

EUROPEAN POLICY CONCERNING THE PROTECTION OF THE QUALITY OF THE ENVIRONMENTAL FACTOR - WATER

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Abstract

European Union environmental policy, as was established in the EC Treaty aims at ensuring environmental sustainability activities through its inclusion in EU sectoral policies, by developing measures to prevent by following the basic principles of sustainable development and by taking joint responsibilities.

Environmental legislation is one of those tools that combine management of natural resources with the prevention and control of the pollution. These laws attempt to prevent, or at least limit the effects of environmental degradation caused by the phenomenon of pollution. Environmental legislation should primarily be flexible in the sense to allow the fulfillment of current and the future goals in order to stimulate sustainable development concept and to base on general criteria for the purposes of allowing the extension to complex environmental problems. The environmental legislation is due to focus on integrating the source - effect policy , that is to focus on regulations for issuing permits for pollution, but also the responsibility of companies and citizens.

Despite the significant improvements that have occurred especially in reducing air and water pollution, European legislation should be developed further. It is true that there are still many points that require completion and perfection, but the path followed is the best. In the European Union the process of implementation and adoption of new regulations on environmental protection (regulations, directives, decisions, recommendations) to combat the causes of degradation of environmental quality and life quality time with them continues.

Keywords: *environmental protection, sustainable development, environmental policy, environmental law, pollution.*

Introduction

Among the many problems that people are going to face at the beginning of this century and millennium, there is that of degradation of environmental quality. Life needed resources worryingly decline and the direct consequences that any citizen feels is soon to come. Environmental degradation today affects safety tomorrow.

In recent decades it was found that most countries in transition are facing serious environmental problems caused by an economy based on excessive consumption of energy and natural resources, the use of polluting and obsolete technologies. For these reasons, the present study aims at presenting concepts, practices and solutions taken at Community level, to highlight the important role both in the European Union environmental policy and the way in which our country has complied with Community objectives.

Emphasis was placed on the environment factor water, because in my opinion, it is the most endangered, with an important impact on human health and beyond.

The role of this study is to show the public how European legislation in the pre-accession period was transposed, especially given the lack of information on national level, almost non-existent in pre-accession period. As a suggestion which I consider founded our country's citizens not only

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have the right but the obligation to know the regulations concerning environmental protection, but the absence of informative publications deepen the population in a deep ignorance.

Ensuring adequate quality of environment, protection of the necessity of survival and progressing, is a matter of interest. This calls for appropriate regulation of human activities to mitigate adverse environmental impacts. Without proper legislation, to establish clear obligations to do and not do, perhaps the world would be today a much higher state of degradation. The need to protect the environment calls for a set of rules by which to avoid the causes of environmental degradation and thus to eliminate the negative consequences of human activities.

The transposition of European directives in the field of environmental protection, Romania adopted new laws and standards for this sector. Although expensive and demanding, their implementation is a radical change in national policy and approach on environmental protection. Also, extensive restructuring in industry and agriculture, reduction and extraction activities and the use of solid materials, among others, have contributed to environmental improvement.

Content

Considering the fact that before 1990, in Romania environmental legislation was not taken into account, our country was seriously affected. As a result of industrialization and unsustainable agricultural development coupled with lack of interest in the political system on environmental issues, natural environment in Romania was characterized by a high level of emissions into air and the water, the degradation of land due to agricultural waste, industrial and municipal.

Consequently, after 1990, a rapid recovery from this point of view was impossible. Considering these circumstances, our country's effort to reduce environmental degradation is admirable. Merit goes to the large influence the European Union had, as Romania was forced to adopt European policies in this area.

After 1995, when new environmental legislation came into force, Romania has adopted a series of sectoral strategic documents and rules to take into account the principles of sustainable development. These strategies include conclusions and recommendations of the European strategies of sustainable development and of the 6th Environmental Action Programme, to ensure conservation, protection and improve the environment and human health.

Since the beginning Romania needed major investments in the sector and to strengthen the administrative capacity to transpose and implement environmental acquis for the environment. In the early years of European Union accession process, our country progress in the transposition of European legislation in this area was unsatisfactory. Approximation step up in 2001 was quite slow. Thus, in 2005 there were still problems regarding the administrative capacity of environmental authorities. Since 2002, the step of approximating European legislation has increased considerably, so that in 2006 considerable progress was made¹

The new European dimension requires as a key condition the better quality of environment. Although during the accession process Romania has made considerable progress in terms of legislation in this sector many efforts and resources are still required to meet the standards imposed by the European Union. After negotiations of Chapter 22 - Environment, have been granted transition periods for some areas that require the compliance efforts, including water supply, rehabilitation or construction of wastewater treatment plants, which could not be implemented until the accession date.

