

**ENVIRONMENTAL LEGISLATION AND POLICY AT INTERNATIONAL LEVEL**  
(Syllabus, 2021-2022)

**1. Information regarding the programme**

1.1 Higher education institution	Babeş-Bolyai University
1.2 Faculty	Faculty of Environmental Science and Engineering
1.3 Department	Environmental Analysis and Engineering
1.4 Field of study	Environmental Engineering
1.5 Study cycle	MA
1.6 Study programme / Qualification	Sustainable Development and Environmental Management/ Environmental Engineering

**2. Information regarding the discipline**

2.1 Name of the discipline	<b>Environmental Legislation and Policy at International Level</b>						
2.2 Course coordinator	Assoc. Prof., PhD Ruxandra Malina Petrescu-Mag						
2.3 Seminar coordinator	Assoc. Prof., PhD Ruxandra Malina Petrescu-Mag						
2.4. Year of study	1	2.5 Semester	2	2.6. Type of evaluation	E	2.7 Type of discipline	Compulsory

**3. Total estimated time** (hours/semester of didactic activities)

3.1 Hours per week	3	3.2 Of which: course	2	3.3 seminar/laboratory	1
3.4 Total hours in the curriculum	42	3.5 Of which: course	28	3.6 seminar/laboratory	14
Time allotment:					hours
Learning using manual, course support, bibliography, course notes					3
Additional documentation (in libraries, on electronic platforms, field documentation)					3
Preparation for seminars/labs, homework, papers, portfolios and essays					3
Tutorship					4
Evaluations					2
Other activities: visits, workshops, and other academic activities					7
3.7 Total individual study hours	112				
3.8 Total hours per semester	154				
3.9 Number of ECTS credits	6				

**4. Prerequisites** (if necessary)

4.1. curriculum	- no requirements
4.2. competencies	- no requirements

## 5. Conditions (if necessary)

5.1. for the course	- Class room with a video projector device
5.2. for the seminar /lab activities	- No requirements

## 6. Specific competencies acquired

<b>Professional competencies</b>	<ul style="list-style-type: none"> <li>- Acquire communication skills to interact effectively in a professional manner on specific issues related to environmental policy and legislation;</li> <li>- Acquire information and knowledge regarding the implementation and enforcement of environmental law;</li> <li>- Gain knowledge about substantive legislation: water protection, air pollution, nature and species protection, waste management, climate change and energy law, soil degradation;</li> <li>- Understand the basic concept of policy-making;</li> <li>- Acquire knowledge of the <i>ex-ante</i> evaluation of environmental policy;</li> <li>- Explain the interdependence between a multitude of factors that can impact the environmental problems, including cultural, social, economic, political, and ethical factors;</li> <li>- Understand the relevance of cross-cutting topics: e.g., environmental impact assessment, industrial emissions directive, environmental liability, procedural rights;</li> <li>- Acquire relevant information about legal and political aspects of environmental policy and plan-making;</li> <li>- Review, critique, and evaluate environmental reports and research papers.</li> </ul>
<b>Transversal competencies</b>	<ul style="list-style-type: none"> <li>- Work successfully in a team by performing practical tasks;</li> <li>- Develop communication skills;</li> <li>- Openness to lifelong learning, respecting and developing of professional values and ethics.</li> </ul>

## 7. Objectives of the discipline (outcome of the acquired competencies)

7.1 General objective of the discipline	<ul style="list-style-type: none"> <li>- To provide a thorough introduction to the EU and international environmental law and provide general knowledge related to concepts and methods applied in environmental legislation.</li> </ul>
7.2 Specific objective of the discipline	<ul style="list-style-type: none"> <li>- To enlarge and reinforce the understanding of the specific concepts used in the field of environmental law and environmental policy analysis;</li> <li>- To offer a comprehensive overview of EU and international environmental legislation;</li> <li>- To identify the categories of public policies;</li> <li>- To acquire professional competencies to develop an <i>ex-ante</i> analysis of environmental policy.</li> </ul>

