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Green Horizons: Reflections of the European Union's Environmental Policy in Action

Yeşil Ufuklar: Avrupa Birliği'nin Çevre Politikalarının Eylemdeki Yansımaları

ABSTRACT

This article traces the historical evolution, current situation, and evolving dynamics of the European Union's environmental policy, which positions the EU as a global leader in environmental governance. Beginning with the landmark Paris Summit in 1972, where the development of an EU-wide environmental policy was initiated, this article first examines key moments and policy shifts that have shaped the EU's environmental priorities. Second, it explores the institutionalization of environmental policy within the EU and the structures of environmental governance that support policy implementation. Third, it discusses success stories, challenges, and the global aspects of the EU's environmental policy, emphasizing the EU's commitment to environmental sustainability through legislative measures, institutional frameworks, and international cooperation. Finally, it sets out the challenges that lie ahead for the EU's environmental policy, such as achieving consensus on ambitious environmental goals, coping with complex policy-making processes, and adapting to changing environmental realities. This article argues the EU should balance economic growth with environmental protection through a continuous commitment to environmental goals and cooperation between all stakeholders, and only at the end of such a difficult struggle can the EU become a global leader in environmental management and sustainability.

Keywords: European Union environmental policies, European Green Deal, climate change, environmental governance sustainable agriculture

ÖZET

Bu makale, Avrupa Birliği'nin (AB) çevre politikasının tarihsel evrimini, mevcut durumunu ve gelişen dinamiklerini izleyerek AB'yi çevre yönetiminde küresel bir lider olarak konumlandırmaktadır. 1972'de, AB çapında bir çevre politikasının geliştirilmesinin başlatıldığı dönem olan Paris Zirvesi ile başlayarak, bu makale, ilk olarak AB'nin çevresel önceliklerini şekillendiren önemli anları ve politika değişikliklerini incelemektedir. İkinci olarak, AB içinde çevre politikasının kurumsallaşmasını ve çevre politikalarının uygulanmasını destekleyen çevre yönetimi yapılarını vurgulayarak araştırmaktadır. Üçüncü olarak, AB'nin kanuni tedbirler, kurumsal çerçeveler ve uluslararası işbirliği aracılığıyla çevresel sürdürülebilirliğe olan bağlılığını vurgulayarak, AB'nin çevre politikasının başarı hikayelerini, zorluklarını ve küresel yönlerini tartışmaktadır. Son olarak, AB'nin çevre politikası için önünde duran, iddialı çevresel hedeflerde uzlaşma sağlama, karmaşık politika yapım süreçleriyle başa çıkma ve değişen çevresel gerçeklere uyum sağlama gibi zorlukları ortaya koymaktadır. Bu makale, AB'nin, çevre hedeflerine sürekli bağlı kalma ve tüm paydaşlar arasında iş birliği yapma yoluyla ekonomik büyümeyi çevre korumasıyla dengelemesi gerektiğini ve ancak bu zorlu mücadelenin sonunda AB'nin çevre yönetiminde ve sürdürülebilirlikte küresel bir lider haline gelebileceğini savunmaktadır.

Anahtar Kelimeler: Avrupa Birliği çevre politikaları, Avrupa Yeşil Mutabakatı, iklim değişikliği, çevresel yönetim, sürdürülebilir tarım

1. INTRODUCTION

On 19-20 October 1972, at the Paris Summit, the heads of the 12 member states made a very bold statement on initiating the development of a common EU-wide environmental policy. This marked a significant moment in the EU's commitment to addressing environmental issues, which had gained momentum in the 1970s. Indeed, international concern for environmental protection emerged during this period as several environmental catastrophes since the mid-1960s highlighted the understanding that environmental pollution transcended national borders, necessitating cross-border measures. Significant steps had already been taken to address this urgent need, as the Council of Europe declared 1970 as European Conservation Day, and the United Nations Conference on the Human Environment took place in Stockholm in June 1972 (Nicoll & Salmon, 2001).

As many policies and institutional structure of the EU have always been a work in progress - a “process of becoming” (Laffan et. al., 2000) environmental policy slowly emerged as a niche in the 1960s, with initial directives targeting “dangerous substances, noise, and exhaust emissions from motor vehicles” (Lenschow, 2021). Over time, it expanded and institutionalized remarkably. Today, the European Union has emerged as a key global player advocating for environmental sustainability, with its transformative initiative, - European Green Deal (COM/2019/640)- envisioning a climate-neutral Europe by 2050. However, the path toward this green horizon is fraught with challenges, complexities, and the need for nuanced policy decisions shaped by various actors within EU polity.