After analyzing the main issues the European population is facing and the main directives regulating environmental protection of this factor, we presented not only the crucial importance that these legal instruments give, but also the risks that the world is imenaced by. Besides finding the importance of drinking water supply of population and wastewater treatment plants, the destructive

¹ Stefan Traca, *Treaty of environmental law*, (Ed. Lumina Lex , Bucharest, 2010).

effect of this environmental factor, an effect which is closely related to climate change is analyzed.

Environmental issues are one of the fundamental policies that concern the international community's quality of life in general and especially the European one. So lately two specific trends in terms of environmental protection and water quality were noticed.

First, international and internal law have seen a number of improvements (amend, repeal) corresponding to the evolution on multiple levels of economic factors and secondly, we can say that the last period was characterized by a laborious activity of development of organisms that can influence directly environmental factors, among which water.

What characterizes this whole set of measures adopted by the UN structures and other international organizations, hence the European community, is to increase the requirements for environmental protection by increasing the share of mandatory rules of creating an appropriate framework of environmental protection, current and future problem of humanity. Integral part of these measures, national and Community regulations on water environmental factor, play a crucial part, considering that this give-the resources of human existence.

It is obvious that EU environmental legislation on water quality protection sets high standards in terms of environmental factors, mainly due to its importance. The path taken is obviously the best, with European Directives protecting the water quality containing important regulations relating primarily to protect human health and integrity and then aquatic ecosystems. Evolution of European legislation in this area is truly appreciated, the only thing that requires some criticism being the some small gaps in the legislation that basically refer to examples and regulation of the use of certain dangerous substances. Since technology is constantly developing, this is obviously difficult to do, and the establishment of limit values of the substances can be achieved by numerous studies on individual substances.

Oceans and seas can not be managed without cooperation with third countries and not in multilateral forums. European Union policy on oceans must be developed in this international context.

If Europe is to face the challenge of finding a better relationship with the oceans, not only the industry will need to innovate, but also those policy makers. We should consider a new approach to the management of seas and oceans, not only focus on what people can draw from the oceans, nor one that looks at the oceans and seas in a purely sectoral but one which regards it as a whole.²

So far our policies on maritime transport, industry, coastal regions, offshore energy and other relevant areas have been developed separately. Of course, we tried to ensure that their impact on each other was taken into account. But no one looked for more links between them. No one examined in a systematic manner how these policies could be combined to reinforce each other. Fragmentation can result in the adoption of conflicting measures, which in turn could have negative consequences on the marine environment, or impose disproportionate restrictions on competing maritime activities.

Moreover, fragmentation of decision-making process makes it difficult to understand the potential impact of a set of activities upon another. It prevents us from exploring unused synergies between different sea sectors. Now is time to bring all these elements together and create a new vision for managing our relationship with the oceans. This will require new ways of designing and implementing policies at local, national and EU level and internationally, through the external dimension of our internal policies.

In this study we focused on the need for urban waste water collection and treatment, which appears in many data from the European Environment Agency and the national plan of the Ministry of Environment.

In developing this study we aimed primarily to highlight the importance of European Union's role in solving global environmental problems, and last but not least, as a personal opinion, I

² Jaann Carmine, Stacy D. VanDeveer, *EU enlargement and environmental protection*.

find it unacceptable, that even now, our country's citizens are not sufficiently informed regarding the influence of European policy.

Also from personal experience, I believe the Government Decision no. 1076 of 2004 on the procedure for carrying out environmental assessment for plans and programs, provides too long terms, accounting for up to 6 months to obtain the environmental permit. The legislature probably had in mind when stating these terms that the interested subjects (population, institutions, NGOs, etc.), show their opinions and / or give suggestions to be considered subsequently by authorized bodies in the field³, to what I totally agree. However, one should not ignore, that, because of these terms, many subjects wishing to access European funds, especially for projects in agriculture and animal husbandry have finally found out that they could not beat deadlines, thus losing the material support and must give up such projects. This was among the reasons for which Romania has been criticized as not having managed to access but a small part of European funds. For these reasons, I believe that it is important to change this decision by the Government in terms of shrinking the waiting periods.

