

THE IMPLEMENTATION OF THE EU'S ENVIRONMENTAL POLICY IN ROMANIA

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Abstract: *The environmental policy is the most important of the communitary policies. The importance of the environmental policy is due to its horizontal characteristic, to its compulsory aspects for other European Union's policies. The scientific grounds of the Romanian governmental policies and strategies, from elaboration to implementation and evaluation, is a very important aspect in the European integration process. The European Institute from Romania (IER) and the Romanian scientific environment help the national coordination system of European affairs to substantiate the basic elements and the necessary measures of the policies Romania to exert its role as a member state of EU. IER makes different studies and analyses in order to ground the Romanian position in the EU, the necessary measures to fulfill Romania's obligations as a member state of EU and to represent the Romanian interests before communitary institutions.*

Key words: *environmental policy, European integration, IER.*

1. The EU Environmental Policy

The Environmental Policy has become a horizontal policy of the EU, the environmental issues became mandatory considerations of other policies. By adopting the strategy of sustainable development as a core element of its field of action, The Environmental Policy is permanently connected to global environmental trends. This connection and involvement in international environmental progress transform the European Union into a global promoter of sustainable development.

Current EU policy is based on greater flexibility, on incentives and voluntary actions. Its purpose is to promote environmental responsibility and encourages the use of environmental

management systems. The Environmental Policy does not act independently, but it reflects the interests of the civil society in the direction indicated by founding numerous environmental movements and organizations.

Environmental objectives appear to limit industrial competitiveness and economic growth, but this underscores the need for integrated, active environmental policies, capable to meet the economic challenges.

The objectives of The EU Environmental Policy are stipulated by Article 174 of the EC Treaty and they are: to preserve, protect and improve the environment, protecting human health, prudent and rational utilization of natural resources, promoting measures at international level to solve regional environmental issues, etc.

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Also, The EU Environmental Policy is based on a set of guiding principles:

- The “Polluter pays” principle
- The preventive action principle
- The precautionary principle
- The high environmental protection principle
- The integration principle
- The proximity principle

The documents of The EU Environmental Policy are *The Environmental Action Programmes* (EAP). There are six programmes adopted by the European Council. These action programs are actually a combination of medium-term programs linked by a vertical and sectorial strategic approach of environmental problems.

The 5th Environmental Action Programme (1993 -2000), called “Towards Sustainability” has made sustainable development an environmental policy strategy. This approach appears in all EU policies beginning with the Treaty of Amsterdam (1997) and it is promoted as a cross-cutting policy. The EAP 5

The Environmental Policy changes its direction towards *a consensus-based policy*. The decision making is based on consultations with stakeholders. The control approach of the environmental policy turns into a prevention one. It is operationalized by using economic and fiscal instruments.

The 6th Environment Action Programme (2001-2010), known as “Our Choice, Our Future” is the result of the overall evaluation process of the EAP results (made in 2000) and sets the environmental priorities during this decade. There were established four priority areas to define lines of action of environmental policy:

- The climate change and global warming
- The nature protection and biodiversity
- The health in relation to the environment
- The natural resource conservation and waste management.

These priority areas are complemented by a set of measures that lead to achieving their objectives.

In addition, EAP 6 provides and develops 7 thematic strategies, that correspond to important environmental aspects, such as: soil protection, protection and conservation of marine environment, pesticide use in the sustainable development context, air pollution, urban waste recycling, management of resources in sustainable development perspectives.

The strategies for achieving environmental policy strengthen the principle of subsidiarity (the delegation of responsibilities to Member States, while the EU draws only the general objectives to be considered) and try replacing the traditional vertical approach (command-control type) promoting an alternative model for achieving the EU environmental objectives.

These strategies are “aids”, which complement the standard instruments and acting as incentives for the adoption of measures for environmental protection, focusing on an approach based on the principle of volunteering. It considers: sustainable development, NGOs promoting environmental protection, Integrated Product Policy (IPP), voluntary agreements and environmental pollution reduction, Environmental taxes in the Internal Market, European Environment and Health Strategy

However, these are specific to the new approaches of the 5th EAP and to the innovative trend of the 6th EAP, which provides tools for increasing the implementation actions of The Environmental Policy and promotes horizontal and integrated actions.

2. The Romanian Environmental Policy

In Romania, the environment has emerged as an independent area of national policies in 1990, when it was established for the first time by the former *Ministry of*

the Environment. In 1992 it was drafted the first official document that sets out the national objectives in the field – “*National Strategy for Environmental Protection*”, updated in 1996 and 2002. The strategy presents the natural resources, various elements of economic status and quality of environmental factors, and general principles of environmental protection priorities, short-term goals, medium and long.

