order to resolve regional environment policy.

The principles of this policy are:

- polluter pays: the polluter has to cover the expenditures connected to the pollution control established by the public authorities. As a result, the costs of these measures will be found into the production cost of the goods and services which cause the pollution;
- preventive action: it is better to prevent than to combat;
- prudence: adopting of prudence measures when an activity can affect the environment or human health, even that isn't a scientific proved cause-effect relationship;
- high environment protection: the European environment policy is focused on a high level of protection;
- integration: the needs of the environment protection have to be present in other common policies' defining and implementing;
- proximity: encouraging the local communities to assume responsibilities for the offals and done pollution.

### **2.3. The present action programs**

The present Environment Action Program (2001-2010), named "Our choice, our future", is focused on specific objectives, like the following:

- decreasing of the gases emissions with 8% comparing with 1990, in order to attenuate the hot house effect;
- elimination of the threats for species and life environments across the Europe;
- insurance of an environment which hasn't a negative impact for the human health;
- growing the offals' recycling degree and the prevent of their production.

These specific objectives are complete with measures set connected of: the effective applying of the common environment legislation in the Member States, the obligatorily of the impact analysis for all common policies on the environment, the contribution of the producers and consumers in finding solutions to the environmental problems, the general access to environmental information in order to support its protection and decreasing the urban pollution and an adequate uses of the land.

More, the 6<sup>th</sup> Environment Action Program develops seven thematically strategies connected of: the land protection, the maritime environment protection and preservation, the pesticides' utilisation under the sustainable development, the air pollution, the urban environment, the offals' recycling and the resources' management under the sustainable development. The approach for these strategies is a gradual one and it is structure on two phases: the first is the description of the present situation and the finding of specific problems, and the second is the measures proposed to resolve these problems.

The air quality strategy was initiated under Clean Air for Europe (CAFE) program in 2001. It contains strategic and integrate recommendations in order to eliminate the negative effects of the air pollution on the environment and the human health.

The soil protection is based on the European Commission's document "Towards a Thematic Strategy for Soil Protection" from April 2002. It was for the first time when the soil protection was independently treated.

The pesticides use under a sustainable development was initiated by the European Commission's document "Towards a Thematic Strategy on the Sustainable Use of Pesticides" from June 2002. Nowadays, this strategy is focuses on: the risks' minimisation of using pesticides on health and environment, the control improvement of the pesticides' use and distribution, the decreasing of the active harmful substances and replacing them with more secure other, supporting for crops without pesticides and establishing of a transparent report and monitoring system.

The maritime environment protection and preservation is a strategy which was initiated in 2002, in order to promote seas' use under sustainable and maritime ecosystems' preservation, including oceans dept, estuaries, and costal areas with high biodiversity degree.

The offal's recycling and preventing strategy was implemented in 2003 in order to treat the problems of recycling and offal's' production prevention.

The urban environment represents a strategy with four main themes under the sustainable development: the urban transport, the sustainable urban management, the buildings and urbanism and urban architecture.

An innovator aspect of the 6<sup>th</sup> Environment Action Program consists in adopting the Integrated Product Policy (IPP) in order to decrease the environment degradation and to develop markets for ecologic goods.

#### **2.4. The instruments of the environment policy**

Nowadays, we can observe three categories of the environment policy's instruments: legislative, technical and economic-financial. More, there are helpful instruments according to the environment protection new trends and strategies.

The legislative instruments create the legal framework of the common environment protection and they consist of 200 directive, regulations and decisions under the acquis.

The technical instruments cover the environment quality standards and the use of the Best Available Technologies (BAT). The technical instruments are: the emissions' standards and limits, the BAT, the eco-labelling and the criteria for the environment inspections in the Member States. The emissions' standards and limits are part of the specific legislation and follow to limit the environment pollution level and to identify the great polluters. The BATs are part of the specific legislation which prevent and control the industrial pollution. The specialised institutions create BAT Guides for energy, metallurgy and chemistry which are compulsory for every Member States. The eco-labelling presents the European goods which have a low environment impact and it offers information about goods to the consumers. The eco-labelling is monitoring by the European Union Eco-Labelling Board (EUEB), as well. The criteria for the environment inspections in the Member States were created in order to ensure the conformity to the European environment legislation and to its uniformed applying. These imply the minimum criteria of management and spreading for the results of the environment inspections in all Member States. Other two instruments are the measure and control marks for air, soil and water pollution and the databases connected of the pollution, alert limits and the pollution emissions inventory.