This article deals with the expansion and institutionalization of environmental policy, examining its historical roots, contemporary manifestations, and the evolving dynamics that position the EU as a global leader in environmental governance. To this end, it starts with an exploration of the historical evolution, examining pivotal moments and policy shifts with a specific focus on the core elements of the EU's environmental priorities, including climate policy, conservation of biodiversity, the advancement of a circular economy, and sustainable agriculture. Second, it examines the structures of environmental governance that support policy implementation, followed by an examination of success stories, challenges, and the global aspects of the EU's environmental policy. Lastly, it reflects on the prospective trajectories that will influence the upcoming stages in the ongoing narrative of environmental responsibility.

2. HISTORICAL EVOLUTION OF EU ENVIRONMENTAL POLICY

A series of environmental catastrophes such as crude oil spills into the ocean and river fires emerged during the late 1960s, sparking public attention to environmental issues. Indeed, the emergence of environmental issues on the international agenda corresponds to this time. While the USA had been leading many environmental agreements, regulations, and treaties in the late 1960s and the early 1970s, EU member states lagged and remained in the position of following these developments until the late 1980s (Kelemen & Vogel, 2010).

In contrast to other policy areas such as trade, agricultural or transportation policy, the Treaty of Rome (1957) did not mention any policies, administrative structures, or laws related to the environment. The first measures adopted by the EU in the 1960s and early 1970s were politically and economically motivated and influenced by the importance of internal market objectives (Orlando, 2014). In the absence of a legal foundation and explicit EU competence in environmental policies, during these early years, the initial environmental measures were primarily based on the former Article 100 of the Treaty Establishing the European Economic Community¹ (Rome Treaty), which empowered the Council to issue directives unanimously, aiming to harmonize member state laws affecting the common market. Thus, based on principles suggesting a broader EU competence, such as the promotion of economic development, improvement of living standards, and enhancement of working conditions, the Council, supported by the European Court of Justice (ECJ), enacted environmental measures using former Article 235² of Rome Treaty, a flexible provision allowing EU legislation even without a specific treaty basis if necessary to achieve treaty objectives (Orlando, 2014). Thus, environmental policies were adopted as a part of trade policies since there was a fear that different environmental standards adopted by Member States could emerge as trade barriers and competitive distortions in the Common Market. Overall, it is too early to consider a well-defined set of environmental regulations within the European Union during the 1960s and early 1970s as scholars commonly describe the EU's stance on environmental protection during this period as “incidental” (Hildebrand, 2005), and “unarticulated” (Brinkhorst, 1993).

The increasing public concern for the environment and significant international developments, such as the Stockholm Declaration on the Human Environment (The United Nations, 1972), played a crucial role in prompting a more explicit involvement of the European Union in environmental matters.³ A declaration on environmental and consumer policy adopted in Paris Summit gave the European Commission the task of drafting an action plan for environmental protection. In pursuit of this objective, a task force was

¹ Article 100 of the Treaty of Rome states: “The Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, issue directives for the approximation of such laws, regulations or administrative, provisions of the Member States as directly affect the establishment or functioning of the common market.”

² Article 235 of the Treaty of Rome states: “If action by the Community should prove necessary to attain, in the course of the operation of the common market, one of the objectives of the Community and this Treaty has not provided the necessary powers, the Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament, take the appropriate measures.”

³ For in depth research on the EU's environmental policy in 1970s, please see Meyer, J. H. (2011). The Europeanisation of environmental policy in the 1970s. Retrieved from https://pure.au.dk/ws/portalfiles/portal/52650734/The_Europeanisation_of_environmental_policy_in_the_1970s_for_Vingtieme_Siecle.pdf

established within the Commission, leading to the gradual emergence of today's Directorate General (DG) for the Environment (Knill & Liefferink, 2021). The first Environmental Action Program (EAP) covering the period 1973-1976 was adopted in 1972 at the first meeting of the Council of Environmental Ministers. It was the first key step in the formalization of environmental policy within the EEC, marking the beginning of a consistent approach by the European Commission in the environmental domain. While the initial Environmental Action Programme (EAP) laid out a general framework of principles and objectives, it focused on the link between economic development, population's welfare, and the environment (Halmaghi, 2016). Another striking feature of the first EAP is that it had key elements such as the "polluter-pays"⁴ principle, improving the "environmental awareness" in the society, and strengthening cooperation between member states and the EU institutions on environmental matters which later have constituted the European Sustainable Development Strategy in the 1990s (Popeanga, 2013). Subsequently issued at regular intervals, typically spanning five to ten years, the EAPs articulate the European Commission's perspective on the objectives, principles, priorities, and courses of action for the EU within the specified timeframe. As a result, these programs serve as valuable reference points for analyzing the progression of EU environmental law and policy over the years.