## 8. Content

8.1 Course	Teaching methods	Remarks
<p><i>Part I. Environmental policy</i></p> <p><b>Courses (C) 1-2. Intro to policymaking. The study of public policy - a conceptual framework</b></p> <p>What is “policy”?</p> <p>What is “politics”?</p> <p>What is the environmental policy?</p> <p>Environmental Policy: a short history</p> <p>Why do we need an environmental policy?</p> <p>The EAPs</p> <p>The policy typologies</p> <p>The (environmental) policy golden rules</p> <p>Q&amp;A section</p> <p><b>C3 What to think about when you want to examine the content and impact of a policy?</b></p> <p>Ideologies and their role in creating new policies</p> <p>Environmentalism</p> <p>The rational or problem-solving model- a brief overview</p> <p>Q&amp;A section</p> <p>Pop assignment</p> <p><b>C4 The decision-making process</b></p> <p>Decision-making process</p> <p>Types of decisions</p> <p>Decision-Making Models</p> <p>Power (Steven Lukes’ Three Faces of Power, French &amp; Raven’s Types and Bases of Power)</p> <p>The stakeholders- definition, categories, stakeholder analysis</p> <p>The policy cycle framework</p> <p>Q&amp;A section</p> <p><b>C5. Policy analysis – in detail. The eightfold path</b> (after Bardach, 2012) (part I)</p> <p>Overview on (ex-ante) policy analysis steps</p> <p>Step 1. Define the Problem</p> <p>Step 2. Assemble Some Evidence</p> <p>Step. 3 Construct the Alternatives</p> <p>Q&amp;A section</p> <p><b>C6. Policy analysis – in detail. The eightfold path</b> (part II)</p> <p>Step four: Select the criteria</p> <p>Step five: Project the outcomes</p> <p>Step six: Confront the Trade-Offs</p> <p>Step seven: Decide! (e.g., Apply the “Twenty-Dollar-Bill Test”)</p> <p>Step eight: Tell Your Story (e.g., Apply the “Grandma Bessie Test”; Gauge the audience; Consider the medium to be used to tell the story)</p> <p>Q&amp;A section</p>	<p>Exposure: description, explanation, conversation.</p> <p>Most of the course ends with pop assignments (for seminars).</p>	<p>Students are encouraged to move his/her participation to the next level by not just answering questions but asking them, not just making comments, but specifically responding to issues other students argue.</p>

<p><b>PART II. ENVIRONMENTAL LEGISLATION</b></p> <p><b>C7-8. From environmental policy to legislation</b></p> <p>Legal basis of environmental policy  EU environmental principles: The prevention and precautionary principle, PPP, The integration principle  Environmental liability  Institutional framework for the right of legislative initiative, the right of legislation, the right of interpretation of the EU law and coercion  The infringement procedure  Q&amp;A section</p> <p><b>C9. The EU environmental legislation: Air and noise</b></p> <p>The Ambient Air Quality (AAQ) Directive 2008/50/EC  The National Emission Ceilings (NEC) Directive 2016/2284/EU  Environmental Noise Directive (END) 2002/49/EC  Infringement and preliminary ruling cases on air quality  Q&amp;A section</p> <p><b>C10. The EU environmental legislation: Water, nature and biodiversity Habitats Directive 92/43/EEC</b></p> <p>Water Framework Directive (2000/60)  Habitats Directive 92/43/EEC  Birds Directive 2009/147/EC  Biodiversity conservation EU case law  Water-related EU case law  Q&amp;A section</p> <p><b>C11. The EU environmental legislation: Waste</b></p> <p>The Waste Framework Directive (waste definition, exclusions from the scope of WFD, waste hierarchy, economic instruments, and other measures to provide incentives for the application of the waste hierarchy, by-product concept, end-of-waste status)  The Landfill Directive;  The Packaging Directive;  The Waste Electrical and Electronic Equipment (WEEE)  Waste related international obligations  Waste related EU case law  Q&amp;A section</p> <p><b>C12. The EU environmental legislation: Chemicals, industrial emissions, and major accident hazards</b></p> <p><b>CHEMICALS:</b> REACH Regulation (EC) No 1907/2006, The CLP Regulation (EC) No 1272/2008, The Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015 (the “COMAH Regulations »)</p> <p><b>INDUSTRIAL EMISSIONS AND MAJOR ACCIDENT HAZARDS:</b> Directive 2010/75/EU on Industrial Emissions (IED); Directive 2015/2193/EU on the limitation of emissions of certain pollutants into the air from Medium Combustion Plants (MCP Directive); Regulation (EU) 2017/852- Mercury regulation  EU Case law- SEVESO  Q&amp;A section</p>		
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**C13. Environmental cross-cutting issues: climate change**

The EU adaptation strategy in April 2013 (revised in 2018)

The 2020 climate & energy package

The 2030 climate & energy package

EU Case law - Renewable Energy Directive

Q&A section

**C14. The Environmental Implementation Review & course review**

Presentation of the Environmental Implementation Review (EIR)

Do we need EIR?

The Environmental Implementation Review Package

Biodiversity – an example of how an environmental EU policy sector is reflected in the EIR

The case of Romania (EIR challenges, opportunities, deficiencies)

Course Review

**NOTE:** The course structure is based on the ERA Academy of European Law course - “Introduction to European Environmental Law” (taught by Prof. Ludwig Krämer, Monika Krivickaite).

## Bibliography

1. Anderson, J. E. (2003). Public policymaking: An introduction. Boston: Houghton Mifflin Company, pp. 1 – 34.
2. Bardach, E., (2012). A Practical Guide for Policy Analysis. The Eightfold Path to More Effective Problem Solving. Sage and CQ Press.
3. Börzel, T. A., & Buzogány, A. (2019). Compliance with EU environmental law. The iceberg is melting. *Environmental Politics*, 28(2), 315-341.
4. Glicksman, R. L., Markell, D. L., Buzbee, W. W., Mandelker, D. R., & Bodansky, D. (2019). *Environmental Protection: Law and Policy*. Aspen Publishers.
5. Leipold, S. (2021). Transforming ecological modernization ‘from within’ or perpetuating it? The circular economy as EU environmental policy narrative. *Environmental Politics*, 1-23.
6. Nagel, S.S. (1986). Efficiency, effectiveness, and equity in public policy evaluation. *Review of Policy Research*, 6:99-120. doi:10.1111/j.1541-1338.1986.tb00651.
7. Smith, Melanie. "Enforcing Environmental Law through Infringements and Sanctioning: Steering not Rowing." In *Research Handbook on EU Environmental Law*. Edward Elgar Publishing, 2020.