Despite the small criticism that I think are quite objective, our country's progress in pre-accession period, I believe that Romania is on the right road in terms of environmental legislation. Although Romanian legislation in this sector requires many additions, I am keeping my optimism regarding the idea that we will achieve the objective required.

I think that all measures that I mentioned would be fully effective if supported by an extensive program to educate people at all levels to form an ecological consciousness.

Groundwater supplies about one third of world population. Unsustainable exploitation of water resources raises concerns. Groundwater extraction in quantities greater than nature's ability to renew reserves is widespread in some regions of the Arab peninsula, China, India, Mexico, former USSR and the USA. In some cases, surface waters decrease from 1 to 3 meters annually. In a world where 30-40% of agricultural production comes from irrigated land, this is a serious problem for food security. Already there is a fierce national competition in the water for irrigation and current production in some parts of the world, which will worsen with increasing population. Today, the Middle East and North Africa are most affected by the issue of water and sub-Saharan region of Africa will cleave these countries in half a century once its population increases by two or even three times.

Lack of drinking water is not the only problem. Use of fertilizers and chemical pollution threaten water quality and human health. Over a fifth of the fish in clean water are already in danger due to pollution or changing settlements.

The next serious problem is that over 1 billion people lack access to safe drinking water, while half of humanity lacks such sanitation systems. In many developing countries, rivers in cities are a bit cleaner than sewers. Health impact is devastating.

Dirty water and poor sewage systems cause 80% of all diseases in developing countries. Annual mortality is over 5 million, 10 times the average number of people killed during the war every year. Over half the victims are children. No other measure would do more to reduce disease and save lives in developing countries than providing clean water and proper sewage systems for all.

International waters have always been an important area for the life of human communities. In these conditions professional activities gradually developed, which were combined with, in a continuous ascent, scientific concerns, all having an important role in the establishment of habits, but also in the development of specific legal rules for professions that have their place of business in coastal land area, or even in river waters, seas and oceans⁴.

The evolution of technology in the contemporary period does that the new conditions of use of marine areas (the complexity and diversity that have: fishing, aquaculture, shipping, oil resources) require international cooperation as the only guarantee of optimizing all activities.

³ Daniela Marinescu, *Environmental law treaty*, (Ed. Universe, Bucharest, 2010).

⁴ Constantin Anechitoae, *Elements of international law*, (Ed. Bren, Bucuresti, 2010).

Based on these realities, the EU related scientific and technological research of marine areas to its overall objectives of political, economic and social. We started from the thesis that oceans and marine environment in general guarantee the preservation and the continuity of life on earth and from the need for global management of these areas to ensure a sustainable balance between use and protection.

The tremendous amount of pollution, overpopulation and population movements to coastal areas, over-exploitation of fish resources, the dramatic decrease of marine resources necessary to life, progressive degradation of coastal areas and major climate change, represent a warning to justify more concerted action by all countries of the world.

Conclusions

Contrary to previous assertions, seas and oceans ability to absorb harmful substances, is really limited, so that residues of any kind, discharged even a single country, entering the global ocean circulation and sea space may end up being toxic and without life for all countries. There you have sufficient reasons for strong measures to counter the individual exploration of common resources, belonging to all mankind to be taken, thus justifying the development of this study.

Establishing a new legal, economic and moral order about the space marine, must contribute to promoting justice and equity in use of resources and the marine environment, with care and respect for the principle of solidarity with future generations in a sustainable development. At present European initiatives in maritime science and technology are scattered, so a European or even global coordination, the creation of an International Agency oceans and seas is required, which should dictate the direction of marine science and technology activity.

Scientific research faces a problem with extreme complexity so that multi-disciplinary approach and creating conditions for integrated management of oceans, seas and coastal areas, through the participation at acts of decision of all actors and particularly governments and civil society are fundamental.

The Ministerial Conference of the World Water Forum, which met in March 2000, recommended a series of real obligations on water and sanitation.

To stop the unsustainable exploitation of water resources, we need water management strategies at national and local levels. They must include structures that promote equity and efficiency. We need a "blue revolution" in agriculture, which aims to increase productivity per unit of water - "more crop per drop" - along with better water management and flood. But none of these campaigns will not take place without public awareness and outreach, to inform people about the extent and causes of the crisis of water. In conclusion, whatever the method adopted for maintaining water quality, act *pro aqua ... Pro Vita*.

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