During the 1980s, the European Union underwent significant developments in its environmental policy, marking a period of increased awareness and formalization of environmental concerns. Despite several limitations associated with using Article 115 of Treaty on the Functioning of the European Union (TFEU) (formerly Article 100 of the Rome Treaty and Article 352 TFEU (formerly Article 235 of the Rome Treaty) such as the foundation of environmental policy based on economic objectives and unanimity requirement, the EU showed an unexpected success with a very substantial set of environmental laws passed. By the middle of the 1980s, in addition to three environmental action programmes, around 200 binding legal acts including directives and regulations had been passed (Orlando, 2013).

With the adoption of the Single European Act (SEA) in 1986, the environment was finally built in the European Economic Community (EEC) Treaty and became part of the legal competence of the European Community (now the European Union). Formerly based on economic rationales, environmental policy activities were now declared as the official policy task of the EU. A new title "environment" was added to the treaty under Title VII, comprising Articles 130(1), 130(2), and 130(3). Article 130(1) of the EU provided a concise outline of the objectives of its environmental policy, encompassing the preservation and enhancement of environmental quality, safeguarding human health, responsible utilization of natural resources, and international efforts to address global environmental issues, notably climate change. Article 130(2) codified key principles, including the precautionary approach, preventive action, rectification of environmental damage at the source, and the "polluter pays" principle. Article 130(3) specified criteria and restrictions for developing environmental action programs, introducing considerations for science, technology, economic, and social development. Additionally, the subsidiarity principle⁵ for environmental policy, previously articulated in the First Environmental Action Programme, was formally incorporated into the treaty, stipulating that the EU should only intervene when its objectives could be more effectively achieved at the Community level than at the individual member states' level.⁶

The Single European Act (SEA) not only explicitly established the fundamental aspects of EU environmental policy but also provided a tangible foundation for new EU-level actions. Notably, Articles 191⁷-192⁸ (TFEU) granting the general authorization for the Community to decide on measures aligning

⁴ The "polluter pays principle" asserts that the costs of preventing or mitigating environmental damage should be borne by the individuals or entities responsible for causing it with the aim to reduce environmental impacts such as climate change, ecosystem degradation, and biodiversity loss.

⁵ Subsidiarity principle means policy decisions should be taken at the lowest appropriate administrative level (Selin & VanDeveer, 2015).

⁶ In practice, this principle has often been used by member states to block EU regulation and intervention in certain more sensitive areas, in which such member states have political and economic interests to preserve.

⁷ Article 191 of the Treaty on the Functioning of the European Union (ex Article 174 TEC) states:

"1. Union policy on the environment shall contribute to pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment,
- protecting human health,
- prudent and rational utilisation of natural resources,
- promoting measures at the international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

2. Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay. In this context, harmonisation measures answering environmental protection requirements shall include, where appropriate, a safeguard clause allowing Member States to take provisional measures, for non-economic environmental reasons, subject to a procedure of inspection by the Union..."

⁸ Article 192 of the Treaty on the Functioning of the European Union (ex Article 175 TEC) states:

with environmental policy objectives and Article 114 (TFEU) granting special authorization for action for trade-related environmental measures, are important basis in that respect. Yet, these articles differ in terms of decision-making procedure in the Council of Ministers. While Article 192 maintained the unanimity requirement in the decision-making process, preserving each member's veto power, Article 114 introduced a new legal basis for measures impacting the Common Market, allowing for the harmonization of national regulations. Unlike Article 192, decisions under Article 114 were subject to the cooperation procedure, enabling qualified majority voting and reducing individual member states' ability to block proposals. This change also enhanced the European Parliament's role in the legislative process, marking a significant shift in its involvement in environmental protection efforts. This created the opportunity for some member states that supported green policies to push for more harmonized and ambitious environmental policies (Janicke, 2005; Liefferink & Andersen, 1998).

In the late 1980s, the European Commission introduced novel instruments and innovative measures for environmental policy such as eco-labeling, public access to environmental information, environmental impact assessments, and a directive proposal establishing civil liability for waste (Orlando, 2014). In addition, the creation of the European Environment Agency (EEA) in 1990⁹ and the European Environment Information and Observation Network (EIONET)¹⁰ in 1994 further strengthened the institutionalization of EU environment policy.

The Treaty of Maastricht Treaty (1992) and the Treaty of Amsterdam (1997) preserved environmental legislation set up by the SEA yet enhanced the environmental foundations of the EU with a specific reference to environmental protection as a policy. Changes in the decision-making process from unanimity to qualified majority voting (QMV) and the involvement of the European Parliament via co-decision brought by the Treaty of Maastricht make apparent the importance of environmental policies. However, despite the increased tasks and authority of the Community in the environmental policy field, harmonization at the national level remained limited. The impact of the Nice Treaty (2001) and Lisbon Treaty (2009) on the expansion and institutionalization of environmental policies was rather limited compared to the previous prolific period in terms of environmental legislation.