The main financial instruments of the environment policy are the LIFE program and the Cohesion Fund. While many other E.U. funding programs have environmental components, LIFE has been the only programme devoted entirely to supporting the development and implementation of environmental policy in the Member States of the European Union, in candidate countries who are associated to LIFE and in certain third countries bordering on the Mediterranean and the Baltic Seas. LIFE consisted of three thematic components: LIFE-Environment, LIFE-Nature and LIFE-Third Countries. LIFE contributed to the implementation, development and enhancement of the Community environmental policy and legislation and worked to integrate environmental concerns into other E.U. policies. Employing a practical approach, LIFE supported the development of new solutions to environmental problems facing the E.U. and aimed for the full implementation of Community policy defined by the Sixth Action Programme for the Environment.

For the first phase, which lasted from 1992 to 1995, some 400 million Euros were allocated. In the second phase (1996-1999), approximately 450 million Euros were allocated. The third and last phase, LIFE III (2000-2004), had a budget of 640 million Euros. LIFE III was subsequently extended from 2005 to 2006 with a budget of 317 million Euros by Regulation (EC) No 1682/2004 in September 2004.

LIFE was open to all 'legal persons', and projects financed by LIFE had to meet the following general criteria:

- they had to correspond to the priorities established at Community level and contribute to the objectives defined above;
- they had to be submitted by technically and financially sound participants;
- they had to be feasible in terms of technical content, timetable and budget - and offer good value for money.

In total, LIFE supported 2751 projects from 1992 to 2006, including: 970 LIFE-Nature projects, 1552 LIFE-Environment projects and 227 LIFE-Third Countries projects. The new financial instrument for the environment, LIFE+, will provide future opportunities for funding. LIFE+ was proposed by the Commission in September 2004 and agreement was reached by the E.U. Environment Council meeting in Luxembourg on 27 June 2006. The LIFE+ Regulation entered into force by September 2007. With a budget of 2143 billion Euros (for the period 2007-2013), LIFE+ is a limited but focused funding instrument providing specific support for the development and implementation of Community environmental policy and legislation, in particular the objectives of the 6<sup>th</sup> EAP (Decision 1600/2002/EC) and resulting thematic strategies. It comprises three components: LIFE+ Nature & Biodiversity, LIFE+ Environment Policy & Governance and LIFE+ Information & Communication.

At least 78% of LIFE+ will be for the co-financing of project action grants, of which at least 50% will be for nature and biodiversity projects. The European Commission will use the remaining sum for operational expenses.

Only expenditure in E.U.27 countries is eligible at present, although the future participation of certain third countries is possible if supplementary appropriations are received (see Article 8 of the LIFE+ Regulation).

The LIFE III and LIFE+ programs are designed to complement other EU funding programmes which target investment in the environment.

The INTERREG IVC Program is financed through the European Regional Development Fund (ERDF). It promotes interregional co-operation, which amongst others funds the exchange and transfer of experience and knowledge between regions in the E.U. (+ Norway and Switzerland). This is interesting for LIFE beneficiaries who have experiences and knowledge to share - and proposals on the exchange of environmental best practice and knowledge are particularly welcomed.

Priority 2 of the programme includes the following sub-themes: natural and technological risks (including climate change); water management; waste management; biodiversity and preservation of natural heritage (including air quality); energy and sustainable transport; cultural heritage and landscape. Priority 1 includes as a sub-theme innovation, research and technological development.

The "Financing Natura 2000" Guidance Handbook, presents the E.U. funding options for Natura 2000 sites in the period 2007-2013. Many LIFE projects are located within the Natura 2000 areas.

An interactive IT financing tool, which was piloted in Austria, Italy and Latvia, provides information on sources of funding for Natura 2000 sites.

The FP7 supports specific environmental projects predominately in the co-operation (collaborative research) programme. Relevant thematic areas include: food, agriculture and fisheries and biotechnology (theme 2) and environment, including climate change (theme 6).

Over the 2007-2013 periods, pilot eco-innovation projects may be eligible for funding under the Entrepreneurship and Innovation Programme (EIP), a sub-programme of the Competitiveness and Innovation Framework Programme (CIP). This year's funding priorities are materials recycling, buildings, food & drink, greening business, and smart purchasing. 28 million Euros worth of funding will be available covering up to 60% of the eligible costs. A European Info Day will take place in Brussels on 8 May 2008.

