

THE ENVIRONMENTAL POLICIES IN ROMANIA AND THE INSTITUTIONAL STAKEHOLDERS INVOLVED

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Abstract : In Romania, environmental protection appeared in 1990 as an independent area of the national policy, when it was first established the Ministry of Environment and the environmental policy has been constantly evolving, minimum environmental protection measures being adopted. Since 1996, the national strategy begins to align to the community strategy regarding the principles, priorities and objectives in the field of the environment, so that the national environment strategies from 1992 and 1996 are the documents on which the national environmental policy was structured until 1999, when the National Programme for the European Union Accession was adopted.

In Romania, the issues of environmental protection are created as a result of the local pollution, mainly in the oil exploitation and mining industries, processing ores and petroleum, the chemical industry, wood and pulp processing, the electrical industry and machine building industry, the cement industry, transport, communal services and agriculture. Apart from government institutions involved in achieving environmental policies, NGOs and environmental foundations help develop and implement the national environmental policy, focusing on specific issues and clearly defined areas, where the authorities have not yet reached.

Keywords: policies, environment, objectives, strategies, institutions.

In the European Union environmental protection is now a horizontal policy with the principle role in the development and implementation of all policies in Member States. With the start of accession negotiations of Romania to E.U. in 2000, the environmental policy in our country has been developing in line with the strategy developed by the European Commission for candidate countries under Agenda 2000.

Thus, in its quality of member of the European Union, Romania must act to align with EU standards in terms of its environmental policy and prosthetics. Representing one of the biggest challenges, this entails special efforts on the one hand to harmonize the Romanian legislation with the *acquis* environment¹ one of the European Union and on the other hand achieving institutional reforms that lead to the development of an institutional mechanism capable of implement and monitor the implementation of the adopted legislation. To achieve the objectives of environmental policy in our country have been created government bodies and new institutions with jurisdiction in a process called environmental institutionalization.

¹ P.Anghel, *European Institutions and negotiation techniques in the integration process*, Humanitas Publishing House, 2004 pages.130 -131.

Environmental protection appeared in 1990 as a field independently of national policies, when it was first established a Ministry of Environment and after two years the first official document "National Strategy for Environmental Protection" was drafted setting national targets in the field.²

This strategy was updated in 1996 and 2002 and refers to:

- the main natural resources;
- elements regarding the economic and environmental factors;
- general principles of environmental protection;
- priorities and objectives in the short, medium and long term.

In terms of principles, priorities and objectives, since the first update (1996) observed an adequate national strategy to community. The principles are followed:

- preservation and improvement of human health;
- lasting development;
- pollution prevention;
- conservation of biodiversity;
- preservation of cultural and historical heritage;
- "polluter pays";
- stimulation of environmental recovery through grants, soft loans, etc.

Also, priorities identified, do not increase only the national needs but also the trends and initiatives globally, which are aimed at:

- maintain and improve health and quality of life;
- maintaining and improving the existing potential of nature;
- protection against natural disasters and accidents;
- maximum cost-benefit ratio;
- compliance programs and international conventions on environmental protection.

With the opening in 2002 of accession negotiations on Chapter 22 - Environmental Protection has drafted the document entitled „ Roadmap "in mentioning environmental issues related to development capacities for the implementation of environmental legislation adopted in order to promote development policies of environmental and sustainable transformation into a political crossbar.

The issues considered in these negotiations concern continuing to transpose Community legislation³ implementing environmental legislation already adopted and strengthening administrative structures required for full implementation of the *acquis* environment representing the horizontal and sectoral governing environmental EU policy.

The objectives of environmental policy in Romania are divided into short-term targets until 2000, in the medium term until 2005 and long-term until 2020.

Strategy and Action Plan of Romania on climate change in the period 2005-2007 were obtained putting a series of actions both in terms of limiting greenhouse gas emissions greenhouse and

² National Environmental Protection Strategy was developed with the help of World Bank

³ At the end of 2005, it adopted framework law on environmental protection, respectively O.U.G. No 195/2005 which repealed Law no.137 / 19 95 environmental protection.

adapting to the effects of climate change. As a member of U.E to reduce emissions of greenhouse gases Romania after 2012 will have to comply with the objectives of European Union policy stipulating⁴:

- that by 2020 the EU has to reduce emissions by 20% greenhouse emissions compared to 1990;
- increasing the share of renewable energy in overall energy consumption need to grow by 20% at EU level;
- increasing energy efficiency by 20%;
- a minimum consumption of 10% of total biofuel consumption in the transport sector.