Overall, the evolution of EU environmental policy unfolds across three phases. Initially (1972–1987), driven by trade policy motives, it aimed to harmonize national regulations for the Common Market, leading to a comprehensive program amid a weak legal foundation. Despite a weak legal and institutional framework, a comprehensive program emerged due to growing cross-border environmental issues and the proactive efforts of individual member states. The second phase (1987–1992) saw the formalization and expansion of environmental policy authority, detaching it from exclusive trade policy goals, and allowing for qualified majority decisions particularly through the Single European Act (SEA). During the years between 1972 and 1992, the EU struggled with reconciling the economic and environmental interests (Baker, 1993). In the third phase (post-1992), there were contrasting trends. While institutional and legal developments were revised and updated, particularly in the Treaties of Maastricht and Amsterdam and the establishment of the European Economic Area (EEA), the dynamism of environmental policy weakened. Environmental issues took a backseat on the political agenda compared to other areas. This weakened dynamism may depend on some factors including “the Big-Bang enlargement” during 2004 and 2007 with countries more focused on economic development, the global economic crisis of the late 2000s, and the

“1. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee and the Committee of the Regions, shall decide what action is to be taken by the Union in order to achieve the objectives referred to in Article 191.

2. By way of derogation from the decision-making procedure provided for in paragraph 1 and without prejudice to Article 114, the Council acting unanimously in accordance with a special legislative procedure and after consulting the European Parliament, the Economic and Social Committee and the Committee of the Regions, shall adopt:

(a) provisions primarily of a fiscal nature;

(b) measures affecting:

— town and country planning,

— quantitative management of water resources or affecting, directly or indirectly, the availability of those resources,

— land use, with the exception of waste management;

(c) measures significantly affecting a Member State's choice between different energy sources and the general structure of its energy supply.

The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, the Economic and Social Committee and the Committee of the Regions, may make the ordinary legislative procedure applicable to the matters referred to in the first subparagraph.

3. General action programmes setting out priority objectives to be attained shall be adopted by the European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee and the Committee of the Regions...”

⁹ EU (1990), Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency. Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=celex:31990r1210:en:not>

¹⁰ The European Environment Information and Observation Network (Eionet) is a partnership network with 38 member and cooperating countries, established with the aim of gathering and developing data on Europe's environment, and providing advice to policy makers.

rise of Euro-skeptical parties affecting political support for robust EU environmental policies. The environmental field's maturity has led to a focus on maintaining, implementing, and enforcing existing policies, with a shift from uniform legally binding limits to more flexible and less harmonization-oriented regulatory concepts.

However, despite this impeded trend, climate change has emerged as a prominent exception, with the EU actively seeking a leadership role in global climate politics since the 1990s and intensifying efforts with the European Green Deal under the Ursula von der Leyen Commission in 2019. The next section deals with the key components of EU environmental policy including climate change policy, the European Green Deal, biodiversity conservation, circular economy and sustainable agriculture, which move the EU to a leading position on environmental issues at the global level.

3. KEY COMPONENTS OF EU ENVIRONMENTAL POLICY

On December 11, 2019, the European Commission presented the EU's very ambitious initiative titled "European Green Deal" for making the EU's economy sustainable and achieving climate neutrality by 2050. It is a kind of roadmap for achieving carbon neutrality, promoting sustainable agriculture, enhancing biodiversity, and fostering a circular economy. One key component of the initiative is climate policy in which the EU has set ambitious climate targets, including a commitment to reduce greenhouse gas emissions by at least 55% by 2030 compared to 1990 levels (Jordan & Gravey, 2021). The Emissions Trading System (ETS)¹¹ and the Effort Sharing Regulation are crucial components in achieving these targets. This ambitious initiative put the EU in the position of a global leader struggling to face current environmental challenges. The declaration of the European Green Deal as the roadmap against global environmental problems not only makes the EU a global leader in this regard but also shows its normative power and actorness in the global environmental sphere via norm diffusion towards third countries.

There are some key components of the EU environmental policy such as biodiversity conservation, circular economy, eco-innovation, and sustainable agriculture, through which the EU reveals itself as a global forerunner. One of these, the EU Biodiversity Strategy for 2030 (European Commission, 2021) was introduced in 2021, which sets ambitious targets to halt biodiversity loss, restore ecosystems, and address the main drivers of biodiversity decline. The latest studies confirm that Europe's protected habitats and species are still diminishing rapidly, largely because of various pressures hindering their restoration (European Commission, 2021). In addition, more than half of the world's GDP depends on high-functioning biodiversity and ecosystem services, with one-fifth of countries at risk of ecosystem collapse, threatening food security, clean water, and air (European Commission, 2021). Upon these findings, the EU takes decisive action and puts Biodiversity Strategy in the center of both the EU Green Deal and the EU Recovery Plan. These ambitious targets in the strategy include restoring at least 30% of degraded ecosystems and increasing the EU's protected areas to at least 30% of land and sea (European Commission, 2021). As parts of its biodiversity policy, the EU has adopted several pieces of legislation to protect biodiversity, including the Birds Directive (Directive 2009/147/EC), the Habitats Directive and supported the Natura 2000 network, which is one of the world's largest networks of protected areas¹². Overall, the EU's biodiversity policy reflects its commitment to protecting biodiversity both within its borders and globally, and to promoting sustainable development with a better balance between nature and economic activities.