Renewable energy proposals will be funded through the Intelligent Energy - Europe program (IEE), another sub-program of CIP. The Executive Agency for Competitiveness and Innovation (EACI) is currently implementing the IEE. Some 45 million Euros were available to fund projects for the promotion of energy efficiency and renewable, and the setting up of local or regional energy agencies in 2008. The E.U. funding supports up to 75% of eligible project costs. Any public or private organisation from the E.U., Iceland, Norway, Liechtenstein and Croatia can apply.

The Structural Funds are designed to reduce disparities in the development of regions, and to promote economic and social cohesion within the European Union. They are intended to be used to support projects which will directly address locally identified needs (e.g. to help train people with new skills, or help set-up new businesses). These projects can link in with environmental topics.

The programmes are managed and the projects selected at national and/or regional level.

### **III. The environment strategies**

The environment strategy is applying under the subsidiary principle which means the commissioning of the responsibilities to the Member States.

The European Commission adopted in 2003 an EU Strategy on Environment and Health, with the overall aim to reduce diseases caused by environmental factors in Europe. This was followed up by the European Environment and Health Action Plan 2004-2010, which proposes an Integrated Information System on Environment and Health as well as an coordinated approach to Human Biomonitoring between Member States to render the assessment of the environmental impact on human health more efficient.

Today, there is evidence that factors such as particulate matter in the air, noise and ground-level ozone damage the health of thousands of people every year. Environmental pollutants, including pesticides, endocrine disruptors, dioxins and PCBs persist in the environment, accumulating over time and we do not know enough about their long-term effect on our health.

A range of specific policy actions are being taken to address the issues, and many acute environment and health related problems have been solved. However, there are areas which require more investigation, in particular with respect to the health implication of chronic exposures, as reported by organisations such as the European Environmental Agency (EEA), the World Health Organization (WHO) and a number of national organisations. The effect of the environment on health is a major concern of the European public: in a recent survey, some 89% are worried about the potential impact of the environment on their health. Furthermore, new technologies, changing lifestyles, work and life patterns, present new and sometimes unexpected impacts on the environment and its influence on health.

The Action Plan's aim is to generate the information based needed to analyse all the potential impacts; to assess whether current action is sufficient; and to identify areas where new action is needed.

The European Environment and Health Strategy was jointly published by the Directorates-General of Environment, Health and Research and the Joint Research Centre. It has a long-term vision seeking to address the links between poor health and environmental problems, and to "reduce diseases linked to environmental factors".

It builds upon the aims of the Commission's Sixth Environment Action Programme. A specific target of this plan is that levels of pollution in Europe should not give rise to deleterious effects on human or environmental health.

In order to achieve this goal, we need to understand and identify health problems related to the environmental degradation, which will allow us to prevent new health threats linked to environmental pollution. Special emphasis is given to the most vulnerable groups in society.

Implementation of the strategy will occur in successive cycles, with the first period, 2004-2010, concentrating on building the reserves of environment and health information, and on developing a European approach to human biomonitoring.

In accordance with the requirements of the Environment and Health Strategy, the European Commission developed a Environment and Health Action Plan 2004-2010 which was presented at the Fourth Ministerial Conference on Environment & Health in Budapest in June 2004. This action plan follows up of the Commission's European Environment and Health Strategy launched in June 2003 and it has been prepared based on extensive consultations with experts and stakeholders from the environment, health and research field across the enlarged Europe and builds on an assessment of the current baseline knowledge in the areas of:

- integrated monitoring of dioxins & PCBs, heavy metals, endocrine disrupters;
- childhood cancer, neurodevelopmental disorders, respiratory health;
- human biomonitoring, environment and health indicators, research needs.

The Action Plan proposes an integrated approach involving closer co-operation between the health, environment and research areas. Its added value is the development of a Community System integrating information on the state of the environment, the ecosystem and human health to render the assessment of the environmental impact on human health more efficient. To this end, the Action Plan also proposes to launch a coordinated approach to Human Biomonitoring between the Member States.

The Action Plan identifies 13 actions with a focus on:

- improving the information chain by developing integrated environment and health information;
- filling the knowledge gap by strengthening research on environment and health and identifying emerging issues;
- reviewing and adjusting risk reduction policy and improving communication.

This Action Plan is being implemented in close co-operation with experts from all the Member States and representatives of the main stakeholders. In December 2004 the Dutch Presidency and the Commission co-organised an International Conference which specified further the implementation measures to be developed.