Even since 1996 the national strategy was adjusted to the EU' principles, priorities and objectives. Principles of environmental policy pursued in Romania are:

- the conservation and improvement of human health,
- the sustainable development,
- the pollution prevention,
- the conservation of biodiversity,
- the conservation of cultural and historical heritage,
- the “polluter pays” principle;
- the stimulating work environment recovery.

Regarding priorities, which reflect not only domestic needs but also the trends and initiatives globally.

Regarding the objectives, they are divided into short-term objectives (by 2000), medium (until 2005) and long (2020).

Strategies of 1992 and 1996 are the documents which was the base of national environmental policy until 1999, when it was adopted *The National Programme for EU Accession*. Since 1999 and continuing annual until 2003, the national environmental strategy is supplemented by a number of additional documents such as “*The Report on environmental conditions in Romania*”, and in 2002, “*The National Waste Management Strategy*”.

The Legislative basis of environmental policy in Romania was, mainly, the implementation of environmental acquis,

namely the horizontal and sectorial legislation governing EU environmental policy.

2.1. The “Clean Romania” Programme – a Support Programme of National Environmental Policy

Development strategies of national environmental policy were outlined according to the priorities of EU and national needs, in conjunction with national priorities. Thus, there were extensions of community programs, but national initiatives and international initiatives in accordance with environmental strategies.

Active Initiatives of EU Community regarding national environmental policy are the pre-accession instruments PHARE, ISPA and LIFE. The compliance with international strategies is given by Agenda 21 and the Global Environment Facility (GEF), and the compliance with the National Programmes is given by The “Health for Romania” Programme.

One of the programs initiated in Romania is the one called “**Clean Romania**”.

This program was launched in April 2002 by the Romanian Government and outlines the efforts to improve the environmental situation and national integration of the principles of Community environmental policy. Important to note is that the “Clean Romania” is a strategy and a national initiative which aims not only to protect the environment and conserve natural resources, but also to “increase education and public awareness on these objectives”. Its objectives are:

- protecting and conserving the natural resources and built environment in line with sustainable development requirements;
- ensuring an integrated waste management;

- raising education level and awareness of population in an environmental spirit.

Reformist nature of this strategy is given by the emphasis on education and public accountability, and by promoting public-private partnership and collaboration with local authorities and civil society.

The Partners envisaged are: ministries, employers' associations, national environmental associations, the higher education institutes, environmental NGOs, children and youth organizations etc.

Thus, Romania created a strategy to promote environmental transversality in the most important sectors of economic, social and cultural life and involvement of stakeholders in developing and implementing environmental policies.

In terms of environmental policy in Romania the transposition of the *acquis communautaire* into national legislation it was performed in 2003, for the most part.

It was also successfully implemented and created the appropriate institutional and human resources to achieve this objective, but the progress in this direction involves high financial costs.

2.2. The National Action Plan for Environmental Protection

The National Action Plan for Environmental Protection (PNAPM) is an instrument of environmental policy implementation, which promotes support and monitoring for the most important projects with significant environmental impact on the implementation and enforcement of legislation.

This document is designed to provide a consistent picture of what Romanian environmental investments mean. It refers only to the large national or regional projects or projects with significant impact on the terms of size of the problem covered. All other local projects are included in the databases of local

environmental action plans developed at the county level.

The National Action Plan for Environmental Protection is the main document to which refers when it comes to investment in environmental protection from whatever perspective we consider it.

Romania's economic development, increasing anthropogenic pressure on urban areas and changes in approach to environmental issues through the implementation of European environmental legislation into national law have required regular updating of the National Action Plan for Environmental Protection (1999, 2003, 2005, 2008).

To coordinate the integration of environmental field in sectoral policies and strategies at national level was necessary approval by the Inter Ministerial Committee of PNAPM.

One of the tasks of the National Environmental Protection Agency (NEPA) is also developing and updating the National Action Plan for Environmental Protection and monitoring its implementation stage. Periodic reports are made which show the situation in this field of action.

2.3. The Report on Implementation of Projects in Portfolio PNAPM (2008-2009)

To exemplify how the implementation of the national environmental policy occurred, the results of the last report on state of project propositions contained in PNAPM portfolio in 2008-2009 were presented.

In the latter half of 2009, the Sustainable Development Department, which was assigned to these duties as department of NEPA (National Environmental Protection Agency), was concerned with the collecting information on implementing

stage of the project proposals contained in PNAPM.