Circular economy is another part of the EU's environmental policies, which includes measures to minimize waste by promoting recycling and maximize resource efficiency. It is defined as "an where the value of products, materials and resources is maintained (...) for as long as possible, and the generation of waste minimized" (European Commission, 2015). In the circular economy model, products and materials are reused, repaired, and recycled for as long as possible, rather than being disposed of after a single use. The EU's Circular Economy Action Plan (COM/2020/98), adopted in 2020, outlines a series of initiatives and measures to advance the circular economy in the EU. These initiatives include setting targets for recycling and waste reduction, promoting eco-design principles to ensure products are more durable and recyclable, and implementing legislation to reduce the consumption of single-use plastics. The EU also provides funding for projects that promote the circular economy and implements Extended Producer Responsibility

¹¹ The ETS is a cornerstone of EU climate policy, creating a market for carbon allowances. It sets a cap on the total amount of greenhouse gases that can be emitted by covered entities. Companies receive or purchase emission allowances, creating economic incentives for reducing emissions. In 2023, a separate emission trading system was created. For further information, please see: European Commission, Energy, Climate change, Environment, EU Emissions Trading System (EU ETS): https://climate.ec.europa.eu/eu-action/eu-emissions-trading-system-eu-ets_en

¹² It covers around 18% of the EU's land area and over 6% of its marine territory with the aim to protect Europe's most valuable and threatened species and habitats.

(EPR) schemes to hold producers accountable for the collection and recycling of their products. Based on the polluter pays principle, all EU Member States have implemented EPR schemes for four waste streams including packaging, batteries, end-of-life vehicles, and electrical and electronic equipment (Kosior & Crescenzi, 2020:438).

Eco-innovation is another important component of circular economy. Eco-innovation is defined as “all efforts from relevant actors that introduce, develop, and apply new ideas, behaviors, products and processes and contribute to reducing environmental burdens or ecologically specified sustainability targets” (Jo et.al, 2016). The EU countries were categorized into three groups based on their eco-innovation performance, as measured by the Eco-Innovation Index. These groups are the Eco-Innovation Leaders (the top 9 EU countries), the average eco-innovation performers (ranging from the 10th to the 18th ranked countries), and the countries catching up with eco-innovation (from the 19th to the 27th ranked countries) (European Commission, 2022b).

Overall, the EU has been a leader in promoting the circular economy concept and has developed a comprehensive policy framework to facilitate its implementation. Nevertheless, in terms of EU’s countries’ advancement towards a circular economy, there is a two group of states i.e. one group of states including Germany, Belgium, Spain, France, Italy and the Netherlands is the most advanced in pursuing operation according to circular economy principles; second group of states including mainly the countries of the Central and Eastern European countries and the countries of the south of Europe, adopt circular economy principles at the slowest pace (Mazur-Wierzbicka, 2021).

Sustainable agriculture is considered a key component of climate action policy. Indeed, since the early years of its existence, the EU has paid special attention to the agriculture sector regarding its unique position within society, the environment, and the economy. The EU's sustainable agriculture policy is designed to promote environmentally friendly farming practices, ensure food security, and support rural development. This policy is primarily guided by the Common Agricultural Policy (CAP), which establishes the framework for agricultural subsidies and support across the EU. In recent years, the Common Agricultural Policy (CAP) has undergone reforms to align with environmental objectives¹³. This includes incentivizing farmers to adopt sustainable and environmentally friendly practices such as maintaining permanent grasslands and creating ecological focus areas, organic farming, crop diversification, and precision agriculture (Korneeva et. al, 2023). Through research and innovation, the EU aims to develop sustainable farming practices and technologies. In February 2024, the European Partnership on Agroecology and the European Partnership on Animal Health and Welfare will be introduced as two major research and innovation partnerships for the next seven years between the European Commission, EU Member States and Associated Countries (European Commission, 2024). Half of its costs comprising €600 million is allocated by the EU budget to support research and innovation on agroecology and animal health and welfare (European Commission, 2024). Furthermore, the EU provides support for rural development to help farmers diversify their income and improve their quality of life, while also supporting environmental objectives. Overall, the EU's sustainable agriculture policy is a critical component of its efforts to promote sustainable development, address climate change, and combat biodiversity loss.