Progress on implementation is being reported to a Consultative Forum set up by the Commission since the beginning of the consultation process on Environment and Health in 2003.

The first step in designing any new system is to review the systems in place at the moment as well as current and past research projects. This will allow us to highlight research and development needs for making the information accessible in a more harmonised way in the future. Implementation is organised around the specific exposure routes highlighted on the right, together with two more cross-cutting issues: Physical stressors, such as noise and radiation; and experience with Environmental Public Health Tracking Systems so far, and in particular in the USA.

Draft documents have already been produced for those areas for which links are provided. Armed with the above analysis of health impacts via individual exposure routes, we can then proceed to identify cross-cutting issues. These are of three main kinds:

- most diseases have several causes (multicausality); for example, cardiovascular disease has been linked to both noise and particulate matter;
- exposure to those causes can be through a range of exposure routes (cross-route exposure); for example, exposure to particulate matter occurs from indoor air and outdoor air;
- economic sectors often act as drivers of more than one cause (multiple emissions); for example, the transport sector is a major driver of both particulates and noise.

The aim was to produce an implementation plan for the information system covering the years 2006-2010, by Spring 2006. This was then be opened to full stakeholder consultation.

Human Biomonitoring is an effective tool to assess human exposure to environmental pollutants and potential health effects of such pollutants and it is an essential element in a strategy aiming to integrate health and environment. Biomarker data are considered more relevant for risk assessment than are extrapolations from chemical concentrations in soil, water, air or food.



Human Biomonitoring has been defined in the preparation of the Environment and Health Action Plan as "monitoring activities in human beings, using biomarkers, that focus on environmental exposures, diseases and/or disorders and genetic susceptibility, and their potential relationships".

In the framework of Action 3 of the European Environment and Health Action Plan 2004-2010, the European Commission committed "to develop in close cooperation with the Member States a coherent approach to Human Biomonitoring in Europe and to launch a EU Pilot Project to test out the feasibility of such a coordinated approach".

The European Commission, supported by a multidisciplinary working group of Member States representatives (*Implementation Group on Human Biomonitoring*) and by an Expert team to Support BIOMonitoring (*ESBIO*) is preparing an EU Pilot Project, which was launched by the end of 2006.

#### **IV. Conclusions**

The European environment policy is used as a success example. Maybe, it is the effect of more than 100 regulations about environment adopted since 1986.

Moreover, there were adopted systems of information harmonization and monitoring environment actions. On the other hand, some specialists consider that the effects of the environment policy are just a few. They argued that the decreases of the smog and the sulphur dioxide emissions were accompanied by increasing of the emissions of dioxide of carbon and nitrogen. Moreover, the improvement of the quality of water across the E.U. was done in the same time with the increase of the pollution of seas waters, too.

The latest enlargements of the E.U. represent an example of good environment management, as well. Nowadays, the environment protection becomes one of the most important challenges to the world.

#### **Selective bibliography:**

Jehlicka, P. 2002. *Environmental Implications of Eastern Enlargement of the EU: The End of Progressive Environmental Policy?*, Robert Schuman Centre for Advanced Studies, European University Institute, Florence.

Ionescu R, 2008. *Dezvoltare regională*, Ed. Didiactică și Pedagogică, București.

McDonald F., Dearden S., 2005. *European Economic Integration*, Prentice Hall, Harlow.

*Accessing European Funding. A reference guide to finance nature conservation projects* (Pdf - IUCN Regional Office for Pan-Europe, October 2008)

*IEEP guide to European Funding for Nature Conservation* (zipfile - IEEP, September 2007)

*Handbook for Environmental Project Funding* (Pdf - European Commission, September 2005)

*EU Funding for the Environment: A handbook for the 2007-2013 programming period* (Pdf - WWF, April 2005)

*European Union Support Programmes for SMEs - An overview of the main funding opportunities available to European SMEs* (Pdf - European Commission, November 2006)

[www.eugris.info/displayresource.asp?ResourceID=6271&Cat=document](http://www.eugris.info/displayresource.asp?ResourceID=6271&Cat=document)

<http://ec.europa.eu/environment/health/strategy.htm>

[http://ec.europa.eu/environment/health/action\\_plan.htm](http://ec.europa.eu/environment/health/action_plan.htm)

<http://europa.eu.int/scadplus/leg/en/lvb/128066.htm> [Accessed 28.01.20]