The National Strategy for Romania's Sustainable Development Horizons 2020 is to: ensure the efficient and safe national energy system;

- achievement of the current EU average in terms of intensity and energy efficiency;
- achievement of obligations assumed by Romania in the legislative package „ Climate change and renewable energy;
- promotion and application of measures of adaptation to climate change and sustainable development principles.

Romania will continue under agreements in force at Community level and internationally to contribute effectively to the implementation of all environmental policies and will push to reduce greenhouse gas emissions and adapt to the effects of climate change effects.

Institutional actors

The profound political changes that began in December 1989 and especially the access to information quickly expanded the area of environmental concerns and thus many NGOs and even political environmentalist parties have been founded, some in symmetry with existing ones in Western Europe. The executive and legislative structures, have created institutions (ministry, parliamentary committees) focusing on environmental policy and the first acts of primary and secondary legislation in this area were issued.

Environmental policy in E.U.⁵ and in member countries is supported by a number of institutional actors involved in the preparation, definition and implementation in global or national policies.

Developments in environmental policy are reflected both in the objectives and priorities and the large number of the instruments of implementation, grouped into three types:

- legislative instruments (represented by existing environmental legislation);
- technical tools (in the form of environmental quality standards and the best available technology);
- economic- financial instruments (represented by the LIFE program and Cohesion Fund) as well as aiding tools (the tools that complement standard acting as incentives to adopt environmental protection measures).

To achieve the objectives of environmental policy in our country government bodies and institutions having new powers have been created, a process called environmental

⁴ *Strategia National Sustainable Development of Romania Horizons 2013-2020-2030, pag.41*

⁵ D.Mazilu, *Community environmental law*, Lumina Lex Publishing House, Bucharest, 2006, pp. 14-18.

institutionalization. Central Environmental Authority (created in 1990), has undergone many changes in the organization, operation and attributions.⁶

Lately, stands and an increase in the trend of affirmation and consolidation of administrative structures focused on the protection and sustainable management of the environment at national level.⁷

National Environmental Protection Agency (established by H.G.nr.1625 / 2003); Environmental Guard (founded by H. G. 1167/2001); Or administrative Environmental Fund (established under Law No. 73/2000). Also, in order to coordinate international activities on the environment, various advisory bodies, inter-ministerial bodies and national structures for international cooperation on environmental issues sector⁸ have been created. Institutional arrangement in Romania in terms of environmental protection has undergone many changes in recent years and so it is that change area even at nominal responsibilities among government determined the occurrence or transfer of new competencies in environmental protection.

1. Ministry of Environment and Forests

Ministry of Environment and Forests, Government institution fundamental to the environmental management, experienced the most recent major reorganization in 2001 (GD 17/2001 - organization and functioning MAPPM) called the specialized body of central public administration and subordinated to the Romanian Government. Responsible for the specific policy in the field of water and environmental protection, MMP develops strategies and regulations in line and consistent with the Government's decisive respective fields. The new structure of the Ministry branch's divides the overall strategy into four state secretariats that have a coordinating role and completeness of the action to the environment: environmental protection, water, European integration, relations with Parliament. Yet on another level, but keeping the areas DGs were also formed, being directly responsible for these areas which in turn subordinated environmental inspectorates, and other specific units established at the county level. These DGs have the freedom to call up in exceptional cases up to 200 teams of specialists for emergency intervention in an area affected by a disaster or in danger of being threatened by a disaster.