The information presented in the report took into account: the status of implementation of project proposals, the completed projects effects on the environment and human health, difficulties in funding or implementing projects, extent to which local authorities were involved or supported the project implementation, propositions of beneficiaries, local authorities and environmental agencies on improving conditions for project finance.

The report presents propositions for projects contained in the portfolio PNAPM, within each development regions, and then made a national summary.

In 2008 the PNAPM portfolio of projects included a number of 357 proposals. At the end of 2009 their situation is as follows: 30 completed projects, 105 projects in progress, 207 unrealized proposition, 9 propositions canceled.

The ratio of unrealized projects (58.0%) exceeds the aggregate share of projects completed and those in progress (37.8%).

The main causes of the large number of unrealized projects are: lack or inadequacy of financial resources, lack of local support, complicated procedures for accessing funding, lack of information on fund raising.

Compared to the number of propositions included in PNAPM, the number of projects completed and in progress is much smaller. There are situations in which these projects represent a small percentage as compared to the initial number of projects.

Analyzing the status of the projects related to environmental matters was found that most completed projects were in the field of *Water* (10 projects), followed by the field of pollution *Control, protection of the atmosphere and climate change* (7 projects) and *Urbanism projects, rural development and protection against noise*

with 6 projects. The fewest propositions were in the fields of *Soil quality and degraded areas* and *Environmental education*, each having one project completed.

Regarding projects in progress, most of them are in the field of *Water* (61 projects), followed by *Urban area, rural development and protection against noise* (15 projects). Most projects were canceled in the field of *Nature protection, biodiversity and forests* (7.8% of the initial projects in this field).

For *Water* area there have been submitted and selected the most numerous propositions (45.6% of all selected projects PNAPM). Most of these projects are related to water and sanitation infrastructure, due to both existing needs in each community and, particularly, in rural communities, as well as to obligations to comply with EU requirements in a relatively short time.

Although the ratio of projects undertaken is relatively low (6.1%), the number of projects in progress is increasing (37.5%) being well above the average number of projects under development in other areas. This shows an increased interest in investing in this area.

For *Control of pollution, protection of the atmosphere and climate change*, out of a total of 39 propositions included in PNAPM, only a ratio of 17.9% was implemented. There remained a very large number of propositions that have not found funding (61.6%), but we must take into account the fact that they are very large scale projects.

For *Urban, rural development and protection against noise* a number of 38 propositions were included in PNAPM out of which a total of 6 projects representing a 15.8% share were accomplished. There is also an appreciable number of underway projects (15 projects representing 39.5% reported to the total number of projects for

this field). The most undertaken projects were targeted to expansion or rehabilitation of green and recreational areas, including rural areas. In order to increase the number of implemented projects and improve their conditions of funding was submitted by beneficiaries, local authorities and environmental agencies, a number of proposals for improvement.

Local authorities were involved in project implementation, exchange of information of interest to each institution, have consulted with environmental authorities during the preparation of projects, have informed the public and media, have tried to make the public aware of importance of environmental projects.

3. The European Institute of Romania (IER)

The European Institute of Romania (EIR) is a public institution whose mission is to provide expertise in the field of European Affairs to the public administration, the business community, the social partners and the civil society.

IER is conducting studies and policies and strategy, analyses to support Romania's development within the European Union, and exercises its attributes as a Member State, organizing training activities in the domain of European Affairs, stimulating public debates on European issues etc.

The projects run by the EIR are focused both on building institutional capacity and creating specific expertise in the EU affairs area.

European Studies and Analysis Unit represents one of the key directions of the European Institute of Romania. This Unit coordinates the activity designed to meet the current and future needs of the authorities responsible for substantiating

and coordinating the integration process of Romania in the European Union.

Thus the European Studies and Analysis Unit contributes to drafting strategy and policy recommendations in order to improve Romania's capacity to fulfill the obligations derived from its status as EU Member State. The Unit coordinates, produces, contracts and publishes studies, information materials, analyses and reference papers in the area of European integration and implements research programs, in cooperation with similar institutions, throughout Romania and abroad.

The European Institute of Romania launched the Strategy and Policy Studies – SPOS research project. The studies carried out within the framework of the new project, SPOS, are meant to assist Romania in fulfilling the obligations derived from its status as EU Member State and seek to define and support with arguments some elements that underlie the post-accession policies and Romania's position regarding the European construction.

The studies address several key issues, starting from the need to enhance the strategic dimension of the policies and from the anticipation of the European and regional trends, positioning Romania's performance on a regional scale, carrying on with the concern regarding the evolution of the European society and concluding with specific internal policy exigencies.