### 8.2 Seminar / laboratory

The goal of the seminars is to increase students’ participation. This does not mean to have every student participate in the same way or at the same rate. Instead, it is to create an environment where all students have the opportunity to learn. Also, the seminar group will have the opportunity to explore issues and ideas in-depth, from various viewpoints, all about environmental policy and legislation.

Critical discussion, debates about environmental policy-making stages; Case studies analysis; Students will be assigned to co-lead class discussions for the assigned readings.

### Teaching methods

Conversation, debate, case studies.  
*Recommended strategies for students:*  
Become more active and/or make more effective comments - this will raise the overall level of discussion.

### Remarks

Please note: While reading the courses is necessary but not sufficient to assure participation in discussions, students who do not read the course support and the additional materials (including the compulsory readings) cannot provide meaningful contributions to the discussion.

<p>Examples of pop assignments and debates:</p> <ul style="list-style-type: none"> <li>- Identify an area or problem where a public policy was established. What was/were the model(s) used in the process of its creation/ Justify your answer.</li> <li>- Among the models of making of a public policy, which is more conducive to serving public interest and demands? Why? (Argue)</li> </ul> <p>Debate:</p> <ul style="list-style-type: none"> <li>- Using the following factors/criteria: public interest, effectiveness, fairness, and consistency, evaluate the proposed (imaginary) constitutional amendment:</li> </ul> <p><i>Now:</i> Romanian Constitution, in article 136 (3) states that “The mineral resources of public interest, the air, the waters with energy potential that can be used for national interests, the beaches, the territorial sea, the natural resources of the economic zone and the continental shelf, as well as other possessions established by the organic law, shall be public property exclusively” (Constitution of Romania, 2003).</p> <p><i>The proposed (imaginary) constitutional amendment:</i> The mineral resources of public interest, the air, the waters with energy potential that <i>can be used both for national and EU interests</i>, the beaches, the territorial sea, the natural resources of the economic zone, and the continental shelf, as well as other possessions established by the organic law, shall be <i>public and private property</i>”.</p>		
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## Bibliography

1. Hancock, J. (2019). Environmental human rights: Power, ethics and law. Routledge.
2. Leipold, S. (2021). Transforming ecological modernization ‘from within’ or perpetuating it? The circular economy as EU environmental policy narrative. *Environmental Politics*, 1-23.
3. McEldowney, J., & McEldowney, S. (2020). Contemporary issues in environmental law and policy. Edward Elgar.  
<https://westminsterresearch.westminster.ac.uk/download/708fa5a07c96bdd3686561d7be2e9f8addc9532d6f7a1a001c8c0f7b7681b1cc/103161/Sustainable%20Chemical%20Regulation%20in%20a%20Global%20Environment%20final%201.pdf>
4. Peeters, M., & Eliantonio, M. (Eds.). (2020). Research handbook on EU environmental law. Edward Elgar Publishing.
5. Petrescu-Mag, R. M., Petrescu, D. C., Oroian, I. G., Safirescu, O. C., Bican-Brişan, N. (2016). Environmental equity through negotiation: A case study on urban landfills and the Roma community. *International Journal of Environmental Research and Public Health*, 13(6), 591.
6. Petrescu-Mag, R. M., Petrescu, D. C., Safirescu, O. C., Hetvary, M., Oroian, I. G., Vâju, D. (2016). Developing public policy options for access to drinking water in peripheral, disaster and polluted rural areas: A case study on environment-friendly and conventional technologies. *Water*, 8(3), 80.

## 9. Corroborating the content of the discipline with the expectations of the epistemic community, professional associations and representative employers within the field of the program

The course “Environmental legislation and policy at the international level” enables the graduates to work for international and national agencies/ministries/companies for positions involving the formulation, management, and assessment of environmental policies. The use of English facilitates the graduates' access to companies from abroad and to multinational companies in Romania.

## 10. Evaluation

Type of activity	10.1 Evaluation criteria	10.2 Evaluation methods	10.3 Share in the grade (%)
10.4 Course	To know the milestones in environmental policymaking: e.g., concepts, legal basis, greening commitments of the EU policies; To know the main regulations in environmental protection.	Examination	50%
10.5 Seminar/lab activities	Elaboration and presentation of a research essay (research project)	To assess the project, the following elements will be considered: respecting the deadline, paper presentation; paper aspect; paper content; references.	30%
	Active participation in seminars	Participation in discussions/debates, preparation of the tasks. Students are rewarded for bringing up more challenging ideas and collaboratively dealing with them.	20%



10.6 Minimum performance standards: minimum 5.

March 7, 2021

Signature of course and seminar coordinator:

Ruxandra M. Petrescu-Mag



Date of approval:

Signature of the head of department