Under the supervision of The Ministry of Environment and Forests ,there are other bodies-theNational Commission for Nuclear Activity Control, Coordination Unit implementing structural instrument for pre-accession ISPA, the National Research and Development for Environmental Protection, the National Institute of Meteorology, Hydrology but also other institutes and agencies with local roles and specific activities. Regarding the EU pre-accession, the Ministry of Environment and Forests has the competence to manage together with other ministries on specific areas not also the Phare funds, but also those of ISPA, and in extraordinary cases with the Ministry of Agriculture and Rural Development on specific programs and on the SAPARD. At a comparative level only the first two have been successful in the pre-accession, while SAPARD was a failure and due to a faulty promotion without taking

⁶ *The last change was made by GD no. 308 2005*

⁷ St.Țarcă, *Environmental Law*, Lumina Lex Publishing House, Bucharest, 2004, pp. 344-348

⁸ *National Committee for the Protection of the Ozone Layer (CNPSO); National Commission on Climate Change (NCCC).*

into account the characteristics of eligible people (ordinary people in rural areas) for this program.

2. Ministry of Public Health

Ministry of Public Health is the main ally of environmental policy being subordinated to the government and having the most important role in determining the legislative and executive air safety policy with its standards. Another major concern of this institution is government waste management. Moreover, as a curiosity, the first level of environmental protection that was achieved on European standards of local institutions was that of hospital waste.

3. Ministry of Transport and Infrastructure

Ministry of Transport and Infrastructure took over responsibility for spatial planning since 2001, becoming manager of toxic emissions policy the various transport modes. In early 2006 the Ministry of Transport announces the imminent introduction of the environment tax on cars that do not meet standards EURO3. It entered into force immediately on 1 January 2007. Although it came after a general outer recommendation, the introduction of this tax proposal is an example of shared jurisdiction assumed by the Ministry of Transport and Infrastructure and the Environment and Forests in the same sector policies, just as it is the domestic fleet rejuvenation meant to reduce urban pollution.

Among other governmental institutions, there is the Ministry of Agriculture and Rural Development in collaboration with the Ministry of Environment and Forest which oversees the smooth running of the ecological programs concerning the chemical fertilizers, pesticides as well as forest protection. Ministry of Finance is the authority responsible for domestic mineral resources and their exploitation, while the Ministry of Education and Research promotes formative basic concepts aimed at creating a nascent consciousness of instinctive protection of the environment. The City Hall is responsible for planning, managing and protecting the green spaces while other local environmental agencies deal with specific problems of the area in collaboration with local police stations from the National Environmental Guard. Environmental foundations and NGOs help develop and implement national environmental policy, focusing on specific issues and clearly defined areas where the authorities have not yet arrived. It can be said that they are following a program of complementarity in terms of environmental protection.

Conclusion

After a prolonged and quite traumatic transition to pluralist democracy and market economy, Romania has recovered to reduce the disparities that places it behind other European Union member states. Although there has been progress at the level of 2016, Romania still relies on intensive resources, in a society that still needs education on protection and preserving the environment and on a natural capital facing the risk of damage that may become irreversible. Dangers now confronting Romania ⁹in September are the climatic changes taking place globally affecting us as well (especially the last two decades we have dealt with different climate phenomena- storms, floods, landslides), mismanagement of the environment (massive and

⁹ A.Teodor P.Simion, *New (dis) order geopolitical world*, Publishing University Press, Targoviste, 2011, page 104.

uncontrolled deforestation) and watershed sub financing, incompetence and corruption. Being affected by climate change, of course, we will face global changes that will result in:

- desertification over one third of Romania (the most affected areas will be Oltenia, Muntenia, Dobrogea, Banat, Crisana, Moldova and South East) that will lead to incalculable negative consequences for economic, social and political;
- floods affecting river basins of the Danube and other rivers large and small;
- periodic droughts and temperatures increasingly higher;
- landslides and other geomorphological processes that bring annual aside vast areas;

In these attacks, the necessary national policies and strategies supported massive community support so as to cover the following areas:

- National Afforestation Programme (Romania being under the European average);
- National programs of land reclamation, river basins, irrigation and other works;
- National programs on agriculture science (technology, new varieties and species) and involvement in the production of agricultural research;
- Education and training of population starting from school children and adults on these phenomena and their consequences.

Given all that no country can be evaded by these phenomena and their serious consequences, the Romanian leaders and the whole community must act in favor of firm action, accurate and efficient.

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