Research and Development (R&D) program for Strategy and Policy Studies (SPOS), launched by the European Institute of Romania in 2006, was continued in 2009 with a new series of studies. The topics discussed were the developments of Romania's economy and society, as the result of a consultation process, both European and national programming documents and institutional needs as they are perceived by central

government representatives present at the coordination meetings of EU affairs.

Studies provide evidence for substantiation of the main lines of action in order to comply with measures adopted at European level and perspectives of Romanian policies to promote domestic reform measures in the European context.

One study conducted in 2009 is called "The impact of energy-climate change package on the Romanian economy" and it is made following the presentation in 2008 by the EU Legislative Package "Energy - Climate Change".

The legislative package envisages a series of measures resulting from the agreements and commitments at both nationally and internationally level to solve global environmental and energy issues.

As regards Romania, the study of the estimated effects of the implementing of this legislative package and approved recommendations to minimize any negative consequences of achieving the necessary economic adjustments, should form the basis of any decision-making approach.

Effects of implementation of the Directive are complex and they may affect the very foundations of future development strategy of Romania. The most important is the impact on the national power system involving the need for financial resources to cover the investment required to implement the Directive. Estimated financial resource requirements is enormous.

Regarding the impact on other economic sectors, construction industry will be particularly affected by establishing special conditions beginning with 2015 on new building requirements or redesigned their architecture. They must ensure the installation of heating using renewable sources.

The Impact on consumers will be manifested by binding quotas of renewable

sources of electricity consumption and new price containing specific internalization of renewable resources, as support mechanisms adopted. According to ANRE, the period 2008 - 2012, a considerable increase of electricity prices for the final consumers is expected.

In terms of energy efficiency and energy conservation that has an important role in climate stabilization goals proposed for the period until 2030, the great advantage of this solution is reduced financing requirements, these measures represent the cheapest way to reduce CO₂.

This is particularly important for a country like Romania, which has an economy in transition and does not have the capacity to implement measures which require large investments. It was found out that, in Romania, the specific energy consumption for heating buildings is almost double as compared to that of countries in Western Europe.

Besides these impact studies in various areas, the EIR organizes training programmes and courses designed to develop the capacity of public administration to answer the challenges of the European integration, public conferences, round tables, debates and seminars aiming at stimulating, at national level, public debate on European issues.

In the context of increased attention given to environmental problems, summarizing the main European instruments used in environmental protection is an issue of real utility for government members involved in the field.

Thus, in 2009, European Institute of Romania organized the second edition of the training program "Implementation of EU environmental policies by local government".

Objectives of this training was to teach students the European legislation regarding the environmental protection, sustainable development concept and theoretical elements necessary for implementing, at

national level, the environmental community policies.

Besides, among the objectives of the training program EIR has included the presentation of the main features of The EU Environmental Policy, the concept of integration of environmental policy, the implications of the impacts of the EU policy on national environmental legislation.

4. Conclusions

The Environmental Policy has become a horizontal policy of the EU, environmental issues as mandatory considerations of other Community policies, being permanently connected to global trends in this area.

Current EU policy is more flexible, promoting environmental responsibility and encourages the use of environmental management systems.

The Environmental Policy is based on sustainable development strategy that transforms it into the transverse policy of EU, based on consensus and prevention, using economic and tax instruments.

Strategies for achieving environmental policy strengthen the principle of subsidiarity and try replacing the traditional vertical approach acting as incentives for the adoption of measures for environmental protection, focusing on volunteering.

The national strategy was adequate with the EU regarding the principles, priorities and objectives, it reflects both national and globally needs, trends and initiatives.

Also, implementation of environmental policy is made by extensions of community programs, national initiatives, but programs in accordance with international environmental strategies.

One of these programs, "Clean Romania" program is a strategy and a national initiative which aims to ensure environmental protection and conservation of natural resources, educating and

empowering people and promoting public-private partnership and collaboration with local authorities and civil society.

Romania creates a strategy to promote environmental transversality of the most important sectors of the economy, social and cultural involvement of stakeholders in developing and implementing environmental policies.

Another instrument for the implementation of environmental policies is the National Action Plan for Environmental Protection, which offers a unified image of the environmental investments made in Romania.

Also, different institutions were established to coordinate, supervise and oversee actions to implement environmental policy to integrate Romania in the EU community and aligns it to its requirements. One of these institutions is the EIR.

IER is conducting studies and policies and strategy analyses to support Romania's development within the European Union.

IER also organizes training programmes and courses, public conferences, round tables, debates and seminars to support public administration in achieving the EU integration.

Regarding environmental policy in Romania, the *acquis communautaire* was implemented into national legislation, creating the appropriate institutional and human resources to achieve this objective, but this also involves high financial costs.

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