Considerations upon the Implications of European Union Legislations Concerning the Environmental Policy and Agricultural Productivity

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Abstract. On both national and European Union levels, a constant interest concerning the reflection of environmental quality on agricultural production is developing. This paper aims to approach from conceptual point of view the instruments of the EU legislation, used for improving the opportunities of the EU national governments to improve the environmental quality. The research was carried on based on references from last five years, using as main source the international databases. The international environmental conventions, concerning horizontal factors namely, are treated. The EU policies, based on the principles of environmental international conventions, aiming to reduce the effects of the impact produced by the environmental pollution agents must cope to the status quo produced by the necessity of reconciliation between two essential objectives, but apparently in contradiction: supplying environmental protection and in the mean time, supplying the agricultural efficiency. In order to implement this desiderate, the normative principles that fundament these policies are focused on two central points: correct repartition of duties, and increasing the responsibilities of the agents involved in implementations of foreseen practices. However, the efficient implementation of present EU environmental policies, at instruments and principles levels, continues to be a challenge for the stakeholders. In this respect, three concurrent concepts are in discussions. In order to obtain efficient legislative patterns in the field of environmental policies meant to contribute to the increasing of the agricultural healthy outputs, it is important to consider four components: existence of collaboration group at national leadership levels, conjugated actions at communitarian level, increasing environmental consciousness of public opinion, and trans-frontier mobilization.

Keywords: normative principle, responsibility, pattern, stakeholders

INTRODUCTION

On both national and European Union levels, a constant interest concerning the reflection of environmental quality on agricultural production is developing (Oroian and Petrescu – Mag, 2011; Tănase, 1992).

This paper aims to approach from conceptual point of view the instruments of the EU legislation, used for improving the opportunities of the EU national governments to improve the environmental quality.

MATERIAL AND METHOD

The research was carried on based on references from last five years, using as main source the international databases. The international environmental conventions, concerning horizontal factors namely, are treated.
RESULTS AND DISCUSSIONS

The EU policies aiming to reduce the effects of the impact produced by the environmental pollution agents must cope to the status quo produced by the necessity of reconciliation between two essential objectives, but apparently in contradiction: supplying environmental protection and in the mean time, supplying the agricultural efficiency.

In order to implement this desiderate, the normative principles that fundament these policies are focused on two central points: correct repartition of duties, and increasing the responsibilities of the agents involved in implementations of foreseen practices. However, the efficient implementation of present EU environmental policies, at instruments and principles levels, continues to be a challenge for the stakeholders. In this respect, three concurrent concepts are in discussions.

They concern the tasks dealing with formulation of specific policies referring to the reducing of the environmental pollution. The analyze and assessment of these policies, under the point of view of their compatibility with specific legislative principles, show that non of these instruments cannot accomplish, alone, the law exigencies meant to supply the tools for an efficient reducing of the environmental pollution effects at national EU states.

The necessity of increasing the financial effort of the EU member states for reducing the environmental pollution affecting the agricultural sector must also be of great interest in formulating specific policy. Ourdays, there are 28 environmental conventions adopted at international level and fully adopted by all signatory states. The European Community aimed at seven priority areas (Fig. 1).

![Fig.1. The international environmental conventions](image-url)

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They concern: horizontal aspects (3), protection of biodiversity (12), climatic changes and protection of the ozone layer (2), waste management (1), water management and fight against desertification (6), air quality (1), and management of chemical substances (2).

One of the most important concerning the aspects aimed in this paper, are those concerning the horizontal aspects, which are treated from the point of view of all three signed international conventions.

1. **Convention on Environmental Impact Assessment in a Transboundary Context (Espoo)**. The Convention was signed in Espoo, February 25, 1991 (http://www.unece.org/env/eia/) and comprises 20 Articles and 7 Annexes. It contains a set of preventive taken measures that are intended to assess potential threats to the environment across borders. It is based on the premise that projects in the Member States may have transboundary environmental impact.

Signatories are obliged under its stipulations, to assess the impact of projects undertaken at national level may have on the environment, but also "to notify and consult Member - potentially affected parties on all large projects that may have significant transboundary effects on the environment". Compliance with the Convention is monitored by its bodies, namely, the Conference of the Parties of the Convention Working Group and Implementation Committee.

An important evolution registered in the area of the provisions of the convention was the adoption of the Protocol on Strategic Environmental Assessment (http://www.unece.org/env/eia/sea_protocol.htm) at the Extraordinary Meeting of the Parties to the Espoo Convention, 21 May 2003. In domestic law, the Convention was transposed by Law no. 22 from 22 February 2001 ratifying the Convention on Environmental Impact Assessment in a Transboundary Context, done at Espoo on 25 February 1991, which contains the single article "In ratifying the Convention on Environmental Impact Assessment in a Transboundary Context, done at Espoo on 25 February 1991".

2. **Convention on the Transboundary Effects of Industrial Accidents (Helsinki)**, consists of 32 articles and 13 annexes. Adoption was done on 17 March 1993 in Helsinki (http://www.unece.org/env/teia/welcome.htm) and was completed in order to protect the public and the environment against industrial hazards.

The main target is to achieve a high level of competence in the effective and efficient management of industrial disasters from preventive aspects, those related to industrial accident mitigation cases imminence of their production, namely reducing the frequency and intensity of their.

Convention puts great emphasis on establishing close working relationships at multiple levels and from the international border at the entire risk period, starting with the pre-production, during production and after. Compliance with the Convention is monitored by its bodies, namely, the Conference of the Parties (the role of the Council), Secretariat of the Working Group on the Implementation Working Group on Development and ad hoc groups of experts on water and industrial accidents.

In domestic law, the Convention was transposed by Law no. 92 of 18 March 2003 for Romania's accession to the Convention on the Transboundary Effects of Industrial Accidents, Helsinki, 17 March 1992, which contains the single article "Romania accede to the Convention on the Transboundary Effects of Industrial Accidents, Helsinki, 17 March 1992".
3. Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus). It was adopted in Aarhus on 25 June 1998 (http://www.unece.org/env/pp/) and is focused on interactive communication between public authorities and private. It contains 22 articles and two annexes. Really important provision contained in this agreement concerns the obligation of officials makers publicly available environmental information to ensure its participation in environmental decisions, but also the access to the documents on environmental justice.

This convention requires actually signatory governments to adopt a responsible behavior, transparent and responsive in terms of environmental policies. Compliance with the Convention is monitored by its bodies, namely, the Conference of the Parties, the Executive Secretary of the Economic Commission for Europe.

An important evolution registered in the area of the provisions of the convention was the adoption of the Protocol on Pollutant Emissions and Transfer Registers to the Aarhus Convention (http://www.unece.org/env/pp/prtr.htm) at the Ministerial Conference ”Environment for Europe” - Kiev, 21 to 23 May 2003.

In domestic law, the Convention was transposed by Law no. 86 of 10 May 2000 on the ratification of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, signed in Aarhus on 25 June 1998, which contains the single article ”is ratified access to information, public participation in decision Making and Access to Justice in Environmental Matters, signed in Aarhus on 25 June 1998”.

CONCLUSION

In order to obtain efficient legislative patterns in the field of environmental policies meant to contribute to the increasing of the agricultural healthy outputs, it is important to consider four components: existence of collaboration group at national leadership levels, conjugated actions at communitarian level, increasing environmental consciousness of public opinion, and trans-frontier mobilization. Another important tool for rending environmental policies valuable for agricultural healthy production is their adaptation to the concrete realities. As main components of this adaptation mechanism we suggest: planning, taking into consideration the economic risk focused on agricultural productivity, vulnerability and measures in practice.

REFERENCES