While the EU's sustainable agriculture policy has made significant progress, several challenges remain. One major challenge is the need to strike a balance between environmental protection and food production. Farmers often face competing pressures to increase productivity to meet growing food demands while minimizing their environmental impact. This challenge is exacerbated by factors such as climate change, which can lead to more frequent and severe weather events, and the loss of biodiversity, which can impact ecosystem services essential for agriculture. Another challenge is ensuring the economic viability of sustainable farming practices. While many sustainable practices can lead to long-term benefits, such as improved soil health and biodiversity, they may also require upfront investments and can result in lower short-term yields. This can be particularly challenging for small-scale and family farms, which may have limited resources to invest in new practices. Additionally, the implementation of sustainable agriculture practices can be complex and require changes in behavior and mindset among farmers. Education, training, and support are crucial to help farmers adopt and maintain sustainable practices. As we witnessed very recently, farmers across the European Union are continuing their protests against the reduction and unequal distribution of subsidies, rising production costs, unrestricted imports from outside countries and forcing

¹³ For further information, please see CAP Specific Objective 4, 5,6 and 9. European Commission. Agriculture and rural development. Retrieved from https://agriculture.ec.europa.eu/sustainability/environmental-sustainability/sustainable-agricultural-practices-and-methods_en

the implementation of environmental policies. In response to the dozens of farmers protests taking place in several countries in Europe, including Spain, France, the Netherlands and Belgium, the European Commission declared to review certain provisions of CAP to ease the burden on the farmers and provide them more flexibility for complying with agricultural and environmental conditionalities (European Commission, 2024b).

As can be understood from the European Commission's action, addressing these challenges is not an easy task. It requires continued commitment, innovation, and collaboration among policymakers, farmers, researchers, and other stakeholders to ensure that agriculture in the EU is not only sustainable but also resilient and able to meet the challenges of the future. Yet, the link between the political, social, and economic interests of stakeholders and the EU's ambitious environmental targets is complex and often contentious. On one hand, achieving these targets can require significant investments in new technologies, infrastructure, and regulatory frameworks, which can impose costs on industries and governments. This can lead to concerns about the potential negative impact on economic growth, competitiveness, and employment in certain sectors or regions. On the other hand, there is growing recognition that environmental degradation poses significant risks to economies, societies, and ecosystems.

The EU has sought to address these challenges by adopting a balanced approach that seeks to promote sustainable economic growth while ensuring environmental protection. The next section deals with exploring the complex nature of the EU's environmental governance.

4. ENVIRONMENTAL GOVERNANCE IN THE EU

The European Union's environmental policymaking is complex, characterized by a multitude of actors, processes and sometimes competing interests. The presence of numerous veto players makes it challenging for any single entity to consistently control policy direction. In the realm of EU environmental governance¹⁴, several key bodies play crucial roles. The European Council, comprising heads of governments, sets political agendas, formulates broad goals, and discusses high-profile issues. It plays a significant role in setting collective targets for greenhouse gas emissions and renewable energy expansions. The Council, formerly the Council of Ministers, with its intergovernmentalist nature, represents member states' interests and plays a key role in EU environmental law-making, reviewing legislative proposals and passing them under the ordinary legislative procedure.

The European Commission, on the other hand, is tasked with promoting EU interests over national ones. It occupies a central position in environmental governance within the EU, primarily focusing on advancing collective European interests over national ones (Kingston et. al, 2017). Indeed, it is the most significant player contributing to the European Union becoming a leading actor in global environmental governance. One of its key functions is proposing new EU legislation, granting it exclusive rights in this regard. This authority extends to environmental policies, allowing the Commission to draft laws and regulations aimed at protecting the environment and addressing climate change. When drafting legislative proposals necessitates specialized technical or scientific knowledge, the Commission frequently seeks input from internal and external expert committees, groups, or agencies, which have an increasing role in the shaping the EU environmental law and policy¹⁵.

Additionally, the Commission regarded as “a guardian of treaties”, plays a crucial role in monitoring the implementation of EU environmental laws in member states. Yet, to monitor the implementation of more than one thousand legal acts including agreements, directives, regulations, and decisions under the chapter of environment¹⁶ in 27 Member States is not an easy task. Moreover, the Commission has the power to initiate enforcement actions against countries failing to meet their environmental obligations under EU law. Based on some general priorities¹⁷ declared, Directorate-General for Environment of the Commission responsible for environmental policies monitors the application of EU law and identifies infringements¹⁸.

¹⁴ For the historical account of modes of governance in EU environmental policy, please see (Holzinger, Knill & Lenschow, 2009).

¹⁵ For a in-depth research on the role of EU agencies in the EU environmental governance, please see (Volpato & Vos, 2020).

¹⁶ All EU legislation in the environment field can be accessed from https://eur-lex.europa.eu/browse/directories/legislation.html?root_default=CC_1_CODED%3D15,CC_2_CODED%3D1510&displayProfile=allRelAllConsDocProfile&classification=in-force#arrow_1510

¹⁷ “1. cases where Member States have failed to communicate national transposition measures,
2. cases where national transposition measures have incorrectly transposed EU directives,
3. cases where Member States have failed to comply with a judgment of the Court of Justice
4. cases involving possible serious damage to EU financial interests.”

¹⁸ Infringement procedure is a judicial mechanism that allows the European Commission (under article 258 of the Treaty on the Functioning of the European Union—TFEU which states: “If the Commission considers that a Member State has failed to fulfil an obligation under the Treaties, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations. If the State concerned does not comply with the opinion within the period laid down by the Commission, the latter may bring the matter before the Court of Justice of the

Since the 1989, the Commission's decision on nearly four thousand infringement cases have been heard by the Court of Justice.¹⁹ It serves as a vocal advocate for greater EU authority, frequently pushing for more ambitious environmental goals and increased mandates, thus shaping political debates and legislative processes on environmental issues across the EU.

The European Parliament is another key actor in the EU's environmental governance structure. Over the past 40 years, the powers, and the role of the European Parliament in policy-making processes has transformed significantly. It has evolved from a weak institution with limited influence, to a genuine co-legislator capable of setting the EU policy agenda, ensuring that EU environmental legislation reflects the interests of European citizens. In addition, the Parliament serves as a platform for debate and advocacy on environmental issues. Political groups within the Parliament have overcome national differences to find common solutions to common environmental problems, with the Green Group emerging as a significant political force. The Parliament has gained a reputation as a key environmental actor, challenging the traditional dominance of the Commission and Council in decision-making. However, as its powers and diversity have increased, the Parliament has faced new challenges. The growing workload has led to more informal decision-making processes, which, while improving efficiency, also pose risks, especially in environmental policy. There is a valid concern that smaller political groups, like the Greens, and some interest groups such as environmental NGOs, could be sidelined as other major parties and interest groups in the Parliament may close the agenda with their own topics. This overshadows Parliament's credibility and effectiveness as a key environmental actor.

Lastly, the European Court of Justice (ECJ) elaborates the legal basis of EU environmental policymaking, settling disagreements and providing rulings on the application of EU law to domestic legal cases. Through its rulings, the ECJ provides clarity on the obligations and responsibilities of member states regarding environmental protection. For instance, in cases like *Commission v. Italy (Waste Framework Directive)*²⁰, the ECJ clarified that member states must adopt measures to ensure that waste oils are recovered and disposed of without endangering human health and the environment. These interpretations not only guide member states in their implementation efforts but also set legal precedents that shape the evolution of EU environmental policies. Furthermore, the ECJ's role in enforcing compliance with EU environmental laws is paramount. It has the power to issue judgments against member states that fail to fulfill their obligations, thereby ensuring that environmental standards are upheld throughout the EU. This enforcement mechanism is crucial in promoting environmental protection and sustainability, as it holds member states accountable for their environmental commitments. Overall, the ECJ plays a pivotal role in shaping EU environmental policies through its interpretation, enforcement, and establishment of legal precedents, contributing significantly to the EU's environmental governance framework.

In addition to these key institutions, there are some other committees and agencies that fulfill separate environmental policy functions. They particularly provide the Commission in drafting the proposal with their specialized scientific and technical knowledge (Volpato & Vos, 2020). The Committee of Regions, consisting of members from member states' local and regional authorities, provides opinions on environmental and other policy issues (Selin & VanDeveer, 2015). Similarly, the European Economic and Social Committee, including the representatives of employers' and workers' organizations and interest groups, issues opinions on socio-economic matters. Yet, these bodies function as advisory bodies with limited direct effect on policymaking processes. Also, some specialized agencies such as the European Environment Agency²¹, the European Food Safety, the European Chemicals Agency, and the European Fisheries Control Agency function in a complex network of governance aimed at promoting environmental sustainability within the EU.

European Union.") or other Member-State (under article 259 of the TFEU, which states: "A Member State which considers that another Member State has failed to fulfil an obligation under the Treaties may bring the matter before the Court of Justice of the European Union.") to react when a Member-State does not comply with EU law (Covelo de Abreu, 2016).

¹⁹ Full list of cases and decisions can be found on https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?lang_code=en

²⁰ In the case C-196/13 (*Commission v. Italy*), the European Court of Justice has imposed significant financial penalties on Italy for its violation of EU environmental law. Italy was ordered to pay a lump sum of €40 million and a penalty payment of €42.8 million every six months until it complies with EU law. This judgment was made under Article 260.2 of the Treaty on the Functioning of the European Union, following a 2007 ruling that found Italy had consistently failed to fulfill its waste management obligations. For the background and implications of this case, please see (Carevic, 2015)

²¹ The European Environment Agency established in 1990, is responsible for collecting, analyzing, and disseminating environmental data to support sustainable development and inform policymaking in European Union.

5. FUTURE DIRECTIONS: CHALLENGES AND COMPLEXITIES

The future direction of EU environmental policy is likely to be shaped by several challenges and complexities. One key challenge is achieving the ambitious environmental targets set by the EU, such as those related to reducing greenhouse gas emissions, increasing renewable energy use, and halting biodiversity loss. Meeting these targets will require significant changes in various sectors, including energy, transportation, agriculture, and industry. As many divergent actors, interest constellations and processes shape the European environmental policies, enforcement of EU's ambitious environmental targets poses a significant challenge. In recent years, EU environmental policy has shifted focus towards updating existing policies rather than creating new ones. This change reflects a move from addressing new issues to managing ongoing concerns and revising existing legislation.

The EU has also aimed to integrate environmental considerations into all policy sectors, but implementation has been challenging due to the EU's fragmented institutional and political structure. It is also problematic, with the *acquis* (body of EU law) sometimes not fully enforced with the flexibility given to the Member States. While the Commission can initiate enforcement actions against non-compliant member states, the process can be lengthy and complex. Some member states may be reluctant to implement certain environmental measures due to concerns about economic impacts or national sovereignty. Another problem is ensuring consistent enforcement across all member states. There can be disparities in the implementation and enforcement of EU environmental laws, leading to a lack of a level playing field. This can create unfair competition between businesses in different member states and undermine the effectiveness of EU environmental policies. Moreover, enforcing EU environmental policies requires adequate resources, both in terms of funding and personnel. The Commission and member states must have the necessary capacity to monitor compliance, investigate violations, and take enforcement actions when necessary.

Emerging challenges in EU environmental policy present complex and interconnected issues that require comprehensive strategies for effective solutions. Climate change stands out as a paramount global concern. This necessitates substantial transformations in various sectors, including energy, transportation, industry, and agriculture, along with robust adaptation measures to mitigate climate impacts. Transitioning to a circular economy is another critical goal, demanding a shift towards more sustainable resource use and waste management practices. This involves rethinking product design, promoting recycling and reuse, and reducing reliance on finite resources. Additionally, halting biodiversity loss and restoring ecosystems are pressing tasks. Protecting natural habitats, promoting sustainable land use, and addressing threats like pollution and invasive species are crucial in this regard. Moreover, ensuring environmental justice is essential, requiring equitable distribution of environmental benefits and burdens across society. This includes addressing disparities in pollution impacts on marginalized communities and ensuring universal access to clean air, water, and green spaces. Furthermore, the digitalization of society poses both opportunities and challenges for environmental policy. While digital technologies can enhance resource management, they also contribute to environmental impacts such as energy consumption and electronic waste. Tackling these emerging challenges will demand innovative approaches, strong political will, and collaborative efforts across sectors and stakeholders to ensure a sustainable future for Europe and beyond.

6. CONCLUSION

In conclusion, the EU's environmental policy has evolved significantly since its inception in the 1960s, with the European Green Deal marking a transformative moment in the EU's commitment to environmental sustainability. Through a combination of legislative measures, institutional frameworks, and international cooperation, the EU has made significant strides in addressing environmental challenges and promoting sustainable development.

However, the road ahead is not without its challenges. As evidenced by the protests we have witnessed in recent days, it will not be as easy as declared to achieve a consensus on the implementation of the EU's ambitious environmental targets in all member states and sectors. The EU's ambitious environmental targets, encompassing reductions in greenhouse gas emissions, increased renewable energy utilization, promoting sustainable agriculture and halting biodiversity loss, require substantial sectoral transformations. However, the enforcement of these targets faces hurdles due to the EU's fragmented institutional structure, leading to disparities in implementation across member states and potential economic concerns. In addition, the current global economic crisis and various external factors also complicate the acceptance and implementation of these ambitious targets at a societal and governmental level. Therefore, the EU must continue to navigate complex policy landscapes, engage with diverse stakeholders, and adapt to changing

environmental realities. Success will depend on the EU's ability to balance economic growth with environmental protection, foster innovation, and promote green technologies. As the EU looks toward the future, it must remain committed to its environmental goals, working collaboratively with member states and international partners to achieve a climate-neutral Europe by 2050. By doing so, the EU can continue to lead by example, demonstrating the importance of environmental stewardship and sustainability on the global stage.

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